

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 17-125

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO
EXTEND THE CONTRACT FOR SECURITY SERVICES AT MIDDLE
HARBOR SHORELINE PARK WITH ABC SECURITY SERVICES,
INC. THROUGH JULY 1, 2018.**

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item No. 2.3, dated December 14, 2017 ("Agenda Report") and related agenda materials, has received the expert testimony of Port of Oakland ("Port") staff, and has provided opportunities for and taken public comment; and

WHEREAS, in December 2014 following a competitive selection process, the Board authorized execution of an agreement with **ABC Security Services, Inc. ("ABC")** for a total amount not to exceed \$600,000 for unarmed security services at Middle Harbor Shoreline Park with a current expiration date of December 31, 2017 ("Agreement"); and

WHEREAS, that in acting upon this matter, 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 agenda materials and in testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. Based upon the information contained in the Agenda Report and testimony received, the Board hereby finds and determines that the proposed extension of the Agreement with **ABC** involves an agreement for services of a professional, technical nature that are temporary in nature and that is in the best interest of the Port to continue to secure such services from **ABC**.

SECTION 2. The Board hereby:

A. Approves a Supplemental Agreement with **ABC** to extend the Agreement with a term ending no later than July 1, 2018, and as further described in the Agenda Report.

B. Authorizes the Executive Director to (i) execute such Supplemental Agreement described herein and in the Agenda Report, subject to approval of all documents as to form and legality by the Port Attorney and (ii) make such additions, modifications, or corrections as necessary to implement the Agreement or to correct errors, subject to the limitations set forth herein and provided that any such addition, modification or correction does not materially differ from the terms and conditions set forth herein and in the Agenda Report.

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 Board. Unless and until a separate written agreement 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 agreement.

At the regular meeting held on December 14, 2017

Passed by the following vote:

Ayes: Commissioners Butner, Colbruno, Cluver, Hamlin, Martinez, Yee and President Story – 7

Noes: 0

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 17-126

**RESOLUTION APPROVING BUILDING PERMIT
REQUESTED BY SOUTHWEST AIRLINES.**

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated Item No. 2.4 - the Summary Sheet for Permit Application (Port Permit No. 5162) dated November 29, 2017 - and related agenda materials ("Agenda Sheet"), has received the expert testimony of Port of Oakland ("Port") staff, and has provided opportunities for and taken public comment; and

WHEREAS, that in acting upon this matter, 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 Sheet and in related agenda materials and in testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. In reliance upon the representations and certifications set forth upon and submitted with an application by the Applicant for a building permit to perform certain work at the Premises, and provided that the Applicant complies with all of the terms and conditions set forth in Applicant's agreement(s) with the Port and all other documents regulating use of the Premises, the Board hereby approves the building permit for the following work:

- A. Applicant: **Southwest Airlines**
- B. Premises: 1 Airport Drive, Terminal 1, M103 (lower level), Oakland, California
- C. Estimated Cost: \$15,000
- D. Work: Remodel of approximately 2,000 square feet of office space on the first floor of Terminal 1, near Gate 4, for Applicant's InFlight/Quiet Room. The work includes modification of interior partition walls, upgrade/replacement of finish materials, cabinetry, and related electrical and data work.

SECTION 2. The Board hereby finds and determines that the work to be performed under this building permit is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") and the Port CEQA Guidelines under Section 15301, Class 1(a), which exempts projects involving interior alterations to existing facilities involving negligible or no expansion of use.

SECTION 3. (a) Neither this resolution nor the Board's approval of said work (i) is a waiver by the Board of any Port right or remedy with respect to Applicant under any agreement between the Port and the Applicant or with respect to any obligation of Applicant, or (ii) releases Applicant from any obligation with respect to said work or with respect to any agreement between the Port and Applicant; and (b) this resolution is not evidence of and does not create or constitute (i) a contract, or the grant of any right (other than to perform the work subject to the provisions of this resolution), entitlement or property interest, or (ii) any obligation or liability on the part of the Board or any officer or employee of the Board.

