

Al. Miller

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2003 JUL 24 PM

OAKLAND CITY COUNCIL

Resolution No. 78010 C.M.S.

INTRODUCED BY COUNCILMEMBER _____

REVISED

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A BILLBOARD RELOCATION AGREEMENT ON BEHALF OF THE CITY WITH CLEAR CHANNEL OUTDOOR ADVERTISING SIGNS TO WAIVE THEIR RIGHTS TO COMPENSATION, INCLUDING ALL REAL PROPERTY AND PERSONAL PROPERTY INTERESTS FOR SIX BILLBOARDS LOCATED AT 1998 AND 1972 SAN PABLO AVENUE, 605 THOMAS BERKLEY WAY (20TH STREET) AND 1975 TELEGRAPH AVENUE IN THE CENTRAL DISTRICT URBAN RENEWAL AREA AND TWO DOUBLE FACED BILLBOARD STRUCTURES CONTAINING FOUR OUTDOOR ADVERTISING SIGNS LOCATED AT 1414 73RD AVENUE IN EXCHANGE FOR THE RELOCATION AND RECONSTRUCTION OF A PRIOR BILLBOARD ALONG HEGENBERGER ROAD IN THE COLISEUM REDEVELOPMENT AREA

WHEREAS, the acquisition by the Oakland Redevelopment Agency ("Agency") of the six billboards located at 1998 and 1972 San Pablo Avenue, 605 Thomas Berkley Way (20th Street) and 1975 Telegraph Avenue from Clear Channel Outdoor Advertising Signs (Clear Channel) is required to obtain all the necessary property rights for land banking purposes in connection with the Central District Urban Renewal Plan and;

WHEREAS, removal of two double-faced billboard structures containing four outdoor advertising signs located at 1414 - 73rd Avenue in the Coliseum Redevelopment Area would enhance the area's physical attributes; and

WHEREAS, the acquisition of these six property interests is consistent with the Agency's overall objective of ownership and control in the Uptown area in order to provide a developer with site control at the earliest possible time; and the acquisition of two double faced billboard structures containing four outdoor advertising signs located at 1414 - 73rd Avenue would benefit the Coliseum Redevelopment Area; and

WHEREAS, the proposed Billboard Relocation Agreement would permit Clear Channel to relocate and reconstruct a prior two-sided advertising sign located in the Union Pacific Rail Road (UPRR) right-of-way adjacent to Hegenberger Road in East Oakland; and

WHEREAS, Clear Channel would waive their rights to compensation including all real property and personal property interests, thereby eliminating the ten existing legal, non-conforming advertising signs in the Uptown area of Oakland and along 73rd Avenue and International Boulevard; and

WHEREAS, the proposed Billboard Relocation Agreement complies with existing City regulations that permit relocated and wholly reconstructed advertising signs pursuant to a Billboard Relocation Agreement; and

WHEREAS, the proposed Billboard Relocation Agreement would not result in any direct fiscal impacts, since Clear Channel would be waiving their rights to compensation, including all real property and personal property interests for the billboards, which will result in a substantial saving in the potential acquisition of those property interests; and

WHEREAS, pursuant to Planning Code section 17.104.060, advertising signs are permitted under the terms and conditions of a relocation agreement authorized by the City; and

WHEREAS, approval of this Resolution will save the Agency and the City valuable resources by avoiding potentially expensive and costly litigation in the implementation of the Uptown Redevelopment Area, and enhance the Coliseum Redevelopment Area; now therefore be it

RESOLVED: That the City Council authorizes the City Manager or his designee to enter into a Billboard Relocation Agreement with the Agency and Clear Channel Outdoor Advertising Signs whereby Clear Channel Outdoor Advertising Signs waives its rights to compensation, including all real property and personal property for six Billboards located at 1998 and 1972 San Pablo Avenue, 605 Thomas Berkley Way (20th Street) and 1975 Telegraph Avenue, and two double faced billboard structures containing four outdoor advertising signs located at 1414 - 73rd Avenue in exchange for the relocation and reconstruction of a prior Billboard along Hegenberger Road in the Coliseum Redevelopment Area; and be it

FURTHER RESOLVED: That the City Manager or his designee is authorized to complete all required negotiations regarding the terms of, and to execute, a Billboard Relocation Agreement with the Agency and Clear Channel Advertising Signs in accordance with the intent of this Resolution; and be it;

FURTHER RESOLVED: That the City Attorney shall approve the Billboard Relocation Agreement as to form and legality.

JUL 29 2003

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2003

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHAN, NADEL, QUAN, REID, WAN AND

PRESIDENT DE LA FUENTE -8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST



CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California