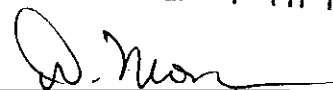


REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND

Resolution No. 2004-53 C.M.S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

04 SEP -1 PH 1:54



A RESOLUTION AUTHORIZING THE AGENCY ADMINISTRATOR TO APPLY FOR, ACCEPT, AND APPROPRIATE GRANT FUNDS FROM THE CALIFORNIA CULTURAL AND HISTORICAL ENDOWMENT PROGRAM UNDER STATE OF CALIFORNIA PROPOSITION 40 (CLEAN WATER, CLEAN AIR, SAFE PARKS AND COASTAL PROTECTION ACT OF 2002), FOR FOX THEATER RENOVATION IN AN AMOUNT OF FIVE MILLION DOLLARS (\$5,000,000) AND AUTHORIZING THE AGENCY ADMINISTRATOR TO IDENTIFY MATCHING FUNDS BY THE DATE OF GRANT APPLICATION

WHEREAS, the people of the State of California have enacted the CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002, which provides funds to the State of California for grants to eligible Applicants; and

WHEREAS, the California State Library has been delegated the responsibility for the administration of the Cultural and Historical Endowment Program setting up necessary procedures, and

WHEREAS, said procedures established by the California State Library Services require the Applicant's Governing Body to certify by resolution the approval of the Application before submission of said Application to the State, and

WHEREAS, the Agency is required to identify matching funds in the amount of five million dollars (\$5,000,000) as a condition of the grant the source of which shall be identified by the date of grant application; and

WHEREAS, the Applicant will enter into a Contract with the State of California for the Project; now, therefore, be it

RESOLVED: That the Oakland Redevelopment Agency hereby:

1. Approves the filing of an Application for local assistance funds from California Cultural and Historical Endowment Program under the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002 for the Fox Theater Renovation Project for an amount of five million dollars (\$5,000,000), and authorizing the Agency Administrator to identify a source of matching funds by the date of grant application; and

2. Certifies that the Applicant has or will have sufficient funds to operate and maintain the Project; and
3. Certifies that the Applicant has reviewed, understands, and agrees to the General Provisions contained in the Contract shown in the Procedural Guide; and
4. Certifies that the Grantee has or will have available, prior to commencement of any work on the Project, the Match; and
5. Certifies that the Project conforms to the Oakland General Plan and any element of any applicable city or county general plan; and
6. Appoints the Agency Administrator, or her authorized representative, as agent to conduct all negotiations, execute and submit all documents including, but not limited to, Applications, agreements, payment requests and so on, which may be necessary for the completion of the Project provided that such agreements shall be reviewed and approved by the Office of the City Attorney and shall be filed with the Office of the City Clerk; and be it

FURTHER RESOLVED: That if the Application is approved, the Agency Administrator is authorized to accept and appropriate funds to Fund #9215, Org. # 94800, Account # 54411, Project # P131120, consistent with the projects and funding levels above.

IN AGENCY, OAKLAND, CALIFORNIA, SEP 21 2004, 20

PASSED BY THE FOLLOWING VOTE:

AYES- *Brooks, Brunner, Chang, Hadel, Reid, Wan, Dela Fuente - 7*

NOES- *Ø*

ABSTENTION- *Ø*

Excused - Quan - 1

ATTEST *CEDA FLOYD*
CEDA FLOYD
 Secretary of the Redevelopment
 Agency of the City of Oakland