



Oakland-Alameda County  
Coliseum Authority

**OAKLAND-ALAMEDA COUNTY COLISEUM AUTHORITY**  
**Zoom Meeting**

**NOTICE AND AGENDA**  
**BOARD OF COMMISSIONERS**  
February 19, 2021  
Friday, 8:30 a.m.

**When: Feb 19, 2021 08:30 AM Pacific Time (US and Canada)**  
**Topic: OACCA Board Meeting 2.19.21**

Please click the link below to join the webinar:  
<https://zoom.us/j/99441820462?pwd=WWVZZURFdXRBeJR4ZTFMSzhGSmRIUT09>  
Passcode: 387602

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US: +16699006833,,99441820462#,,,,\*387602# or +12532158782,,99441820462#,,,,\*387602#

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International numbers available: <https://zoom.us/j/99441820462>

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. APPROVAL OF MINUTES**

**4. OPEN FORUM**

**5. NEW BUSINESS**

**5a. Resolution adopting the Regular Meeting Calendar of the Board of Commissioners for Calendar Year 2021**

**5b. Resolution Honoring Former Commissioner Scott Haggerty for His 20 Years of Service on the Board of Commissioners and Contributions to the JPA Authority**

**5c. Resolution Honoring Former Commissioner Larry Reid for His 24 Years of Service on the Board of Commissioners and Contributions to the JPA Authority**

**5d. Resolution Appointing the Chair and Vice Chair of the Board of Commissioners for Calendar Year 2021**

**5e. RESOLUTION RETROACTIVELY APPROVING A SETTLEMENT AGREEMENT WITH POLR LLC, MOHAMMED ALARBESH, SIDDIQ JIHAD AND KIM MITCHELL AND RATIFYING THE EXECUTION OF THE SETTLEMENT AGREEMENT BY THE CHAIR ON BEHALF OF THE AUTHORITY AND REFUND OF THE \$50,000 DEPOSIT PAID BY POLR LLC**

**5f. RESOLUTION AUTHORIZING THE TRANSFER OF \$20 MILLION IN UNASSIGNED FUND BALANCE FROM THE GENERAL FUND TO THE CITY OF OAKLAND (\$10 MILLION) AND THE COUNTY OF ALAMEDA (\$10 MILLION)**

**5g. Receive Presentation of Audit Report for FY 2019-20**

**6. REPORTS**

**6a. Executive Director's Report**

- 1. OES Planning and Coordination for use of Coliseum Site**
- 2. Report from Food and Beverage Committee**
- 3. Report on Drive-In Movies**

**6b. Report from Commissioner Rebecca Kaplan on Mass Vaccinations Task Force.**

**6c. General Manager's Report**

**7. CLOSED SESSION**

**7a. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION (Government Code Section 54956.9(a)): *Oakland-Alameda County Coliseum Authority v. Golden State Warriors, LLC*, San Francisco Superior Court Case No. CPF-19-516542**

**8. REPORT FROM COUNSEL ON CLOSED SESSION**

**9. ADJOURNMENT**



Oakland-Alameda County  
**Coliseum Authority**

Oakland-Alameda County Coliseum Authority  
January 15, 2021  
Zoom Board Meeting Minutes

**CALL TO ORDER**

Commissioner Kaplan called the meeting to order at 8:36 a.m.

**ROLL CALL**

Vice Chair Miley joined at 8:44 a.m.

Commissioner Kaplan

Commissioner De La Fuente

Commissioner Hill

Commissioner Haubert

Commissioner Reid

Commissioner Thompson

Commissioner Linton joined at 8:45 a.m.

Executive Director, Henry Gardner introduced the 3 new Commissioners, Treva Reid, Rebecca Kaplan, and David Haubert

**APPROVAL OF MINUTES**

The minutes for December 18, 2020, was submitted for approval. Commissioner De La Fuente moved to approve minutes and Commissioner Miley seconded the motion. Commissioners, Kaplan Miley, De La Fuente, Hill and Linton approved Commissioner Reid and Haubert abstained. The motion was approved by consensus.

