

Oakland-Alameda County Coliseum Authority

OAKLAND-ALAMEDA COUNTY COLISEUM AUTHORITY Zoom Meeting AMENDED

You are invited to a Zoom webinar.

When: Jan 27, 2023 08:30 AM Pacific Time (US and Canada)

Topic: OACCA Special Board Meeting 1/27/23

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1. CALL TO ORDER

2. ROLL CALL

3. ACTION ITEM

RESOLUTION ADOPTING FINDINGS REGARDING SOCIAL DISTANCING AND PUBLIC HEALTH ARISING FROM THE COVID-19 PANDEMIC WHICH WARRANT THE CONTINUATION OF REMOTE (TELECONFERENCED) PUBLIC MEETINGS BY THE AUTHORITY UNDER THE BROWN ACT

4. OPEN FORUM

5. APPROVAL OF MINUTES REPORTS

6. REPORTS

- 6a. Executive Director Report
- 1. Update on Pursuit of the ICC Men's T-20 World Cup
- 2. Roots Soccer and African American Sports and Entertainment Group (AASEG) Interest in Malibu Site
- 3. PG&E Rate Increases Impacting Utility Budget
- 6b. General Manager Report

7. NEW BUSINESS

RESOLUTION APPOINTING CHAIR AND VICE CHAIR OF BOARD OF COMMISSIONERS FOR CALENDAR YEAR 2023

8. PRESENTATION

- AASEG-Update on Coliseum Site Vision and Update on WNBA Proposal
- TELECONFERNECE MEETINGS
- 9. ADJOURNMENT

OAKLAND-ALAMEDA COUNTY COLISEUM AUTHORITY

RESOLUTION NO. 2023-1

RESOLUTION ADOPTING FINDINGS REGARDING SOCIAL DISTANCING AND PUBLIC HEALTH ARISING FROM THE COVID-19 PANDEMIC WHICH WARRANT THE CONTINUATION OF REMOTE (TELECONFERENCED) PUBLIC MEETINGS BY THE AUTHORITY UNDER THE BROWN ACT

- 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 ("Board") appointed by the City and the County; and
- **WHEREAS**, the Governor declared a state of emergency due to COVID-19 on March 4, 2020, which state of emergency is continuing; and
- WHEREAS, due to the COVID-19 variants, which have been circulating in Alameda County and nationwide, many pandemic restrictions, including on-going recommendations for social distancing as one method to reduce the risk of COVID-19 transmission, remain in place; and
- WHEREAS, public meetings involve many people in shared indoor spaces for extended periods of time, where close contact raises the risk of spread of COVID-19, where there is a need to allow those who are immunocompromised or unvaccinated to participate in public meetings safely and fully, and where there remains a challenge of fully ascertaining and ensuring compliance with vaccination and other safety recommendations at such meetings; and
- **WHEREAS**, remote or teleconference meetings are consistent with the California Division of Occupational Safety and Health (Cal/OHSA) Emergency Temporary Standards requirement that employers train and instruct employees that the use of social distancing helps combat the spread of COVID-19 (8 Cal. Code Regs. 3205(c)(5)(D);
- WHEREAS, on September 16, 2021 the Governor signed into law Assembly Bill 361 (AB 361, Chapter 165, Statutes of 2021) which amended the Brown Act to allow for continued use of teleconferenced meetings by Brown Act bodies without providing a physical location for the public through January 31, 2024, under certain conditions; and
- WHEREAS, the permitting conditions in AB 361 include factors such as a continued declaration of emergency, and findings by the local legislative body every 30 days that meeting in person would present imminent risks to the health or safety of attendees or that state or local officials have imposed or recommended measures to promote social distancing;
- **NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners does hereby resolve, declare and determine as follows:
- A. That the Authority finds that the public health, safety and welfare support continual social distancing as a result of the transmissibility of the COVID-19 virus, such that in-person meetings create a health risk.

