

AGENDA PACKET FOX OAKLAND THEATER, INC.

a California nonprofit public benefit corporation controlled by the City of Oakland

BOARD OF DIRECTORS MEETING

TELECONFERENCE ACCESS INFORMATION AND PUBLIC COMMENT GUIDANCE

**Monday, December 7, 2020
3:00 p.m.**

ACCESSING FOT BOARD TELECONFERENCE MEETINGS:

This meeting will be held by tele-conference and recorded. The public may observe and/or participate in this meeting in the following two ways:

- **To join the meeting by video conference**, please click on this Zoom link at the noticed meeting time:
<https://zoom.us/j/93907579910>
Webinar/Meeting ID: **939 0757 9910**
- **To listen to the meeting by phone**, please dial the numbers below, **depending on your location**, at the noticed meeting time.

To call using iPhone OneTap,
dial either of the numbers below:

(USA) +1 (408) 638-0968
followed by 939 075 799 10 #

(USA) +1 (669) 900-6833
followed by 939 075 799 10 #

To call regularly, dial either of the numbers below followed by the Meeting ID (for better quality, dial number closest to current calling location):

+1 (408) 638-0968 (San Jose)
+1 (669) 900-6833 (San Jose)
+1 (253) 215-8782 (Tacoma)

+1 (346) 248-7799 (Houston)
+1 (312) 626-6799 (Chicago)

+1 (646) 876 9923 (New York)
+1 (301) 715 8592 (Germantown)

For international call-in numbers:
<https://zoom.us/u/acJcKkA6b4>

If you need special assistance to participate in meetings, **please contact the FOT Secretary Hui-Chang Li** (hLi@oaklandca.gov or 510-238-6239) or **FOTB staff Brandon Wolinsky** (bWolinsky@oaklandca.gov or (510) 238-3250). When possible, please **notify staff five (5) days prior** to the meeting so we can make reasonable arrangements to ensure accessibility.

PROVIDING PUBLIC COMMENT:

All public comment will be taken at the beginning of the meeting under Agenda Item No. 2: Public Comment.

There are two ways to submit public comments:

- **Email before the meeting.** Please email hli@oaklandca.gov to send your comment directly to the Board and staff BEFORE the meeting starts. eComment submission closes five (5) minutes before posted meeting time
- **During the Public Comment period at the meeting.** During Agenda Item No. 2, participants may provide comment during the live meeting webcasting, either by:
 - Clicking the **“Raise Your Hand”** button to request to speak during the Public Comment period, which occurs in within the first half of the meeting. During your turn, you will be permitted to provide your comment, and after the allotted time, re-muted.
 - To comment by phone, please call on one of the above listed phone numbers. You will be prompted to **“Raise Your Hand”** by pressing **“* 9”** to speak when Public Comment is taken. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, re-muted.
Please unmute yourself by pressing “* 6.”

AGENDA PACKET

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BOARD OF DIRECTORS MEETING

AGENDA

Monday, December 7, 2020, 3:00 p.m.

1. Roll Call

Alexa Jeffress (President)	Kelley Kahn (Director)
Margaret O'Brien (CFO)	Betsy Lake (Director)
Hui-Chang Li (Secretary)	Brendan Moriarty (Director)
	Anthony Reese (Director)

2. Public Comment

(1 minute per speaker)

3. [Approval of October 2, 2020 FOT Board Meeting Minutes](#)

Presenter: Hui-Chang Li

ACTION ITEM

4. FOT Financial Status ([Exhibit A](#))

Presenter: Hui-Chang Li

INFO ITEM

5. Fox Theater Asset Transfer from ORSA to City

Presenter: Hui-Chang Li

INFO ITEM

6. Property Management

6a) Enter into Property Management Agreement with Colliers

Presenter: Anthony Reese

ACTION ITEM

Staff Recommendation:

Authorize approval and execution of a Property Management Agreement with Collier's International Real Estate Management Services (CA), Inc. to serve as the Property Manager for the Fox Oakland Theater in an amount not to exceed \$6,200 per month, or \$74,400 per year plus a 3% interest increase on each anniversary date, for a term of 5 years, which may be extended for two additional terms of 5 years each, consistent with the terms of the request for proposal issued on March 13, 2020, as described in the Resolution ([Exhibit B](#))

6b) CCIG Property Management Agreement Extension

ACTION ITEM

Presenter: Anthony Reese

Staff Recommendation:

Authorize staff to negotiate and execute an Amendment No. 13 to the professional services agreement with California Capital & Investment Group (“CCIG”) to continue providing property management services at the Fox Theater until the earlier of January 31, 2021 or 30 days after the execution of the property management agreement with Collier’s International Real Estate Management Services (CA), Inc.

6c) Capital Improvement Needs: Waterproofing and Roof Repair

ACTION ITEM

Presenter: George Durney

Staff Recommendation:

Authorize approval and execution of an agreement with roofing material and services proposal with Garland/DBS, Inc. to provide roofing material and services in the amount of \$476,281, plus a 15% contingency in the amount of \$71,442, for a total amount not to exceed \$547,723, as described in the Resolution ([Exhibit C](#))

6d) Capital Improvement Needs: HVAC Repairs

INFO ITEM

Presenter: Anthony Reese

7. Schedule for Upcoming Meetings

The following is the tentative schedule for upcoming quarterly FOT Board meetings in 2021:

- Monday, March 1, 2021, 3pm
- Monday, June 7, 2021, 3pm
- Monday, August 2, 2021, 3pm
- Monday, November 1, 2021, 3pm

8. Other Items to Discuss

9. Adjournment for Closed Session

Pursuant to California Government Code Section 54956.8:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

a) Property: Fox Theater, 1807 Telegraph Ave, Oakland, California (a portion of the ground floor of the wrap around buildings off Telegraph, along 18th Street and 19th Street, as well as the second and third floors)

FOT's Negotiator: Brendan Moriarty, Anthony Reese, Jordan Flanders, and Naree Chan

Negotiating Parties: Oakland School for the Arts

Under Negotiation: Price and terms of payment for the lease of the property.