**OPEN FORUM**

No Speakers

**Executive Director Report**

Executive Director, Henry Gardner

ED, Gardner spoke on the request for using the Coliseum parking lot for COVID-19 vaccinations.

Mr. Gardner supports the request and suggest a task force, subcommittee to assist with the organization of using the parking lot for vaccinations. Mr. Gardner states the Oakland A's is very supportive of this request. Commissioners, Kaplan, Reid, and Miley volunteered to be on the sub-committee.

Dave Kaval for the Oakland A's spoke giving full support and will assist in facilitating the Coliseum parking lot as a COVID-19 vaccination location. Mr. Kaval will also participate on the subcommittee.

Ray Bobbitt spoke giving support and any assistance for facilitating COVID-19 vaccinations at the Coliseum parking lot.

**General Managers Report**

General Manager report was presented by Nicole Strange Assistant General Manager for ASM Coliseum Complex. Nicole also will be a participant on the vaccination subcommittee.

Items 5a and 5b were submitted for approval. Commissioners De La Fuente moved to accept, and Commissioner Haubert seconded the motion. Commissioners Miley, Kaplan, Reid, Haubert, Hill, Linton and De La Fuente approved the motion and was approved by consensus.

**New Business**

Executive Director, Henry Gardner presented and reviewed the six month budget. Mr. Gardner high lighted and summarized both revenues and expenses. Commissioner De La Fuente moved to receive as a file the report and

Commissioner Haubert seconded the motion. Commissioner, Miley, Kaplan, Reid, Haubert, Hill Linton and De La Fuente approved. The motion was approved by consensus.

Closed Session

No Closed Session

Report from Counsel on Closed Session

Adjournment

Meeting adjourned at 9:48 a.m.

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Margaret O'Brien/Secretary

OAKLAND-ALAMEDA COUNTY COLISEUM AUTHORITY

RESOLUTION NO. 2021-\_\_\_

RESOLUTION ADOPTING THE REGULAR MEETING CALENDAR OF THE BOARD OF COMMISSIONERS FOR CALENDAR YEAR 2021

**WHEREAS**, the Amended and Restated Joint Exercise of Powers Agreement dated December 16, 1996 ("JPA Agreement") between the City of Oakland ("City") and the County of Alameda ("County") established the Oakland-Alameda County Coliseum Authority ("Authority") whose powers are exercised by a Board of Commissioners ("Board") appointed by the City and the County; and

**WHEREAS**, Section 4C(1) of the JPA Agreement provides that the Board may, by resolution, provide for the holding of regular meetings and that any such resolution shall also note the date, hour and place of such regular meetings; and

**NOW THEREFORE BE IT RESOLVED** that the Board does hereby adopt the calendar of regularly scheduled meetings of the Authority's Board for calendar year 2021, as shown on Exhibit A attached hereto and made a part hereof ("2021 Calendar"); and

**BE IT FURTHER RESOLVED** that the Board shall have the authority to hold a special meeting not shown on the 2021 Calendar at any time the Board deems necessary, subject to compliance with the noticing requirements of the Ralph M. Brown Act; and

**BE IT FURTHER RESOLVED** that all meetings of the Board shall be conducted electronically at the date and hour posted on the meeting agenda, until the Board elects to resume in-person meetings, at which time the Authority shall provide notice to the public of the location of the scheduled meetings.

**PASSED AND ADOPTED** by the governing Board of the Oakland-Alameda County Coliseum Authority, this 19th day of February 2021, by the following vote:

Ayes:

Noes:

Absent:

\_\_\_\_\_  
\_\_\_\_\_, CHAIR

ATTEST:

\_\_\_\_\_  
SECRETARY

**OACCA Board Meetings 2021**

**January 15, 2021**

**February 19, 2021**

**March 19, 2021**

**April 16, 2021**

**May 21, 2021**

**June 18, 2021**

**July 16, 2021**

**August 20, 2021**

**September 17, 2021**

**October 15, 2021**

**November 19, 2021**

**December 17, 2021**

OAKLAND-ALAMEDA COUNTY COLISEUM AUTHORITY

RESOLUTION NO. 2021-\_\_\_

RESOLUTION HONORING FORMER COMMISSIONER SCOTT HAGGERTY FOR HIS 20 YEARS OF SERVICE ON THE BOARD OF COMMISSIONERS AND HIS CONTRIBUTIONS TO THE JPA AUTHORITY

**WHEREAS**, the Amended and Restated Joint Exercise of Powers Agreement dated December 16, 1996 ("JPA Agreement") between the City of Oakland ("City") and the County of Alameda ("County") established the Oakland-Alameda County Coliseum Authority ("Authority") whose powers are exercised by a Board of Commissioners ("Board") appointed by the City and the County; and

**WHEREAS**, Scott Haggerty was first elected to the Alameda County Board of Supervisors as a member of District 1 (which includes the cities of Livermore, Dublin, most of the city of Fremont and unincorporated areas of East Alameda County) in November 1996 and served for 24 years in that role, until his dedicated service ended on December 31, 2020.; and

**WHEREAS**, for the last 20 years of his term as an Alameda County Board Supervisor, Scott Haggerty also served, on behalf of the County, as a Board Commissioner; and

**WHEREAS**, Scott Haggerty worked tirelessly to improve regional transportation and infrastructure issues, serving on various related boards and commissions in addition to his roles as a Board of Supervisor and Board Commissioner;

**WHEREAS**, during his tenure on the Board, Scott Haggerty served in various capacities, including as the Chair and Vice Chair of the Board and a volunteer to various task forces and subcommittees involved with advancing the work of the Authority; and

**NOW THEREFORE BE IT RESOLVED** that the Board hereby thanks Scott Haggerty for his 20 years of service on the Board of Commissioners, appreciates his many contributions to the JPA Authority, and honors his tireless and dedicated work to improve the operations of the Coliseum Complex properties managed by the JPA Authority.

**PASSED AND ADOPTED** by the governing Board of the Oakland-Alameda County Coliseum Authority, this 19th day of February 2021, by the following vote:

Ayes:

Noes:

Absent:

\_\_\_\_\_  
\_\_\_\_\_, CHAIR

ATTEST:

\_\_\_\_\_  
SECRETARY

**OAKLAND-ALAMEDA COUNTY COLISEUM AUTHORITY**

**RESOLUTION NO. 2021-\_\_\_**

**RESOLUTION HONORING FORMER COMMISSIONER LARRY REID FOR HIS 24 YEARS OF SERVICE ON THE BOARD OF COMMISSIONERS AND HIS CONTRIBUTIONS TO THE JPA AUTHORITY**

**WHEREAS**, the Amended and Restated Joint Exercise of Powers Agreement dated December 16, 1996 ("JPA Agreement") between the City of Oakland ("City") and the County of Alameda ("County") established the Oakland-Alameda County Coliseum Authority ("Authority") whose powers are exercised by a Board of Commissioners ("Board") appointed by the City and the County; and

**WHEREAS**, Laurence E. Reid, known as "Larry Reid," served as the District 7 member of the Oakland City Council for 24 years, ending his dedicated service to the City of Oakland on December 31, 2020; and

**WHEREAS**, throughout his 24-year term as an Oakland City Council member, Larry Reid also served, on behalf of the City, as a Board Commissioner; and

**WHEREAS**, during his tenure on the Board, Larry Reid served in various capacities, including as the Chair and Vice Chair of the Board and a volunteer to various task forces and subcommittees involved with advancing the work of the Authority; and

**WHEREAS**, Larry Reid worked tirelessly to create change in District 7, which includes the Oakland-Alameda County Coliseum Complex managed by the Authority; and

**NOW THEREFORE BE IT RESOLVED** that the Board hereby thanks Larry Reid for his 24 years of service on the Board of Commissioners, appreciates his many contributions to the JPA Authority, and honors his tireless and dedicated work to improve both District 7 and the Coliseum Complex properties managed by the JPA Authority.

