

CITY OF OAKLAND

AGENDA REPORT

2007 APR 12 PM 2:42

TO: Office of the City Administrator
ATTN: Deborah A. Edgerly
FROM: Community & Economic Development Agency
DATE: April 24, 2007

RE: **Resolution Authorizing the City Administrator to Enter into a Billboard Relocation Agreement with Clear Channel Outdoor, Inc. ("CCO"): (1) Allowing CCO to Remove and Waive its Rights to Compensation, Including All Real Property and Personal Property Interests, for a Number of Billboards at Various Locations in Exchange for: (A) Removal of a Billboard at 381- 5th Street and Construction of a New Billboard at 377-5th Street; and (B) Removal of a Billboard at 3420 Louise Street and Construction of a Billboard on an Adjacent Lot (APN 007-0620-001-04); and (2) Requiring Mr. Libitzky, Property Owner of 3420 Louise Street, to Make a One-Time Contribution of \$100,000 to the Chabot Space and Science Center and Requiring CCO to Make a One-Time Contribution of \$75,000 to a Cause Designated by the City Council**

SUMMARY

The City Council is asked to approve a Resolution to permit the City to enter into a Billboard Relocation Agreement with Clear Channel Outdoor Inc., a Delaware corporation ("Clear Channel") regarding the specific sites identified in the resolution title above. The Agreement also will result in the removal of 17 billboards throughout Oakland's neighborhoods in exchange for the relocation and reconstruction of two existing billboards with freeway visibility.

FISCAL IMPACT

The proposed Billboard Relocation Agreement will not result in any direct cost impacts because Clear Channel is waiving its rights to compensation, including all real property and personal property interests for the 17 billboards specified in the staff report.

BACKGROUND

- In 1997, the City of Oakland enacted an Ordinance prohibiting the installation of new billboards anywhere in the City.
- In 1998, the City adopted an Ordinance creating an amortization program for billboards in residential areas. After Clear Channel's predecessor (Eller Media Company) sued the City to stop the ordinance's enforcement, the parties executed the Eller Media Co.

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Amortization Settlement Agreement dated November 3, 1999 (the "Settlement Agreement").

- In 2002, the City adopted an Ordinance to amend the Oakland Municipal Code to permit relocated and wholly reconstructed advertising signs pursuant to Franchise/Relocation Agreements.

The City of Oakland and Clear Channel executed a similar billboard relocation agreement in late 2003. That agreement provided for the removal of 30 billboards, retention of the Clear Channel offices in Oakland and a \$100,000 contribution to the City's General Fund in exchange for the development of two new freeway billboards with a total of 2,688 square feet. The total square foot sign area of the removed billboards totaled 5,424 square feet, roughly a two to one ratio of removed sign area to new sign area.

KEY ISSUES AND IMPACTS

This agreement is slightly different than the previous agreement in that it relocates two existing billboards rather than permit the development of any new billboards. One billboard is proposed to be expanded to 1,344 square feet from its existing 864 square foot size, an increase of 480 square feet, as part of the relocation. As part of the proposal 17 billboards, totaling 2,364 square feet of sign area would be removed. This is just under a five to one ratio of removed sign area to new sign area. Finally, this agreement results in total payments of \$175,000, \$100,000 to the Chabot Space and Science Center and \$75,000 to a City designated cause.

PROJECT DESCRIPTION

The proposed project calls for the relocation of two existing billboards. Each relocation is described in detail below:

1. *Relocation of existing billboard at 381 5th Street:* Clear Channel would relocate the existing 1,344 square foot sign to a location on the adjacent parcel, under the same ownership, at 377 5th Street. The existing billboard is roof mounted and approximately 24 feet from Interstate 880. The relocated sign would be pole mounted and be approximately 45 feet south of the current sign and 26 feet from the freeway. Clear Channel proposes to remove 7 legal, nonconforming billboards, totaling 960 square feet, at the following locations:
 - Alameda Avenue (No Address) APN: 033-2250-013-01, 300 square feet;
 - 714 27th Street, 300 square feet;
 - 1828 International Boulevard, 72 square feet;
 - 8144 MacArthur Boulevard, 2 billboards, each 72 square feet, for a total of 144 square feet;

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- 6318 Market Street, 72 square feet¹; and
- 5420 Foothill Boulevard, 72 square feet.

In addition, Clear Channel will make a \$75,000 donation to a cause designated by the Oakland City Council.

None of these signs is scheduled for removal under the amortization program.

