

	Public Use of the Pavilion	Private Use of the Pavilion	Percentage of Private Use of Pavilion during high use periods (weekend days/nights)
Percentage of use per year.	80%	20%	
Number of days [^] available per year for use of the public pavilion-	292	73	
No. of weekend days ^{^*} /nights* to be made available for use of the Pavilion on average per month from May through October (<u>summer season</u>)	6	3	33%
Minimum no. of weekend days ^{^*} /nights for Public Use in any month	3		
No. weekend days ^{^*} /nights* to be made available for use of the Pavilion on average per month from November through April (<u>winter season</u>)	5	4	40%

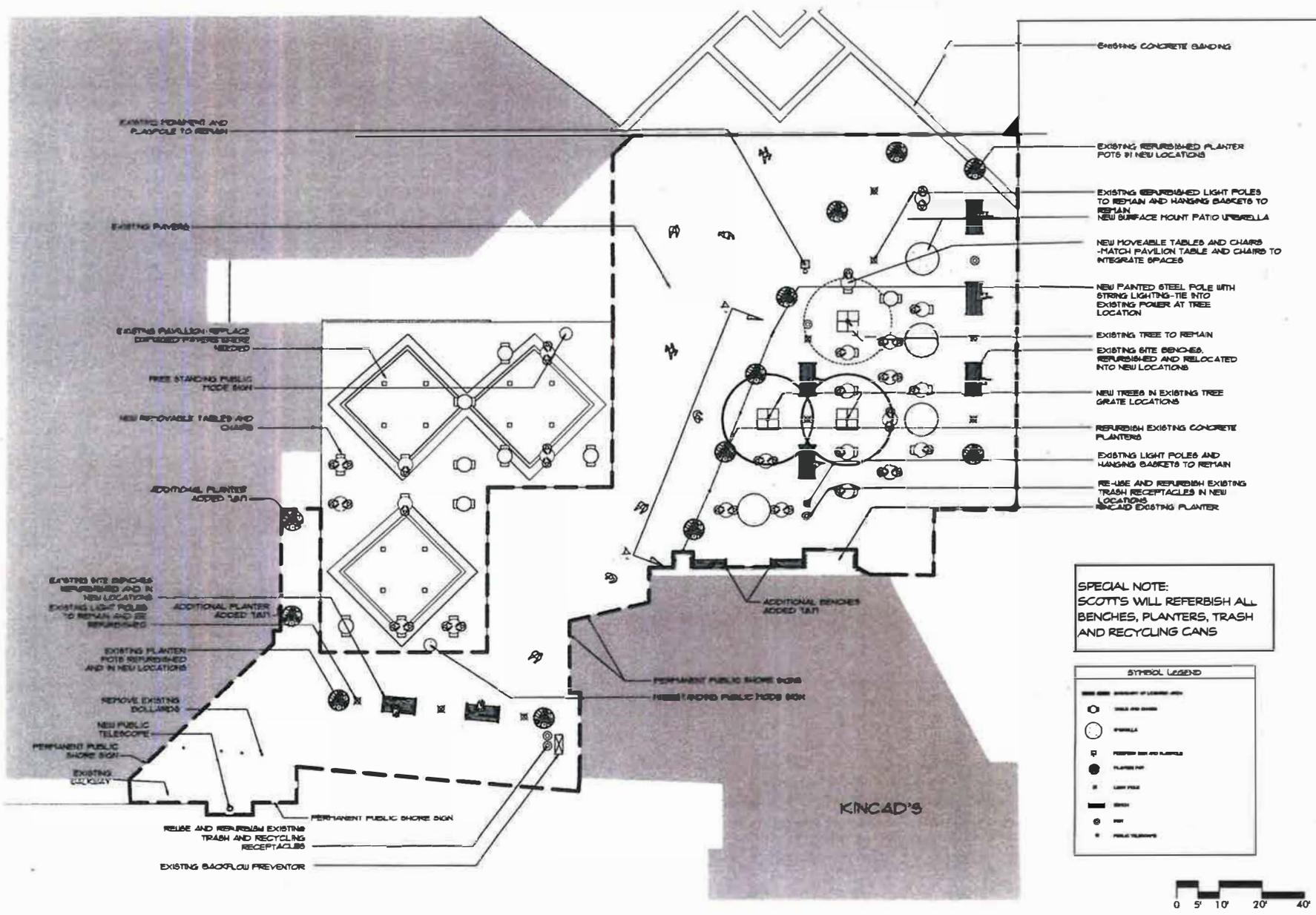
[^] "Day" means any 24-hour period commencing at 12:00 a.m. and ending 24 hours later at 12:00 a.m. Any portion of any day in which the pavilion wall panels are closed or partially closed (for event setup or breakdown) or any event related equipment is located in the pavilion shall be considered a day of private use of the pavilion.

