



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 (Vacant)

City Council / Successor Agency / Management of Emeryville
Services Authority

Tuesday, November 2, 2021

4:00 PM

Teleconference

1. CALL TO ORDER

The meeting convened via teleconference at 4:00 p.m. and the Mayor read aloud a statement announcing that the meeting was being conducted by teleconference pursuant to the extension of Brown Act waivers provided for under Assembly Bill 361, as would subsequent meetings so long as the City Council could make findings that it was necessary in order to protect public safety.

2. ROLL CALL

Present: 4 - Mayor Dianne Martinez
Vice Mayor Scott Donahue
Council Member John J. Bauters
Council Member Ally Medina

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 § 54957:

5.1.1. [ID-2021-521](#) Title: City Attorney

Mayor Martinez reported out on the matter listed under Item 5.1.1, stating that no reportable action had been taken.

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-2021-509](#) 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**

There was no reportable action.

7. CLOSED SESSION - CITY OF EMERYVILLE

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

- 7.1.1. [ID-2021-523](#) **Property:** 1121 40th St Unit 5102, Emeryville, CA (APN 049-1546-036)
Agency Negotiators: Christine Daniel, City Manager, Andrea Visveshwara, Interim City Attorney
Negotiating Parties: City of Emeryville, John T Vuong and Mui Thi Ly-Vuong
Under Negotiation: Direction regarding price and terms of real estate negotiations.**

A motion was made by Council Member Medina, seconded by Mayor Martinez, that the unit not be acquired by the City. The motion carried by the following vote:

- Ayes** 3 - Mayor Martinez, Vice Mayor Donahue, and Council Member Medina
Noes 1 - Council Member Bauters

8. REPORTING OUT OF CLOSED SESSION

Interim City Attorney Visveshwara reported out of Closed Session as shown above, with the exception of Item 5.1.1, for which Mayor Martinez gave the report.

9. ADJOURNMENT

The meeting adjourned at 5:54 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