2. *Relocation of existing billboard at 3420 Louise Street:* Clear Channel would relocate the existing 864 square foot sign to a location on the adjacent parcel, under the same ownership, within the pending condominium project. Clear Channel is proposing to increase the area of the sign to 1,344 square feet, an increase of 480 square feet. The existing billboard is roof mounted and within approximately 160 feet from Interstate 580. The relocated sign would be pole mounted and be approximately 12 feet from the freeway. Clear Channel proposes to remove 10 legal, nonconforming billboards, totaling 1,404 square feet, at the following locations:

- 2450 M.L.K. Jr. Way, 2 billboards, each 72 square feet, for a total of 144 square feet;
- 2811 Market Street, 2 billboards, each 72 square feet, for a total of 144 square feet;
- 1900 Market Street, 72 square feet;
- 2565 West Street, 72 square feet;
- 424 M.L.K. Jr. Way, 2 billboards, one 72 square feet and one 300 square feet, for a total of 372 square feet;
- 1432 M.L.K. Jr. Way, 300 square feet; and
- 685 9th Street, 300 square feet.

In addition, the property owner, Mr. Libitzky, will make a \$100,000 donation to the Chabot Space and Science Center.

None of these signs is scheduled for removal under the amortization program.

The proposed Billboard Relocation Agreement will be conditioned on Clear Channel providing documentation satisfactory to the City that Clear Channel has fully complied with the Settlement Agreement.

¹ The City will require Clear Channel to confirm and represent that the second billboard listed in the City's database at 6318 Market Street has already been removed, and that Clear Channel will agree not to reconstruct it.

SUSTAINABLE OPPORTUNITIES

Economic: None.

Environmental: None.

Social Equity: Removal of the 17 billboards will result in reduced blight in our City's neighborhoods, increasing enhancement of the City's physical attributes.

DISABILITY AND SENIOR CITIZEN ACCESS

Approval of this resolution will have no direct impact on disabled and senior citizen access.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends approval of a resolution authorizing the City Administrator to enter into a Billboard Relocation Agreement with Clear Channel Outdoor, Inc., to waive its rights to compensation, including all real property and personal property interests, for seventeen (17) billboards located as designated in the staff report in exchange for the relocation of two existing billboards and contributions totaling \$175,000 dollars to designated causes.

ACTION REQUESTED OF THE CITY COUNCIL

Adopt the resolution authorizing the City Administrator to enter into a Billboard Relocation Agreement with Clear Channel Outdoor, Inc., to waive its rights to compensation, including all real property and personal property interests, for seventeen billboards located as designated in the staff report in exchange for the relocation of two existing billboards and contributions totaling \$175,000 dollars to designated causes.

Respectfully submitted,



Claudia Cappio

Development Director

Community & Economic Development Agency

Prepared by: Eric Angstadt, Community & Economic
Development Agency

APPROVED AND FORWARDED
TO THE CED COMMITTEE:



Office of the City Administrator

Attachment A Clear Channel Proposal

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ATTACHMENT A



Memo

To: Mark Wald, Deputy City Attorney (City of Oakland)
From: Patrick Powers, Real Estate Manager (Northern California Division)
Date: 2/2/07
Re: Relocation Projects

Thank you for taking the time yesterday to meet with representatives from Clear Channel Outdoor, Inc. (CCO) to confer over the details of the proposed Sign Relocation Projects.

Enclosed you will find a revised project summary for each of the subject locations, a revised CD containing pictures for the proposed removals with addresses and descriptions; and a copy of the City of Oakland letter designating the current billboard at 377-381 - 5th Street as a legal non-conforming structure.

The revised summary for 377-381 - 5th St. includes proposed sign removals of existing CCO inventory. There is also a commitment, as requested, by our company to make a monetary contribution to the City of Oakland for a cause to be designated by the Oakland City Council.

Lastly, the required applications and fees are being processed internally for the remaining list of amortized locations and everything should be submitted Monday. Please follow-up with Leigh McCullen next week for confirmation that everything is in order. However, this matter should be concluded rapidly.

If you should have any additional questions do not hesitate to contact me at (510) 446-7219. I look forward to hearing from you soon in regard to the scheduling of these projects before the City Council.

