



Emeryville City Hall
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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 Courtney Welch

--Amended--

City Council / Management of Emeryville Services Authority

Tuesday, September 20, 2022

5:45 PM

Teleconference

1. CALL TO ORDER

2. ROLL CALL

Present: 5 - Mayor John J. Bauters
Vice Mayor Ally Medina
Council Member Scott Donahue
Council Member Dianne Martinez
Council Member Courtney Welch

3. EX PARTE COMMUNICATIONS

4. PUBLIC COMMENT (on Closed Session Items)

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-2022-481](#) City Manager

6. CLOSED SESSION - CITY OF EMERYVILLE

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

6.1.1 [ID-2022-474](#) Kortz v. CA Department of Transportation
Alameda County Superior Court Case No. RG17-849272

6.1.2 [ID-2022-473](#) Jon Reed, Laura Berry, Frank Eugene Moore III, Gabriel Smithson, and Where Do We Go Berkeley v. City of Emeryville, et al., U.S.D.C., Case No. 21-cv-2781-YGR

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

- 6.2.1** [ID-2022-471](#) Property: Emeryville Art Center (4060 Hollis Street and City Hall Parking Lot)
APNS: 049-0618-004-00, 049-0618-002-02, 049-0618-003-00, 049-0618-029-00
Agency Negotiators: Adam Politzer, City Manager; John Kennedy, City Attorney; Christie Crowl, Special Counsel
Negotiating Parties: Orton Development Inc./4060 Hollis LLC.
Under Negotiations: Direction regarding price and terms of real estate negotiations.
- 6.2.2** [ID-2022-482](#) Property: 3199 Powell Street (portion of APN 049-1525-002-01)
Agency Negotiators: Adam Politzer, Interim City Manager; John Kennedy, City Attorney
Negotiating Parties: City of Emeryville and Hong Kong East Ocean Restaurant, Ltd.
Under Negotiations: Direction regarding price and terms of real estate negotiations.

7. REPORTING OUT OF CLOSED SESSION

8. ADJOURNMENT

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

**/s/ April Richardson, CMC
Acting City Clerk / Secretary**