



Emeryville City Hall
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CITY OF EMERYVILLE

ACTION MINUTES

Special Closed Session

Members:

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

City Council / Management of Emeryville Services Authority

--AMENDED--

Tuesday, March 16, 2021

4:30 PM

Teleconference

1. CALL TO ORDER

The meeting convened via teleconference at 4:30 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: 5 - Mayor Dianne Martinez
Vice Mayor Scott Donahue
Council Member John J. Bauters
Council Member Ally Medina
Council Member Christian R. Patz

3. EX PARTE COMMUNICATIONS

Council Member Bauters reported that he and Vice Mayor Donahue had attended a meeting with Orton Development related to the matter listed under Item 5.1.2.

4. PUBLIC COMMENT (on Closed Session Items)

There were no comments made.

5. CLOSED SESSION - CITY OF EMERYVILLE

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

5.1.1. [ID-2021-128](#) **Property:** 4300 San Pablo Avenue, Emeryville, CA (APN 49-1079-014-01)

Agency Negotiators: Christine Daniel, City Manager; Michael Guina, City Attorney.

Negotiating Parties: City of Emeryville and EAH, Inc.

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

An update was provided.

5.1.2. [ID-2021-130](#)

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)

City Hall Parcel (APN 049-618-001, 049-618-002)

Agency Negotiators: Christine Daniel, City Manager; Michael Guina, City Attorney.

Negotiating Parties: City of Emeryville and Orton Development, Inc.

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

An update was provided.

5.2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: PENDING CLAIMS - Government Code Section 54956.9(d)(4).

5.2.1. [ID-2021-129](#)

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: Seventeen (17) Potential Cases.

A motion was made by Council Member Bauters, seconded by Council Member Patz, to approve direction on this Closed Session. The motion carried by the following vote:

Ayes 5 - Mayor Martinez, Vice Mayor Donahue, Council Member Bauters, Council Member Medina, and Council Member Patz

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

6.1. PUBLIC EMPLOYEE APPOINTMENT (pursuant to Government Code § 54957):

6.1.1. [ID-2021-119](#)

Title: City Attorney

The Mayor stated that no reportable action had been taken.

7. REPORTING OUT OF CLOSED SESSION

The City Attorney and Mayor reported out on Closed Session as shown above.

8. ADJOURNMENT

The meeting adjourned at 6:06 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