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**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

**RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A
SUPPLEMENTAL AGREEMENT EXTENDING THE TERM OF THE
TRUCK PARKING MANAGEMENT AGREEMENT WITH ABM INDUSTRY
GROUPS, LLC DOING BUSINESS AS ABM PARKING SERVICES
FOR AN ADDITIONAL TERM NOT TO EXCEED TWO YEARS.**

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.2, dated July 12, 2018 ("Agenda Report") and related materials, has received the expert testimony of Port of Oakland ("Port") staff, and has provided opportunities for and taken public comment; and

WHEREAS, the Port entered into a parking management agreement ("Agreement") with AMPCO Systems Parking ("AMPCO") on August 1, 2007, for approximately 15 acres of truck parking at the former Oakland Army Base, with the leased area moving to the Howard terminal and Berths 20-21 terminal areas in the Seaport with increased acreage and a current expiration date of July 31, 2018; and

WHEREAS, on December 8, 2016, AMPCO changed its name to ABM Industry Groups, LLC, doing business as ABM Parking Services ("ABM"), with the operations and management of the Port's truck parking unchanged; now, therefore, be it

RESOLVED, that the Board hereby approves an extension of the Agreement with ABM from July 31, 2018 through July 31, 2019, with an additional one (1) year option to extend if necessary subject to written approval from the Executive Director, and as more fully set forth in the Agenda Report; and be it

FURTHER RESOLVED, that the Board hereby authorizes the Executive Director to enter into an amendment to the Agreement with ABM to extend the Agreement with ABM from July 31, 2018 through July 31, 2019, with an additional one (1) year option to extend if necessary subject to

written approval from the Executive Director, subject to approval as to form and legality by the Port Attorney; and be it

FURTHER RESOLVED, that the Board hereby finds and determines that the action taken herein to extend the term of the Agreement is categorically exempt from requirements of the California Environmental Quality Act ("CEQA") Guidelines pursuant to Section 15301(p), which exempts renewals, extensions or amendments to leases or license and concession agreements where the licensed activity was previously licensed to the same or another person, and involving negligible or no expansion of the use beyond that previously existing; and be it

FURTHER RESOLVED, that this resolution is not evidence of and does not create or constitute (a) a contract, or the grant of any right, entitlement or property interest, or (b) any obligation or liability on the part of the Board or any officer or employee of the Board. This resolution approves and authorizes the execution of an agreement in accordance with the terms of this resolution. Unless and until a separate written agreement is duly executed on behalf of the Board as authorized by this resolution, is signed and approved as to form and legality by the Port Attorney, and is delivered to the other contracting party, there shall be no valid or effective agreement; and be it

FURTHER RESOLVED, that in acting upon the matters contained herein, the Board has exercised its independent judgment based on substantial evidence in the record and adopts and relies upon the facts, data, analysis, and findings set forth in the Agenda Report and in related materials and in testimony received.

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