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OFFICE OF THE CITY CLERK  
OAKLAND

OAKLAND REDEVELOPMENT AGENCY

**REVISED**  
4-20-04

04 JUN -7 PM 4:31

**RESOLUTION NO. 2004 - 25 C.M.S.**

  
Approved as to Form and Legality

**RESOLUTION AUTHORIZING THE AGENCY ADMINISTRATOR TO ENTER INTO A LICENSE AGREEMENT WITH THE OAKLAND SCHOOL FOR THE ARTS TO OCCUPY THE PARKING LOTS BEHIND AND TO THE WEST OF THE FOX THEATER AND BOUNDED BY 18<sup>TH</sup> AND 19<sup>TH</sup> STREETS AND SAN PABLO AVENUE FOR THE PERIOD FROM APRIL 12, 2004 TO JULY 1, 2006 FOR THE PURPOSE OF CONSTRUCTING AND OPERATING THE FACILITIES NECESSARY TO HOUSE THE OAKLAND SCHOOL FOR THE ARTS**

**WHEREAS**, the Oakland School for the Arts (OSA) will begin its third year of operation in the fall of 2004 and must identify temporary space from April 12, 2004 through July 1, 2006 due to space constraints at the Alice Arts Center; and

**WHEREAS**, the current proposal under consideration for a permanent site for the school is to rehabilitate the existing office and commercial space in the wrap-around buildings of the Fox Theater and to add space to these buildings in order to accommodate the future home of OSA; and

**WHEREAS**, temporary space has been identified on Agency owned property immediately adjacent to the Fox Theater and wrap-around buildings; now therefore be it

**WHEREAS**, the Oakland City Council values and fully supports the patrons and operators of the Oakland Ice Center and seeks to adopt a proposal that supports the cooperative operations of both the Arts School and Ice Center, two vital Oakland institutions; now therefore be it

**RESOLVED**: that the Agency Administrator or her designee is authorized to negotiate and execute a license agreement with the Oakland School for the Arts to rent the parking lots behind and to the west of the Fox Theater and bounded by 18<sup>th</sup> and 19<sup>th</sup> Streets and San Pablo Avenue for a period from April 12, 2004 through July 1, 2006; and be it

**FURTHER RESOLVED**: that the Oakland School for the Arts will pay the entire cost of setting up and maintaining the campus in exchange for the license agreement with the Agency until the Fox wrap-around buildings are complete; and be it

**FURTHER RESOLVED**: that the Agency Administrator or her designee is authorized to extend the license agreement with the Oakland School for the Arts for use of the parking lots behind the Fox Theater through September 1, 2007 if the restoration of the Fox Theater is delayed; and be it

**FURTHER RESOLVED**: that the agreement will provide that Oakland School for the Arts will move from the temporary site no later than July 1, 2006 if the Agency Administrator has not

extended the license agreement and that OSA waive any and all relocation rights as part of the license agreement.

**FURTHER RESOLVED:** that as part of the agreement, patron parking for the Ice Center will be accommodated in forty-five (45) spaces on the lot behind the Fox Theater and that the forty-five (45) will be free and reserved for Ice Center patrons at all hours during the week and on weekends; and that thirty (30) spaces will be made available in the lot immediately adjacent and to the east of the Ice Center at no cost to the Ice Center patrons after 5:30 p.m. Monday through Friday and all day on the weekends; and that 18th Street will be re-striped to accommodate approximately 60 metered parking spaces and that the meters will not be enforced before 9:00 a.m. or after 5:00 p.m. Monday through Friday; and that the Agency will provide security and parking enforcement for the two off street parking lots and the parking accommodations described above will be available at least until opening of the new 17<sup>th</sup> Street Garage and construction of a secondary Ice Center on 17<sup>th</sup> Street; and be it

**FURTHER RESOLVED:** that CEDA staff will return to the Council with a design and funding plan to create a permanent 17<sup>th</sup> Street entrance to the Ice Center that will facilitate the future use of the planned entrance to the 17<sup>th</sup> Street Garage; and be it

**FURTHER RESOLVED:** that the Council directs staff to implement noise reduction methods for the Oakland School for the Arts, including: the construction of a noise barrier fence along 19<sup>th</sup> Street; demolishing the Sears Garage during the summer vacation period; grinding concrete at the east portion of the Forest City Project site; routing all debris and soil removal down Williams Street and; reconfiguring the OSA site to allow the administrative offices along 19<sup>th</sup> Street to shield the classrooms: and be it

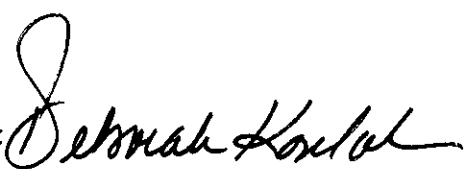
**FURTHER RESOLVED:** that the Council directs staff to return to Council with a calculation of revenue loss and expenses the City has paid and is paying for the Oakland School of the Arts.

IN COUNCIL, OAKLAND, CALIFORNIA, ~~APR 20 2004~~, 2004

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND PRESIDENT  
DE LA FUENTE - 8

NOES- 0  
ABSENT- 0  
ABSTENTION- 0

ATTEST:   
for CEDA FLOYD  
Secretary of the Redevelopment Agency  
Of the City of Oakland, California