

*A. Miller*  
OFFICE OF THE CITY CLERK  
OAKLAND  
2003 NOV -6 PM 6

OAKLAND CITY COUNCIL

RESOLUTION No. 78209 C.M.S.

**REVISED**

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A BILLBOARD RELOCATION AGREEMENT WITH CLEAR CHANNEL OUTDOOR, INC., 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 THE RECONSTRUCTION OF AN EXISTING BILLBOARD AT 743 HIGH STREET, A NEW BILLBOARD AT 3425 ETTIE STREET, THE COMMITMENT OF CLEAR CHANNEL OUTDOOR, INC., TO RETAIN ITS OFFICE AND OPERATIONAL FACILITIES IN THE CITY OF OAKLAND FOR A MINIMUM PERIOD OF TEN YEARS, AND A ONE-TIME CONTRIBUTION OF \$100,000 TO THE CITY'S GENERAL FUND.**

**WHEREAS**, Clear Channel Outdoor, Inc., a Delaware corporation ("Clear Channel"), has maintained its local office in the City of Oakland in leased space with the Port of Oakland since 1964; and

**WHEREAS**, Clear Channel's lease agreement is due to expire in April 2004, and Clear Channel desires to maintain its office and operations facilities in Oakland; and

**WHEREAS**, competing cities have attempted to recruit Clear Channel to relocate to their respective cities, and have offered Clear Channel the incentive of building billboards to offset the cost of relocation and a major lease increase; and

**WHEREAS**, Clear Channel has identified two suitable Oakland sites that it estimates will cost \$1-3 million to prepare and relocate to; and

**WHEREAS**, Clear Channel is seeking a proposed Billboard Relocation Agreement with the City to assist in mitigating its relocation expenses; and

**WHEREAS**, the City wishes to retain Clear Channel's business in Oakland in order to retain jobs and tax revenue for the City; and

**WHEREAS**, the City wishes to retain Clear Channel's business by entering into a Billboard Relocation Agreement which: (1) requires Clear Channel to remove at its sole cost and

expense a number of billboards at various locations (Attachment A), and without compensation to Clear Channel; (2) permits Clear Channel to attempt to generate income to offset its proposed expenses to stay in Oakland by allowing Clear Channel to reconstruct one billboard and erect one new billboard (as outlined below) in the City; (3) commits Clear Channel to maintain its office and operating facilities and employees in Oakland for a minimum period of ten (10) years; and (4) requires Clear Channel to provide the City with a one-time contribution of \$100,000 to the General Fund; and

**WHEREAS**, removal of a number of billboards located at various locations throughout the City as identified specifically in Attachment A 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 located throughout Oakland as identified in Attachment A; and

**WHEREAS**, all of the billboards to be removed will be removed by Clear Channel at its sole cost and expense within 90 days from execution of the agreement; and

**WHEREAS**, the proposed Billboard Relocation Agreement would permit Clear Channel to reconstruct one existing advertising bulletin at 743 High Street and construct a new advertising bulletin at 3425 Ettie Street, both two-sided bulletins not to exceed 14' x 48', or 672 s.f. total each surface, resulting in a significant net decrease of advertising sign surface throughout Oakland; and

**WHEREAS**, these two new double-sided bulletins will not be allowed to advertise alcohol, tobacco or firearms; and

**WHEREAS**, the proposed Billboard Relocation Agreement would not result in any direct negative fiscal impacts, since Clear Channel would remove at their sole cost and expense all billboards and waive their rights to compensation, including all real property and personal property interests for the various billboards, which will result in a substantial saving in the potential acquisition of those property interests; and

**WHEREAS**, approval of this Resolution will result in a successful business retention effort to retain Clear Channel's office and operations units in Oakland, retaining 80-100 jobs, over \$30,000 in business license and sales tax revenues for the City, and a one-time \$100,000 contribution to the City's General Fund; and

**WHEREAS**, Clear Channel will be required to provide executed leases, with minimum ten year terms, for the Oakland relocation sites prior to implementation of this Agreement and other conditions and enforcement mechanisms as will be recommended by the City Attorney; 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; now, therefore, be it

**RESOLVED:** That the City Council authorizes the City Manager to enter into a Billboard Relocation Agreement allowing Clear Channel to reconstruct an existing billboard at 743 High Street, and construct a new billboard at 3425 Ettie Street, both of which will not exceed 14' tall by 48' wide, or 672 sq. ft. total surface for each billboard, and neither of which will advertise alcohol, tobacco, or firearms, in exchange for Clear Channel's agreement to: (1) remove at its sole cost and expense and to waive its rights to compensation, including all real property and personal property for, various billboards located throughout Oakland as identified in Attachment A to this Resolution; (2) retain its office and operations facilities in Oakland for a minimum period of ten (10) years; and (3) make a one-time \$100,000 cash contribution to the City's General Fund; and be it

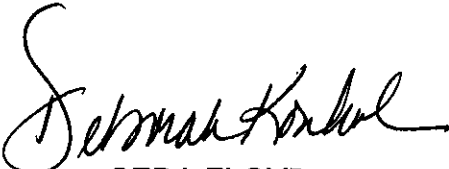
**FURTHER RESOLVED:** That the City Manager or his or her designee is authorized to complete all required negotiations regarding the terms of, and to execute, a Billboard Relocation Agreement with Clear Channel in accordance with the intent of this Resolution, and including other conditions and enforcement mechanisms as will be recommended by the City Attorney; and be it;

