

BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

PORT ORDINANCE NO. 4334

ORDINANCE APPROVING SPACE/USE PERMIT WITH SKY CHEFS, INC. AT OAKLAND INTERNATIONAL AIRPORT.

WHEREAS, the Board of Port Commissioners of the City of Oakland ("Board") has reviewed and evaluated the Agenda Report for Agenda Item 2.1, dated May 28, 2015 (the "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; now, therefore

BE IT ORDAINED by the Board of Port Commissioners of the City of Oakland as follows:

Section 1. 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.

Section 2. The Board hereby approves the terms and conditions set forth in the Agenda Report for the Space/Use Permit with **Sky Chefs, Inc.** ("Sky Chefs") located at Oakland International Airport (i) incorporating the terms of the Right of Entry and Indemnity Agreement and paying 10% of Sky Chef's on-airport gross receipts to the Port, resulting in approximately \$12,500 of monthly revenue, and (ii) providing for the occupancy of 4,000 square feet of warehouse space within Building M111 for a primary term of three (3) years, with two (2) one (1) year options to renew at a rental rate of \$2,000 per month.

Section 3. The Board hereby authorizes the Executive Director to execute the Space/Use Permit with **Sky Chefs**, subject to approval as to form and legality by the Port Attorney.

Section 4. The Board hereby finds and determines that entering into the Space/Use Permit is not subject to CEQA under CEQA Guidelines 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.

Section 5. This ordinance is not evidence of and does not create or constitute (a) a contract(s), 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 contract is duly executed on behalf of the Board as authorized by this ordinance, 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.

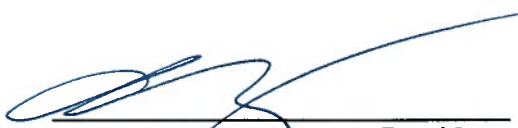
Section 6. This ordinance shall be retroactively effective to December 14, 2014 upon adoption by the Board.

The Board of Port Commissioners, Oakland, California, May 28, 2015. Passed to print for one day by the following vote: Ayes: Commissioners Colbruno, Hamlin, Head, Parker and President Yee - 6. Excused: Commissioner Uno - 1. Noes: 0.


John T. Betterton
Secretary of the Board

Adopted at a regular meeting held June 11, 2015
by the following vote:

Ayes: Commissioners Butner, Colbruno, Hamlin, Head, Parker, Uno and
President Yee - 7
Noes: 0



President.

Attest: 

Secretary.

Approved as to form and legality:



Port Attorney

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

PORT ORDINANCE NO. 4335

**ORDINANCE APPROVING SPACE/USE PERMIT WITH ALASKA
AIRLINES, INC. FOR SPACE IN THE PORT'S AIR CARGO
BUILDING.**

WHEREAS, the Board of Port Commissioners of the City of Oakland ("Board") has reviewed and evaluated the Agenda Report for Agenda Item 2.2, dated May 28, 2015 (the "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; now, therefore

BE IT ORDAINED by the Board of Port Commissioners of the City of Oakland as follows:

Section 1. 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.

Section 2. The Board hereby approves the terms and conditions set forth in the Agenda Report for the Space/Use Permit with **Alaska Airlines, Inc.** for approximately 8,781 square feet of warehouse space in the Port's Air Cargo building at Oakland International Airport for a term of five years, expiring March 31, 2020, with the right of either party to terminate upon written 30-day notice, with rent at \$16,000 per month, subject to annual adjustment based on increases (but not decreases) in the Consumer Price Index.

Section 3. The Board hereby ratifies the Executive Director's execution of the Space/Use Permit with **Alaska Airlines, Inc.**, subject to approval as to form and legality by the Port Attorney.

Section 4. The Board hereby finds and determines that entering into the Space/Use Permit is not subject to CEQA under CEQA Guidelines 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.

Section 5. This ordinance is not evidence of and does not create or constitute (a) a contract(s), 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 contract is duly executed on behalf of the Board as authorized by this ordinance, 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.

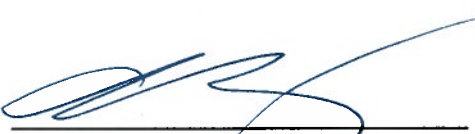
Section 6. This ordinance shall be effective immediately upon adoption by the Board.

The Board of Port Commissioners, Oakland, California, May 28, 2015. Passed to print for one day by the following vote: Ayes: Commissioners Colbruno, Hamlin, Head, Parker and President Yee - 6. Excused: Commissioner Uno - 1. Noes: 0.


