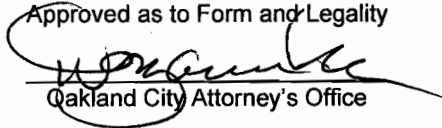


FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 APR 16 AM 11:05

Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 81962 C.M.S.

INTRODUCED BY COUNCILMEMBER

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR
DESIGNEE TO ACCEPT AND APPROPRIATE DONATED FUNDS IN
THE AMOUNT OF APPROXIMATELY \$10,300,000.00 OR MORE FROM
THE OAKLAND MUSEUM OF CALIFORNIA FOUNDATION FOR THE
DESIGN, CONSTRUCTION, CITY PROJECT MANAGEMENT, AND
RELATED COMPLIANCE AND PERMITTING COSTS FOR THE
OAKLAND MUSEUM OF CALIFORNIA RENOVATION PROJECT**

WHEREAS, the City is the owner of the Oakland Museum of California at 1000 Oak Street and is the owner of the Museum's growing collection of objects and artifacts both valuable and significant to the documentation of California's art, history and natural environment; and

WHEREAS, the Oakland Museum of California Foundation is a non-profit corporation originally established in 1989 to raise private funds to support the Museum; and

WHEREAS, the Foundation manages Museum renovation projects pursuant to the Measure G Bond which involves the expenditure of \$23.6 Million in Measure G Funds designated for Museum improvements; and

WHEREAS, the Foundation is undertaking a multi-million dollar capital campaign to supplement the costs of and complete the renovation, expansion, and reinstallation of the Museum's building and galleries as well as to enhance educational programs and opportunities for a larger and more diverse population of students and visitors; and

WHEREAS, the City authorized Resolution No. 78134 CMS in October 2003 for a no-cost agreement with the Oakland Museum of California to oversee renovation of the Oakland Museum of California building, as directed by Measure G with Measure G funds and additional private funds raised by the Foundation through its fundraising efforts; and

WHEREAS, the City and Foundation are embarking on the next phases of the capital renovation project that include the renovation and reinstallation of the Natural Sciences Gallery, the expansion and enhancement of educational spaces, and improvements to other visitor amenities throughout the Museum with a total anticipated cost of approximately \$20 million, of which more than \$10 million will be design and construction services contracted through the City of Oakland; and

WHEREAS, the next phases of the capital project will be largely supported through private philanthropy, with the exception of \$2 million of Measure G funds reserved for the Natural Sciences Gallery per the language of the original bond measure; and

WHEREAS, the language in the approved Measure G bond states that no City administrative staff costs will be deducted from the bonds authorized for the Museum's capital project and, therefore, City construction project management costs must be born by the City or by privately raised funds through the Oakland Museum of California Foundation; now, therefore, be it

RESOLVED: That the City Administrator, or his designee, is authorized to accept and appropriate donated funds in an amount of approximately \$10,300,000.00 or more from the Oakland Museum of California Foundation for design and construction services needed to renovate and reinstall the Natural Sciences Gallery, expand and enhance education spaces and for improvements to other visitor amenities throughout the Museum, and for reimbursement of City staff costs to be established under a new fund number and a project number for the Oakland Museum of California renovation project; and be it

FURTHER RESOLVED: That the donated funds shall be placed in an account to be established and receive interest allocations, and that the City Administrator, or his designee, is authorized to accept and appropriate such interest funds for the project costs as stated above; and be it

FURTHER RESOLVED: That at the completion of the project, any unused fund balance and interest balance shall be returned to the Foundation.

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 5 2009, 20

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, ~~REID~~, and
PRESIDENT BRUNNER - 7

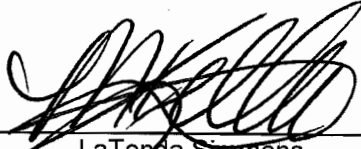
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Reid - 1

ATTEST:



LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California