

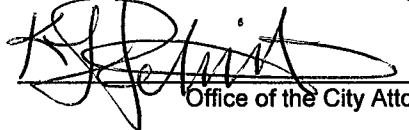
FILED
OFFICE OF THE CITY CLERK
OAKLAND

2015 MAR 25 PM 2:10

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

Approved as to Form and Legality


Office of the City Attorney

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF SUPPLEMENT NO. 5 TO THE MASTER AGREEMENT AND EXHIBITS TO THE MASTER AGREEMENT BETWEEN THE OAKLAND RAIDERS AND THE OAKLAND-ALAMEDA COUNTY COLISEUM AUTHORITY

WHEREAS, the Board of Commissioners of the Oakland-Alameda County Coliseum Authority (the "Authority") has approved and accepted Supplement No. 5 ("Supplement No. 5") to the Master Agreement (the "Master Agreement") and Exhibits to the Master Agreement between the Authority and the Oakland Raiders, a California Limited Partnership (the "Raiders") on March 6, 2015; and

WHEREAS, execution of Supplement No. 5 is a modification of the Master Agreement; and

WHEREAS, the Amended and Restated Management Agreement by and among City of Oakland (the "City"), the County of Alameda (the "County") and the Authority entered into in 2000, requires the prior public approval by the City and the County, as joint owners of the Oakland-Alameda County Coliseum Complex ("Coliseum Complex"), of any modification to any existing license agreement pertaining to the Coliseum Complex before such modification can be executed; and

WHEREAS, the Authority has requested and recommended that the City approve and authorize acceptance of Supplement No. 5; and

WHEREAS, the accompanying staff report presented to this meeting, sets forth the terms and conditions of Supplement No. 5; and

WHEREAS, a form of Supplement No. 5 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 approve and authorize the Authority to execute Supplement No. 5; and

WHEREAS, the City finds it advisable and now desires to approve the form of Supplement No. 5 and to authorize execution by the Authority of Supplement No. 5; and

WHEREAS, the City desires to authorize the execution by the City Administrator, for and on behalf of the City, of Supplement No. 5; 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 Supplement No. 5, 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, Supplement No. 5; and be it

FURTHER RESOLVED: That the City hereby authorizes the City Administrator, for and on behalf of the City, to execute and deliver Supplement No. 5, 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 all actions heretofore taken by the officers and agents of the Authority concerning the negotiations pertaining to the agreement reached as reflected in Supplement No. 5 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 necessary to execute Supplement No. 5, 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, _____ 2015.

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GUILLEN, KALB, KAPLAN, REID, CAMPBELL WASHINGTON, and PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

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