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## CITY OF EMERYVILLE

### ACTION MINUTES

#### Special Closed Session

Members:

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

City Council / City of Emeryville as Successor Agency to the  
Emeryville Redevelopment Agency

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Tuesday, December 18, 2018

6:15 PM

Council Chambers

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#### 1. CALL TO ORDER

The meeting was called to order at 6:15 p.m.

#### 2. ROLL CALL

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

#### 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 / CITY OF EMERYVILLE AS SUCCESSOR AGENCY TO THE EMERYVILLE REDEVELOPMENT AGENCY

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

5.1.1. [ID-2018-633](#) 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.

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

**6.1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: PENDING CLAIMS - Government Code Section 54956.9(d)(2).**

**6.1.1. [ID-2018-679](#)** Claim of Anju Bhatta - EM2018-9

A motion was made by Council Member Bauters, seconded by Council Member Martinez, to reject the claim associated with this Closed Session item. The motion passed by the following vote:

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

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

**6.2.1. [ID-2018-676](#)** **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.

**6.2.2. [ID-2018-675](#)** **Property:** 3600, 3610 & 3620 San Pablo Avenue, Emeryville, CA (APN 049-950-1; 049-950-6-1; 049-950-8-1)

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

**Negotiating Parties:** City of Emeryville and Adlai Karim

**Under Negotiations:** Direction regarding price and terms of acquisition of property.

An update was provided and direction given.

**7. REPORTING OUT OF CLOSED SESSION**

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

**8. ADJOURNMENT**

The meeting adjourned at 7:31 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