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CITY OF OAKLAND
AGENDA REPORT

TO: Office of the City Administrator/ Agency Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: September 14, 2004

RE: City and Agency Resolutions authorizing the City/Agency Administrator to respectively 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 Peralta Hacienda Historical Park for three million five hundred thousand dollars (\$3,500,000) and the historic Fox Theater renovation for five million dollars (\$5,000,000).

SUMMARY

A resolution has been prepared for City Council to authorize the City Administrator, or her designee, to apply for, accept and appropriate grant funds from the California Cultural and Historical Endowment (CCHE) grant program for three million five hundred thousand dollars (\$3,500,000) for the Historical Core Area Improvements at Peralta Hacienda Historical Park. A resolution has also been prepared for the Redevelopment Agency to authorize the Agency Administrator, or her designee, to apply for, accept and appropriate grant funds for five million dollars (\$5,000,000) for the renovation and re-opening of the Fox Theater as a Performing Arts Center and future home of the Oakland School for the Arts.

The CCHE grant funds capital projects focusing on cultural, social, and economic evolution in the 20th century and to preserve, document, and interpret the understanding of the 20th century history through existing historical parks, monuments, museums and other facilities. The grant appropriation and completion dates will be published once grant guidelines are finalized by the State. Based on staff's review of the draft grant criteria and discussion at public hearings held by the State Library, Peralta Hacienda Park's Historic Core Improvements and the renovation of the historic Fox Theater are ideal matches for the grant.

The Oakland Museum of California will be applying separately for a CCHE grant through the Museum Foundation for the complete renovation of the Museum's History Gallery. Since the Foundation will be the applicant, a Council resolution is not being requested as part of this item. The History Gallery is to be transformed to better represent the cultural diversity of the state by incorporating more objects and stories on the history and contributions of a broader range of

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ethnic groups in California. The goal is to make the gallery more relevant to larger segments of the population and ensure the exhibits stay relevant to teachers. It is also to modernize the gallery and address today's learning styles—the requirement to provide engaging information quickly and different levels of detail for different levels of interest—including video, computers, and interactive media. Enhanced and energy efficient climate control and lighting will be incorporated. The size of the gallery is 28,000 square feet and the estimated cost is \$10 million. The Oakland Museum of California Foundation will seek \$5 million from the endowment, to be matched by \$5 million from Measure G bond proceeds.

Peralta Hacienda Historical Park

The next phase of the Peralta Hacienda Historical Park improvement, the Historic Core, is the most important part of the park. It focuses on the historical significance of the site and how the area has evolved since occupied by Native Americans, then by the Spanish rancheros, and now by the multi-cultural inhabitants of our modern time. The concept of the park is to create an interactive social and educational hub for the young people and their families who represent the diverse cultures living in the Fruitvale District today. The Historic Core project scope is perfectly suited to the goals of the CCHE grant.

Peralta Hacienda Historical Park has been evolving since recognition by the State Office of Historic Preservation as a historical park in 1977. In 1981, Phase I was completed, revitalizing the landscaping along the Peralta creek and providing a picnic area, restrooms and pathways. In 1986, Phase II was completed and included the restoration of the Peralta House and the adjacent landscaping. The Master Plan was revised and approved by the Planning Commission in November 2002. Currently, design is being completed for Phase III improvements to provide a multipurpose lawn area, new play area with unique play structures, fruit tree alleé, an adobe wall, and interpretive exhibits. Phase III construction is anticipated to begin in early 2005. If funds are awarded for the Historic core project, it would become phase IV of the approved park master plan development.

Fox Theater

The Fox Theater was purchased by the Redevelopment Agency in 1996 and is undergoing a multi-phased effort to restore and reuse the historic building. The first phases included the replacement of the roof of the theater and commercial wings (January 2000); completion of the Fox Theater Master Plan (June 2001); rehabilitation of the historic marquee and sign (November 2001); cleaning the theater's interior of mold, lead-based paint and asbestos (July 2004); and completion of predevelopment activities associated with the development of the theater and wrap-around buildings (August 2004).

The next phase of the theater renovation is the most important and will encompass the interior and exterior restoration of the theater and wrap-around buildings into a performing arts venue and new home for the Oakland School for the Arts. The Fox Theater is a City of Oakland Landmark listed on the National Register of Historic Places, so any restoration, alteration or

modification to the building will need to follow the Secretary of the Interior's Standards for Rehabilitation. The CCHE grant will be a critical component to funding the \$24,000,000 project.