John T. Betterton
Secretary of the Board

Adopted at a regular meeting held June 11, 2015
by the following vote:

Ayes: Commissioners Butner, Colbruno, Hamlin, Head, Parker, Uno and
President Yee - 7
Noes: 0

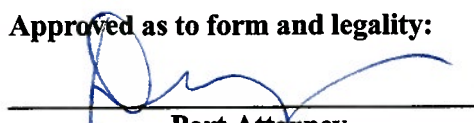


President.

Attest: 

Secretary.

Approved as to form and legality:



Port Attorney

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

PORT ORDINANCE NO. 4336

**ORDINANCE APPROVING SPACE/USE PERMIT WITH PRIMEFLIGHT
AVIATION SERVICES, INC.**

WHEREAS, the Board of Port Commissioners of the City of Oakland ("Board") has reviewed and evaluated the Agenda Report for Agenda Item 2.3, dated May 28, 2015 (the "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; now, therefore

BE IT ORDAINED by the Board of Port Commissioners of the City of Oakland as follows:

Section 1. 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.

Section 2. The Board hereby approves the terms and conditions set forth in the Agenda Report for the Space/Use Permit with **PrimeFlight Aviation Services, Inc.** for a term of five years, commencing December 1, 2014, with the right of either party to terminate upon written 30-day notice, with consideration at a minimum monthly fee of \$250 or 10% of gross revenues, whichever is greater.

Section 3. The Board hereby ratifies the Executive Director's execution of the Space/Use Permit with **PrimeFlight Aviation Services, Inc.**, subject to approval as to form and legality by the Port Attorney.

Section 4. The Board hereby finds and determines that entering into the Space/Use Permit is not subject to CEQA under CEQA Guidelines 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.

Section 5. This ordinance is not evidence of and does not create or constitute (a) a contract(s), 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 contract is duly executed on behalf of the Board as authorized by this ordinance, 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 6. This ordinance shall be effective immediately upon adoption by the Board.

The Board of Port Commissioners, Oakland, California, May 28, 2015. Passed to print for one day by the following vote: Ayes: Commissioners Colbruno, Hamlin, Head, Parker and President Yee - 6. Excused: Commissioner Uno - 1. Noes: 0.


John T. Betterton
Secretary of the Board

Adopted at a regular meeting held June 11, 2015
by the following vote:

Ayes: Commissioners Butner, Colbruno, Hamlin, Head, Parker, Uno and
President Yee - 7
Noes: 0

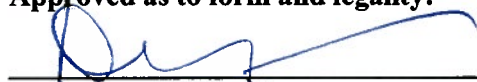


President.

Attest: 

Secretary.

Approved as to form and legality:



Port Attorney

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

PORT ORDINANCE NO. 4337

**ORDINANCE APPROVING AMENDMENT NO. 1 TO TEMPORARY
RENTAL AGREEMENT WITH SECURITY POINT MEDIA, LLC TO
EXTEND TERM AND MODIFY RENT TERMS.**

WHEREAS, the Board of Port Commissioners of the City of Oakland ("Board") has reviewed and evaluated the Agenda Report for Agenda Item 2.4, dated May 28, 2015 (the "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; now, therefore

BE IT ORDAINED by the Board of Port Commissioners of the City of Oakland as follows:

Section 1. 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.

Section 2. The Board hereby approves the terms and conditions set forth in the Agenda Report for Amendment No. 1 to Temporary Rental Agreement with **Security Point Media, LLC** to extend the term to June 30, 2016 and modify the rent terms to delete the fixed monthly payment of \$250.00 per month and provide for rent of 15% of gross receipts.

Section 3. The Board hereby authorizes the Executive Director to execute Amendment No. 1 to the Temporary Rental Agreement with **Security Point Media, LLC**, subject to approval as to form and legality by the Port Attorney.

Section 4. The Board hereby finds and determines that entering into Amendment No. 1 to Temporary Rental Agreement is not subject to CEQA under CEQA Guidelines 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.

Section 5. This ordinance is not evidence of and does not create or constitute (a) a contract(s), 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 contract is duly executed on behalf of the Board as authorized by this ordinance, 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 6. This ordinance shall be effective immediately upon adoption by the Board.

The Board of Port Commissioners, Oakland, California, May 28, 2015. Passed to print for one day by the following vote: Ayes: Commissioners Colbruno, Hamlin, Head, Parker and President Yee - 6. Excused: Commissioner Uno - 1. Noes: 0.

John T. Betterton
Secretary of the Board

Adopted at a regular meeting held June 11, 2015
by the following vote:

Ayes: Commissioners Butner, Colbruno, Hamlin, Head, Parker, Uno and President Yee - 7
Noes: 0

Attest:



President.



