

1 [Contract]

2

3 **Ordinance approving the First Amended and Restated Pedestal-Mounted Newsrack**  
4 **Agreement By and Between the City and County of San Francisco and Clear Channel**  
5 **Adshel, Inc., which allows for the provision, installation, and maintenance of pedestal-**  
6 **mounted newsracks on public property; approving an indemnification of the contractor**  
7 **by the City for specified claims initiated by publishers or other specified claimants,**  
8 **concerning the fixed pedestal program, the fixed pedestal units, their operation, or the**  
9 **agreement with Clear Channel Adshel, Inc., and for specified claims including bodily**  
10 **injury or property damage arising from the City's performance of said agreement; and**  
11 **authorizing the Director of the Department of Public Works to make changes to the**  
12 **Department of Public Works Director's Orders incorporated by reference in the**  
13 **agreement with Clear Channel Adshel, Inc.**

14

15

16 Be it ordained by the People of the City and County of San Francisco:

17

18

19

20

21

22

23

24

25

1 a publisher's behalf, or by another claimant asserting a right to receive information,  
2 concerning the City's fixed pedestal unit program, the fixed pedestal units, their operation, or  
3 the City's agreement with Clear Channel Adshel, Inc., as set forth in said agreement; (c)  
4 Approves an indemnification by the City of the Contractor for specified claims, including bodily  
5 injury or property damage, arising from the City's performance of the City's agreement with  
6 Clear Channel Adshel, Inc., as set forth in said agreement; and (d) Authorizes the Director of  
7 the Department of Public Works to enter into any additions, changes, or amendments to the  
8 Department of Public Works Director's Orders concerning the pedestal-mounted newsracks  
9 incorporated by reference in said agreement, a draft of which is on file with the Clerk of the  
10 Board of Supervisors, as long as such additions, amendments or changes are in the City's  
11 best interests, consistent with San Francisco Public Works Code Section 184.12 and the  
12 City's agreement with Clear Channel Adshel, Inc., as approved under this ordinance.

13

14

15 APPROVED AS TO FORM:  
16 DENNIS J. HERRERA, City Attorney

17

18 By: WAYNE K. SNODGRASS  
19 Deputy City Attorney

20

21

22

23

24

25