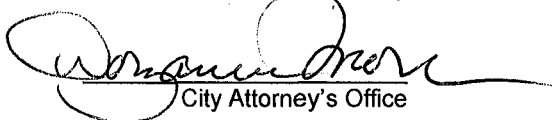


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

19 MAR 19 AM 9:58

Approved as to Form and Legality

  
City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. 87535 C.M.S.

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A RESOLUTION APPROVING AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE (A) SUPPLEMENT NO. 7 TO THE MASTER AGREEMENT AND EXHIBITS TO THE MASTER AGREEMENT BETWEEN THE OAKLAND RAIDERS AND THE OAKLAND ALAMEDA COUNTY COLISEUM AUTHORITY AND (B) THE SETTLEMENT AGREEMENT FOR THE PARKING REVENUE DISPUTE BETWEEN THE OAKLAND RAIDERS AND THE OAKLAND ALAMEDA COUNTY COLISEUM AUTHORITY, IN SUBSTANTIALLY THE FORMS, AS AMENDED, AS APPROVED BY THE OAKLAND ALAMEDA COUNTY COLISEUM RELYING ON CATEGORICAL CEQA EXEMPTIONS PURSUANT TO SECTIONS 15301, 15323 and 15061(b)(3) OF THE CEQA GUIDELINES

**WHEREAS**, the Board of the Oakland-Alameda County Coliseum Authority (the "Authority") has approved and accepted 1) Supplement No. 7 ("Supplement No. 7") to the Master Agreement and Exhibits to the Master Agreement (together with Supplement No. 7, the "Master Agreement"), between the Authority and the Oakland Raiders (the "Raiders") on March 15, 2019 and 2) the Parking Revenue Settlement Agreement (the "Settlement Agreement") settling a long standing parking revenue dispute between the Authority and the Raiders; 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 agreement pertaining to the Coliseum Complex before such agreement can be executed; and

**WHEREAS**, the Authority has requested and recommended that the City approve and authorize the execution of Supplement No. 7 and the Settlement Agreement, in substantially the forms, as amended, approved by the Authority Board on March 15, 2019; and

**WHEREAS**, the accompanying staff report prepared by the Authority's Staff (the "Authority Staff Report") presented to this meeting, sets forth the terms and conditions of Supplement No. 7 and the Settlement Agreement; and

**WHEREAS**, forms of the amended Supplement No. 7 and Settlement Agreement have been presented to this meeting as an attachment to the Authority Staff Report; and

**WHEREAS**, the City desires to approve the forms of Supplement No. 7 and the Settlement Agreement and to authorize the execution of the same by the Authority; and

**WHEREAS**, the City desires to approve and authorize the execution by the City Administrator, for and on behalf of the City, of Supplement No. 7 and the Settlement Agreement; now, therefore, be it

**RESOLVED:** That the City Council finds and determines, after independent review and consideration, that this action complies with CEQA because these agreements are categorically exempt from CEQA pursuant to Sections 15301 (operation of existing facility without expansion of use), 15323 (operation of existing public gathering facility), and Section 15061(b)(3) (general rule) of the CEQA Guidelines; and be it

**FURTHER RESOLVED:** That the City Council hereby finds and determines that all of the recitals above set forth are true and correct; and be it

**FURTHER RESOLVED:** That the City Council hereby approves and authorizes the acceptance and execution by the Authority of Supplement No. 7 and Settlement Agreement, in substantially the form presented to this meeting with only those changes that the Authority Chair, with the advice of joint counsel to the Authority, shall approve; and be it

**FURTHER RESOLVED:** That the City Council hereby approves and authorizes the City Administrator, for and on behalf of the City, to execute and deliver Supplement No. 7 and Settlement Agreement in substantially the forms presented to this meeting with only those changes that the Authority Chair, with the advice of joint counsel to the Authority, shall approve, and be it

**FURTHER RESOLVED:** That all actions heretofore taken by the officers and agents of the City concerning the negotiations pertaining to the agreements reached as reflected herein are hereby approved, confirmed and ratified, and the City Council 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. 7, Settlement Agreement and other documents which they, or any of them, may deem necessary or advisable in order to effectuate the purposes of this Resolution; and be it

**FURTHER RESOLVED:** That the City Administrator is further authorized to take whatever action is necessary with respect to the execution of the agreements consistent with this Resolution and its basic purposes; and be it

**FURTHER RESOLVED:** That all documents necessary to effectuate the Settlement Agreement and Supplement 7 pursuant to this Resolution shall be reviewed and approved by the City Attorney, and copies shall be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

MAR 21 2019

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, ~~BRADY, MCDONALD, LAMEN~~, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN - 7

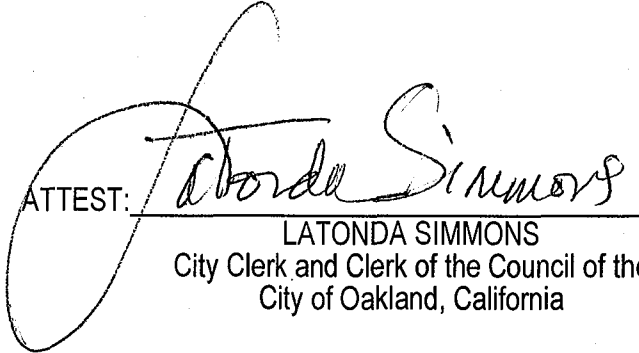
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - McElhoney

ATTEST:



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

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