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

At the regular meeting held on December 14, 2017

Passed by the following vote:

Ayes: Commissioners Butner, Colbruno, Cluver, Hamlin, Martinez, Yee and President Story – 7

Noes: 0

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 17-127

**RESOLUTION APPROVING BUILDING PERMIT
REQUESTED BY DHL.**

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated Item No. 2.5 - the Summary Sheet for Permit Application (Port Permit No. 5166) dated November 30, 2017 - and related agenda materials ("Agenda Sheet"), has received the expert testimony of Port of Oakland ("Port") staff, and has provided opportunities for and taken public comment; and

WHEREAS, that in acting upon this matter, 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 Sheet and in related agenda materials and in testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. In reliance upon the representations and certifications set forth upon and submitted with an application by the Applicant for a building permit to perform certain work at the Premises, and provided that the Applicant complies with all of the terms and conditions set forth in Applicant's agreement(s) with the Port and all other documents regulating use of the Premises, the Board approves the building permit for the following work:

- A. Applicant: DHL
- B. Premises: 7201 Earhart Road, L-812, Oakland, California
- C. Estimated Cost: \$200,000
- D. Work: Remodel of tenant space to upgrade package-sorting equipment and remove the annex portion of the building, which will only be used for landside access. The work includes installation of a new roll-up door on the landside, construction of a ramp to the new door, demolition of the annex (finger) portion of the building and ramp repair as necessary, installation of new conveyor and sort equipment, and related utility and finish work.

SECTION 2. The Board hereby finds and determines that the work to be performed under this building permit is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") and the Port CEQA Guidelines under Section 15301, Class 1(a), which exempts projects involving interior alterations to existing facilities involving negligible or no expansion of use.

SECTION 3. (a) Neither this resolution nor the Board's approval of said work (i) is a waiver by the Board of any Port right or remedy with respect to Applicant under any agreement between the Port and the Applicant or with respect to any obligation of Applicant, or (ii) releases Applicant from any obligation with respect to said work or with respect to any agreement between the Port and Applicant; and (b) this resolution is not evidence of and does not create or constitute (i) a contract, or the grant of any right (other than to perform the work subject to the provisions of this resolution), entitlement or property interest, or (ii) any obligation or liability on the part of the Board or any officer or employee of the Board.

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

At the regular meeting held on December 14, 2017

Passed by the following vote:

Ayes: Commissioners Colbruno, Cluver, Hamlin, Martinez, Yee and
President Butner- 6

Noes: 0

Recused: President Story- 1

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 17-128

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO WAIVE STANDARD BIDDING PROCEDURES AND EXECUTE AN AGREEMENT WITH MASON TILLMAN ASSOCIATES, LIMITED FOR AN AMOUNT NOT TO EXCEED \$350,000 TO CONDUCT A RACE AND GENDER DISPARITY STUDY, AND TO INCREASE THE SOCIAL RESPONSIBILITY DIVISION'S OPERATING BUDGET FOR FISCAL YEAR 2017-18 BY \$175,000.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 5.2, dated December 14, 2017 and related agenda materials ("Agenda Report"), has received the expert testimony of Port of Oakland ("Port") staff, and has provided opportunities for and taken public comment; and

WHEREAS, that in acting upon this matter, 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 agenda materials and in testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. Based upon the information contained in the Agenda Report and testimony received, the Board hereby finds and determines that the Agreement with **Mason Tillman Associates, Limited** will constitute an agreement for obtaining professional, technical, and specialized services that are temporary in nature and that it is in the best interest of the Port to secure such services from **Mason Tillman Associates, Limited**.

Section 2. The Board hereby:

A. Authorizes the Executive Director to waive standard bidding procedures and execute for and on behalf of the Board an Agreement with **Mason Tillman Associates, Limited** to perform a race and gender disparity study upon terms and conditions consistent with the Agenda Report and providing that **Mason Tillman Associates, Limited** shall

be compensated for such services, including costs of miscellaneous reimbursable expenses, at a compensation that shall not exceed \$350,000.

B. Authorizes an increase in the Social Responsibility Division's operating budget for Fiscal Year 2017-18 by \$175,000.

Section 3. Based upon the information contained in the Agenda Report and in testimony received, the Board finds that the requested action is exempt from the California Environmental Quality Act ("CEQA") under the general rule exclusion under Section 15061(b)(3) of the CEQA Guidelines because completing a Port race and gender disparity study will not have a significant effect on the environment, and therefore the proposed action is not a "project" under CEQA.