Secretary.

Approved as to form and legality:



Port Attorney

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

PORT ORDINANCE NO. 4338

**ORDINANCE APPROVING AMENDMENTS TO
TELECOMMUNICATIONS LICENSE AGREEMENTS WITH
WIRELESS TELECOMMUNICATIONS CARRIERS AT
OAKLAND INTERNATIONAL AIRPORT.**

WHEREAS, the Board of Port Commissioners of the City of Oakland ("Board") has reviewed and evaluated the Agenda Report for Agenda Item 6.1, dated May 28, 2015 (the "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; now, therefore

BE IT ORDAINED, by the Board of Port Commissioners of the City of Oakland as follows:

Section 1. 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.

Section 2. The Board hereby approves the terms and conditions proposed in the Agenda Report and hereby authorizes the Executive Director to approve and execute a *Second Amendment to Telecommunications License Agreement* with TMO CA/NV, LLC dba T-Mobile USA, Inc. commencing July 1, 2015 through June 30, 2020, for a Base Fee of \$10,000 per month and a Per Antenna Fee of \$75 per month, subject to certain increases, and subject to the Port Attorney's review and approval as to form and legality.

Section 3. The Board hereby approves the terms and conditions proposed in the Agenda Report and hereby authorizes the Executive Director to approve and execute a *Second Amendment to Telecommunications License Agreement* with New Cingular Wireless PCS, LLC. dba AT&T Mobility commencing July 1, 2015 through June 30, 2020, for a Base Fee of \$10,000 per month and a Per Antenna Fee of \$75 per month, subject to certain increases, and subject to the Port Attorney's review and approval as to form and legality.

Section 4. The Board hereby approves the terms and conditions proposed in the Agenda Report and hereby authorizes the Executive Director to approve and execute a *Third Amendment to*

Telecommunications License Agreement with GTE Mobilnet of California Limited Partnership dba Verizon Wireless commencing July 1, 2015 through June 30, 2020, for a Base Fee of \$10,000 per month and a Per Antenna Fee of \$75 per month, subject to certain increases, and subject to the Port Attorney's review and approval as to form and legality.

Section 5. The Board hereby approves the terms and conditions proposed in the Agenda Report and hereby authorizes the Executive Director to approve and execute a *Third Amendment to Telecommunications License Agreement* with Sprint Spectrum Realty Company, L.P. dba Sprint commencing July 1, 2015 through June 30, 2020, for a Base Fee of \$20,000 per month and a Per Antenna Fee of \$75 per month, a Mounting Fee of \$43 per month, and a Conduit Use Fee of \$2,065 per month, subject to certain increases, and subject to the Port Attorney's review and approval as to form and legality.

Section 6. The Board hereby finds and determines that this transaction is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Port CEQA Guidelines Section 15301(p), which exempts renewals, extensions or amendment to leases or license and concession agreements where the premises or licensed activity was previously leased or licensed to the same or another person, and involving negligible or no expansion of that previously existing.

Section 7. This ordinance is not evidence of and does not create or constitute (a) a contract, agreement, lease 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.

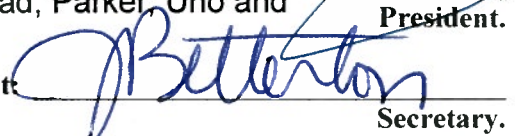
The Board of Port Commissioners, Oakland, California, May 28, 2015. Passed to print for one day by the following vote: Ayes: Commissioners Colbruno, Hamlin, Head, Parker and President Yee - 5. Excused: Commissioners Butner and Uno - 2. Noes: 0.

John T. Betterton
Secretary of the Board

Adopted at a regular meeting held June 11, 2015
by the following vote:

Ayes: Commissioners Butner, Colbruno, Hamlin, Head, Parker, Uno and President Yee - 7
Noes: 0

Attest


Secretary.

Approved as to form and legality:


Port Attorney

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

PORT ORDINANCE NO. 4339

ORDINANCE AMENDING CERTAIN PORTIONS OF TARIFF NO. 2-A AND ORDINANCE NO. 3439 TO (i) INCREASE SPACE ASSIGNMENT RATES, (ii) MODIFY CERTAIN TERMS AND CONDITIONS OF SPACE AND WHARF ASSIGNMENTS, (iii) INCREASE SHORE POWER MAINTENANCE RATES, (iv) ADJUST SHORE POWER COMMISSIONING CHARGES, AND (v) MAKE CERTAIN ADMINISTRATIVE UPDATES EFFECTIVE JULY 1, 2015.