**PASSED AND ADOPTED** by the governing Board of the Oakland-Alameda County Coliseum Authority, this 19th day of February 2021, by the following vote:

Ayes:

Noes:

Absent:

\_\_\_\_\_  
\_\_\_\_\_, CHAIR

ATTEST:

\_\_\_\_\_  
SECRETARY



**OAKLAND-ALAMEDA COUNTY COLISEUM AUTHORITY**

**RESOLUTION NO. 2021-\_\_\_**

**RESOLUTION APPOINTING CHAIR AND VICE CHAIR OF BOARD OF COMMISSIONERS  
FOR CALENDAR YEAR 2021**

**WHEREAS**, the Amended and Restated Joint Exercise of Powers Agreement dated December 16, 1996 ("JPA Agreement") between the City of Oakland ("City") and the County of Alameda ("County") established the Oakland-Alameda County Coliseum Authority ("Authority") whose powers are exercised by a Board of Commissioners ("Board") appointed by the City and the County; and

**WHEREAS**, Section 4D(1) of the JPA Agreement requires that a Chair and a Vice-Chair of the Board be appointed from amongst the Commissioners; and

**NOW THEREFORE BE IT RESOLVED** that the Board does hereby appoint Commissioner Nate Miley as the Chair of the Board for Calendar Year 2021; and

**BE IT FURTHER RESOLVED** that the Board does hereby appoint Commissioner Rebecca Kaplan as the Vice Chair of the Board for Calendar Year 2021; and

**BE IT FURTHER RESOLVED** that the Chair and Vice Chair shall perform such duties as set forth in Section 4D and as otherwise consistent with the JPA Agreement.

**PASSED AND ADOPTED** by the governing board of the Oakland-Alameda County Coliseum Authority, this 19th day of February 2021, by the following vote:

Ayes:

Noes:

Absent:

\_\_\_\_\_  
\_\_\_\_\_, CHAIR

ATTEST:

\_\_\_\_\_  
SECRETARY

**OAKLAND-ALAMEDA COUNTY COLISEUM AUTHORITY**

**RESOLUTION NO. 2021-\_\_\_**

**RESOLUTION RETROACTIVELY APPROVING A SETTLEMENT AGREEMENT WITH POLR LLC, MOHAMMED ALARBESH, SIDDIQ JIHAD AND KIM MITCHELL AND RATIFYING THE EXECUTIVE DIRECTOR'S EXECUTION OF THE SETTLEMENT AGREEMENT ON BEHALF OF THE AUTHORITY AND REFUND OF THE \$50,000 DEPOSIT PAID BY POLR LLC**

**WHEREAS**, the Amended and Restated Joint Exercise of Powers Agreement ("JPA Agreement") between the City of Oakland ("City") and the County of Alameda ("County") established the Oakland-Alameda County Coliseum Authority ("Authority") whose powers are exercised by a Board of Commissioners appointed by the City and the County; and

**WHEREAS**, POLR LLC and AEG Management Oakland, LLC ("AEG") entered into an undated Event License Agreement (the "Agreement"), containing the terms and conditions for POLR to produce the KBLZ 40<sup>th</sup> Anniversary Concert in the Oakland Arena on November 27, 2019 (the "Event"); and

**WHEREAS**, the Authority has engaged AEG to perform the day-to-day management of the Oakland Arena on their behalf; and

**WHEREAS**, as a condition of the Agreement, POLR made a non-refundable deposit of Fifty Thousand Dollars (\$50,000) to reserve the Oakland Arena for the Event (the "Deposit"); and

**WHEREAS**, a dispute arose between AEG and POLR regarding the adequacy of funding provided by POLR for facility expenses estimated to be incurred by AEG for the Event, which dispute resulted in AEG cancelling the Event and retaining the non-refundable Deposit; and

**WHEREAS**, legal counsel for Siddiq Jihad and Kim Mitchell (collectively, "Promoters") alleged that AEG had breached the Agreement with POLR, violated Title II of the Civil Rights Act of 1964, and defamed Promoters by cancelling the Event (the "Claims"); and

