



Emeryville City Hall
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CITY OF EMERYVILLE

ACTION MINUTES

Special Closed Session

Members:

Mayor John J. Bauters
Vice Mayor Ally Medina
Council Member Scott Donahue
Council Member Dianne Martinez
Council Member Christian R. Patz

AMENDED City Council / Management of Emeryville Services
Authority

Tuesday, May 15, 2018

6:30 PM

Council Chambers

1. CALL TO ORDER

The meeting was called to order at 6:30 p.m.

2. ROLL CALL

Present 4 - Mayor John Bauters, Council Members Scott Donahue, Dianne Martinez, and Christian R. Patz

Absent 1 - Vice Mayor Ally Medina (excused)

3. EX PARTE COMMUNICATIONS

No ex parte communications were reported.

4. PUBLIC COMMENT (on Closed Session Items)

There were no comments made.

5. CLOSED SESSION - CITY OF EMERYVILLE / MANAGEMENT OF EMERYVILLE SERVICES AUTHORITY

Mayor Bauters recused himself from participation in Closed Session 6.2.1 due to the proximity of the project to his residence. In the absence of the Vice Mayor, he designated Council Member Patz as the Presiding Officer for that portion of the meeting.

5.1. PUBLIC EMPLOYEE APPOINTMENT, PUBLIC EMPLOYEE EMPLOYMENT, pursuant to Government Code Section 54957:

5.1.1. [ID-2018-267](#) Title: City Manager

An update was provided and direction given to staff.

6. CLOSED SESSION - CITY OF EMERYVILLE

6.1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION, Pursuant to Government Code Section 54956.9(a):

6.1.1. [ID-2018-269](#) City of Emeryville v. Daniel Berner - Alameda Superior Court Case No. RG17886621

A motion was made by Council Member Martinez, seconded by Mayor Bauters, to authorize the City Attorney to enter into a settlement on this item. The motion carried by the following vote:

Ayes: 4 - Mayor Bauters and Council Members Donahue, Martinez and Patz

Absent: 1 - Vice Mayor Medina

6.1.2. [ID-2018-268](#) MN Group dba Green Door v. City of Emeryville, et. al., Alameda County Superior Court Case No. RG18893293

An update was provided and direction given to staff.

6.2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR, pursuant to Government Code Section 54956.8

6.2.1. [ID-2018-270](#) **Property:** Corner of Sherwin Avenue and Halleck Street, UPPR Parcel D (APN 049-1041-026-16))

Agency Negotiators: Carolyn Lehr, City Manager; Michael Guina, City Attorney.

Negotiating Parties: City of Emeryville and LMC Emeryville I Investor LLC

Under Negotiations: Direction regarding price and terms of real estate negotiations.

An update was provided and direction given to staff.

7. REPORTING OUT OF CLOSED SESSION

City Attorney Guina reported out of Closed Session as shown above.

8. ADJOURNMENT

The meeting adjourned at 6:58 p.m.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Emeryville City Council.

**/Sheri Hartz/
Sheri Hartz, City Clerk**

DRAFT