WHEREAS the Board of Port Commissioners of the City of Oakland ("Board") has reviewed and evaluated the Agenda Report dated May 28, 2015 (the "Agenda Report") for Agenda Item 6.2 and related agenda 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 ORDAINED by the Board of Port Commissioners of the City of Oakland as follows:

Section 1. 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.

Section 2. The Board hereby finds and determines as follows:

A. The proposed amendments to Port Tariff No. 2-A and Ordinance 3439 were reviewed in accordance with the requirements of the California Environmental Quality Act ("CEQA") and the Port CEQA Guidelines. The proposed changes to rates and charges are statutorily exempt from CEQA under Section 15273(a) of the CEQA Guidelines since CEQA does not apply to the modification or approval of rates and other charges by public agencies that the public agency finds are for the purpose of meeting operating expenses or for funding capital projects necessary to maintain service within existing service areas. The proposed rate changes are for those funding purposes, so they meet the criteria for this exemption. CEQA also does not apply to the proposal to amend Port Tariff 2-A to modify the notice periods for notices of termination and boundary adjustments under Section 15061(b)(3) of the

CEQA Guidelines, since it can be seen with certainty that there is no possibility that changing a notice period may have a significant effect on the environment. Therefore, the Board hereby finds that the proposed amendments to Port Tariff 2-A and Ordinance 3439 are not subject to CEQA under the provisions of CEQA Guidelines Sections 15273(a) and 15061(b)(3).

B. The proposed administrative updates to Tariff No. 2-A also meet the criteria for this exemption. CEQA also does not apply to the other proposed updates to Tariff No. 2-A under section 15061(b)(3) of the CEQA Guidelines, since it can be seen with certainty that there is no possibility that the proposed minor updates and corrections to Tariff No. 2-A may have a significant effect on the environment.

Section 3. The Board approves and authorizes the proposed amendments to Tariff No. 2-A to (i) increase Space Assignment rates, (ii) modify certain terms and conditions of Space and Wharf Assignments, (iii) increase Shore Power Maintenance Rates, and (iv) make certain administrative updates - all effective July 1, 2015 and as more specifically shown in redlined revisions to the specific Items of Tariff No. 2-A attached to and incorporated into this Ordinance as Exhibit A.

Section 4. Section 8 to Port Ordinance No. 3439, as amended, is hereby amended and restated as follows:

"Section 8: Vessel Commissioning.

Applicability: The following information, rates and charges shall apply to the first vessel call of all shore power ready vessels and billed to a customer at one of the Port's marine terminals at which the vessel berths. If a vessel fails the commissioning process, this rate and charge shall apply to every vessel visit until the Notice of Completion of Vessel Commissioning has been issued to the vessel.

This rate and charge may also apply to a vessel call of a vessel whom has been issued a Notice of Completion of Vessel Commissioning but whose on-board shore power system has been modified since the issuance of the Notice of Completion of Vessel Commissioning. If a ship fails the commissioning process, this rate and charge shall apply to every vessel visit until the Notice of Completion of Vessel Commissioning has been reissued to the vessel.

Service Area: All service areas served by the Port's Davis and Cuthbertson substations.

Rates:

Vessel Commissioning Charge: \$3,600

(flat rate billed per vessel call)

Billing: For all customers taking service under this rate schedule, the balance of monies owed to the Port shall be paid in accordance with the Port's normal billing cycle.

Operations: In order to obtain a Notice of Completion of Vessel Commissioning, a customer seeking power provided to the vessel under this Section shall complete the following actions:

1) Prior to the initial connection of any vessel to the Port-provided power, the customer shall coordinate with its shipping line customers to determine whether the shore power-related equipment on-board any vessel and the vessel's control system and protection scheme comply with: (1) Standard IEC 80005-1Ed1: Cold Ironing Part 1: High Voltage Shore Connection Systems - General Requirements, (2) Pacific Gas & Electric Rule 21 and (3) Generating Facility Interconnection Agreement between the Pacific Gas and Electric Company ("PG&E") and the Port (the "Interconnection Agreement").

2) The customer shall coordinate with its shipping line customers to provide all documents to the Port and/or PG&E, including without limitation, the settings of protective devices associated with the on-board shore power-related equipment, one-line and three-line diagrams of such equipment, specifications on grounding equipment and emergency stop control system, contact information for ship engineers, and any other documentation requested by the Port to establish a safe and effective initial vessel connection.

3) The customer shall coordinate with its shipping line customers and the Port and/or PG&E to schedule the vessel commissioning.

4) The Port may board the vessel to verify, inspect and test, without limitation, the settings of protective devices associated with the on-board shore power-related equipment, grounding equipment, and emergency stop control system.

