## SPECIAL MEETING OF THE CITY COUNCIL

Mayor's Closed Session Announcement

DATE OF CLOSED SESSION:	September 1	1, 2020		
CONVENE TIME:	2:32	Tim		
ADJOURNMENT:	5:47	Dim.		
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PRE-ME	ETING A	NOUNC	CEMENT	
LEGISLATIVE BODY:	CITY COU	NCIL		
SUBJECT OF CLOSED SESSION	<u>)N</u> :			
CONFERENCE WITH LEGAL C Government Code § 54956.9): CASE NAME: City of Alameda v COURT: Superior Court of the S CASE NUMBERS: RG1892093	. Union Pacif State of Califo	ic (Tilden)	· ·	
POST-ME			CEMENT	
The City Council met in Closed Ses	ssion to discus	s: nls	nnativi	
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		4		
VOTE:				
	AYE	NO	ABSENT	ABSTAIN
Mayor Marilyn Ezzy Ashcraft	*			

Vice Mayor John Knox White

Councilmember Vella Councilmember Daysog Councilmember Oddie

#### **Closed Session Report Out**

CONFERENCE WITH LEGAL COUNSEL – Existing Litigation against Union Pacific (Tilden)

This case involves an ongoing eminent domain litigation against Union Pacific, where the City seeks to acquire approximately 1.56 acres of abandoned Union Pacific Railroad right-of-way on the northwest side of Tilden Way on either side of Blanding Avenue. The property will be used for the Cross-Alameda Trail Clement Avenue East Extension/Tilden Way Project which will link the Cross-Alameda Trail to the Miller-Sweeney Bridge and into Oakland. The parties have reached a tentative agreement to finalize the eminent domain process without trial, whereby the City would pay approximately \$1,538,875, agree to release Union Pacific from future liability from the City, and to certain use restrictions consistent with environment conditions of the site. The Council authorized the City Attorney to resolve this litigation consistent with the tentative agreement.

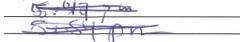
### SPECIAL MEETING OF THE CITY COUNCIL

Mayor's Closed Session Announcement

DATE OF CLOSED SESSION:

September 1, 2020

CONVENE TIME: ADJOURNMENT:



## PRE-MEETING ANNOUNCEMENT

LEGISLATIVE BODY:

CITY COUNCIL

### SUBJECT OF CLOSED SESSION:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8)

PROPERTY: Site A at Alameda Point

PERSONS NEGOTIATING: Eric J. Levitt, City Manager, Debbie Potter, Community Development Director, Michelle Giles, Redevelopment Project Manager and Lisa

Nelson Maxwell, Assistant City Attorney

NEGOTIATING PARTIES: City of Alameda and Alameda Point Partners

UNDER NEGOTIATIONS: Price and terms

## **POST-MEETING ANNOUNCEMENT**

The City Council met in Closed Session to discuss:				
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VOTE:				,
	AYE	NO	ABSENT	ABSTAIN
Mayor Marilyn Ezzy Ashcraft		- Company of the Comp		
Vice Mayor John Knox White Councilmember Vella				
Councilmember Daysog				
Councilmember Oddie	and the same			
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# SPECIAL MEETING OF THE CITY COUNCIL Mayor's Closed Session Announcement

DATE OF CLOSED SESSION: CONVENE TIME: ADJOURNMENT:	September 5	19	~		
PRE-ME	ETING A	NNOUN	CEMENT		
LEGISLATIVE BODY:	CITY COL	JNCIL			
SUBJECT OF CLOSED SESSI	ON:				
CONFERENCE WITH LEGAL (Government Code § 54956.9): Requests for the City to particip (Pursuant to Government Code Case Name: Duncan v. Becerra Court: United State Court of App Case Number: 19-55376	ate as amicu § 54956.9) เ	ıs in pendin		Pursuant to	
The City Council met in Closed Se			ulius of	Counu	4
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VOTE:  Mayor Marilyn Ezzy Ashcraft Vice Mayor John Knox White Councilmember Vella Councilmember Daysog Councilmember Oddie	AYE	NO	ABSENT	ABSTAIN	

### **Closed Session Report Out**

Requests for the City to participate as amicus in pending litigations:

Duncan v. Becerra, United States Court of Appeals For the Ninth Circuit, Case No. 19-55376

The City has been asked to join numerous other local jurisdictions by authoring and/or signing on to an amicus briefs to be filed in the above case to support the State of California's existing prohibition (codified at Government Code section 31310) against the possession of large capacity magazines ("LCM") that hold more than 10 rounds of ammunition. A divided panel of the 9<sup>th</sup> Circuit held that Section 31310 violated the 2<sup>nd</sup> amendment. The amicus brief seeks to support the State of California, in part because, this decision is contrary to prior 9<sup>th</sup> Circuit precedent and precedent from six other Circuits all holding that various LCM restrictions are constitutional. Additionally, Section 31310's prohibition against LCMs does not prevent the use of handguns or other weapons in self-defense, and leaves open alternative channels for self-defense in the home. The Council has authorize the City Attorney to author and/or sign amicus briefs in this case, in any trial or appellate court of competent jurisdiction.

## SPECIAL MEETING OF THE CITY COUNCIL Mayor's Closed Session Announcement

DATE OF CLOSED SESSION:	September	1, 2020		
CONVENE TIME: ADJOURNMENT:	5:30	Pn		
PRE-ME	ETING A	NNOUN	CEMENT	
LEGISLATIVE BODY:	CITY COU	INCIL		
SUBJECT OF CLOSED SESSI	ON:			
CONFERENCE WITH LEGAL Of Significant exposure to litigation 54956.9 Number of cases: Number of cases: Action)	pursuant to	paragraph	(2) of subdivisi	on (d) of Section
POST-MI	EETING A	NNOUN	ICEMENT	
The City Council met in Closed  Bunui	Session to di	scuss:	milion	
VOTE: More Laker  Mayor Marilyn Ezzy Ashcraft Vice Mayor John Knox White Councilmember Vella Councilmember Daysog Councilmember Oddie	AYE	NO	ABSENT	ABSTAIN

# SPECIAL MEETING OF THE CITY COUNCIL Mayor's Closed Session Announcement

CONVENE TIME: ADJOURNMENT:	September 1 Segg	, 2020 pm		-
PRE-MEET	ING ANNO	DUNCE	EMENT	
LEGISLATIVE BODY:	CITY COUNC	CIL		
SUBJECT OF CLOSED SESSIO	<u>DN</u> :			
CONFERENCE WITH LEGAL COU Initiation of litigation pursuant to Go Number of Cases: One (As Plaintiff-	vernment Code	Section 5	4956.9, Subsec	ction (c)
POST-MEE	TING ANN	OUNC	EMENT	
The City Council met in Closed Ses	sion to discuss:	molive	of the	Councif
Council	rouelul	dis	eilen	
VOTE: Mayor Marilyn Ezzy Ashcraft Vice Mayor John Knox White Councilmember Vella Councilmember Daysog Councilmember Oddie	AYE	NO	ABSENT	ABSTAIN