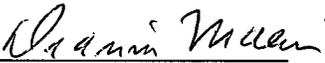


15 MAY 14 AM 11:55

Approved as to Form and Legality

  
City Attorney's Office

REVISED

## OAKLAND CITY COUNCIL

Resolution No. 85 552 C.M.S.

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**RESOLUTION AUTHORIZING WAIVER OF ANY POTENTIAL CONFLICT OF INTEREST THAT THE LAW FIRM OF COBLENTZ PATCH DUFFY & BASS, LLP MAY HAVE AS A RESULT OF PROVIDING ADVICE AND COUNSEL TO THE LESSEE OF THE LAKE CHALET RESTAURANT REGARDING LESSEE'S LEASE NEGOTIATIONS WITH THE CITY OF OAKLAND, AND PERMITTING COBLENTZ TO PROVIDE ADVICE AND COUNSEL TO THE CITY OF OAKLAND REGARDING THE COLISEUM CITY PROJECT**

**WHEREAS**, the law firm of Coblentz Patch Duffy and Bass, LLC ("the law firm") has specialized expertise in representing clients in complex real estate projects, including projects that include professional sports stadiums; and

**WHEREAS**, the City currently is involved in negotiations for development of the Coliseum City project, a proposed major real estate mixed use project that may include professional sports stadiums; and

**WHEREAS**, provision of legal advice regarding mixed use sports stadium projects is a specialized area of law, and the City Attorney's office does not have an attorney trained this area; and

**WHEREAS**, the law firm represented the Lake Chalet Restaurant operators in negotiating a lease of City-owned land at Lake Merritt; and

**WHEREAS**, because the law firm represented and may continue to represent Lake Chalet Restaurant, the representation potentially raises a conflict of interest; and

**WHEREAS**, the law firm has agreed not to represent Lake Chalet Restaurant in a matter which raises an actual conflict of interest unless it first seeks the City's approval, and if the City doesn't approve, the City would have the option of immediately terminating the law firm's services to the City; now therefore be it

**RESOLVED:** That the City waives the law firm's potential conflict of interest that may arise because the law firm represents Lake Chalet Restaurant, and permits the law firm to provide advice and counsel to the City regarding the Coliseum City Project; and

**FURTHER RESOLVED:** That the Professional Services Agreement for the retention of the law firm will provide that the law firm agrees not to represent: (i) the Oakland Athletics, the Golden State Warriors, or the Oakland Raiders during the law firm's representation of the City regarding the Coliseum City Project, or (ii) any municipalities in any effort to compete with the City to be the home-team location for the Oakland Athletics, the Golden State Warriors, or the Oakland Raiders.

IN COUNCIL, OAKLAND, CALIFORNIA,

**MAY 11 2015**

PASSED BY THE FOLLOWING VOTE:

AYES - ~~BOGGS~~, CAMPBELL-WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, ~~LEE~~ AND PRESIDENT GIBSON MCELHANEY - 6

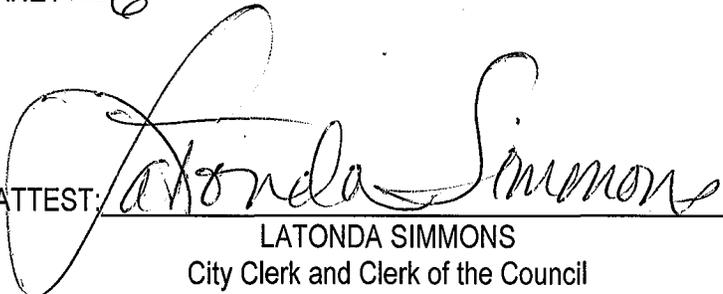
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brooks,  
Reid - 2

ATTEST:



LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California

557174v5