Completion of these projects will meet Council's Goal No. 4 to Support Youth by providing an expanded charter school; strengthening community programs for youth educational programs for children and youth as well as benefit the public. The project will also support Council's Goal No. 6 to Maintain and Enhance Oakland's Physical Assets. Council's Goal No.7, to Inspire Creativity and Civic Engagement, is enhanced as the City collaborates with community-based organizations to enhance community programs and participation.

FISCAL IMPACT

Peralta Hacienda Historical Park

Approval of the proposed resolution will authorize the City Administrator to apply for, accept and appropriate a grant from the CCHE in the amount of \$3.5 million, the estimated project cost for the Historic Core Phase of the Peralta Hacienda Park. Based on State's draft grant criteria, it is anticipated that a one-to-one match is required for the grant. The City will be able to provide matching funds via past project funds allocated to Peralta Hacienda based on the State's initial guidelines for matching funds. In 2003, the City applied for a competitive Murray Hayden grant that is pending the State's final decision. If successful, the funding also could be used as matching funds.

The project is subject to Public Art and compliance program fees. To the extent that the fees are not direct project costs, the grant agency may determine the fees as ineligible for reimbursement. The City would have to provide the funding for the fees via matching funds or waive the requirement by Council action in the event that the State deems the fees ineligible for reimbursement.

Estimated operations and maintenance cost have not yet been determined for the project. Increased O&M costs will affect the Landscaping and Lighting Assessment District (LLAD), Fund 2310. These additional costs would be addressed in the subsequent two-year budget development process based on project completion date.

If received, grant funds would be placed in a new project number in the California Parks and Recreation Fund (2134). Funds are received on a reimbursement basis, and the PWA Capital Improvement Project Coordinator would be responsible for grant administration, reimbursements and meeting all requirements set forth in the grant contract.

Fox Theater

Approval of the proposed resolution will authorize the City Administrator to apply for, accept and appropriate up to a \$5 million grant from the CCHE for the Fox Theater. The

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predevelopment activities associated with the renovation of the theater and wrap-around buildings have been estimated to cost approximately \$24,000,000. A detailed tabulation of possible sources of funds has been prepared as part of the predevelopment activities. Agency staff will be returning to the Agency in the fall of 2004 with alternative methods of funding the renovation activities. It is anticipated that some Agency funds will be needed for the project; however, these could be greatly minimized if the CCHE grant is awarded for the project. Staff has already applied for Proposition 55 funds, authorized by California voters earlier this year for the purpose of renovating and building educational buildings throughout the state. The grant amount is for \$10,000,000 and is pending.

If received, grant funds would be placed in the Redevelopment Agency's Central District Grant Fund (9215). Funds are received on a reimbursement basis, and the CEDA Urban Economic Coordinator would be responsible for grant administration, reimbursements and meeting all requirements set forth in the grant contract.

BACKGROUND

Grant Funding Source Overview

The CCHE grant has a total of \$122 million available for the entire competitive grant program. The funding will be divided into three rounds in the next three years. The first round will distribute \$50 million total. The first cycle will provide \$35 million for applications deemed reflective of CCHE goals and criteria that have the ability to initiate within the year of the grant. The remaining \$15 million will be reserved for projects submitted by applicants with a Conceptual Paper. Conceptual Papers will allow applicants to prepare information on their project goals and funding plans for CCHE's review. CCHE will then recommend which applicants submit a grant application. Grant amounts are expected to be a minimum of \$25,000 up to a maximum of \$5 million. The deadline for applications is proposed to be October 1, 2004, pending the CCHE Board's decision.

The purpose of the CCHE Program is to preserve, document and interpret California history within the 20th century that demonstrates the evolvement of cultural, social, and economic changes. In particular, CCHE is interested in projects that provide discovery and appreciation of California's rich, diverse and changing cultures, especially of those periods and locations of history that have been traditionally under-represented or absent. CCHE is also interested in projects that interpret recent history that has not been well represented. The attached concept paper (Attachment A) provides more details on the focus of the CCHE Program. The following projects are recommended as best meeting the CCHE Program goals and readiness criteria.

Peralta Hacienda Historical Park

Peralta Hacienda Historical Park project began in 1975 as a part of neighborhood and City efforts to provide open space in the Fruitvale District, a district with the least amount of open

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space per capita and the highest percentage of children and youth in the City. After years of effort and collaboration with various organizations, such as Friends of Peralta Hacienda Historical Park and Fruitvale Community Development District Council, the project is underway to provide a “Landscape of Stories,” a site that merges history with the present to form a community center reflecting the multicultural context of the neighborhood. The Historic Core phase of the Peralta Hacienda Historical Park project is an ideal candidate for the first cycle of the CCHE grant and is compatible with the goals of the grant.