- B. That the Authority will continue to meet virtually to allow its members and members of the public to avoid exposure to COVID-19 and maintain social distancing.
- C. While meeting virtually the Authority will adhere to the applicable open meeting requirements, including those in AB 361.

PASSED AND ADOPTED by the governing board of the Oakland-Alameda County Coliseum Authority, this 27th day of January, 2023, by the following majority vote:

,,	
Ayes:	
Noes:	
Absent:	
	CHAIR
ATTEST:	
SECRETARY	



Oakland-Alameda County

Coliseum Authority

Oakland-Alameda County Coliseum Authority
December 16, 2022
Zoom Board Meeting Minutes

CALL TO ORDER

Vice Chair Kaplan called the meeting to order at 8:32 a.m.

ROLL CALL

Chair Miley
Commissioner Baker
Commissioner Reid
Commissioner Vukasin

Vice Chair Kaplan Commissioner Iglesias Commissioner Thompson

ACTION ITEM

RESOLUTION ADOPTING FINDINGS REGARDING SOCIAL DISTANCING AND PUBLIC HEALTH ARISING FROM THE COVID-19 PANDEMIC WHICH WARRANT THE CONTINUATION OF REMOTE (TELECONFERENCED) PUBLIC MEETINGS BY THE AUTHORITY UNDER THE BROWN ACT was submitted for approval. Commissioner Kaplan moved to accept, and Commissioner Reid seconded the motion Roll Call :Commissioner Baker, Iglesias, Reid, Thompson, Vukasin, Kaplan, and Miley approved. The motion was approved by 7 aye votes.

OPEN FORUM

No Speakers

APPROVAL OF MINUTES

The minutes for November 18, was submitted for approval. Commissioner Kaplan moved to approve, and Commissioner Reid seconded the motion. Roll Call: Commissioners: Baker, Iglesias, Reid, Thompson, Vukasin, Kaplan, and Miley approved. The motion was approved by 7 aye votes.

Reports

<u>6.A</u>

1. Executive Director Henry Gardner discussed the past meeting with the International Cricket Council on hosting the Men's Championship in 2024. The Council is confident that the field conversion can happen. A trail run will be scheduled. Approval from the major league of baseball with an Oakland A's schedule modification is required. Vice Chair Kaplan and Commissioner Reid, offered their support on this great opportunity for the city of Oakland and County of Alameda to host the championship game. Commissioner Reid suggested there may be funds available from governor, state, and tourism funds. Commissioner Iglesias thanked GM Nicole and her team for their hard work.

2. ED Gardner reported on the ongoing meetings with Roots Soccer to negotiate use of the
Malibu Lot. AASEG and Roots Soccer negotiations include lease agreement terms. ED
Gardner will give an update on this in January.

6B

General Manager Nicole Strange updated the board on new added events. Ms. Strange spoke on AEG Community Foundation events and activities for December and January.

NEW BUSINESS

RESOLUTION ADOPTING THE REGULAR MEETING CALENDAR OF THE BOARD OF COMMISSIONERS FOR CALENDAR YEAR 2023_was submitted for approval. Commissioner Kaplan moved to approve, and Commissioner Iglesias seconded the motion. Roll Call: Commissioners: Iglesias, Reid, Thompson, Vukasin, Kaplan, and Miley approved. The motion was approved by 6 aye votes.

ADJOURNMENT

Meeting adjourned at 9:27 a.m.

Erin Roseman / Secretary

Honorable Chairperson Nate Miley and Commissioners of the Authority

6.a.

1. Update on Pursuit of the ICC Men's T-20 World Cup

We are continuing to meet and communicate with senior representatives of the International Cricket Council in an attempt to secure this event in the Stadium in June 2024. On December 12, 2022 three senior officials from ICC came to Oakland to discuss the status of our discussions regarding a proposed trial run to determine the feasibility of converting the field from baseball to cricket and back to baseball within a ten-day window. They were specifically hoping to hear that the A's would be supportive of our efforts to bring this event to fruition. Chairperson Miley, Commissioner Haubert, Commissioner Iglesias, senior management staff from AEG and Oakland A's representatives, and I attended the meeting

There are two critical issues that need to be addressed to give the ICC confidence that this would be a collaborative effort among the ICC, the JPA, and the Oakland A's to execute the event. First, because the event is scheduled to take place during the regular baseball season. ICC believes there should be a trial run to demonstrate a proof of concept that the field conversion can take place to meet both the MLB standards and the ICC standards for their respective games. Second, ICC has requested that MLB be requested to modify the homestand games for the A's to accommodate the cricket event.

