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**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 18-10

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

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated Item No. 2.1 - the Summary Sheet for Permit Application (Port Permit No. 5171) dated January 19, 2018 - 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: **FedEx**
- B. Premises: 1 Sally Ride Way, Oakland, California
- C. Estimated Cost: \$1,500,000
- D. Work: Modifications to aircraft Gates 3-6 to combine Gates 4 and 5 to accommodate B777 aircraft, including restriping of Gates 3-6, installation of a new tether at the combined Gates 4 and 5 (i.e., the new Gate 4), installation of three new light poles, and renumbering of all FedEx gates.

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(c), which exempts projects involving alterations to existing facilities involving negligible or no expansion of an existing 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 February 8, 2018

Passed by the following vote:

Ayes: Commissioners Butner, Colbruno, Cluver, Martinez, Yee and
President Story – 6

Noes: 0

Excused: Commissioner Hamlin - 1

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 18-11

**RESOLUTION APPROVING BUILDING PERMIT
REQUESTED BY SSA TERMINALS, LLC.**

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated Item No. 2.2 - the Summary Sheet for Permit Application (Port Permit No. 5164) dated January 19, 2018 - 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: **SSA Terminals, LLC**
- B. Premises: 1717 Middle Harbor Road, B55-56 Yard, Oakland, California
- C. Estimated Cost: \$750,000 (as well as costs of stormwater treatment)

- D. Work: Construction of a new rubber tire gantry (RTG) runway, which involves replacing the existing AC paving with a concrete runway 5 feet wide and approximately 2,200 feet long. The work is intended to provide a path that adequately supports the load of the RTGs currently in use. The work must also comply with the Port's Municipal Stormwater Permit requiring post-construction stormwater controls.

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(c), which exempts projects involving replacement or reconstruction of existing pavement involving negligible or no expansion of an existing 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 February 8, 2018

Passed by the following vote:

Ayes: Commissioners Butner, Colbruno, Cluver, Martinez, Yee and President Story – 6

Noes: 0

Excused: Commissioner Hamlin - 1

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**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 18-12

**RESOLUTION APPROVING BUILDING PERMIT
REQUESTED BY THE OAKLAND RENT A CAR
CONSORTIUM ("OAKLAND CONRAC"), COMPRISED OF
AVIS BUDGET CAR RENTAL, LLC, ENTERPRISE
RENT A CAR COMPANY, FOX RENT A CAR, INC.,
AND THE HERTZ CORPORATION.**

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated Item No. 2.3 - the Summary Sheet for Permit Application (Port Permit No. 5150) dated January 19, 2018 - 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: Oakland Rent A Car consortium ("Oakland CONRAC"), comprised of Avis Budget Car Rental, LLC; Enterprise Rent A Car Company; Fox Rent A Car, Inc.; and The Hertz Corporation.
- B. Premises: 7200 Earhart Road, North Airport, Oakland, California
- C. Estimated Cost: \$550,000

- D. Work: Improvements to the newly expanded rental car facility at North Airport, including installation and relocation of customer service booths, signs, curbs, guardrails, pavement repair, striping, and improvements to the customer service building based on the reallocation agreement for the site.

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 alterations to existing facilities involving negligible or no expansion of an existing 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 February 8, 2018

Passed by the following vote:

Ayes: Commissioners Butner, Colbruno, Cluver, Martinez, Yee
and President Story – 6

Noes: 0

Excused: Commissioner Hamlin - 1

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 18-13

**RESOLUTION APPROVING AMENDMENT EXTENDING THE TERM
OF THE AGREEMENT WITH CYPRESS PRIVATE SECURITY LP
UP TO SIX ADDITIONAL MONTHS FOR PORT SECURITY
OPERATIONS CENTER STAFFING SERVICES IN THE MARITIME
AREA.**

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.1 dated February 8, 2018 ("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, on March 25, 2015, the Board authorized execution of an agreement with **Cypress Private Security, LP ("Cypress")** for the Port of Oakland Security Operations Center, previously referred to as the Port Security Management Systems Project, with a current expiration date of April 22, 2018 and a maximum contract expenditure limit of \$1,500,000; and and

WHEREAS, it is desirable at this time to extend the contract for six additional months to maintain continuity for of services at the Port Security Operations Center, as set forth in the Agenda Report; 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 **Cypress**, as supplemented, 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 continue to secure such services from **Cypress**.

SECTION 2. The Board hereby:

A. Approves a Supplemental Agreement with **Cypress** for the Port of Oakland Security Operations Center, previously referred to as

the Port Security Management Systems Project, to extend the agreement for six (6) months with a term to expire no later than October 21, 2018 with no increase in the maximum contract expenditure limit, and as further described in the Agenda Report.

B. Authorizes the Executive Director to execute such supplemental agreement, subject to approval as to form and legality by the Port Attorney.

SECTION 3. The proposed action was reviewed in accordance with the requirements of the California Environmental Quality Act ("CEQA") and the Port CEQA Guidelines. The general rule in Section 15061(b)(3) of the CEQA Guidelines states that CEQA applies only to activities that have a potential of causing a significant effect on the environment. It can be seen with certainty that there is no possibility that taking the recommended action will result in a physical change to the environment, and therefore no further environmental review is required.

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. 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 February 8, 2018

Passed by the following vote:

Ayes: Commissioners Butner, Colbruno, Cluver, Martinez, Yee
and President Story – 6

Noes: 0

Excused: Commissioner Hamlin - 1