Fox Theater

The Fox Theater is a vital part of current efforts to revitalize the Uptown neighborhood of the Oakland Central District. Plans for a new residential and commercial development adjacent to the theater are currently underway and will eventually provide over 1000 new housing units to this part of the city. Additional private investment to the area is expected to follow. The Agency is also currently designing new public street improvements for the neighborhood that will help compliment the historic character of the area. The renovation of the theater into a performing arts facility and the addition of the Oakland School for the Arts in the connecting wrap-around buildings will compliment the existing efforts to revitalize this neighborhood into a residential arts and entertainment district. The renovation of the Fox meets the goals of the grant and would be a strong candidate for the first cycle of funding under the program.

KEY ISSUES AND IMPACTS

Peralta Hacienda Historical Park

The next phase of the Peralta Hacienda Historical Park, Historic Core, will focus on an area at the center of the park that uses the site to convey the story of the settling of the West Coast, the transformation of California and the region, and the social and cultural changes of the neighborhood within the recent time. The Core will serve as a community gathering place and an interactive, educational center. The project has implemented three phases over the past decades.

The project is an ideal candidate for the CCHE grant based on the grant criteria and goals. The State Library issued a draft Grant Application and Criteria in July 2004 and expects to implement the document as soon as the State staff completes the public input process and obtains CCHE Board approval. Public Works Agency staff, City Administrator’s Office staff and the Friends of Peralta Hacienda Historical Park attended State Library’s public workshops in July 2004 to provide input regarding the grant program. The current proposed grant application deadline is October 1, 2004, pending CCHE Board approval. If the grant application deadline remains the same, staff will need to immediately prepare the application package for submission.

The Historic Core phase of the Peralta Hacienda Historical Park is estimated to cost \$3.5 million. The CCHE grant is one of the few major sources of funding compatible for the scope of the

project. Award of this grant will allow for the completion of the historic core, which is the centerpiece of the Peralta Hacienda Historical Park project. Staff will work with the State to determine the eligibility of existing project funding as match and continue to seek alternative sources, if necessary.

Fox Theater

Redevelopment staff will return to the Agency in the fall of 2004 with a series of options for funding the Fox Project. Each of the options will cover the \$24,000,000 costs of renovating the theater into a performance venue and remodeling the attached wrap-around buildings to accommodate the future home of the Oakland School for the Arts. Each of the funding options will outline different combinations of funds from various sources. One or more of the options will assume that the grant is awarded. If the Agency were to receive the CCHE grant, then the amount of funds needed from the Agency would be substantially reduced.

PROJECT DESCRIPTIONS

Peralta Hacienda Historical Park

Peralta Hacienda Historical Park consists of almost five acres and is located on Coolidge Avenue between Hyde Street and Davis Street in the Fruitvale District. The Master Plan develops the park in six major areas: Multi-purpose Lawn Area and Orchard, Community Activity Center, Community and Botanical Gardens, Peralta Hacienda Historical House, Historic Core, and Peralta Creek Interpretive Area.

The Historic Core is an area at the center of the park representing a major interpretive area for Oakland and California history. The project scope will provide improvements to include a community stage, a community banquet table, a ramada for classes and activities, an adobe oven, a display of art and information, called an “urban book,” which will illustrate the history of the site and show the modern evolvement of the Fruitvale community, identification of archaeological features, and completion of the Fruit Tree Alleé and historical pathway. The elements of the Historic Core will document the changing history of the site over the past century and carry forth the evolvement of the park to modern day reflecting the diverse culture that exists in the Fruitvale neighborhood.

Fox Theater

The Fox Theater was built in 1928. It consists of a 2700 seat theater and is bordered on both sides and the front by commercial and office buildings of approximately 48,000 square feet. The building fronts on Telegraph Avenue and is the single most distinct and dominant architectural feature in the Uptown. It has been vacant for over thirty years and in its current condition is blight on the neighborhood and an impediment to new investment in Uptown.

The Agency is in the midst of multi-phased strategy to renovate the theater into a performing arts center and prepare the wrap-around buildings into the future home of the Oakland School for the Arts. When restored, the theater and the school will activate the building(s) with daytime and evening activity. This will compliment the adjacent residential/commercial project being planned by the Agency and Forest City. Along with the nearby Ice Center and the Paramount Theater, the Fox will contribute to the entertainment, educational and historic character of the neighborhood and eliminate the existing blight caused by the vacant and deteriorating building.

