

To: President Brunner and Members of the City Council

From: Council Member Rebecca Kaplan

Re: Clear Channel Outdoor Agreement (Agenda Item #18)

Date: November 3, 2009

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OFFICE OF THE CITY CLERK  
OAKLAND

2009 NOV 12 PM 5:29

We have negotiated the following with Clear Channel Outdoor, relating to its representations and warranties on the impact of the placement of the EBMUD billboards on the Agency properties at/around the former Oakland Army Base. This language replaces the broader language contained on page 3 (item #2) of the October 7, 2009 CED Report.

"Clear Channel Outdoor represents and warrants that the map attached hereto as Attachment A depicts the contemplated location of the EBMUD signs, and that as of the date hereof, and expressly subject to and based upon current local and state rules and regulations in effect, such location of the EBMUD signs would not prevent an off-premise sign from being constructed on the parcels marked ""West Gateway Area," "East Gateway Area," Central Gateway Area," and "North Gateway Area." Clear Channel Outdoor shall defend, indemnify and hold harmless the City, and the Oakland Redevelopment Agency, if the immediately preceding representations and warranties prove incorrect."

# ATTACHMENT A

