



Emeryville City Hall  
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## CITY OF EMERYVILLE

### ACTION MINUTES

#### Special Closed Session

Members:

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

City Council / Management of Emeryville Services Authority

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Tuesday, May 19, 2020

5:30 PM

Council Chambers

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#### 1. CALL TO ORDER

The meeting convened via teleconference at 5:30 p.m. The Mayor read aloud a statement announcing that the meeting was being conducted by teleconference pursuant to the Brown Act waivers provided for under the Governor's Executive Order in response to the COVID-19 State of Emergency.

#### 2. ROLL CALL

**Present:** 4 - Mayor Christian R. Patz  
Vice Mayor Dianne Martinez  
Council Member John J. Bauters  
Council Member Ally Medina  
**Absent:** 1 - Council Member Scott Donahue

#### 3. EX PARTE COMMUNICATIONS

No ex parte communications were reported.

#### 4. PUBLIC COMMENT (on Closed Session Items)

There were no public comments made.

#### 5. CLOSED SESSION - CITY OF EMERYVILLE

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

##### 5.1.1. [ID-2020-214](#)

##### Michael Guina v. Marilyn Smith

Alameda Superior Court Case No. RG18887782,  
1st Appellate District Case No. A155285

An update was provided and direction given.

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

- 5.2.1. [ID-2020-215](#)** **Property:** 4060 Hollis Street (APN 049-0618-004-00)  
City Hall Parking Lot (APNs 049-0618-002-02, 049-0618-003-00, 049-0618-029-00)  
**Agency Negotiators:** Christine Daniel, City Manager; Michael Guina, City Attorney.  
**Negotiating Parties:** City of Emeryville and Orton Development, Inc., and Besler Building Owners Association.  
**Under Negotiations:** Direction regarding price and terms of real estate negotiations.

An update was provided and direction given.

**6. CLOSED SESSION - CITY OF EMERYVILLE / MANAGEMENT OF EMERYVILLE SERVICES AUTHORITY**

**6.1. PUBLIC EMPLOYEE APPOINTMENT, PUBLIC EMPLOYEE EMPLOYMENT, PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957:**

- 6.1.1. [ID-2020-216](#)** Title: City Attorney  
No action taken.

**7. REPORTING OUT OF CLOSED SESSION**

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

**8. ADJOURNMENT**

The meeting adjourned at 6:33 p.m.

**I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Management of Emeryville Services Authority.**

/Sheri Hartz/  
Sheri Hartz, City Clerk