The rain in December and in January has resulted in postponing the trial run. The A's have indicated however, they are not interested in the trial run and believe the only thing that will convince them that this is feasible is the actual conversion during the event. Nonetheless, ICC has indicated that it is still willing to conduct a trial run at a cost to exceed \$200,000.00.

There was considerable discussion around these two issues. ICC is looking for enthusiastic support from all the parties and did not feel that was demonstrated at the meeting. They understand there is no guarantee that MLB will honor the request to modify the schedule but without the enthusiastic support of the A's, the chances of getting MLB to modify the schedule is diminished.

Following the meeting AEG staff gave a tour of the facility and answered their questions regarding various mechanics and amenities. They were impressed with the facility and stated so. They had also done some advance touring of the facility with other ICC personnel.

Unless we can overcome these two main hurdles, I believe ICC's interest in Oakland is waning. So as to not misstate the A's position, I have asked David Kaval to attend the meeting to express their concerns.

2. Roots Soccer and African American Sports and Entertainment Group (AASEG) Interest in Malibu Site

Following the direction of the Board to come up with a recommendation for use of the site, I met with representatives of the two groups and suggested they meet amongst themselves and propose a solution that would accommodate their respective needs. Several dates were proposed during this period and the two sides have not yet met. One representative from each group did meet but their teams have not done so. A group meeting is scheduled for this week. Separately, AASEG met with AEG management and me and presented their proposed plans for the development of the main complex, including the Malibu site.

Roots has indicated that given the number of improvements needed for the Malibu site to meet their needs, a lease of less than five years is not feasible as the substantial costs of making the improvements are not transferable to another site, even if the eventual location is on the main complex. AASEG has stated that a lease longer than two and half years would interfere with their proposed plans to use the site for potential staging once construction starts on the main complex.

At the present time, the Malibu site is not a part of the County's disposition agreement with Coliseum Way Partners and a disposition agreement has yet to be negotiated with the City for its fifty-percent ownership interest in the site. The timing of if and when the City and County will dispose of its interest will be a major factor in evaluating the Roots proposal. We need to move on this item and I plan to make a recommendation at the February meeting.

3. PG&E Rate Increases Impacting Utility Budget

The substantial PG&E rate increases, particularly electricity rates, are having a profound impact on our utility budget for the current fiscal year. At the end of the first four months our expenses for utilities are almost 144% of the budget for the year. At this rate the utility expenses will be more than two and a half times the budget.

AEG management staff, Commissioners Reid, Baker and I met with senior officials of PG&E to discuss the matter. We reviewed what steps have already been taken through efficiency audits and concluded most of what can be done to reduce usage has already been undertaken. The biggest driver of electric use is the Stadium for A's games. Night games severely limit conservation measures; we have to keep the lights on. The rates are structured in such a way that the very times we have the greatest need for electricity is at night for A's games and that is when the rates are at their peak. Since we are a public agency, we inquired about government

rates and were told there are none. We will continue to monitor our use and control it where we can. The dramatic rate increases notwithstanding, there are other areas in the budget where these excess costs can be covered and there is no need at this point to adjust the overall budget.