SUSTAINABLE OPPORTUNITIES

Economic: The proposed projects will aid in generating jobs for the local economy through utilizing local businesses whenever possible for contract work. The Fox project will provide educational opportunities for approximately 500 students.

Environmental: The environment will be enhanced through park improvements, which will improve quality of life through open space. The Uptown area will be greatly improved by eliminating a major blighting influence on the neighborhood, restoring a significant historic building to landmark status, and helping to create a positive investment environment in the area. The projects also aid in natural resources conservation through the selection of appropriate materials and equipment in the design and construction process.

Social Equity: The City will be providing tangible benefit to these areas by investing in facilities to support active educational and recreational opportunities and programming for youth and the community.

DISABILITY AND SENIOR CITIZEN ACCESS

The proposed project will be designed to be in compliance with the Americans with Disabilities Act (ADA) and Older Americans Act, and other applicable laws to enhance accessibility for people with disabilities and senior citizens. The accessibility program coordinator will be requested to participate in project review at all stages of each design process.

RECOMMENDATIONS AND RATIONALE

It is recommended that City Council/Redevelopment Agency approve the resolutions authorizing grant applications, acceptance, and appropriation of grant for the Peralta Hacienda Historical Park – Historic Core project and the Fox Theater renovation. The projects have been evaluated against the grant requirements, project readiness, benefit of the projects to meet the needs of the community, and additional funding requirements.

Once the Council/Agency authorizes the grant applications for the specified projects, staff will proceed with preparing the grant applications. Since the application deadline is expected to be October 1 for the proposed grant, the Council/Agency is requested to make its decisions as soon as possible.

**ACTIONS REQUESTED OF THE CITY COUNCIL AND REDEVELOPMENT
AGENCY**

Staff recommends that the City Council and Redevelopment Agency approve the above-mentioned resolutions authorizing the City/Agency Administrator to apply for, accept and appropriate grant funds from the California Cultural Historical Endowment programs administered by the California State Library for the Historic Core project at the Peralta Hacienda Historical Park and the Fox Theater renovation.

Respectfully submitted,



RAUL GODINEZ II P.E.

Director, Public Works Agency



DANIEL VANDERPRIEM

Director, Redevelopment, Housing
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APPROVED AND FORWARDED TO THE
LIFE ENRICHMENT COMMITTEE:



OFFICE OF THE CITY ADMINISTRATOR

PLEASE NOTE THAT CHANGES HAVE BEEN MADE TO THIS CONCEPT PAPER. THE CHANGES ARE NOTED IN BOLD, CAPITAL LETTERS. THESE CHANGES REFLECT THE ADDITIONAL COMMENTS EXPRESSED BY THE BOARD MEMBERS AT THE JUNE 2, 2004 CALIFORNIA CULTURAL AND HISTORIC ENDOWMENT AT BOARD MEETING IN SACRAMENTO.

May 2004 **(INCLUDING JUNE 2, 2004 REVISIONS)**

Concept Paper for the California Cultural and Historical Endowment (CCHE)

Introduction

This Concept Paper was created to provide a summary of important points to be considered for incorporation into the proposed Guidelines for the California Cultural and Historic Endowment (CCHE).

By reviewing the points in the Concept Paper with CCHE Board Members, Members and staff of the California State Legislature and the general public, it is hoped that an inclusive and reflective set of Guidelines can be produced to clearly identify the goals, objectives and procedures for a competitive grant application that will reflect the priorities and objectives of the California Cultural and Historic Endowment Act passed by the California State Legislature in 2002.

This Concept Paper will initially be discussed at the June 2, 2004 CCHE Board Meeting. Subsequent Public Workshops will be sponsored around the State to hear further comment and discussion. A list of the scheduled time, date and location of the Public Workshops is will be available at the June 2, 2004 meeting.

(IT WAS PROPOSED THAT ADDITIONAL LOCATIONS BE ADDED TO THE LIST OF PUBLIC WORKSHOPS TO INCLUDE REDDING, SANTA BARBARA, ONE OF THE DESERT COMMUNITIES AS WELL AS MORE PRESENCE IN THE SAN JOAQUIN VALLEY. FURTHER, THAT A MEETING IN INGLEWOOD BE ADDED WITH A MAP TO ILLUSTRATE WHERE THESE TOWNS AND CITIES ARE LOCATED.