Section 4. 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 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 5. This resolution shall be effective immediately upon adoption by the Board.

At the regular meeting held on December 14, 2017

Passed by the following vote:

Ayes: Commissioners Butner, Colbruno, Cluver, Hamlin, Martinez, Yee and President Story – 7

Noes: 0

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 17-129

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF AN AIRPORT PARKING MANAGEMENT SERVICES AGREEMENT FOR THREE YEARS WITH UP TO TWO ONE-YEAR EXTENSIONS WITH LAZ PARKING CALIFORNIA, LLC FOR AN AMOUNT NOT TO EXCEED \$25,960,069 (FOR FIVE YEARS) FOR AIRPORT PARKING MANAGEMENT AND OPERATIONS AT OAKLAND INTERNATIONAL AIRPORT.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.1, dated December 14, 2017 ("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; now, therefore, be it

RESOLVED, that the Board hereby approves of the Airport Parking Management Services Agreement ("Parking Agreement") for three years with up to two one-year extensions with **LAZ PARKING CALIFORNIA, LLC ("LAZ")** for Airport Parking Management and Operations for an amount not to exceed \$25,960,069 (for five years) and on the terms and conditions 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 the Parking Agreement with LAZ for three years with up to two one-year extensions for an amount not to exceed \$25,960,069, subject to approval as to form and legality by the Port Attorney; and be it

FURTHER RESOLVED, that the Board hereby delegates to the Executive Director the authority to exercise the two one-year options under the Parking Agreement; and be it

FURTHER RESOLVED, that the Board hereby finds and determines that the action taken herein is categorically exempt from requirements of the California Environmental Quality Act ("CEQA") Guidelines pursuant to Section 15301, Existing Facilities, 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 use beyond that existing at the time of the lead agency's determination. No changes to the premises or use are proposed; 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.

At the regular meeting held on December 14, 2017

Passed by the following vote:

Ayes: Commissioners Butner, Colbruno, Cluver, Hamlin, Martinez, Yee and President Story – 7

Noes: 0

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 17-130

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF AN AIRPORT SHUTTLE BUS, GROUND TRANSPORTATION AND CURBSIDE MANAGEMENT SERVICES AGREEMENT FOR THREE YEARS WITH UP TO TWO ONE-YEAR EXTENSIONS WITH SP+ TRANSPORTATION, AN OPERATING DIVISION OF SP PLUS CORPORATION, FOR AN AMOUNT NOT TO EXCEED \$29,834,767 (FOR FIVE YEARS) FOR AIRPORT SHUTTLE BUS, GROUND TRANSPORTATION AND CURBSIDE MANAGEMENT SERVICES AT OAKLAND INTERNATIONAL AIRPORT.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.2, dated December 14, 2017 ("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; now, therefore, be it

RESOLVED, that the Board hereby approves of the Airport Shuttle Bus, Ground Transportation and Curbside Management Services Agreement ("Agreement") for three years with up to two one-year extensions with **SP+ TRANSPORTATION, AN OPERATING DIVISION OF SP PLUS CORPORATION ("SP+")** for Airport Shuttle Bus, Ground Transportation and Curbside Management Services for an amount not to exceed \$29,834,767 and on the terms and conditions 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 the Agreement with SP+ for three years with up to two one-year extensions for an amount not to exceed \$29,834,767 (for five years), subject to approval as to form and legality by the Port Attorney; and be it

FURTHER RESOLVED, that the Board hereby delegates to the Executive Director the authority to exercise the two one-year options under the Agreement; and be it

FURTHER RESOLVED, that the Board hereby finds and determines that the action taken herein is categorically exempt from requirements of the California Environmental Quality Act ("CEQA") Guidelines pursuant to Section 15301, Existing Facilities, 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 use beyond that existing at the time of the lead agency's determination. No changes to the premises or use are proposed; 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.