*weekend days nights = Friday, and Saturday ; ~~weekend days = Saturday and Sunday.e~~

51. Under the lease between the Port of Oakland and Scott's of the real property that is the subject of this amended permit: (1) the Port has complete and exclusive discretion regarding any publicly-oriented events held at the pavilion (including but not limited to concerts, parades, fairs, festivals, farmer's markets, and any event charging paid admission); (2) Scott's has no right to schedule, allow, or operate any publicly-oriented events; and (3) any scheduling conflicts between Scott's private events and publicly-oriented events shall be resolved at the sole discretion of the Port's Executive Director. Scott's will coordinate with the Port's Marketing Director to eliminate conflicts between private events and any public events.
62. Scott's will not store or relocate the public furnishings, commence event set-up or enclose the pavilion lower the fabric curtains prior to two (2) ~~one (1)~~ hours before a private event and will retract the moveable panels, remove all event-related items and place the public furnishings curtains within two (2) ~~one (1)~~ hours after a private event.
 1. ~~Scott's will submit a quarterly calendar of proposed private events for Port approval. The events calendar will include a time estimate of each individual event, including set-up and take down times consistent with each event.~~
 2. ~~The Port will transmit a copy of the approved quarterly events calendar to BCDC staff for its information.~~
 3. ~~The Port will closely monitor the use of the pavilion for private events to ensure compliance with the 20 percent maximum private use limit.~~
43. The Port will not approve Scott's may not hold more than two consecutive private events at any time.e
 7. ~~Scott's will be responsible for the repair and maintenance of the pavilion structure, the outdoor tables and chairs and the binoculars.~~
 8. ~~Scott's will be responsible for the daily clean up of the area beneath the pavilion structure.~~
 9. ~~The Port, Scott's and BCDC staff will review these guidelines within six (6) months of the first private event to determine if additional guidelines are necessary.~~

SCOTT'S/JACK I'NDON SQUARE
2 Broadway
Oakland, CA

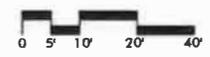
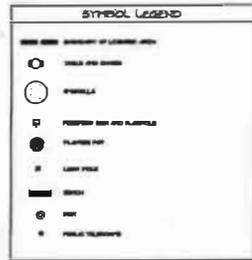
EXHIBIT C-1



- EXISTING CONCRETE BANDING
- EXISTING REFINISHED PLANTER POTS IN NEW LOCATIONS
- EXISTING REFINISHED LIGHT POLES TO REMAIN AND HANGING BASKETS TO REMAIN
NEW SURFACE MOUNT PATIO UMBRELLA
- NEW MOVEABLE TABLES AND CHAIRS
-MATCH PAVILION TABLE AND CHAIRS TO INTEGRATE SPACES
- NEW PAINTED STEEL POLE WITH STRING LIGHTS-TIE INTO EXISTING POWER AT TREE LOCATION
- EXISTING TREE TO REMAIN
- EXISTING SITE BENCHES, REFINISHED AND RELOCATED INTO NEW LOCATIONS
- NEW TREES IN EXISTING TREE GRATE LOCATIONS
- REFURBISH EXISTING CONCRETE PLANTERS
- EXISTING LIGHT POLES AND HANGING BASKETS TO REMAIN
- RE-USE AND REFINISH EXISTING TRASH RECEPTACLES IN NEW LOCATIONS
KINCAD EXISTING PLANTER

- EXISTING EQUIPMENT AND PLAYGROUNDS TO REMAIN
- EXISTING PAVED
- EXISTING PAVILION REPLAZ
EXPOSED PAVERS WHERE NEEDED
- FREE STANDING PUBLIC NODE SIGN
- NEW MOVEABLE TABLES AND CHAIRS
- ADDITIONAL PLANTER ADDED 1&11
- EXISTING SITE BENCHES REFINISHED AND IN NEW LOCATIONS
EXISTING LIGHT POLES TO REMAIN AND BE REFINISHED
- ADDITIONAL PLANTER ADDED 1&11
- EXISTING PLANTER POTS REFINISHED AND IN NEW LOCATIONS
- REMOVE EXISTING BOLLARDS
- NEW PUBLIC TELESCOPE
- PERMANENT PUBLIC SHORE SIGN
- EXISTING CIRCULAR
- PERMANENT PUBLIC SHORE SIGN
- REUSE AND REFINISH EXISTING TRASH AND RECYCLING RECEPTACLES
- EXISTING BACKFLOW PREVENTOR