ALSO, LIST THE ORGANIZATIONS THAT HAVE BEEN CONTACTED TO ATTEND THE PUBLIC WORKSHOPS ON THE WEBSITE.)

Major Points of the Concept Paper

The major points of the Concept Paper will be further explored in the 12 subsections below. It is structured in a chronological way to provide readers with a *procedural approach to understand the nature and purpose of the proposed CCHE grant application process.*

(THIS CONCEPT PAPER SHOULD BE A DOCUMENT THAT PROMOTES DISCUSSION AND TO SURFACE CONCERNS ABOUT ISSUES THAT ARE NOTE ADDRESSED, IDENTIFIED AND INCORPORATED.)

1. *Mission Statement*

It is suggested that the CCHE Board adopt a Mission Statement to reflect the goals and objectives of the California Cultural and Historic Endowment.

Several topics to be considered in the Mission Statement would be to:

- A. Affirmatively promote a Cultural Agenda that would encourage all residents of the State of California to incorporate culture and history into their daily lives.
- B. Encourage a Cultural Agenda to recognize, appreciate and acknowledge past and current historic and cultural contributions to the State that include the stories and contributions of all its residents.
- C. Develop a definition of cultural preservation to reflect tangible as well as intangible elements so that future programs and projects that are interested in promoting culture and history in the State can work within a clear and accepted framework.

2. Legislative History

The California State Legislature passed legislation known as AB 716 or the California Cultural and Historic Endowment Act in 2002 that created the California Cultural and Historic Endowment, (CCHHE).

A summary of the legislative history will be included in the proposed Guidelines to provide an overview as to the findings that led to the passage of AB716. The legislative history shall include:

- A. Findings that encourage steps necessary to preserving and retaining items of historical and cultural value as America's physical culture and built environment become remarkably similar throughout the country.
- B. Findings that examine structures embodying the culture and history of California that are currently in danger of being redeveloped or lost through demolition.
- C. Findings that it is important to pursue historical threads that reflect California's diverse population that include not only the structures and activities of the European culture, but also the Latino population, African American population, Asians and Pacific Islanders, Native Americans, Jewish persons, and to many other groups of people with uniquely identifiable cultures and histories.

(IT SHOULD ALSO BE CLEARLY NOTED THAT THE LEGISLATIVE INTENT FOR THIS PROGRAM WAS TO ENCOMPASS A BROAD RANGE OF AREAS AND THAT IT IS THE INTENT OF CCHHE TO SUPPORT PROGRAMS THAT HAVE TRADITIONALLY WORKED IN HISTORIC PRESERVATION TO RECOGNIZE OUR HISTORY, AND THAT THERE ARE MANY PROGRAMS LOCATED IN CALIFORNIA THAT CAN BE CONSIDERED FOR IMMEDIATE FUNDING.

FURTHER, THERE SHOULD BE A CONSIDERATION OF 2-3 TRACKS OF FUNDING CYCLES AND TO POSSIBLY BREAK UP FUNDING TO LOOK AT DIFFERENT NEEDS.)

3. General Goal of CCHE

The general goal to be promoted by CCHE will be to award competitive grants that will encourage a diverse reflection of the historic and cultural value of all of California's residents.

The method in which this reflection will be achieved is to actively consult and involve community and neighborhood groups and encourage them to become enthusiastic participants in learning about all aspects and layers of our environment so that a better understanding and appreciation can be learned of what remains (or does not remain) in our current society. This method of citizen participation from all levels of the socio-economic, cultural, historic, political, legal, ethnic, religious and life spectrum will greatly increase the depth and scope of understanding and appreciating the historic and cultural value of California's diverse population.

It is also important for community and neighborhood groups to work in partnership with their local government, academic, non-profit organizations and museums to consciously and collectively preserve and maintain California's culture and history.

Finally, CCHE should serve as a tool; not only of funding projects, but also as a resource to successfully complete and showcase long term projects of significance to further promote policies and practices of cultural and historic preservation.

(AGAIN, IT SHOULD BE NOTED THAT THE ORIGINAL INTENT OF CCHE WAS TO NOT OVERLOOK TRADITIONAL HISTORIC PRESERVATION PROJECTS IN ITS GOALS.)

4.Funding for CCHE

The total amount of funding currently available to CCHE is \$122 million. This entire amount will be distributed through a competitive grant funding process.

The basis of the \$122 million funds to be distributed by CCHE is from a source of funds known as bond monies of the Safe Neighborhood Parks, Clean Water, Clean Air and Coast Protection Bond Act of 2000. This Bond Act is also commonly referred to as Proposition 40 funding.