Respectfully submitted,

Henry L. Gardner

ASM Global Oakland General Manager's Board Report January 27, 2023

Event Activity

Added Events:

- YG (February 1, 2023)
- Carin Leon (February 4, 2023)
- The Soul II Soul Tour (Feb 11, 2023)
- Disney on Ice (February 23-26, 2023)
- Los Angeles Azules (March 11, 2023)
- SZA (March 14, 2023)
- Maná (March 18, 2023)
- PBR: Oakland Classic (March 25, 2023)
- New Edition (April 9, 2023)
- Muse (April 14, 2023)
- Cirque Du Soleil Corteo (August 17-20, 2023)
- Sam Smith (August 27, 2023)
- 85 South (June 4, 2023)
- Anita Baker (December 23, 2023)

Postponed Events (new date):

- Kapil Sharma (TBD)
- Jubin Nautiyal (TBD)
- Supercross (February 18, 2023) (stadium)

Cancelled Events:

• Rage Against the Machine – (March 3 & 5, 2023)

Due to the historic storms that have passed through our area since the beginning of the year, the stadium has sustained serious power outages and serious storm water leakage. As of January 19th, there are still power outages in areas of the stadium that are impeding our ability to work at the facility, to include light outages, outlet outages and connectivity issues. Our concessionaire has had to provide their own temporary refrigeration trucks on the property to adequately store food and beverage that was needed for the Monster Jam event, and also to hold food currently for the Supercross event on February 18th. Your team has been in contact with us on a daily basis to keep us informed of the status. We would like to get a full report indicating the cause of the outage and the projected timeline and plan to get all of the facility power back up and running. We also would like to know if there is any potential long-term impact from this outage.

- During the recent Category 5 storm, the Stadium experienced a power failure which occurred on the morning of New Year's Eve.
- After an investigation into the cause, it was found that there was a water intrusion originating from the 12,000v feed into the right field electrical room.
- This caused a ground fault condition which tripped the newer safety controls at the 66th Ave. switchgear.
- After isolating the transformers in the right field electrical room, the Engineers were able to restore power to a majority of the facility that afternoon.
- On Monday January 2nd, a high voltage contractor (Applied Power) was able to be secured to
 further investigate the issue where it was found that the feed into the transformer room was no
 longer serviceable due to conductor damage caused by the water intrusion.
- Applied Power was back on site at 3:30 AM Tuesday, January 3rd to conduct a power shut down
 and isolate the damaged 12,000v feed so the facility could safely run temporary power
 generation for the Monster Jam event on January 7th.
- Two CAT generators were brought on-site January 5th and 6th giving temporary power to the facility for the weekend event.
- After further investigation into the water intrusion, it was determined that the cause was most likely roots from a large tree that was planted in the path of the conduit which housed the 12,000v feed to the right field electrical room. This tree will be removed by the property landscaping company within the coming weeks.
- BEI Construction is going to be on-site January 23rd to begin trenching a new feed from the vault of the south scoreboard to the west wall of the right field transformer room.
- Applied Power will then make the high voltage terminations in the vault at the south scoreboard and the transformer in the right field electrical room. Applied Power will then re-energize the right field electrical room.
- This is scheduled to be completed the week of February 13^{th.}
- On January 14th the Stadium experienced another power failure which affects the south +19 transformer room, the +50-transformer room, and the multi-tap in the south scoreboard vault.
- Engineering was able to determine that the fuses that feed the affected areas had opened. It is
 very likely that they were weakened by the event caused by the water intrusion as they directly
 feed the multi-tap in the south scoreboard vault.
- Working with Applied Power, the Engineering team identified another multi-tap in a large pull-can located in the overhead above the main concourse.
- That pull-can contains the feeds for the affected areas and showed signs of heating on some of the boots within the multi-tap.

- In conjunction with the new feed being installed from the south scoreboard vault to the right field electrical room, the facility will also have the conductors tested for serviceability from the source of the opened fuses throughout the affected 12,000v feeds starting on January 24th.
- This will involve isolating every one of the conductors between each transformer room and multi-tap locations. BEI will be isolating the conductors while Applied Power is testing the conductors along with the switch gear in the transformer rooms.
- While the transformers are open, they will be completely cleaned of dust and contaminants and the switch gear lubricated.
- Upon successful completion of conductor testing, new boots will be replacing the deteriorated boots found in the pull-can above the main concourse.
- New fuses will then be installed and the affected feeds will be re-energized by Applied Power.
- At a soon to be determined later date, the facility will complete a study of the north 12,000v feeds to determine if there are any unforeseen conditions that need to be addressed in order to assure proper operation going forward.
- At this time there is not any imminent issues involving the feeds on the north side, nor is there the same hazard from the tree on the north side.

