



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: April 12, 2022

Subject: Approve and Authorize a License Agreement with Outfront Media, LLC, Countywide.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a license agreement with Outfront Media, LLC (Outfront), to allow Outfront to advertise on bus shelters within the County road right-of-way in exchange for paying the County \$3,120 quarterly and maintaining the shelters during a ten-year term, commencing July 9, 2021 and ending July 8, 2031, Countywide.

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute, on behalf of County departments, advertiser agreements, in the form attached as Exhibit C to the license agreement, requiring Outfront to prepare and place advertisements in County-owned bus shelters on behalf of County departments, pursuant to Section 5 of the license agreement.

FISCAL IMPACT:

Revenue generated from this license offsets expenditures within the Road Improvement Fee fund, fund 139200. (100% Road Improvement Fee funds)

BACKGROUND:

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **04/12/2022** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: April 12, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Naila Thrower, 925.
957-2465

cc:

On May 11, 1993, the Board of Supervisors approved Ordinance 93-30, authorizing advertising on bus shelters in the public right of way. On April 1, 1996, the first permit was approved which authorized advertising at eleven bus shelter sites. In 2010, the County entered

BACKGROUND: (CONT'D)

into a license agreement with CBS Outdoor Group (now Outfront Media, LLC) to continue to allow advertising on the existing eleven (11) bus shelters, plus added two (2) additional bus shelters. After that license agreement expired, a temporary license was granted while this new license agreement was being negotiated. The new license agreement will be effective on July 9, 2021 and will continue through July 8, 2031, unless sooner terminated.

Under this new license agreement, Outfront will be allowed to advertise on the bus shelters in exchange for paying the County a quarterly fee, maintaining the bus shelters, and providing free advertising space to County departments to advertise about their programs and/or services. The quarterly fee will be the higher of \$3,120, or 15% of Outfront's advertising revenue from bus shelter advertising. The fee will be paid each calendar year quarter during the term of the license agreement. Outfront will also indemnify the County from liabilities that arise from its negligence or willful misconduct. No advertising of alcohol, tobacco, or cannabis products will be permitted on County bus shelters.

CONSEQUENCE OF NEGATIVE ACTION:

Without approval of this license agreement, the cost of maintaining the existing thirteen (13) bus shelters will fall on the County without any offsetting revenue.

ATTACHMENTS

License Agreement