Project Summaries

377 & 381 – 5th Street (Mighetto) & 3420 Louise Street (Libitzky)

Mighetto (377-381 – 5th Street)

(Current Sign)

Remove existing v-shaped roof mounted billboard @ 381 – 5th St. (APN 001-0145-002) with two advertising faces directed north and south along I-880. Each facing has a height of 14 feet and a width of 48 feet, which totals 1,344 square feet of advertising space. Each facing has (2) - four hundred watt halophane light fixtures that directly illuminate the posted ad copy. The current sign sits within 24 feet of the freeway.

(New Sign)

Replace the above location with a monopole billboard in the parking lot of the adjacent lot @ 377 – 5th St. (APN 001-0145-003), which is owned by the same property owner. The new structure will have two static advertising faces directed north and south along I-880. Each facing will have a height of 14 feet and a width of 48 feet, which totals 1,344 square feet of advertising space. Each facing will have (2) – four hundred watt halophane light fixtures that directly illuminate the posted ad copy. The new sign will sit within 26 feet of the freeway and will be at location 45' fee 6" inches to the south of the current structure.

(Purpose)

Currently, the sign on the building at 381 – 5th Street provides needed rental income to the property owner, as this individual's main sources of income. By allowing the sign to be removed from the roof of the building, on the parcel @ 381 – 5th Street, and allowing the new sign to be placed in the parking lot of the parcel @ 377 – 5th Street this will provide the property owner with an opportunity to replace the leaking roof at 381 – 5th Street. This will be of a great benefit to the property owner because by replacing the roof this individual would be able to supplement their income by renting office space at 381 – 5th Street, which is now vacant due to the condition of the roof.

Without a replacement site for the sign, the roof cannot be repaired properly because a re-roofing job will require permanent removal of the sign due to the way the sign structure is attached to the building. Because of the income this sign provides to the property owner its removal would be financially devastating to this individual. However, by allowing this project to move forward the property owner can maximize their income and at the same time relieve stress from the building

by removing the sign from the roof. In addition, this portion of the project will result in a net reduction of signs and advertising square footage in the City of Oakland

(Removed Signage)

Clear Channel Outdoor, Inc. (CCO) will remove the existing roof structure at 377-381 – 5th Street with 1,344 square feet of advertising space. CCO will also pledge to remove an additional 960 square feet of existing billboard advertising signage throughout the City of Oakland from the locations listed below:

- Alameda Ave. south line 700' east of Fruitvale – facing east
Size – 300 square feet / Address – APN 033-2250-013-01 (no given address)
- 27th St. north line 14' east of West St. – facing west
Size – 300 square feet / Address – 714 – 27th St.
- International Blvd. north line 145' east of 18th Ave. – facing west
Size – 72 square feet / Address – 1828 International Blvd.
- MacArthur Blvd. north line 5' west of 82nd Ave. – facing east
Size – 72 square feet / Address – 8144 MacArthur Blvd.
- 82nd Ave. west line 70' north of MacArthur Blvd. – facing north
Size – 72 square feet / Address – 8144 MacArthur Blvd.
- Market east line 35' north of 63rd St. – facing south
Size – 72 square feet / Address – 6318 Market
- Foothill Blvd. north line 119' east of Cole – facing west
Size – 72 square feet / Address – 5420 Foothill Blvd.

If approval is granted by the City Council for each of these projects and then permits are issued by the Building Department for the new sign, CCO will then be required to obtain Caltrans permits as well. This process is likely to take up to 60 days to complete.

CCO will then be required to provide our current Lessors with a 60-90 day notice that the signs will be removed from their property. However, CCO can begin the actual removal process immediately by applying for demolition permits with the City of Oakland. This process requires BAAQMD approval and a 30 notice period by the City of Oakland before the actual removals can begin.

After receipt of the demolition permits CCO shall immediately remove all of the signs from the above list except, but the current sign at 377 – 381 – 5th Street shall remain in place due to commitments made to paid advertisers and Caltrans requirements.

Following the removal of all the signs from the above list CCO shall immediately begin construction of the new sign, but shall not place copy on these new advertising faces until the copy and the advertising faces are removed from the current structures at 377-381 – 5th Street. Once this work is completed copy will go on the advertising faces of the new structure and the remaining portions of the current structure will then be removed immediately.

(Other Project Details)

- CCO is committed to providing a one-time fund request by the City of Oakland in the amount of \$75,000.00 for the purpose of a fiscal donation to a cause designated by the Oakland City Council.
- CCO agrees to pay for all costs associated with the removal of the proposed signage for this project, including all required permitting related to the demolition of existing billboard signage.
- CCO shall pay for and coordinate with Caltrans for all of the state permitting requirements associated with this project.
- Project go-ahead is contingent on both City Council and Caltrans approval.