In regards to storm water leakage, there are some significant areas of the stadium that we would like to be addressed:

- The stadium press box has multiple ceiling leaks that will create carpet damage and potential mildew and mold issues. We recommend that carpet be replaced in that area and that mold abatement takes place in there to protect the many members of our staff and media that use that area during our season.
- The maintenance team has begun the water extraction from the Press Box. A full inspection will be done of the entire area to look for any mold. If mold is discovered, we will work with our partners at Serve Pro to mitigate the area of mold to ensure the safety of all working in the Press Box. An inspection of the carpet will be conducted with the A's to determine if the existing carpet is able to be used for the season, or if areas need to be replaced.
 - There should be a full inspection of all stadium suites, with special attention to those on the East Loge Level, and the west suites that are on the stadium expansion joints. Those are the ones that typically get water damage.
- A full suite inspection was conducted after the New Year's Eve storm and before the Monster Jam event, and the areas with water damage were addressed allowing guests to utilize the suites. Prior to the February 18th Supercross event, many more inspections of the suites will take place. Before the beginning of the A's season, the Suites and Operations teams will walk/work with the A's to inspect the suites and determine any repairs that are needed.
 - The Shibe Park Tavern/West Side Club has significant ceiling damage especially in the area above the main walkway through the Club.
- A recent initial phase of a major capital project on the upper west concourse and expansion
 joint was able to mitigate water damage that was present historically during the rainy season in
 the West Side Club. The engineering team is working on phase two of the project to seal
 additional areas of the upper west concourse. The east side expansion joint major capital

project that was completed last year, was very successful in preventing water from entering the east side conference rooms, club, and storage closets during the recent storms.

- One of our network switches located at Section 211 was damaged and replaced due to water leakage from the seating area above.
- The seating area above the network switch storage area will be looked at to see where water may be diverted away from the switch.
 - Aramark has several of their concession stands on the west side with standing water, there is leakage in their pantries on the west side of the stadium on the third base side conditioned area of the Club level, there is leakage in both of the east side pantries on the 4th and 5th floors, there is leakage in their V3 area, and there is leakage in their main warehouse just up the ramp from Gate C.
- The operations teams will be investigating the above listed issues in the Aramark spaces. Some
 of these leaks will be addressed with the larger capital projects including the Plaza membrane
 sealing and the upper west side concourse sealing.
 - There is standing water in one of the grounds storage/equipment rooms on the -22 level behind centerfield.
- ASM Management will investigate this area with the A's Management team to identify any repairs needed.

The unprecedented storms that have affected the area in the last couple of weeks prompted the Governor to proclaim a State of Emergency throughout California to support the ongoing response to the recent winter storms. The emergency repair estimate to date in the stadium is \$250,000, including parts and labor from a host of contractors who have been getting pulled to many other emergency projects caused by the extraordinary storms. With the fast work and around the clock management of the engineering team and maintenance staff, the project is on track to get the facility back into operational condition.

I would like to review these areas with your team to see what can be done in these areas. Please let me know if you have any questions on any of the information I have provided.

 A walkthrough is scheduled for Monday, January 23 with the A's, Engineering, Maintenance and ASM Management.

OAKLAND-ALAMEDA COUNTY COLISEUM AUTHORITY

RESOLUTION NO. 2023-2

RESOLUTION APPOINTING CHAIR AND VICE CHAIR OF BOARD OF COMMISSIONERS FOR CALENDAR YEAR 2023

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 as the Chair of the Board for Calendar Year 2023; and
BE IT FURTHER RESOLVED that the Board does hereby appoint Commissioner as the Vice Chair of the Board for Calendar Year 2023; 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 27th day of January 2023, by the following vote:
Ayes:
Noes:
Absent:
, CHAIR
ATTEST:
SECRETARY

TELECONFERENCE MEETINGS

OAKLAND-ALAMEDA COUNTY COLISEUM AUTHORITY JANUARY 20, 2023

1

"Teleconference"

"a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both."

"Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations."

2

Traditional Teleconference Rules

- Each teleconference location must be identified in the notice and agenda
- Agendas must be posted at each teleconference location
- Each location must have public access
- Public must have opportunity to speak at each location
- A quorum must be located within the jurisdiction of the body (here, the County), although all may attend via teleconference
- All votes must be taken by roll call
- The body must "conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency"

3

AB 361

If a legislative body holds a meeting *during proclaimed state of emergency* and makes certain findings (including that state or local officials have imposed or recommended social distancing measures) by majority vote every 30 days, then it can:

- Continue to use teleconferencing without listing the remote location(s) on the agenda, posting the agenda and providing public access at all locations, and quorum is not required to participate from within County
- Need opportunity for public to attend via call-in or internet-service option (not a physical location) and provide live public comment
- Roll call vote required on all votes

AB 361 applies only during a declared state of emergency

- Statutory authority expires at the end of 2023
- California to end state of emergency February 28, 2023

AB 2449

- Does not require a state of emergency, but...
- *At least a quorum (5 JPA members) must meet in person at the same physical location within the body's jurisdiction (the County). The physical location must be accessible to the public.
- •Members can participate via teleconference for a limited number of times if either "just cause" or "emergency circumstances" exist
 - Notification/request process to participate via teleconference
 - Must attend using both video AND audio technology
 - Must announce if there is anyone 18 years or older with the member and identify that person and their relationship to the member
- *Effective January 1, 2023
- Expires January 1, 2026

5

"Just Cause"

- Defined as:
 - (1) childcare or caregiving for a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires remote participation;
 - (2) a contagious illness that prevents the member from attending in person;
 - (3) a need related to a disability not otherwise accommodated; or
 - (4) travel while on official business of the legislative body or a state or local agency.
- Can be used for no more than two meetings in a calendar year
- Approval by the legislative body is not required.
- The reason for teleconferencing must be disclosed on the record
- The request must be made "at the earliest opportunity"

6

"Emergency Circumstance"

- Defined as a physical or family medical emergency that prevents a member from attending in person
- No specific limit on the number of uses, subject to an annual cap
- •Must be specifically approved by the legislative body as an action item
- A request can be added to an agenda at beginning of meeting if needed and must be acted on at the beginning of the meeting.
- •The member must provide a general description of the emergency
- The description need not exceed 20 words and shall not require the member to disclose any medical diagnosis or disability, or any personal medical information exempt under existing law

7

AB 2449 (cont.)

- Annual Cap: each member is limited to no more than three consecutive months of teleconferencing and no more than 20% of the meetings per calendar year. If the legislative body holds fewer than 10 meetings per calendar year, then a member may only teleconference twice per calendar year.
- Agendas do not need to be posted at a member's remote location.
- •The published agenda must list the means by which the public may access the meeting and offer comment.
- *Local agencies must provide at least one of the following:
 - A two-way audiovisual platform; and/or
 - A two-way telephonic service and live webcasting of the meeting
- The public must still be able to attend in person at the physical meeting site

Technology

- •To facilitate remote participants to interact during the public meeting, AB 2449 requires either:
- A two-way audiovisual platform (defined to mean an online platform that provides participants the ability to participate thru an interactive video conference and a two-way telephone function)
- A two-way telephonic service and live webcasting of the meeting (defined to mean a telephone service that does not require internet access, is not provided as part of a two-way audiovisual platform and allows participants to dial a telephone number to listen and verbally participate).
- •Zoom, Teams or similar commercial services provide a compliant audiovisual platform
- •The JPA will require technology upgrades to the on-site meeting location

9

QUESTIONS?