



1111 Broadway, 24th Floor
Oakland, CA 94607-4036

T: 510-834-6600
F: 510-808-4721

www.wendel.com
zwasserman@wendel.com

July 9, 2014

VIA ELECTRONIC MAIL ONLY

Mayor Jean Quan
Council Members
City of Oakland
1 Frank Ogawa Plaza
Oakland, CA 94602

Henry Gardner
City Administrator
City of Oakland
1 Frank Ogawa Plaza
Oakland, CA 94602

Re: A's Lease Extension Negotiations and Coliseum City ENA

Dear Mayor Quan, Council Members and Mr. Gardner:

This letter follows up on my letter sent July 2, 2014 and responds to additional information received since then. The purpose of the July 2nd letter was to clarify issues related to the A's Lease Extension Negotiations and the ENA with the City regarding the Coliseum City development. We have been told that some interpret the July 2nd letter as a threat to sue the City; I can assure you, this is not our intent with this letter or the July 2nd correspondence. Neither should be treated as a threat to sue the City. We and the ENA team understand that lawsuits do not build projects.

As we have stated numerous times to both staff and elected officials, the goal is to keep both the A's and the Raiders in Oakland. The Coliseum City project can and should provide facilities for both the Raiders and the A's. Our concern regarding timing stems from the schedule and timetable we have received through input from the City and Raiders to try to have a stadium ready by the 2018 football season. It may be possible to accommodate a two-year notice period for the A's to vacate the current facility providing there is a reasonable trigger for the notice, subject to additional discussions with the Raiders.

The City has made a farsighted investment in the Coliseum City project – investing over \$4 million in the Specific Plan and EIR for the project to create the new facilities that both teams have said they wanted. The project includes the adjacent hotel, retail, office and housing uses that are critical to the private equity financing for the project –as well as providing tax benefits and jobs for the City and County. The correct trigger for the beginning of construction of this progress is properly the subject of the DDA that we expect to negotiate this fall. To have a third party dictate some of the terms of that DDA is not a reasonable approach.

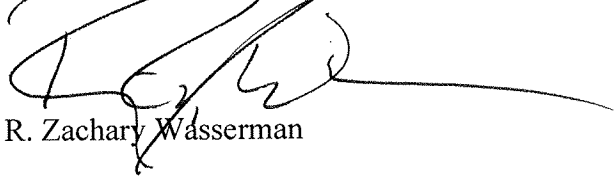
July 9, 2014
Page 2

The ENA team has put significant efforts into the project analysis, as articulated in the ENA deliverables. The ENA team has been working diligently with the Raiders toward an agreement that is the cornerstone of negotiating the DDA. Because some of the analysis was more complex than was initially perceived and because of the long delay in completing the execution of the amendment to the ENA which delayed payment for some of the work, the ENA team is behind on some of the specific deliverables. As the City knows by experience, specific deadlines for major projects often need to be adjusted. The ENA team is on schedule to have all the deliverables produced before October and to commence negotiations on the DDA at the end of the summer.

We welcome cooperative discussions with the City, the County, the JPA, the Raiders and the A's to achieve a result that can and will benefit all parties. We can do this quickly, but we hope artificial time deadlines will not disrupt the City's investment in a project that will have tremendous benefits for everyone. The ENA team hopes to meet with each of you in the coming weeks to review the status of the plans and the deliverables for Coliseum City.

Very truly yours,

WENDEL, ROSEN, BLACK & DEAN LLP



R. Zachary Wasserman

RZW/PQ

cc: Gregory Hunter
Barbara Parker
Dan Rossi
Fred Blackwell
Ed McFarlan
Richard Holliday
Mark Gilman