

11 DEC -8 PM 4: 56

CITY OF OAKLAND



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December 20, 2011

Honorable City Council
Oakland, California

Re: Appointments to the Oakland-Alameda County Coliseum Joint Powers Authority Board

Dear President Reid and Members of the Council:

On December 6, 2011, the Council considered a resolution appointing Councilmembers De La Fuente and Brooks and two community members, Yui Hay Lee and Aaron Goodwin, to the Oakland-Alameda County Coliseum Joint Powers Authority Board. Our Office advised that the Council should not take action on the resolution because the Councilmembers were appointed earlier this year and the community member seats require 10 day notice prior to making new appointments. Council was advised that a 10 day special vacancy notice had been posted pursuant to the Maddy Act (Govt. Code Sec. 54970, et seq.), and a resolution appointing the community members would be scheduled for December 20.

The 1996 Oakland Alameda County Coliseum Joint Powers Authority (Coliseum JPA) Agreement provides for the creation of a Coliseum JPA Board to oversee the operations and management of its affairs. Section 4 of the 1996 agreement provides two seats for Oakland City Councilmembers to be appointed by the City Council. In February, 2001, the Coliseum JPA Board expanded membership to include two community member seats to be appointed by the City Council. The terms for all seats on the Coliseum JPA Board are two years. The Council Rules of Procedure, Rule 6, authorizes the President of the Council to recommend appointments to regional and local boards and agencies, subject to Council approval.

The history of appointments shows that the first Council seat appointments were made January 21, 1997. See Exhibit A, Resolutions No. 73228 and 73229, attached. The resolutions do not specify the beginning of the term. Based on the resolution approval dates, the terms began on January 21, 1997 and ended on January 20, 1999. This set Council seat terms as beginning on January 21 and ending January 20, 2003, 2005, 2007, 2009 and 2011, 2013, etc.

President Reid and Members of the City Council
Oakland-Alameda County Coliseum Board Appointments
December 20, 2011
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The first community member appointments were made October 9, 2001. See Exhibit B, Resolution No. 76745, attached. This sets the community member seat terms as beginning October 9 and ending October 8, 2003, 2005, 2007, 2009 and 2011, 2013, etc.

The Council appointed The City Council appointed Councilmembers De La Fuente and Brooks to the JPA Board earlier this year in February for the current term which began January 21, 2011, and ends January 20, 2013. See Exhibit C, Resolution No. 83177, attached. Therefore, there is no basis for the City Council to fill the Coliseum JPA Council seats at this time and President Reid pulled the December 6th resolution.

A resolution re-appointing Yui Hay Lee and appointing Aaron Goodwin to the JPA community member seats has been prepared for consideration by the Council on December 20, 2011, because community member seat terms expired in October of this year. Mr. Lee is in holdover status and can serve prior to re-appointment, but Mr. Goodwin cannot begin service until the Council appoints him.

Very truly yours,



Barbara J. Parker
City Attorney

cc: Deanna Santana

Exhibit A

OAKLAND CITY COUNCIL

RESOLUTION No. 73228 C.M.S.

RESOLUTION APPOINTING COUNCILMEMBER IGNACIO DE LA FUENTE TO THE ALAMEDA COUNTY JOINT POWERS AUTHORITY

RESOLVED: That upon the nomination of the Mayor, the following person is hereby appointed as a member to the Alameda County Joint Powers Authority:

Councilmember Ignacio De La Fuente, appointment to serve as a member as a member.

JAN 21 1997

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 199

PASSED BY THE FOLLOWING VOTE:

AYES- ~~DRUNNER, CHANG, DE LA FUENTE, HARRIS, MILEY, NADEL, REID, RUSSO,~~
AND ~~SPEES.~~ - 6

NOES- None

ABSENT- Brunner/Spees - 2

ABSTENTION- None

Excused - De La Fuente - 1

ATTEST:

CEDA FLOYD

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

OAKLAND CITY COUNCIL

RESOLUTION No. 73229 C.M.S.

RESOLUTION APPOINTING COUNCILMEMBER LARRY REID TO THE ALAMEDA COUNTY JOINT POWERS AUTHORITY

RESOLVED: That upon the nomination of the Mayor, the following person is hereby appointed as a member to the Alameda County Joint Powers Authority:

Councilmember Larry Reid, appointment to serve a as a member.