Libitzky (3420 Louise Street)

(Current Sign)

Remove existing v-shaped roof mounted billboard @ 3420 Louise Street (APN 007-0620-002-04) with two advertising faces directed west and east along I-580. Each facing has a height of 12 feet and a width of 36 feet, which totals 864 square feet of advertising space. Each facing has (4) – 150 watt light fixtures mounted on the roof that directly illuminate the posted ad copy. The current sign is within 160 feet of the freeway.

(New Sign)

Replace the above location with a monopole billboard in the back portion of a pending condo project of the adjacent lot (APN 007-0620-001-04, which is owned by the same property owner. The new structure will have two static advertising faces directed west and east along I-580. Each facing will have a height of 14 feet and a width of 48 feet, which totals 1,344 square feet of advertising space. Each facing will have (2) – four hundred watt halophane light fixtures that directly illuminate the posted ad copy. The new sign will sit within 12 feet of the freeway and will be at location 15 feet to the east of the current structure.

(Purpose)

Currently in development at this property is a unique condo project that will provide needed housing in this area of Oakland. By removing the current billboard and placing it a new location nearer to the freeway, it will allow the full scope of the condo project to proceed; and in addition

this portion of the project will also result in a net reduction of signs and advertising square footage in the City of Oakland.

(Removed Signage)

CCO will remove the existing roof structure at 3420 Louise Street, which is a total of 864 square feet of advertising space. CCO will also pledge to remove an additional 1,404 square feet of existing billboard advertising signage throughout the City of Oakland from the locations listed below:

- Martin Luther King Jr. Way – east line 133’ south of 25th St. – facing north
Size – 72 square feet / Address – 2450 M.L.K. Jr. Way
- Martin Luther King Jr. Way – east line 133’ south of 25th St. – south facing
Size – 72 square feet / Address – 2450 M.L.K. Jr. Way
- Market – west line 50’ north of 28th St. – facing north
Size – 72 square feet / Address – 2811 Market
- Market – west line 50’ north of 28th St. – facing south
Size – 72 square feet / Address – 2811 Market
- Market – east line 95’ north of 19th St. – facing south
Size – 72 square feet / Address – 1900 Market
- West St. – west line 50’ north of Sycamore – facing south
Size – 72 square feet / Address – 2565 West St.
- 5th St. – south line 100’ east of Martin Luther King Jr. Way – facing west
Size – 72 square feet / Address – 424 M.L.K. Jr. Way
- Martin Luther King Jr. Way – east line 75’ south of 5th St. – facing north
Size – 300 square feet / Address – 424 M.L.K. Jr. Way
- Martin Luther King Jr. Way – east line 82’ south of 15th St. – facing north
Size – 300 square feet / Address – 1432 M.L.K. Jr. Way
- Castro – east line 5’ south of 9th St. – facing south
Size – 300 square feet / Address – 685 – 9th St.

If approval is granted by the City Council for each of these projects and then permits are issued by the Building Department for the new sign, CCO will then be required to obtain Caltrans permits as well. This process is likely to take up to 60 days to complete.

CCO will then be required to provide our current Lessors with a 60-90 day notice that the signs will be removed from their property. However, CCO can begin the actual removal process

immediately by applying for demolition permits with the City of Oakland. This process requires BAAQMD approval and a 30 notice period by the City of Oakland before the actual removals can begin.

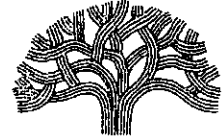
After receipt of the demolition permits CCO shall immediately remove all of the signs from the above list except, but the current sign at 3420 Louise Street shall remain in place due to commitments made to paid advertisers and Caltrans requirements.

Following the removal of all the signs from the above list CCO shall immediately begin construction of the new sign, but shall not place copy on these new advertising faces until the copy and the advertising faces are removed from the current structures at 3420 Louise Street. Once this work is completed copy will go on the advertising faces of the new structure and the remaining portions of the current structure will then be removed immediately.

(Other Project Details)

- CCO is committed to providing a one-time fund request by the City of Oakland in the amount of \$100,000.00 for the purpose of a fiscal donation to the Chabot Space and Science Center.
- CCO agrees to pay for all costs associated with the removal of the proposed signage for this project, including all required permitting related to the demolition of existing billboard signage.
- CCO shall pay for and coordinate with Caltrans for all of the state permitting requirements associated with this project.
- Project go-ahead is contingent on both City Council and Caltrans approval.

