



Emeryville City Hall
1333 Park Avenue
Emeryville, CA 94608
(510) 596-4300 phone
(510) 450-7831 fax
www.emeryville.org

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

Tuesday, September 4, 2018

6:45 PM

Council Chambers

1. CALL TO ORDER

The meeting called or order at 6:45 p.m.

Please note: Mayor Bauters participated in the meeting via teleconferencing from his publicly noticed location and joined the meeting once the Council convened in the Closed Session conference room.

2. ROLL CALL

Present: 5 - Mayor John J. Bauters
Vice Mayor Ally Medina
Council Member Scott Donahue
Council Member Dianne Martinez
Council Member Christian R. Patz

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

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

5.1.1. [ID-2018-478](#) Title: City Manager

An update was provided and direction given.

6. CLOSED SESSION - CITY OF EMERYVILLE

6.1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:

- 6.1.1. [ID-2018-479](#)** Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: One Potential Case.

A motion was made by Council Member Martinez, seconded by Council Member Donahue, to authorize the City Attorney to initiate litigation in this matter. The motion carried by the following vote:

Ayes 5 - Mayor Bauters Medina Council Member Donahue Council Member Martinez Council Member Patz

7. CLOSED SESSION - CITY OF EMERYVILLE AS SUCCESSOR AGENCY TO THE EMERYVILLE REDEVELOPMENT AGENCY / CITY OF EMERYVILLE**7.1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR, pursuant to Government Code Section 54956.8**

- 7.1.1. [ID-2018-480](#)** **Property:** APN 49-1544-1-1 (Rifkin Parcel); 49-1544-2, 49-1544-3, 49-1041-49, 49-1041-29-1, 49-1041-49, 49-1041-71-2, 49-1041-70-2
Agency Negotiators: James Holgersson, Interim City Manager; Michael Guina, City Attorney.
Negotiating Parties: City of Emeryville and Novartis Vaccines and Diagnostics, Inc.
Under Negotiations: Direction regarding price and terms of real estate negotiations.

An update was provided and direction given.

8. REPORTING OUT OF CLOSED SESSION

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

9. ADJOURNMENT

The meeting adjourned at 7:14 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