**WHEREAS**, the Promoters are not parties to, but claim to be third party beneficiaries of, the Agreement; and

**WHEREAS**, without any admission of liability or fault, the Board desires to settle fully and finally any actual or potential Claims by POLR, its Managing Member Mohommad Alarbesh, and the Promoters against the Authority, the City of Oakland, and the County of Alameda; and

**NOW THEREFORE BE IT RESOLVED** that the Board does hereby retroactively approve the Settlement Agreement, a copy of which is attached to this Resolution; and

**BE IT FURTHER RESOLVED** that the Board ratifies the Executive Director's execution of the Settlement Agreement and refund of the \$50,000 deposit paid by POLR, LLC.

**PASSED AND ADOPTED** by the governing board of the Oakland-Alameda County Coliseum Authority, this 19th day of February 2021, by the following vote:

Ayes:

Noes:

Absent:

\_\_\_\_\_  
\_\_\_\_\_, CHAIR

ATTEST:

\_\_\_\_\_  
SECRETARY

OAKLAND-ALAMEDA COUNTY COLISEUM AUTHORITY

RESOLUTION NO. 2021-\_\_

**RESOLUTION AUTHORIZING THE TRANSFER OF \$20 MILLION IN UNASSIGNED FUND BALANCE FROM THE GENERAL FUND TO THE CITY OF OAKLAND (\$10 MILLION) AND THE COUNTY OF ALAMEDA (\$10 MILLION)**

**WHEREAS**, the Amended and Restated Joint Exercise of Powers Agreement ("JPA Agreement") between the City of Oakland ("City") and the County of Alameda ("County") established the Oakland-Alameda County Coliseum Authority ("Authority") whose powers are exercised by a Board of Commissioners appointed by the City and the County; and

**WHEREAS**, the City and County annually contribute substantial subsidies to support the operations of the Authority and to satisfy the annual debt service obligations of the Authority; and

**WHEREAS**, the Authority has a sizable unassigned fund balance in its general fund of approximately \$31 million; and

**WHEREAS**, the arbitration between the Authority and the Golden State Warriors has concluded with a final order obligating the Warriors to pay the shortfall between the Arena revenue and bond debt service; and

**WHEREAS**, the Board of Commissioners has determined that the City and County should be reimbursed with unassigned fund balance in amounts generally equal to the debt service contributions advanced for the Warriors' obligation;

**NOW THEREFORE BE IT RESOLVED** that the Board does hereby authorize the County Auditor-Controller, in her capacity as Treasurer of the JPA, to transfer a total of \$20 million in unassigned fund balance with payments of \$10 million to the City of Oakland and \$10 million to the County of Alameda.

**PASSED AND ADOPTED** by the governing board of the Oakland-Alameda County Coliseum Authority, this 19th day of February 2021, by the following vote:

Ayes:

Noes:

Absent:

\_\_\_\_\_  
\_\_\_\_\_, CHAIR

ATTEST:

\_\_\_\_\_  
SECRETARY

Feb 19, 2021

Honorable Commissioners of the Authority

**6a**

### **1. OES Planning and Coordination for use of the Coliseum Parking Lot**

For the last four weeks we have been consumed with the preparation and coordination of mass vaccinations at the Coliseum parking lot. This effort first began in coordination with the Alameda County Incident Management Team. Several meetings were held to review the logistics regarding access, site plans, adequate lighting in the parking lot, WiFi capability, security, water, tents, chairs, staffing needs, etc., including coordination with the County Health Department. Once the Governor announced that the Oakland facility had been designated as a federal designated site for mass vaccinations, with the California Office of Emergency Services taking on the responsibility for the logistics and all the accommodations, our focus shifted to identifying what OES would be responsible for and what assistance would be needed from the JPA/ASM.

