

SPECIAL MEETING OF THE CITY COUNCIL

Closed Session Announcement

DATE: May 2, 2023

CONVENE TIME: 6:27 p.m.

ADJOURNMENT: 7:08 p.m.

Note: Councilmember Vella arrived at 6:28 p.m.

PRE-MEETING ANNOUNCEMENT

LEGISLATIVE BODY: CITY COUNCIL

SUBJECT OF CLOSED SESSION:

4-A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8)

PROPERTY: West Midway Market-Rate Development Project (Parcel bounded by Main Street, West Midway, Pan Am and West Tower) Alameda Point, Alameda, CA

CITY NEGOTIATORS: City Manager Jennifer Ott, Community Development Director Lisa Maxwell, Planning Building & Transportation Director Andrew Thomas, and Base Reuse Manager Scott Watson

NEGOTIATING PARTIES: City of Alameda, Brookfield Development and Catellus

UNDER NEGOTIATION: Terms of Disposition and Development Agreement and Related Real Property Agreements

POST-MEETING ANNOUNCEMENT

Action: Staff provided information and Council gave direction.

	<u>AYE</u>	<u>NO</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
Mayor Ezzy Ashcraft	<u>X</u>			
Vice Mayor Daysog	<u>X</u>			
Councilmember Herrera Spencer		<u>X</u>		
Councilmember Jensen	<u>X</u>			
Councilmember Vella	<u>X</u>			

SPECIAL MEETING OF THE CITY COUNCIL

Closed Session Announcement

DATE: May 2, 2023
CONVENE TIME: 5:14 p.m.
ADJOURNMENT: 5:38 p.m.

PRE-MEETING ANNOUNCEMENT

LEGISLATIVE BODY: CITY COUNCIL

SUBJECT OF CLOSED SESSION:

4-B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Pursuant to Government Code § 54956.9)

CASE NAME: In Re: National Prescription Opiate Litigation

COURT: United States District Court Northern District of Ohio Eastern Division

CASE NUMBER: MDL 2804 Case No. 1:17-md 2804

POST-MEETING ANNOUNCEMENT

Action: The case involves litigation against prescription opioid manufacturers and distributors; nationwide settlements have been reached to resolve the cases brought by states and local political subdivisions against the three largest pharmaceutical distributors: McKesson, Cardinal Health and AmerisourceBergen, and manufacturer Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson; the settlements provide that in return for a release of claims against the defendants, States and local political subdivisions shall receive up to a combined total of \$26 billion; the City of Alameda is eligible to participate in the settlements although it is not a named plaintiff in the litigation; the City's share of the settlement funds could be up to \$1,062,000 over 18 years; the Council authorized the City Attorney to resolve this litigation on behalf of the City of Alameda by consenting and participating in the settlements; after electing to consent/participate in the settlements, the City may later choose to receive its share of the settlement funds to be used for designated opioid abatement purposes, or can instead allow its share of the funds to be directed to the County of Alameda.

	<u>AYE</u>	<u>NO</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
Mayor Ezzy Ashcraft	<u>X</u>			
Vice Mayor Daysog	<u>X</u>			
Councilmember Herrera Spencer	<u>X</u>			
Councilmember Jensen	<u>X</u>			
Councilmember Vella			<u>X</u>	

SPECIAL MEETING OF THE CITY COUNCIL

Closed Session Announcement

DATE: May 2, 2023
CONVENE TIME: 5:59 p.m.
ADJOURNMENT: 6:27 p.m.

PRE-MEETING ANNOUNCEMENT

LEGISLATIVE BODY: CITY COUNCIL

SUBJECT OF CLOSED SESSION:

4-C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8)

PROPERTY: 1900 Thau Way, Alameda Point, Alameda, CA

CITY NEGOTIATORS: City Manager Jennifer Ott, Assistant City Manager Amy Wooldridge, Community Development Director Lisa Maxwell, Assistant City Attorney Len Aslanian, Economic Development Division Manager Lois Butler, and Community Development Manager Lisa Fitts

NEGOTIATING PARTIES: City of Alameda and All Good Living Foundation

UNDER NEGOTIATION: Price and Terms of Lease

POST-MEETING ANNOUNCEMENT

Action: Staff provided information and Council gave direction.

	AYE	NO	ABSENT	ABSTAIN
Mayor Ezzy Ashcraft	X			
Vice Mayor Daysog	X			
Councilmember Herrera Spencer	X			
Councilmember Jensen	X			
Councilmember Vella			X	

SPECIAL MEETING OF THE CITY COUNCIL

Closed Session Announcement

DATE: May 2, 2023

CONVENE TIME: 5:39 p.m.

ADJOURNMENT: 7:10 p.m.

Note: At 5:59, Council addressed other closed session items and returned to the matter at 7:08 p.m.

PRE-MEETING ANNOUNCEMENT

LEGISLATIVE BODY: CITY COUNCIL

SUBJECT OF CLOSED SESSION:

4-D. CONFERENCE WITH LEGAL COUNSEL POTENTIAL LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9, subsection (d)(4)

Number of cases: One (As Plaintiff City Initiating Legal Action)

Potential Defendant(s): All Persons Unknown, Claiming Any Legal or Equitable Right, Title, Estate, Lien, or Interest in APNs 72 382 001, 72 382 002, 72 383 003 01 and 72 382 009 (Encinal Terminals) Adverse to Plaintiffs' Title, or Any Cloud Upon Plaintiffs' Title Thereto; State of California, Acting By and Through State Lands Commission; and Does 1 through 50 Inclusive

POST-MEETING ANNOUNCEMENT

Action: The City Council authorized the City Attorney to file a judicial validation action to confirm the validity of the tidelands exchange agreement to facilitate the development of the Encinal Terminals project, subject to the developer's execution of a reimbursement agreement amendment; the Encinal Terminals project, located at located at 1521 Buena Vista Avenue, is planned to develop 589 units of housing, including 80 affordable units, which are critical for the City to meet its regional housing needs; the project requires the developer to extend the San Francisco Bay Trail to include the entire site perimeter, construct a waterfront park and other infrastructure improvements at the developer's sole cost.

	AYE	NO	ABSENT	ABSTAIN
Mayor Ezzy Ashcraft	X			
Vice Mayor Daysog		X		
Councilmember Herrera Spencer		X		
Councilmember Jensen	X			
Councilmember Vella	X			