CITY OF OAKLAND



250 FRANK H. OGAWA PLAZA, SUITE 3315 • OAKLAND, CALIFORNIA 94612-2032

Community and Economic Development Agency
Economic Development Division

FAX (510) 238-2226
TDD (510) 839-6451

September 13, 2005

Michael Colbruno
Clear Channel Outdoor/Northern California
Vice President for Government Affairs
555 City Center, 9th Floor
Oakland, CA 94607

Re: Advertising Sign Number's 1935 and 1936 located at 381 5th Street, Oakland: APN:
001-0145-002

Dear Mr. Colbruno:

This letter provides my administrative determination that the advertising sign at 381 5th Street in Oakland is considered to be a legally permitted non-conforming use.

My determination is based on the following two findings:

- The property at 381 5th Street ("Property") is zoned M-30 (General Industrial District). To the owner's knowledge, since at least August 1965 the Property has had a double-faced advertising sign located on the roof with dimensions of 14' by 48' on each side.
- Owners have submitted documentation that the existing sign has been consistently in use as a general advertising sign from August 1965 to the present.

Since 1963, Oakland has enacted several laws that would prohibit this type of sign from being used as an off-premise advertising sign or billboard. These provisions include the Oakland Planning Code's Limitations on Signs in the M-30 Zone (§17.70.100) and regulations limiting Signs Adjacent to Freeways (§14.04.270). However, given that the framework of the sign (the structure or "facility" that holds the message), was in existence prior to these subsequent restrictions, you have the right to continue to use the sign and it is deemed to be a legal, non-conforming use under §17.114.040.

Alteration of this existing, non-conforming sign is not permitted with regard to changing location, structural alteration, repair or remodeling for which a building permit is required, pursuant to §17.114.020. Furthermore, Section 14.04.270 states that "for the purposes of this section only, the terms "altered", "reconstructed" or "maintained" shall

Michael Colbruno
September 13, 2005
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not include normal maintenance; changing of the surface sign space, ornamental moulding, pilasters or ornamental features below the base line; or the addition, construction, installation or changing of electrical wiring or electrical devices, backgrounds, letters, figures, characters, or representation in cutout or irregular form." Maintenance to the building or roof on which the sign is located and which would require a building permit would be allowed if the permit did not alter the sign as stated above. The structural framework of the sign is considered to be a facility, and may be painted or otherwise ordinarily maintained as long as no building or demolition permit is required. Changes to the message or "copy" portion of the sign are not regulated by the City.


Therefore, the City of Oakland considers the advertising sign at 381 5th Street to be a legally permitted non-conforming use. If I can be of further assistance in this matter, please feel free to contact me at (510) 238-2229.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Claudia Cappio', written in black ink.

Claudia Cappio, Director of Development, Planning & Zoning
City of Oakland

2007 APR 12 PM 2:42


City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A BILLBOARD RELOCATION AGREEMENT WITH CLEAR CHANNEL OUTDOOR, INC. ("CCO"): (1) ALLOWING CCO TO REMOVE AND WAIVE ITS RIGHTS TO COMPENSATION, INCLUDING ALL REAL PROPERTY AND PERSONAL PROPERTY INTERESTS, FOR A NUMBER OF BILLBOARDS AT VARIOUS LOCATIONS IN EXCHANGE FOR: (A) REMOVAL OF A BILLBOARD AT 381- 5TH STREET AND CONSTRUCTION OF A NEW BILLBOARD AT 377-5TH STREET; AND (B) REMOVAL OF A BILLBOARD AT 3420 LOUISE STREET AND CONSTRUCTION OF A BILLBOARD ON AN ADJACENT LOT (APN 007-0620-001-04); AND (2) REQUIRING MR. LIBITZKY, PROPERTY OWNER OF 3420 LOUISE STREET, TO MAKE A ONE-TIME CONTRIBUTION OF \$100,000 TO THE CHABOT SPACE AND SCIENCE CENTER AND REQUIRING CCO TO MAKE A ONE-TIME CONTRIBUTION OF \$75,000 TO A CAUSE DESIGNATED BY THE CITY COUNCIL

WHEREAS, both Oakland Planning Code section 17.04.060 and California Business and Professions Code section 5412 et. seq. authorize billboard relocation agreements without the payment of just compensation; and