We have held daily meetings, both in-person and by Zoom, with OES and the Office of General Services to coordinate the very complex logistics for this operation. In addition to having as many as 6,000 persons on the site for vaccinations each day. OES is bringing 600 plus personnel to execute the plan. We have reached agreement on who is responsible for what and when, including the protection of the Authority's property not used by OES. We have also entered into a rental agreement for use of the lot.

The plan is to start with a soft opening on Tuesday the 16th and move to full opening by the weekend. There are still several moving parts as of the time of this writing. I will update the Board at the meeting on February 19, 2021 with any significant new developments.

At the last Board meeting, I suggested given the continuing requests we were receiving from various health care providers, an ad hoc task force consisting of various entities and individuals could bring a more coordinated strategy to best ensure maximum outreach to the community, especially communities that have been historically underserved. Commissioners Kaplan, Reid, and Miley volunteered, along with Dave Kaval of the A's. The County Administrator and City Administrator have also agreed to assist. Representatives from a couple of foundations have also been suggested to assist in this effort. At the first meeting of the group, Vice-Mayor Kaplan was designated as Chair. The group has no authority to implement anything. It is a collaborative

effort to bring together a number of government, private sector, and community resources to first and foremost ensure maximum outreach to underserved communities in the County, engage community based organizations in the effort, and identify effective communication strategies to get people registered and vaccinated. The Task Force is not a JPA task force, though the idea originated here. It is of a coalition of the willing. Commissioner Kaplan is on the agenda to give a report on the work of the task force.

**2.**

### **Status of Negotiations with Levy for New Contract**

We have had several rounds of negotiations with representatives of Levy regarding a new contract for food and beverage services at the Oakland Arena. We have reached tentative agreement on most of the salient points and believe we will be able to reach agreement on the outstanding ones by the time of the Board meeting on February 19, 2021. If we are successful, we will bring a resolution in March seeking approval. In the meantime, we have instructed the Bigelow Companies to continue to develop an RFP should the negotiations with Levy fail.

**3.**

### **Status of The Drive-in Movies Analysis**

We recommend that when circumstances permit, we have a trial run for one week. In order to break even, we need to show two movies per night. The cost for the projector and screen is based on the availability of the rental company's supply. The weather elements, e.g., rain and wind can pose issues with the screen and projector and must be taken into account for setup. We have considered a LED wall but it is too expensive to purchase. The estimated cost is \$600,000, plus additional expense for framing and building. We are considering a 400 car limit per night, dual sided screen with 200 cars on each side. Daylight saving time starts on March 14, sunset will be at 7:16 and movie times would start at 8 p.m. and 10:30 p.m. With the main lot being used for mass vaccinations, we will need to find a way to have the movies on the South side and not conflict with the vaccinations operations. We continue to explore ways to make this work so as not to have to subsidize the event, given the current financial condition of the Authority.

Respectfully submitted,

Henry L. Gardner

Executive Director

ASM Global Oakland  
General Manager's Board Report  
February 18, 2021

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Event Activity

January:

- USPS long term parking rental

Postponed (new date):

- Rage Against the Machine (June 11, 2021)
- Rage Against the Machine (June 12, 2021)
- A.R. Rahman (July 16, 2021)
- Celine Dion (September 4, 2021)
- My Chemical Romance (October 6, 2021)
- Martin Lawrence (Nov 20, 2021)
- The Weeknd (March 8, 2022)
- Andre Rieu (March 21, 2022)
- Pearl Jam (TBD)
- Feed the Streetz Tour: Rick Ross, Jeezy, TI, Yo Gotti (TBD)
- Aventura: Immortal (TBD)
- The Millennium Tour (TBD)

Cancelled:

- Lauren Daigle
- Ana Gabriel
- Wild 'N Out
- Alejandro Fernandez
- The Oakland Panthers 2020 Season (Indoor Football League)

Parking lot events:

- California Nurses Association Caravan (February 6, 2021)
- Temple Beth Abraham Purim Event (February 25, 2021)
- SupplyBank.Org – Air Purifier Distribution Event (March 6, 2021)
- Mass Vaccination Site (February 16 - July 5, 2021)