

**1. Call to Order/Roll Call**

The meeting was called to order at 5:04 p.m.

Present: Jeff Levin, Mayor Jean Quan, Tony Smith, Frank Tucker,  
Supervisor Keith Carson, Elsa Ortiz

Absent: Ronald Gerhard

Staff: Sarah Schlenk, Dan Rossi

**2. Approval of minutes for January 7, 2013 meeting**

A motion was made by Elsa Ortiz, seconded by Frank Tucker to accept the minutes from the meeting held January 7, 2013. The motion passed with a vote of 6 Ayes, 1 Absent – Gerhard

**3. Presentation and Public Comment Session Regarding the Due Diligence Review of the Oakland Redevelopment Successor Agency (Excluding the Low and Moderate Income Housing Fund)**

David Bullock from Macias, Gini, and O’Connell presented the due diligence report to the board and the public for review and comments. Macias, Gini, and O’Connell determined that the Successor agency has no unencumbered funds to return to the state. Following the report, Chair Carson asked for clarification on the enforceable obligations the DOF had previously questioned. Mr. Bullock stated that MGO (Macias, Gini, and O’Connell) did not factor in the funds in question when preparing this report. Those funds will need to be recovered through a future ROPS. Chair Carson then asked for a status update on the “clawback process”. Mr. Bullock replied that the field work has been completed, however a report of the findings has not been made available.

Board Counsel, Laurie Gustafson of Stein and Lubin, wanted to make the board aware that on Attachment C there were 10 properties that were transferred from the ORA to the City subsequent to the dissolution of redevelopment, but prior to the enactment of AB 26. She wanted to make the board aware that the DOF could invalidate those transfers which would change the calculations and make over \$15 million available to be remitted to the state for redistribution to the taxing entities.

City/Successor Agency Counsel Dan Rossi stated that he has no issue with Ms. Gustafson’s statutory interpretation. He also wanted to reiterate that while AB 26 does speak to city/agency transfers being invalid, that law was not in effect when the transfers took place. Mr. Rossi also stated that “undoing” a contract retroactively is a violation of the California State Constitution. Mayor Quan added that most of the

facilities on the list were transferred to the Redevelopment Successor Agency, because the cost to redevelop the property is very high.

Mayor Quan asked staff to prepare a more detailed list of what the properties are and the proposed uses for them.

**4. Adoption of a Resolution of the Oversight Board of the Successor Agency to the Dissolved Redevelopment Agency of the City of Oakland Authorizing the Oakland Redevelopment Successor Agency to enter into Temporary License Agreements for Parcels Located near the Oracle Arena and Oakland-Alameda County Coliseum**

A motion was made by Mayor Quan, seconded by Elsa Ortiz to adopt the resolution. The motion passed with a vote of 6 Ayes, 1 Absent - Gerhard

**5. Informational report on recent communication with the Department of Finance**

Oakland Redevelopment Successor Agency Staff member Sarah Schlenk presented the recent communication with the Department of Finance. The DOF has stated that they will take 100 days to review the Foothill/Seminary project and the Army Base projects. Board Counsel, Laurie Gustafson does not agree that AB 1484 provides the DOF with a full 100 days and acknowledges that such a timeline could jeopardize the projects. The board authorized Ms. Gustafson to draft a letter to the DOF stating these facts.

The DOF has also stated that they are holding firm with their decision to disallow housing staff and administration costs.

**6. Informational report from Stein & Lubin on recent activities and amount invoiced to date**

Board Counsel Laurie Gustafson stated that the board is close to expending all funds allocated for this fiscal year for board counsel. The board requested staff to work with Ms. Gustafson and provide a report estimating time and work needed by counsel through June 30, 2013 and the amount of additional funds requested at the next board meeting.

**7. Open Forum**

There were no speakers during Open Forum.

**8. Adjournment**

The meeting was adjourned at 6:24 pm.