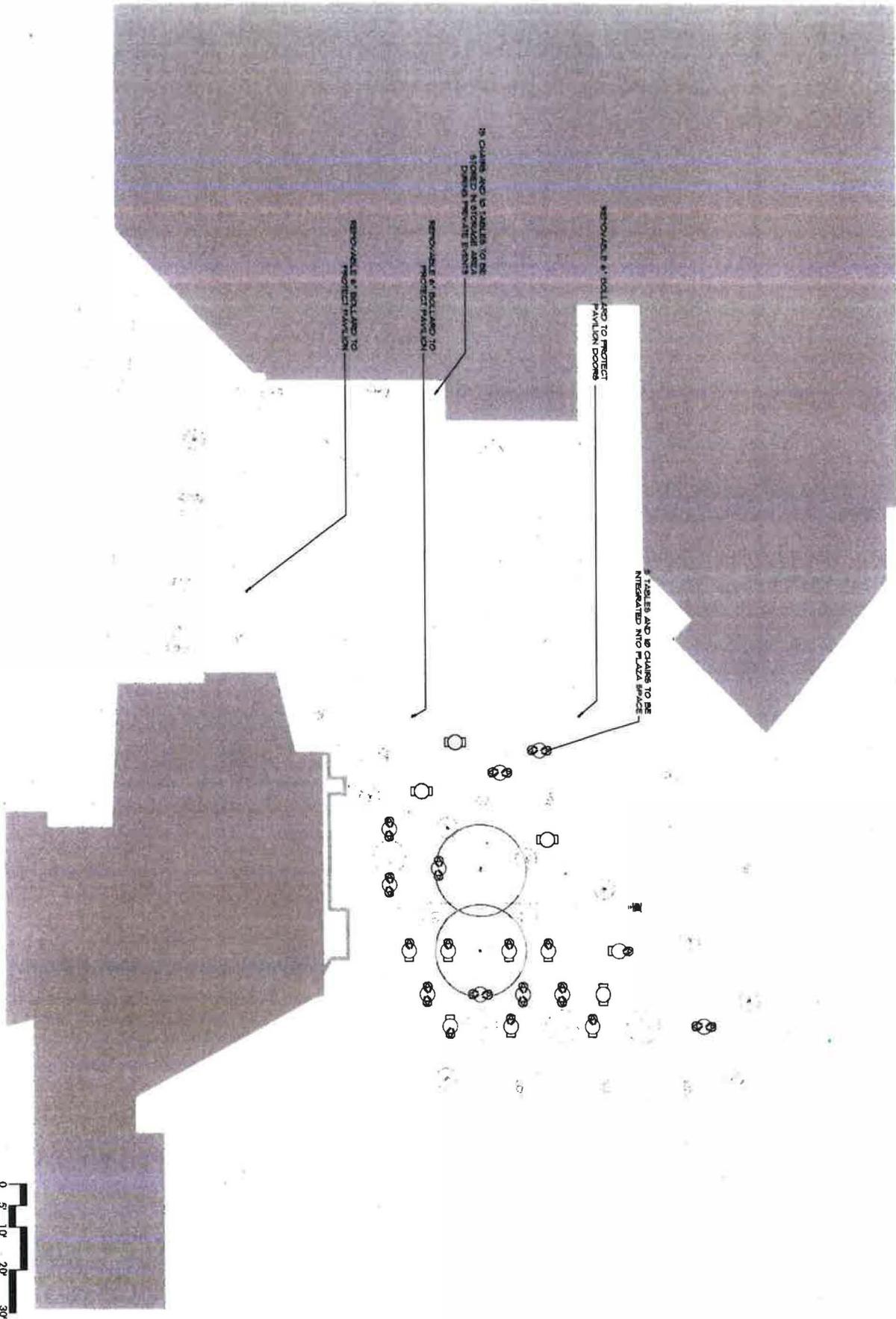
SPECIAL NOTE:
SCOTT'S WILL REFINISH ALL BENCHES, PLANTERS, TRASH AND RECYCLING CANS



FURNISHING PLAN

DATE: 5/15/11
SCALE: 1" = 10'-0"
JOB: 117-011
SHEET

L.2.0



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EXHIBIT C-2

SCOTTS/JACK LONDON SQUARE
2 Broadway
Oakland, CA



TABLE LAYOUT
PRIVATE USE

DATE: 01/21/11
SCALE: 1"=10'-0"
JOB: 11/2011
SHEET

L.2.2