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

IN COUNCIL, OAKLAND, CALIFORNIA, NOVEMBER 18, 2003

**PASSED BY THE FOLLOWING VOTE:**

AYES- BRUNNER, CHANG, QUAN, ~~NADEL~~, ~~REID~~, WAN, ~~BROOKS~~, AND  
PRESIDENT DE LA FUENTE - 5  
NOES- Nadel - 1  
ABSENT- Brooks, Reid - 2  
ABSTENTION-

ATTEST:   
MCEDA FLOYD  
City Clerk and Clerk of the Council  
of the City of Oakland, California

**CLEAR CHANNEL BILLBOARD REMOVAL SPREADSHEET**

Type of Sign	Sq. Footage	PLN#	Description	Line	Facing	Address	APN#	District	Amortization
8-Sheet	72	7189	San Pablo 75' south of 66th Ave.	East	North #1	6518 San Pablo Ave.	016-1453-017-01	1	No
8-Sheet	72	7190	San Pablo 75' south of 66th Ave.	East	North #2	6518 San Pablo Ave.	016-1453-017-01	1	No
8-Sheet	72	7191	San Pablo 75' south of 66th Ave.	East	South	6518 San Pablo Ave.	016-1453-017-01	1	No
8-Sheet	72	7038	International Blvd. 133' west of 3rd Ave.	South	West	229 International Blvd.	020-0127-006-03	2	No
8-Sheet	72	7039	International Blvd. 133' west of 3rd Ave.	South	East	229 International Blvd.	020-0127-006-03	2	No
8-Sheet	72	7124	Jackson 49' north of 6th St.	East	South	194 - 6th St.	001-0175-020	Border of 2 & 3	No
8-Sheet	72	7274	23rd Ave. 73' north of E. 17th St.	East	North	1716 - 23rd Ave.	020-0205-013	Border of 2 & 5	Yes
8-Sheet	72	7279	23rd Ave. 40' north of E. 22nd St.	East	South	2239 - 23rd Ave.	022-0296-037	Border of 2 & 5	Yes
8-Sheet	72	7236	West St. 135' south of 26th St.	West	North	2564 San Pablo Ave.	009-0679-044	3	No
30-Sheet	300	2178	West St. 95' south of 26th St.	West	North	2564 San Pablo Ave.	009-0679-044	3	No
30-Sheet	300	2179	West St. 95' south of 26th St.	West	South	2564 San Pablo Ave.	009-0679-044	3	No
8-Sheet	300	1931	MacArthur Blvd. 25' west of Lincoln	North	West	3505 Lincoln Ave.	029A-1304-011	4	No
30-Sheet	300	1935	MacArthur Blvd. 100' east of Magee	North	West	3600 MacArthur Blvd.	030-1903-015-01	4	No
30-Sheet	300	1936	MacArthur Blvd. 100' east of Magee	North	East	3600 MacArthur Blvd.	030-1903-015-01	4	No
8-Sheet	72	7079	Foothill Blvd. 160' east of 27th Ave.	South	West	2715 Foothill Blvd.	025-0733-003	5	No
30-Sheet	300	1900	High St. 200' north of Coliseum Way	West	South	743 High St.	033-2203-008-01	5	No
30-Sheet	300	1747	International Blvd. 110' west of 36th Ave.	South	East	3545 International Blvd.	033-2197-005	5	No
30-Sheet	300	1748	International Blvd. 98' east of 36th Ave.	South	West	3609 International Blvd.	033-2177-001-01	5	No
30-Sheet	300	1617	Foothill Blvd. 30' east of Coolidge	North	West	3300 Foothill Blvd.	027-0881-013-03	5	No
30-Sheet	300	1855	Fruitvale 105' south of E. 22nd St.	West	North	2111 Fruitvale	026-0747-007	5	No
30-Sheet	300	1856	Fruitvale 105' south of E. 22nd St.	West	South	2111 Fruitvale	026-0747-007	5	No
30-Sheet	300	2220	29th Ave. 75' south of Ford	East	North	418 - 29th Ave.	025-0676-012	5	No
30-Sheet	300	1767	E. 14th St. 53' east of 61st Ave.	South	East	6115 International Blvd.	041-3883-003-01	6	No
8-Sheet	72	7020	Bancroft 151' west of 67th Ave.	North	West	6672 Bancroft Ave.	039-3275-010-01	6	No
8-Sheet	72	7210	Seminary 98' south of Harmon	East	North	1970 Seminary	038-3211-001-04	6	Yes
8-Sheet	72	7154	MacArthur Blvd. 50' west of Foothill	North	West	10058 MacArthur Blvd.	048-5626-015-01	6	Yes
8-Sheet	72	7284	E. 14th St. 106' east of 73rd Ave.	North	West	7326 International Blvd.	040-3317-031	7	No
8-Sheet	72	7289	98th Ave. 20' south of E St.	East	South	1028 - 98th Ave.	045-5227-008-04	7	No
8-Sheet	72	7287	98th Ave. 50' north of C St.	East	North	1152 - 98th Ave.	044-4975-001-01	7	Yes
8-Sheet	72	7288	98th Ave. 50' north of C St.	East	South	1152 - 98th Ave.	044-4975-001-01	7	Yes
30-Sheet	300	1950	MacArthur Blvd. 46' west of Alvingroom Ct.	North	West	8411 MacArthur Blvd.	043-4622-001-02	7	Yes