5.Funding Limitations of CCHE

As stated previously, funding for CCHE's competitive grant program will use funds generated from Proposition 40 bond monies. Bond monies, and specifically the provisions of Proposition 40, limit the types of projects that can be funded.

There has been some initial public confusion as to the type of projects that are eligible for funding. Although the language in the legislation creating CCHE illustrates a wide variety of projects to be considered, the provisions set forth in Proposition 40 limit the actual projects that can be funded by CCHE.

The authority outlining the scope of projects that can be funded is codified in Section 16727 of the California Government Code. Briefly, Section 16727 limits projects available for funding to "capital assets."

Generally, capital assets projects, for purposes of CCHE funding, are defined as funding for all work reasonably related to the restoration of buildings, sites, and other cultural and historic resources, if the projects result in tangible physical property with an expected useful life of 15 years or more.

CCHE has requested clarification with Legal and Bond Counsel as to the specific and permissible projects that can be considered under Proposition 40 funding. However, it is strongly encouraged that advice and consultation be sought with CCHE staff before developing any concept or project requesting CCHE funds.

Projects that you may think are worthy of funding may not be considered eligible. On the other hand, there are some projects that are eligible even if they do not exactly fit into a particular framework or category.

CCHE will also begin to explore ways in which other funding sources can be obtained to expand the scale and categories of programs currently not available under Proposition 40 funding.

(THERE SHOULD BE A MORE CLEAR EXPLANATION AS TO WHAT CAN BE FUNDED BY CCHE AND WHAT CANNOT. MAKE A LIST OF INELIGIBLE PROGRAMS SO THAT THERE IS NO CONFUSION. POSSIBLY, BE MORE SPECIFIC REGARDING CAPITAL OUTLAY LANGUAGE)

6. Traditional Examples of Capital Projects

The following is an example of projects that have been traditionally accepted as “capital assets” projects eligible for funding. Please be advised that this list is to simply provide you with some ideas and areas to explore. It is not an exhaustive or exclusive list.

Capital funds can be used to:

Construct a historic or cultural:

- building
- collection
- visitor's center
- permanent kiosk

Acquire a historic or cultural building to:

- share the history of your community
 - share the culture of your community
 - interpret an important period of history or culture
 - preserve a collection or an important physical resource
- (RESTORE AND ACQUIRE THE SITE)**

Purchase an Easement in real property to:

- share the culture and history of your community in a public setting
- (PURCHASE AN EASEMENT IN FEE SIMPLE)**

OTHER CATEGORIES TO BE CONSIDERED:

**VIRTUAL ACCESS AND ACQUISITION
ORAL HISTORIES AND COLLECTIONS**

Again, this list is provided as a mere illustration of previous projects that have been considered eligible for funding under Proposition 40. CCHE will continue to explore areas not traditionally covered with Legal and Bond Counsel to determine which projects are permissible.

(INCLUDE A SECTION WHERE THERE IS EMPHASIS IN REHABILITATING A BUILDING AND INCORPORATING AN INTERPRETIVE CENTER INSIDE ITS FACILITY RATHER THAN REPLACING THE ORIGINAL STRUCTURE TO PROVIDE THE HISTORICAL DATA OF THE LOCATION OR STRUCTURE.)

7. Priorities of CCHE

One of the priorities of CCHE is to publicly recognize, appreciate and acknowledge the threads of California's story that have been absent or underrepresented in existing historical parks, monuments, museums and other facilities.

Historically, an absence or under representation of the history and culture of certain communities and neighborhoods has occurred due to barriers and challenges that include social, legal, political, cultural, economic or linguistic factors. These issues have required immediate attention by these communities and neighborhoods to specifically address these life challenging concerns and thus it is important that CCHE recognize these factors when examining the strong and diverse fabric of the California community.

By enlisting the cooperation and interest of community, educational, neighborhood and other distinguished leaders representing groups and communities that have been historically absent or underrepresented in California's history, it is hoped that a proactive approach to preserving practices, beliefs and ideas that are currently practiced can be achieved.

In addition, it is important to encourage the cooperation and consultation with other local governmental and non-profit resources to assist in this endeavor.

(AGAIN, NOT TO FORGET ABOUT TRADITIONAL HISTORIC PRESERVATION PROJECTS AND PROJECTS SPONSORED BY MUSEUMS.)