JAN 21 1997

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 199

PASSED BY THE FOLLOWING VOTE:

AYES- ~~BRUNNER; CHANG, DE LA FUENTE;~~ HARRIS, MILEY, NADEL, REID, RUSSO,
AND SPEES - 6

NOES- None

ABSENT- Brunner / Spees - 2

ABSTENTION- None

Excused - De La Fuente - 1

ATTEST:

CEDA FLOYD

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


Exhibit B

OAKLAND CITY COUNCIL

RESOLUTION No. 76745 C.M.S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

01 OCT 10 AM 9:47



**RESOLUTION APPOINTING BOB DRON AND ROBERT A. BROWN
AS MEMBERS OF THE OAKLAND-ALAMEDA COUNTY COLISEUM AUTHORITY
BOARD OF COMMISSIONERS**

WHEREAS, Section 4 of the Joint Exercise of Powers Agreement of December 17, 1996 creates the Oakland-Alameda County Coliseum Authority, whose members are appointed by the Oakland City Council or the Alameda County Board of Supervisors; and

WHEREAS, the Oakland-Alameda County Coliseum Authority resolved on February 9, 2001 to expand its Board of Commissioners, pursuant to Section 4 of the Joint Exercise of Powers Agreement of December 17, 1996, with two additional appointees to be appointed by the City Council from members of the community; and

WHEREAS, Section 4 of the Joint Exercise of Powers Agreement of December 17, 1996 states that Commissioners to the Coliseum Authority are to serve two years terms;

Now, therefore, be It **RESOLVED**, that by the nomination of Ignacio De La Fuente, President of the City Council, the following individuals are hereby appointed to the Oakland-Alameda County Coliseum Authority Board of Commissioners for the terms set forth below:

Bob Dron, to serve as a member of the community to complete the term beginning October 9, 2001 and ending October 9, 2003, filling the new position created by resolution of the Authority.

Robert A. Brown, to serve as a member of the community to complete the term beginning October 9, 2001 and ending October 9, 2003, filling the new position created by resolution of the Authority.

OCT - 9 2001

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, WAN, NADEL, SPEES, MAYNE, REID, CHANG, AND
PRESIDENT DE LA FUENTE — 8

NOES- *None*

ABSENT- *None*

ABSTENTION- *None*

ATTEST



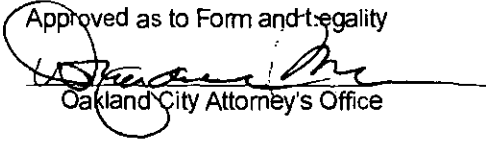
CEDA FLOYD

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

Exhibit C

11 DEC -8 PM 4:56

Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

INTRODUCED BY PRESIDENT LARRY E. REID

RESOLUTION RE-APPOINTING YUI HAY LEE AS A MEMBER OF THE OAKLAND-ALAMEDA COUNTY COLISEUM AUTHORITY BOARD OF COMMISSIONERS AND APPOINTING AARON GOODWIN AS A MEMBER OF THE OAKLAND-ALAMEDA COUNTY COLISEUM AUTHORITY BOARD OF COMMISSIONERS

WHEREAS, Section 4 of the Joint Exercise of Powers Agreement of December 17, 1996 created the Oakland-Alameda County Coliseum Authority, whose members are appointed by the Oakland City Council or the Alameda County Board of Supervisors; and

WHEREAS, The Oakland-Alameda County Coliseum Authority resolved on February 9, 2001 to expand its Board of Commissioners, pursuant to Section 4 of the Joint Exercise of Powers Agreement of December 17, 1996, with two additional appointees to be appointed by the City Council from members of the community; and

WHEREAS, Section 4 of the Joint Exercise of Powers Agreement states that Commissioners to the Coliseum Authority are to serve two-year terms; now, therefore be it:

RESOLVED, that the following 2 individuals are hereby appointed to the Oakland-Alameda County Coliseum Authority Board of Commissioners:

- Yui Hay Lee is re-appointed for a two year term beginning October 9, 2011 and ending October 8, 2013; and
- Aaron Goodwin is appointed for a two year term beginning October 9, 2011 and ending on October 8, 2013, to the seat previously held by Georgia Richardson.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, BRUNNER,
AND PRESIDENT REID

NOES

AYES

ABSTAIN

ATTEST: _____

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