WHEREAS, removal of a number of billboards at various locations throughout the City is consistent with the City's objective to remove billboard signage throughout Oakland to enhance the City's physical attributes; and

WHEREAS, Clear Channel would waive their rights to compensation, including all real property and personal property interests, thereby eliminating the various billboards at no cost to the City; and

WHEREAS, all the proposed billboards will be removed by Clear Channel at its sole cost and expense; and

WHEREAS, the proposed billboard relocation agreement would permit Clear Channel to relocate one billboard from 381 5th Street to 377 5th Street with no increase in size and relocate one billboard from 3420 Louise Street to an adjacent lot with a 480 square foot increase in size; and

WHEREAS, Clear Channel would remove at least seventeen billboards totaling at least 2,364 square feet from various locations around the City of Oakland, resulting in a net decrease of sign area in the City; and

WHEREAS, the proposed billboard relocation agreement will require Clear Channel to: (1) represent that the second billboard listed in the City's database at 6318 Market Street has already been removed, and that Clear Channel will agree not to reconstruct it; and (2) provide documentation satisfactory to the City that Clear Channel has fully complied with the Eller Media Co. Amortization Settlement Agreement between the City and Clear Channel's predecessor, Eller Media Company, effective November 3, 1999; and

WHEREAS, the proposed billboard relocation agreement complies with the existing City regulations that permit relocated and wholly reconstructed advertising signs pursuant to a billboard relocation agreement; now, therefore be it

RESOLVED: That the City Council authorizes the City Administrator to enter into a billboard relocation agreement with Clear Channel Outdoor, Inc. ("CCO"): (1) allowing CCO to remove and waive its rights to compensation, including all real property and personal property interests, for a number of billboards at various locations, as designated in Exhibit A to this Resolution, in exchange for: (A) removal of a billboard at 381- 5th Street and construction of a new billboard at 377-5th Street; and (B) removal of a billboard at 3420 Louise Street and construction of a billboard on an adjacent lot (APN 007-0620-001-04); and (2) requiring CCO to make a one-time contribution of \$75,000 to a cause designated by the City Council; and be it

FURTHER RESOLVED: That the billboard relocation agreement will: (1) require Clear Channel to represent that the second billboard listed in the City's database at 6318 Market Street has already been removed, and that Clear Channel will agree not to reconstruct it; (2) require Clear Channel to provide documentation satisfactory to the City that Clear Channel has fully complied with the Eller Media Co. Amortization Settlement Agreement between the City and Clear Channel's predecessor, Eller Media Company, effective November 3, 1999; (3) require that the agreement have attached as an exhibit the preliminary design and design guidelines approved by planning staff, and that any change in the design or guidelines must first be approved by planning staff; and (4) be conditioned on the contribution by Mr. Libitzky, property owner of 3420 Louise Street, of \$100,000 to the Chabot Space and Science Center, and waiver of any and all real property and personal property interests rights he may have because of the removal of the billboard at 3420 Louise Street; and be it

FURTHER RESOLVED: That the City Administrator or her designee is authorized to complete all the required negotiations regarding the terms of, and to execute, a billboard relocation agreement with Clear Channel in accordance with the intent of this resolution, and including other conditions and enforcement mechanisms as will be recommended by the City Attorney; and be it

FURTHER RESOLVED: That this resolution is exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines sections 15303 (new

construction or conversion of small structures), 15302 (replacement or reconstruction), 15301 (existing facilities), and/or 15061(b)(3)(general rule); and be it

FURTHER RESOLVED: That the City Attorney shall approve the billboard relocation agreement as to form and legality.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2007

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

EXHIBIT A

- Alameda Avenue (No Address) APN: 033-2250-013-01 300 square feet;
- 714 27th Street 300 square feet;
- 1828 International Boulevard 72 square feet;
- 8144 MacArthur Boulevard 2 billboards each 72 square feet for a total of 144 square feet;
- 6318 Market Street 72 square feet; and
- 5420 Foothill Boulevard 72 square feet.
- 2450 M.L.K. Jr. Way 2 billboards each 72 square feet for a total of 144 square feet;
- 2811 Market Street 2 billboards each 72 square feet for a total of 144 square feet;
- 1900 Market Street 72 square feet;
- 2565 West Street 72 square feet;
- 424 M.L.K. Jr. Way 2 billboards one 72 square feet and one 300 square feet for a total of 372 square feet;
- 1432 M.L.K. Jr. Way 300 square feet; and
- 685 9th Street 300 square feet.