8. Other Projects that will be considered for funding from CCHE

As well as setting a priority to recognize absent and underrepresented pieces and reflections of culture and history within certain communities and neighborhoods, CCHE is also seeking projects that will interpret aspects of California's cultural and historic preservation in the following ways:

- *Finding ways in which to showcase the stories of California as a unified society
- *Interpret California's historic, gold rush and pioneer sites and buildings
- *Examine industries, technologies, individuals, groups and commercial enterprises that built California's enormous economic strength, including aircraft construction, banking and finance, electronics and related technologies, medical technologies, petroleum production and refining, movie and television production and agriculture.

*Examine California's contribution to the national defense during the state's history including projects about the social, demographic and other changes that resulted from national defense activities.

*Work to preserve and promote understanding and continuity of California's living cultural heritage and folk life that is deeply rooted in and reflective of its distinct cultural communities including public programs, recordings, exhibitions, apprenticeships, publications, ethnographic documentation and archival preservation.

*Examine California's geologic and oceanographic history including its assemblage from Jurassic and earlier archipelagoes and ophiolitic remnants through subduction processes, and the expression of global tectonic forces in its mountains, basins and faults.

*Examine the archaeology, history and culture of California's Native American population so that it can be shared and respected with the general populace.

9. Eligibility for Funding

CCHE may award grants to the following entities:

public agencies – a federal agency, state, city, county, district, association of governments, joint powers agency or federally recognized Indian tribes.

nonprofit organizations – a nonprofit public benefit corporation that is formed pursuant to the Nonprofit Corporation Law that is qualified to do business in California and qualified under §501(c)(3) of the Internal Revenue Code that has among its principal charitable purposes, the preservation of historic or cultural resources for cultural, scientific, historic, educational, recreational, agricultural or scenic opportunities.

museums – a public or private nonprofit institution that is organized on a permanent basis for essentially educational or aesthetic purposes and that owns or uses tangible objects, cares for those objects, and exhibits them to the general public on a regular basis.

(MUSEUMS SHOULD BE SPECIFICALLY REPRESENTED, ESPECIALLY REGARDING PROJECTS INVOLVING CULTURAL PRESERVATION)

10. Grant Application Process and Procedures

Exploratory Grant Application – The Initial Step

All eligible applicants will be asked to submit an Exploratory Grant Application.

An Exploratory Grant Application will allow for the immediate and preliminary assessment of what areas of concern and interest exist in the various regions, communities and neighborhoods.

The Exploratory Grant Application will serve as the first step toward writing a full grant application. The paperwork and research involved in this initial process will hopefully not cause undue financial, time or staff resources. Rather, eligible applicants will simply and clearly state the ultimate goal and specific capital assets project to be considered for funding and its importance to the intended community that it will serve.

Upon receipt of the Exploratory Grant Application, an Advisory Committee of experts in the field of historic and cultural preservation, the academic community, representatives of various ethnic and other identifiable community groups and representatives from several state agencies will be selected to serve on a panel to advise and provide opinion and suggestions as to which applications that should be recommended to submit a detailed Grant Application.

This information will then be submitted to the Chairperson and Board of CCHE for approval and action.

Grant Application Process-the Second Phase

All Exploratory Grant Applications recommended by the Advisory Committee will be eligible to submit a Grant Application to CCHE for funding consideration.

This grant application should carefully illustrate a plan, budget and timeline for all of the costs associated with their proposed project.

CCHE staff will work with grant applicants to prepare their grant application. There will be various Informational Meetings scheduled to provide general and technical support for a successful grant application submittal.

Upon a proper and timely submittal of the grant application, the CCHE staff will initially review the grant application to make sure that the application is complete. It will then convene another Advisory Committee of experts and members of the public to sit, review and advise on the grant applications.

A final list for funding consideration will then be compiled and submitted to the Chairperson and Board of CCHE for their approval and comments.

(THERE SHOULD BE CONSIDERATION FOR PROJECTS THAT HAVE BEEN WAITING A LONG TIME FOR FUNDING FROM THIS PROJECT. CONSIDERATION SHOULD BE MADE FOR THOS PROJECTS. ALSO, CONSIDERATION FOR A LETTER OF INTENT PROCESS TO LOOK AT PROJECTS THAT ARE CURRENTLY ELIGIBLE FOR FUNDING AND ARE DESERVING OF FUNDING AND AT THE SAME TIME, REVIEW PROJECTS THAT SHOULD BE CONSIDERED THROUGH A MORE EXPLORATORY PROCESS.

