

OFFICE OF THE CITY CLERK
OAKLAND

2006 OCT 19 PM 2:43

Approved as to Form and Legality

BWA
Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 80249 = C.M.S.

RWH:ssl

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

WHEREAS, on October 13, 2006 the Board of Commissioners of the Oakland-Alameda County Joint Powers Coliseum Authority (the "Authority") approved the Seventh Amendment to the Oakland-Alameda County Coliseum Oakland Athletics Amended and Restated Stadium License Agreement (the Amendment is referred to as the "License Amendment"); and

WHEREAS, the License Amendment extends the Stadium License Agreement between the Authority and the Oakland Athletics Baseball (the "A's") through December 31, 2010 (the "Fixed Term"); and

WHEREAS, the License Amendment grants an option to the A's at the team's sole discretion, after December 31, 2010, to elect to extend the License Agreement on a year-by-year basis through December 31, 2013 (the "Option Period"); and

WHEREAS, the A's are required to give Notice of such election by July 15 of the preceding year; and

WHEREAS, the Management Agreement between the City of Oakland (the "City"), the County of Alameda (the "County") and the Authority, requires that License Amendment is not effective until formally approved by the City and the County; and

WHEREAS, the Authority approved the License Amendment subject to the approval of the Amendment by the City of Oakland and the County of Alameda; and

WHEREAS, the Authority recommends formal approval by the City and County of the License Amendment; and

WHEREAS, adoption of this Resolution will accomplish formal City of Oakland approval of the License Amendment; and

WHEREAS, staff has included in the materials accompanying this recommended resolution, a report explaining the provisions of the License Amendment; and

WHEREAS, the accompanying report summarizes the proposed terms and conditions under which the Authority, may enter into the License Amendment; and

WHEREAS, forms of the License Amendment have been presented to this meeting; and

WHEREAS, the City finds it advisable and now desires to approve such terms and conditions and authorize the execution of the License 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 the execution of the License Amendment, in substantially the form presented to this meeting with only those changes that the Chair of the Authority 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 License Amendment; and be it

FURTHER RESOLVED, that all action heretofore taken by the officers and agents of the Authority concerning the negotiations of the License 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 execute and deliver any and all agreements, 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, OCT 31 2006

PASSED BY THE FOLLOWING VOTE:

AYES - BRUNNER, KERNIGHAN, NADEL, QUAN, ~~PROOKS~~, REID,
~~CHANG~~, and PRESIDENT DE LA FUENTE - 6

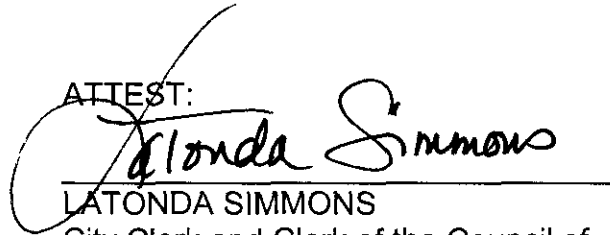
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brooks, Chang - 2

ATTEST:



LATONDA SIMMONS

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

Doc. No. 385702