

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

The meeting was called to order at 5:07 p.m.

Present: Jeff Levin, Elsa Ortiz, Mayor Jean Quan (in at 5:57pm),  
Tony Smith, Frank Tucker, Ronald Gerhard,  
Supervisor Keith Carson

Staff: Sarah Schlenk, Dan Rossi

**2. Approval of minutes for August 6, 2012 meeting**

A motion was made by Tony Smith, seconded by Elsa Ortiz to accept the minutes from the meeting held August 6, 2012. The motion passed with a vote of 6 Ayes, 1 Absent - Quan

**3. Adoption of a Resolution entering into an agreement with Stein and Lubin, LLP for legal counsel for the Oakland Oversight Board**

Laurie Gustafson provided a brief report on the services to be rendered to the Oakland Oversight Board by Stein and Lubin. She informed the Board that they are being provided a discounted rate charged by the hour and will be billed monthly. The board had a brief discussion on how communication should be handled between the board, staff and counsel. It was decided that when possible the board should funnel comments and concerns through Sarah Schlenk and she would pass them on to counsel. The board however, reserved the right to contact counsel directly if they had an urgent concern that needed an immediate response.

A motion was made by Elsa Ortiz, seconded by Tony Smith to enter into an agreement with Stein and Lubin LLP, to provide legal counsel for the Oakland Oversight Board. The motion passed with a vote of 6 Ayes, 1 Absent – Quan

**4. Adoption of a resolution approving the ROPS and Administrative Budget #3, January – June 2013**

Counsel informed the board that they could review the ROPS as a part of the due diligence process due to time restraints to submit the ROPS to the DOF.

A motion was made by Jeff Levin, seconded by Elsa Ortiz to adopt the resolution. The motion passed with a vote of 7 Ayes.

**5. Adoption of a resolution authorizing the Oakland Redevelopment Successor Agency to enter into a Disposition and Development Agreement with the City of Oakland and Sunfield Development LLC, for the sale of property at Foothill Boulevard and Seminary Avenue for no less than \$6,000 for development as a retail shopping center and authorizing an agreement with the City of Oakland to provide \$150,000 for the remediation/demolition of the site**

A report was made by City of Oakland/ Successor Agency staff member Gregory Hunter. Mr. Hunter described the project, its importance to the community and the urgency of approving the project prior to receiving a finding of completion from DOF. After his report, Oversight Board counsel advised the board that the property is not in the jurisdiction of the Oversight Board, because it is not controlled by the Successor Agency. The property is in the hands of the City, and the Oversight Board has no jurisdiction of over City owned properties. Counsel further advised the board that several transactions took place during the restricted period and the County Controller may reverse the agreements.

Following the report from Mr. Hunter and advice provided by counsel, Successor Agency counsel Dan Rossi provided clarification on the action requested of the board. Mr. Rossi explained that the Board has a future stake in the property. If the property is “clawed back” (meaning if the agreement is reversed and the property is returned to the successor agency) then the oversight board would have to approve this resolution at that point. The time taken by this process could jeopardize the agreements made with the retail partners that wish to occupy this site. Mr. Rossi further explained that adopting this resolution ensures that the project can proceed in either case.

Counsel for the Oversight Board then requested that the benefit to the taxing entities be emphasized in the resolution, since the board has a fiduciary duty to the taxing entities.

A motion was made by Jeff Levin to adopt the resolution as amended to emphasize the board’s fiduciary duty to the taxing entities and the benefit this project has to those entities. The motion was seconded by Tony Smith. The motion passed with a vote of 7 ayes.

There were 8 speakers on this item.

**6. Approval of an Oakland Oversight Board meeting schedule, September – December 2012**

A motion was made by Frank Tucker to approve the schedule, including cancelling the September 3, 2012 meeting. This motion was seconded by Tony Smith. The motion passed with a vote of 7 Ayes.

**6. Presentation of 1484 by (Stein and Lubin LLP)**

This presentation was continued to the September 17, 2012 Meeting of the Oakland Oversight Board.

**7. Open Forum**

There were no speakers during Open Forum.

**8. Adjournment**

The meeting was adjourned at 7:06 pm.