At the regular meeting held on December 14, 2017

Passed by the following vote:

Ayes: Commissioners Butner, Colbruno, Cluver, Hamlin, Martinez, Yee and
President Story – 7

Noes: 0

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 17-131

RESOLUTION AUTHORIZING DESIGN BUDGET FOR SOUTHFIELD PAVEMENT IMPROVEMENTS AND AIRFIELD SIGNAGE REPLACEMENT PROJECTS AND AUTHORIZATION TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE FEDERAL AVIATION ADMINISTRATION FOR THE SOUTHFIELD PAVEMENT IMPROVEMENTS, AIRFIELD SIGNAGE REPLACEMENT, AIRFIELD GEOMETRIC STUDY, AND AIRPORT LAYOUT PLAN UPDATE PROJECTS AT OAKLAND INTERNATIONAL AIRPORT.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.3 dated December 14, 2017 ("Agenda Report") and related agenda materials, has received the expert testimony of Port of Oakland ("Port") staff, and has provided opportunities for and taken public comment; and

WHEREAS, that in acting upon this matter, 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 agenda materials and in testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. Based upon the information contained in the Agenda Report and testimony received, the Board hereby finds and determines that:

B. It is in the best interest of the Port to authorize and approve design project budget in the amount of \$945,000 for the Southfield Pavement Improvements and Airfield Signage Replacement Projects.

C. It is in the best interest of the Port to approve the submittal of grant applications to and acceptance of grants, if awarded, from the Federal Aviation Administration ("FAA") for the Southfield Pavement Improvements, Airfield Signage Replacement, Airfield Geometric Study and Airport Layout Plan Update Projects at Oakland International Airport.

D. The proposed actions were reviewed in accordance with the requirements of the California Environmental Quality Act (CEQA), and the Port CEQA Guidelines. The CEQA Guidelines, Section 15061(b)(3) ("the general rule") states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Because it can be seen with certainty that there is no possibility that submitting an FAA

application and accepting the grant funds for the projects described in the Agenda Report may have a significant effect on the environment, the action is not a "Project" under CEQA, and is not subject to CEQA under the General Rule Exclusion.

The action regarding approval of design budget has been determined to be categorically exempt from the CEQA Guidelines pursuant to Section 15301, Existing Facilities and Section 15262, Feasibility and Planning Studies.

SECTION 2. The Board hereby:

A. Approves design project budget in the amount of \$945,000 for the Southfield Pavement Improvements and Airfield Signage Replacement Projects.

B. Approve the submittal of grant applications to and acceptance of grants, if awarded, from the Federal Aviation Administration ("FAA") for the Southfield Pavement Improvements, Airfield Signage Replacement, Airfield Geometric Study and Airport Layout Plan Update Projects at Oakland International Airport.

C. Authorizes the Executive Director to submit applications and accept FAA grants on behalf of the Board, and to execute and submit all documents which may be necessary or convenient to complete said applications when said grant offers are released. The Secretary of the Board is hereby authorized and directed to attest to the execution of such grant agreements, if deemed necessary.

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 Board. 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.

At the regular meeting held on December 14, 2017

Passed by the following vote:

Ayes: Commissioners Butner, Colbruno, Cluver, Hamlin, Martinez, Yee and President Story – 7

Noes: 0

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 17-132

RESOLUTION APPROVING THE APPOINTMENT OF KATHERINE BUCKLEY AS THE ACTING CHIEF AUDIT OFFICER FROM JANUARY 1, 2018 THROUGH APRIL 30, 2018 AND APPROVING TEMPORARY SUPPLEMENTAL COMPENSATION OF SIX PERCENT.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Item 6.5 dated December 14, 2017 ("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; now, therefore, be it

RESOLVED, that the Board hereby approves the appointment of Katherine Buckley as the Acting Chief Audit Officer from January 1, 2018 through April 30, 2018; and be it

RESOLVED, that the Board also approves the provision of temporary supplemental compensation of six percent (6%) to the Acting Chief Audit Officer for performing all of the functions of the Chief Audit Officer during her temporary appointment; 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.

At the regular meeting held on December 14, 2017

Passed by the following vote:

Ayes: Commissioners Butner, Colbruno, Cluver, Hamlin, Martinez, Yee and President Story – 7

Noes: 0