
City Attorney

OAKLAND CITY COUNCIL

RESOLUTION NO. 88456 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AMEND THE GRANT AGREEMENT WITH THE OAKLAND MUSEUM OF CALIFORNIA FOR THE CONTINUED CARE AND CONSERVATION OF THE CITY'S COLLECTION OF ART AND ARTIFACTS TO EXTEND THE GRANT TERM FOR AN ADDITIONAL TEN YEARS TO JUNE 30, 2031 AND TO INCREASE THE AMOUNT OF THE GRANT BY THIRTY MILLION DOLLARS (\$30,000,000) FOR A TOTAL GRANT AMOUNT NOT TO EXCEED SEVENTY THREE MILLION DOLLARS (\$73,000,000).

WHEREAS, the Museum opened in September 1969 as a public institution, owned by the City and committed to a broad civic mission serving local, statewide and national audiences; and

WHEREAS, from 2006 to 2011, the Museum was operated by the Oakland Museum of California Foundation ("Foundation") in a public-private-partnership with the City through a management and operations agreement, authorized under Resolution No. 80155 C.M.S.; and

WHEREAS, on May 19, 2011, the Foundation reincorporated as the Oakland Museum of California, a California nonprofit public benefit corporation ("OMCA"); and

WHEREAS, on June 28, 2011, the City Council adopted Resolution No. 83442 C.M.S., authorizing the City Administrator to negotiate and execute a 10-year grant agreement with OMCA to support Museum activities for the care, conservation, stewardship and presentation of the city's collection of art works, historical artifacts and natural sciences specimens related to California's cultural and environmental history; and

WHEREAS, the City and Museum entered into the 10-year grant agreement term on July 1, 2011, which will expire on June 30, 2021; and

WHEREAS, the annual grant amount initiated at Five Million dollars (\$5,000,000) beginning in fiscal year 2011-12 and over the term of the grant, reduced to three million dollars (\$3,000,000) in fiscal year 2020-21, for a total grant amount of Forty-Three Million dollars (\$43,000,000); and

WHEREAS, on July 19, 2011, the City Council adopted Ordinance No. 13079 C.M.S., which authorized the City Administrator to negotiate and execute a 30-year Lease of the Museum located at 1000 Oak Street and the Collections Center located at 450 Lancaster Street commencing on July 1, 2011 with an original termination date of June 30, 2041; and

WHEREAS, on July 16, 2019, the City Council adopted Ordinance No. 13554 C.M.S., which authorized a 20-year lease extension under the existing terms, with an end date of June 30, 2061.

WHEREAS, as a result of the lease extension, OMCA paid \$1,396,200 in the City's real estate transfer tax on May 19, 2020; and

WHEREAS, the City wishes to continue providing funding to OMCA to support Museum program activities, including the care, conservation, stewardship and presentation of the City's collection of art works, historical artifacts and natural sciences specimens related to California's cultural and environmental history; now therefore be it

RESOLVED, That the City Administrator is authorized to amend the grant agreement with the Oakland Museum of California to extend the grant term to June 30, 2031 and to increase the amount of the grant by Thirty Million dollars (\$30,000,000) for a total grant amount not to exceed Seventy Three Million dollars (\$73,000,000) to continue the care, conservation, stewardship and presentation of the city's collection of art works, historical artifacts and natural sciences specimens related to California's cultural and environmental history; and be it

FURTHER RESOLVED, That the grant payments shall be disbursed annually no later than July 31 of each year commencing in 2021 through and including 2030 in an amount to be determined by the City Administrator (or designee) to support Museum program activities; and be it

FURTHER RESOLVED, That the OMCA shall be required to submit to the City annual reports on the OMCA's performance of Museum program activities as well as reports on OMCA's financial condition; and be it

FURTHER RESOLVED, That the agreement approved hereunder shall be approved for form and legality by the City Attorney's Office and placed on file in the Office of the City Clerk.

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IN COUNCIL, OAKLAND, CALIFORNIA, _____

DEC 15 2020

PASSED BY THE FOLLOWING VOTE:

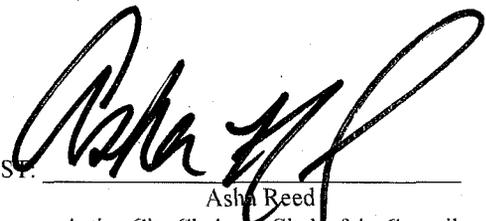
AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST: _____



Asha Reed
Acting City Clerk and Clerk of the Council
of the City of Oakland, California