FURTHER, THERE SHOULD BE CONSIDERATION IN NOT REQUIRING A MATCHING FUND FROM NON PROFIT ORGANIZATIONS IN APPLYING FOR FUNDING.

FINALLY, CONSIDERATION SHOULD BE GIVEN FOR CREATING A REVOLVING TRUST FUND THAT PROVIDES LOW INTEREST LOANS, AND TO CREATE A TIMELINE THAT EXPLAINS THE PROCESS AND IMPORTANT DATES)

11. Proposed Appropriation of Funding per Year

Over the next several years, the entire amount of funding available for competitive grants from CCHE will be granted to those entities eligible for funding.

At the present time, there is no specific funding recommendation for the allocation of funds to be made during each grant cycle.

It is recommended that such a decision be determined after responses are received and needs are identified through the initial Exploratory Grant Application Process.

12. Requirements and Responsibilities of Grant Recipients

General Requirements

CCHE staff will make every effort to devote equal time and energy to all grant recipients selected for funding to successfully meet their goal. We will try to be as responsive to your needs and inquiries as possible.

However, the success of a project is also based on the performance and dedication of the grant recipient. By accepting funds from CCHE, the grant recipient is consenting to enter into an agreement to follow the following basic principles:

*A grant recipient shall not discriminate against any person on the bases of sex, race, color, national origin, age, religion, ancestry, sexual orientation or disability in the use of any property or facility developed pursuant to CCHE funds.

*All facilities funded by CCHE shall be open to members of the public

*A grant recipient shall, to the best of their ability, provide true and correct information on all forms submitted to CCHE and immediately report any changes of accounting or discrepancies in funding to the CCHE staff.

*A grant recipient shall follow any and all procedures set forth by the CCHE and other reporting agencies to provide timely compliance with reporting and accounting procedures required for a successful project. They must also report any public acceptance or criticism on the project and the CCHE will make all such reports available to the Legislature.

*A grant recipient shall at any time make available to CCHE staff the accounting of the project funded and any other information needed for CCHE staff to monitor the progress of the project.

*A grant recipient shall be available and accommodate CCHE staff and Board for site visits which may be scheduled from time to time and inform CCHE staff of all activities associated with the project using CCHE funds.

*A grant recipient will also be asked by CCHE staff to prepare additional reports and articles and possible presentations about their project to the general public.

*A grant recipient must include members of the general public and other appropriate stakeholders in all important decision making phases of the grant project.

*A grant recipient must publicly acknowledge CCHE funds on all literature, discussions and materials created to publicize, describe and inform the public about the proposed project

*Grant recipients shall comply with all applicable current laws and regulations affecting capital projects on the proposed site, including but not limited to legal requirements for construction contracts, building codes, health and safety codes, zoning, and compliance with the Americans for Disability Act and the California Environmental Quality Act.

FURTHER NOTES: A BRIEF BACKGROUND OF THE PROCESS OF APPLYING FOR NATIONAL, STATE, AND LOCAL HISTORIC PRESERVATION LANDMARK/STATUS SHOULD ALSO BE SUPPLIED TO THE PUBLIC AND BOARD MEMBERS FOR FURTHER INFORMATION.

Prepared by: Diane Matsuda
Executive Officer, California Cultural and Historic Endowment

OAKLAND CITY COUNCIL

FILED
OFFICE OF THE CITY CLERK
OAKLAND

RESOLUTION NO. _____ C. M. S.

04 SEP -1 PM 1:54
D. More

CLEAN WATER, CLEAN AIR, SAFE PARKS AND COASTAL PROTECTION ACT OF
2002

A RESOLUTION AUTHORIZING THE CITY 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 PERALTA HACIENDA HISTORICAL PARK IN THE AMOUNT OF THREE MILLION FIVE HUNDRED THOUSAN DOLLARS (\$3,500,000).

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 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, matching funds are available in existing project funds that have already been allocated to Peralta Hacienda, 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 City Council 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 Peralta Hacienda Historical Park Project for the amount of three million five hundred thousand dollars (\$3,500,000); and

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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 recreation element of any applicable city or county general plan; and
6. Appoints the City 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 City Administrator is authorized to accept and appropriate funds consistent with the projects and funding levels above.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSTENTION-

ATTEST _____

CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

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SEP 14 2004

REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND

FILED
OFFICE OF THE CITY CLERK
OAKLAND

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Resolution No. _____ C.M.S.

D. Moran

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

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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, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES-

NOES-

ABSTENTION-

ATTEST _____

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

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LIFE ENRICHMENT COMMITTEE

SEP 14 2004