

*W. M. W.*  
OFFICE OF THE CITY CLERK  
OAKLAND  
2003 NOV 20 PM 6:50

REDEVELOPMENT AGENCY  
OF THE CITY OF OAKLAND

RESOLUTION NO. 2003-83 C.M.S.

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**A RESOLUTION AUTHORIZING THE AGENCY ADMINISTRATOR TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH CALIFORNIA CAPITAL GROUP FOR AN AMOUNT NOT TO EXCEED \$432,500 FOR PROFESSIONAL SERVICES NEEDED FOR THE PRE-DEVELOPMENT OF THE FOX THEATER AND WRAP-AROUND BUILDINGS**

**WHEREAS**, the Fox Theater has sat vacant for over twenty-five years in the Uptown District of downtown Oakland and has been a blighting influence on the neighborhood; and

**WHEREAS**, the Redevelopment Agency purchased the Fox Theater in 1996 with the intention of restoring and re-opening the theater and the attached wrap-around buildings and stimulating new investment opportunities in the Uptown District; and

**WHEREAS**, the Redevelopment Agency has completed certain steps in the restoration of the theater including: replacement of the roof in 1999; completion of façade restoration and store front drawings in 2000; renovation of the historic marquee and vertical sign in 2001; completion of the Fox Master Plan in 2002; and successful recipient of a \$375,000 grant for façade restoration from the California Heritage Fund Program in 2002; and

**WHEREAS**, the Redevelopment Agency has been approached by development entities interested in revitalizing the Fox, but none of the proposals have been regarded as financially feasible by Agency staff; and

**WHEREAS**, in the winter of 2002, the Agency was approached by a development team headed by California Capital Group, a General Partnership, ("CCG") that wished to evaluate, in detail, one of the options for renovating the Fox as outlined in the Fox Master Plan; and

**WHEREAS**, the CCG development team has prepared concept drawings and detailed cost estimates for revitalizing the Fox Theater into a cabaret-style performing arts venue that would activate the Fox for an unspecified time period before future funding could be obtained for a full theater restoration; and

**WHEREAS**, the CCG development team has discussed with the Oakland School for the Arts their future expansion plans, and has prepared concept drawings and detailed cost estimates for accommodating their needs in the wrap-around buildings which are attached to the Fox; and

**WHEREAS**: the CCG development team has held discussions with the Oakland School for the Arts and the Paramount Theater of the Arts, Inc. regarding possible operating and financing structures necessary to develop the theater and attached wrap-around buildings; and

**WHEREAS**: the Agency staff has reviewed all concept drawings, cost estimates and possible development and operation frameworks and found them to be a realistic and financially responsible method to revitalizing the theater and attached wrap-around buildings worthy of further analysis and negotiation; and

**WHEREAS**: the Agency has determined that CCG, because of their recent and extensive experience in analyzing the Fox Theater and wrap-around buildings, is uniquely qualified to manage pre-development activities associated with the theater and wrap-around building renovation; and

**WHEREAS**: the Agency wishes to engage CCG to perform pre-development work in an amount not to exceed \$432,500 for building investigation, structural testing, Design Development Drawings, project management and associated costs; and

**WHEREAS**: the Agency has determined that the predevelopment work would be applicable and usable for any future use of the Fox Theater and Wrap-around Buildings; and

**WHEREAS**: the \$432,500 needed for the pre-development work is in the adopted FY 2003-2005 ORA budget, specifically programmed for the Fox Theater (P131130, P131140, P131170); now, therefore, be it

**RESOLVED**: that the Agency Administrator is authorized to negotiate and enter into a professional services contract with California Capital Group for an amount not to exceed \$432,500 for pre-development activities associated with the development of the Fox Theater and wrap-around buildings; and be it

**FURTHER RESOLVED**: that the Agency Administrator is further authorized to take whatever action is consistent with this Resolution and its basic purpose; and be it

**FURTHER RESOLVED**: that any and all agreements to be entered into pursuant to this Resolution be reviewed and approved by the City Attorney as to form and legality, and copies be placed on file with the Agency Secretary.

DEC 2 2003

IN AGENCY, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2003

PASSED BY THE FOLLOWING VOTE:

AYES- ~~BROOKS~~, BRUNNER, CHANG, NADEL, QUAN, REID, WAN, AND ~~CHAIRPERSON DE LA FUENTE~~ - 6

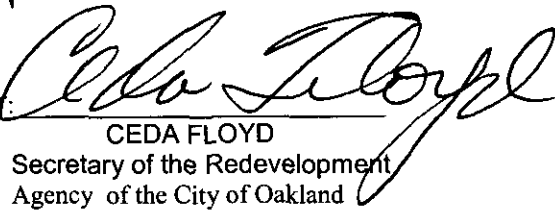
NOES- 0

ABSENT- BROOKS - 1

ABSTENTION- 0

EXCUSED- De La Fuente - 1

ATTEST:

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