

MA

**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

**RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A SUPPLEMENTAL AGREEMENT TO THE TRUCK PARKING MANAGEMENT AGREEMENT WITH ABM INDUSTRY GROUPS, LLC DOING BUSINESS AS ABM PARKING SERVICES FOR THE SEAPORT TRUCK PARKING/CONTAINER DEPOT EXTENDING THE TERM FOR 89 DAYS FROM FEBRUARY 1, 2021, THROUGH APRIL 30, 2021.**

**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.1, dated December 17, 2020 ("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 January 31, 2021; 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 AS FOLLOWS:**

**Section 1.** Based upon the information contained in the Agenda Report and in testimony received, the Board finds and determines that the requested action is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15301, which exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

**Section 2.** The Board hereby approves and authorizes the Executive Director of the Port ("Executive Director") to execute a Supplemental Agreement and any other documents necessary to effectuate an eighty-nine (89) day extension to the Agreement with **ABM** for the Seaport Truck Parking/Container Depot through April 30, 2021, at an estimated total cost of \$975,000, an estimated total gross revenue of \$1,800,000, and

an estimated net revenue of \$825,000, and as further described in the Agenda Report and provided that all agreements are approved as to form and legality by the Port Attorney.

**Section 3.** 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 Port. This resolution approves and authorizes the execution of a contract in accordance with the terms of this resolution. Unless and until a separate written contract is duly executed on behalf of the Board as authorized by this resolution, is signed as approved as to form and legality by the Port Attorney, and is delivered to other contracting party, there shall be no valid or effective contract.

**Section 4.** This resolution shall be effective immediately upon adoption by the Board.

DRAFT