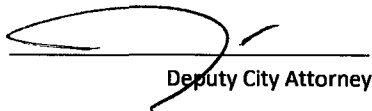


2019 MAY -8 PM 12: 51

Approved as to Form and Legality:


Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 87658 = C.M.S.

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ISSUE A LETTER THAT CONSENTS TO AN ASSIGNMENT AND ASSUMPTION AGREEMENT THAT ASSIGNS ALL OF THE INTERESTS OF FOSTER INTERSTATE MEDIA, INC., AS SUBTENANT, UNDER THAT CERTAIN BILLBOARD SUBLEASE AGREEMENT DATED OCTOBER 23, 2012 TO OUTFRONT FOSTER INTERSTATE OAKLAND LLC.

WHEREAS, On July 3, 2012, the City Council enacted Ordinance No. 13131 C.M.S., which authorized the City Administrator, among other things, to negotiate and execute the Army Base Gateway Redevelopment Project Lease Disposition and Development Agreement with Prologis CCIG Oakland Global, LLC ("Prologis CCIG" or "Tenant") (the "LDDA") and the Billboard Franchise and Lease Agreement by and between City of Oakland, as successor-in-interest ("City" or "Landlord"), and Tenant, dated October 23, 2012 (the "Billboard Lease"). The LDDA included as part of the redevelopment of the Oakland Army Base ("OAB"), development of five billboards, which together with their sites, would be leased by Tenant pursuant to the Billboard Lease; and

WHEREAS, the Billboard Lease expressly contemplated a sublease with Foster Interstate Media, Inc., ("Foster" or "Subtenant") and Subtenant entered into the Billboard Sublease Agreement by and between Sublandlord, and Subtenant" dated as of October 23, 2012 (the "Billboard Sublease") pursuant to which Sublandlord subleased the five billboard sites; and

WHEREAS, Foster constructed and is operating all five of the contemplated billboards on the former OAB in accordance with the Billboard Sublease; and

WHEREAS, on January 31, 2019, Foster requested the City's consent to the assignment of Foster's interests in the Billboard Sublease to Outfront Foster Interstate Oakland LLC ("Assignee"), a joint venture between Foster and Outfront Media LLC ("Outfront"), which is a wholly-owned subsidiary of Outfront Media Inc. (formerly CBS Outdoor); and

WHEREAS, City staff requested additional information regarding the assignment, met with Foster and Outfront representatives on March 13, 2019, and reviewed financial information and background information provided by Outfront; and

WHEREAS, the authorization to issue a letter that consents to the Assignment and Assumption Agreement is not a "project" as defined in California Public Resources Code Section 21065 (and CEQA Guidelines Section 15060(c)) because the authorization will not

cause either a direct physical change in the environment or a reasonably foreseeable indirect change in the environment; now, therefore, be it

RESOLVED: That the City Council hereby authorizes the City Administrator or his/her designee, to issue a letter that consents to the Assignment and Assumption Agreement in the form approved by the City Attorney, and take all other actions necessary with respect to the letter that consents to the Assignment and Assumption Agreement consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: That the City finds and determines, after independent review and consideration, that the authorization to issue a letter that consents to the Assignment and Assumption Agreement is exempt from CEQA because it is not a "project" as defined in California Public Resources Code Section 21065 (and CEQA Guidelines Section 15060(c)) because the authorization will not cause either a direct physical change in the environment or a reasonably foreseeable indirect change in the environment; and be it

FURTHER RESOLVED: That the City Administrator or his/her designee shall cause to be filed with the County of Alameda a Notice of Exemption from CEQA requirements.

MAY - 7 2019

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BAS, GALLO, ~~QUINN~~ ~~MC ELHANEY~~, KALB, REID, TAYLOR, THAO and PRESIDENT KAPLAN - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - 1 McElhaney

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California