

# CITY OF OAKLAND

Resolution No. 81186 C.M.S.

OFFICE OF THE CLERK  
2009 MAR 29 PM 6:27



**Resolution Authorizing Waiver of any Potential Conflict of Interest that the Law Firm of Hanson Bridgett LLP May Have as a Result of the Firm's Representation of Yellow Cab in its Challenge to the City's Decision to Revoke Taxi Medallions, to Allow the Firm to Provide Specialized Legal Assistance in the Oak to Ninth Project Litigation**

**WHEREAS**, the City is engaged in litigation regarding the validity of its approval of the Oak to Ninth Project—Coalition of Advocates for Lake Merritt v. City of Oakland et al. ("CALM") and Oakland Heritage Alliance v. City of Oakland et al. ("OHA"), Alameda Superior Court Case Nos. RG06280471 and RG06280345, collectively referred to herein as the "Oak to Ninth Litigation"—including without limitation claims by the petitioners in the CALM case that the City Council violated procedural requirements when it adopted an Ordinance approving a development agreement with the project sponsor and amended the General Plan;

**WHEREAS**, the City Attorney would like to retain Hanson Bridgett LLP ("Hanson Bridgett") to assist the City with the Oak to Ninth Litigation, at the project sponsor's expense, because the Hanson Bridgett counsel have specialized expertise with respect to above-referenced claims by CALM;

**WHEREAS**, Yellow Cab Company ("Yellow Cab") previously retained Hanson Bridgett to provide legal assistance in challenging the City's decision in 2006 to revoke 10 permits/medallions Yellow Cab was using; and

**WHEREAS**, the proposed representation would not constitute a direct conflict, but it is the City's policy and Hanson Bridgett's desire to obtain "conflict waivers" in such cases; and

**WHEREAS**, none of the Hanson Bridgett counsel involved in the Yellow Cab matter would not be involved in the Oak to Ninth litigation, and none Hanson Bridgett counsel involved in the Oak to Ninth Litigation would not be involved in the Yellow Cab matter;

**WHEREAS**, by City of Oakland Resolution No. 80940 C.M.S. (December 4, 2007) the City waived a potential conflict with Hanson Bridgett so that the City Attorney could retain Hanson Bridgett to assist the City in responding to Union Pacific Rail Road's plans to use a rail spur track in Oakland known as the Fruitvale Lead;

**WHEREAS**, the City Attorney desires to engage Hanson Bridgett for the Oak to Ninth Litigation because of its expertise with respect to the above-referenced claims in the Oak to Ninth Litigation; now therefore be it,

**RESOLVED:** That the City waives Hanson Bridgett's conflict of interest, to the extent one exists, so that Hanson Bridgett may represent the City regarding the Oak to Ninth Litigation at the project sponsor's expense.

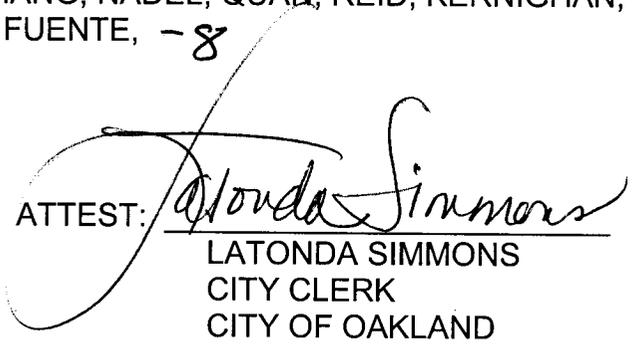
**OAKLAND, CALIFORNIA, APR 1 2008**

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, KERNIGHAN,  
AND PRESIDENT DE LA FUENTE, - 8

NOES- 0  
ABSENT- 0  
ABSTENTION- 0

ATTEST:



LATONDA SIMMONS  
CITY CLERK  
CITY OF OAKLAND