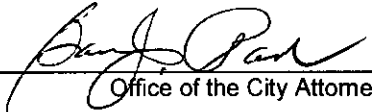


FILED
OFFICE OF THE CITY CLERK
OAKLAND

2013 NOV 26 PM 6:55

Approved as to Form and Legality


Office of the City Attorney

OAKLAND CITY COUNCIL

Resolution No. 84761 C.M.S.

RWH: ssl

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF THE EIGHTH AMENDMENT TO THE OAKLAND-ALAMEDA COUNTY COLISEUM OAKLAND ATHLETICS AMENDED AND RESTATED STADIUM LICENSE AGREEMENT

WHEREAS, the Board of Commissioners of the Oakland Alameda County Coliseum Authority (the "Authority") has approved; and accepted the Eighth Amendment ("the Amendment") to the Oakland-Alameda County Coliseum Oakland Athletics Amended and Restated Stadium License Agreement (the "License Agreement"); and

WHEREAS, execution of the Amendment is a modification of the License Agreement; and

WHEREAS, the Amended and Restated Management Agreement by and among City of Oakland, County of Alameda and Oakland-Alameda County Coliseum Authority requires approval by the City of Oakland ("City") and the County of Alameda ("County"), as joint owners of the Oakland-Alameda County Coliseum Complex, ("Coliseum Complex") of any modification to any existing license agreement pertaining to the Complex before such modification can be executed; and

WHEREAS, the Authority has requested and recommended that the City approve and authorize acceptance of the Amendment; and

WHEREAS, the accompanying staff report presented to this meeting, sets forth the terms and conditions of the Amendment; and

WHEREAS, a form of the Supplement has been presented to this meeting as an attachment to the staff report; and

WHEREAS, staff has recommended that the City Council of the City of Oakland ("the City") approve and authorize the Authority to execute the Amendment; and

WHEREAS, the City finds it advisable and now desires to approve the form of the Amendment and to authorize execution by Authority of the Amendment; and now, therefore, be it

RESOLVED: That all of the recitals above set forth are true and correct, and the City so finds and determines; and be it

FURTHER RESOLVED: That the City hereby approves and authorizes acceptance and execution by the Authority of the Amendment, in substantially the form presented to this meeting with only those changes that the Authority Chair, with the advice of counsel to the Authority, shall approve; and be it

FURTHER RESOLVED: That the City Clerk is hereby authorized to attest, if required, the Amendment; and be it

FURTHER RESOLVED: That all actions heretofore taken by the officers and agents of the Authority concerning the negotiations pertaining to the agreement reached as reflected in the Amendment are hereby approved, confirmed and ratified, and the City recommends that the Authority direct and authorize its proper officers, for and in the name and on behalf of the Authority, to do any and all things and take any and all actions and necessary to execute the Amendment, and other documents which they, or any of them, may deem necessary or advisable in order to effectuate the purposes of this resolution.

IN COUNCIL, OAKLAND, CALIFORNIA, _____ 2013. **DEC 10 2013**

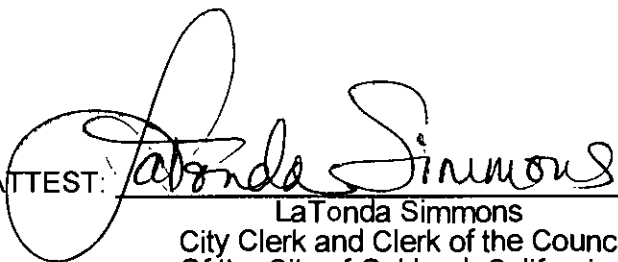
PASSED BY THE FOLLOWING VOTE:

AYES - ~~Brooks~~, KALB, GALLO, KAPLAN, GIBSON MCELHANEY, REID, SCHAAF and PRESIDENT KERNIGHAN - 7

NOES - 0

ABSENT - 0

ABSTENTION - Brooks - 1

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the Council
Of the City of Oakland, California