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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

City Council / Management of Emeryville Services Authority /
City of Emeryville as Successor Agency to the Emeryville
Redevelopment Agency

Tuesday, October 30, 2018

5:00 PM

Council Chambers

1. CALL TO ORDER

The meeting was called order at 5:00 p.m.

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)

Toby Nady spoke regarding Closed Session Item 7.2.1, reading a prepared statement regarding the property at 6701 Shellmound and the issues with completing the development there. She asked that the City not pursue litigation at this time, and that they be offered an extension.

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-2018-600](#) Title: City Attorney
Direction was given to staff.

6. CLOSED SESSION - CITY OF EMERYVILLE / CITY OF EMERYVILLE AS SUCCESSOR AGENCY TO THE EMERYVILLE REDEVELOPMENT AGENCY

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

- 6.1.1** [ID-2018-602](#) **The Successor Agency to the Former Emeryville Redevelopment Agency and the City of Emeryville v. Swagelok Company, et. al.**, U.S.D.C., Case No. 17-CV-00308-WHO

An update was provided and direction given.

7. CLOSED SESSION - CITY OF EMERYVILLE

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

- 7.1.1.** [ID-2018-604](#) **Property:** 4060 Hollis Street (APN 049-0618-004-00)
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 and direction given.

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

- 7.2.1.** [ID-2018-605](#) **City of Emeryville v. John Nady, Trustee, Nady Trust dated January 21, 1997, et al.** - Alameda Superior Court Case No. RG18924766

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 was adjourned at 5:30 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