5) Upon completion of vessel commissioning, the Port shall issue a "Notice of Completion of Vessel Commissioning" to the customer for forwarding to its shipping line customer."

Section 5. Section 9 to Port Ordinance No. 3439, as amended, is hereby amended and restated as follows:

"Section 9: Provision of Power to Vessels.

Applicability: The following information, rates and charges shall apply to the Port Department's provision of shore power to all vessels receiving shore power at any time, including

during the vessel commissioning process, and billed to a customer at one of the Port's marine terminals at which the vessel berths.

Service Area: All service areas served by the Port's Davis and Cuthbertson substations.

Rates:

Hourly Customer Charge: \$267
(to be billed for every hour
rounded up to full hour of provision
of power to vessel and plus all
applicable taxes)

Billing: For all customers taking service under this rate schedule, the balance of monies owed to the Port shall be paid in accordance with the Port's normal billing cycle.

Operations: Each customer that provides power to vessels at berth is responsible for ensuring that such power is provided in a manner that promotes safety and substantially complies with all applicable laws, regulations, standards and other applicable agreements, including, but not limited to, the applicable Interconnection Agreement, and the Standard IEC 80005-1Ed1: Cold Ironing Part 1: High Voltage Shore Connection Systems - General Requirements."

Section 6. The Board approves and authorizes the Executive Director or his designee to make administrative updates to reflect current staff titles, contact information, and other non-substantive matters.

Section 7. If any provision of this Agreement, or its application to any Person or circumstance, is held invalid by any court, the invalidity or inapplicability of such provision shall not affect any other provision of this Agreement or the application of such provision to any other Person or circumstance, and the remaining portions of this Agreement shall continue in full force and effect, unless enforcement of this Agreement as so modified by and in response to such invalidation would be grossly inequitable under all of the circumstances, or would frustrate the fundamental purposes of this Agreement.

Section 8. This ordinance shall be effective on July 1, 2015.

Section 9. Upon the effective date of this Ordinance, the Board authorizes the Executive Director or his designee to make the changes to Tariff 2-A and Ordinance 3439 as authorized and approved hereinabove.

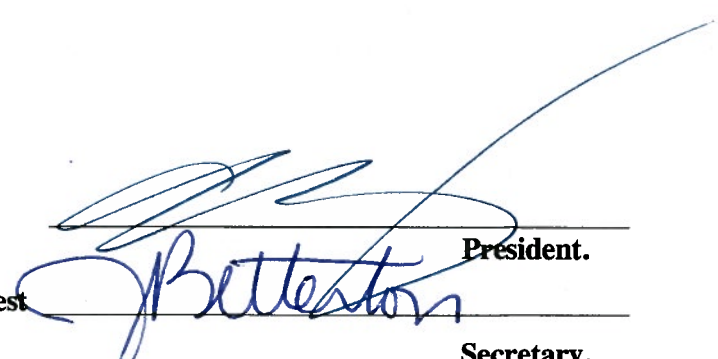
The Board of Port Commissioners, Oakland, California, May 28, 2015. Passed to print for one day by the following vote: Ayes: Commissioners Colbruno, Hamlin, Head, Parker and President Yee - 5. Excused: Commissioners Butner and Uno - 2. Noes: 0.

John T. Betterton
Secretary of the Board

Adopted at a regular meeting held June 11, 2015
by the following vote:

Ayes: Commissioners Butner, Colbruno, Hamlin, Head, Parker, Uno and
President Yee - 7
Noes: 0

Attest


President.
Secretary.

Approved as to form and legality:

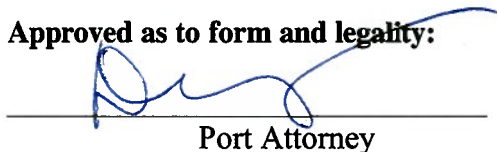

Port Attorney

EXHIBIT TO PORT ORDINANCE NO. 4339

THE BOARD OF PORT COMMISSIONERS PORT OF OAKLAND TARIFF NO. 2-A

29th REVISED PAGE 1
Cancels
28th REVISED PAGE 1

BOARD OF PORT COMMISSIONERS

Cestra Butner, President

Alan S. Yee	1 st Vice President	James W. Head	Commissioner
Earl Hamilton	2nd Vice President	Bryan R. Parker	Commissioner
Michael Colbruno	Commissioner	Victor Uno	Commissioner

EXECUTIVE OFFICE

J. Christopher Lytle, Executive Director
(510) 627-1210 Fax (510) 839-5104
Jean Banker, Principal Assistant to the Executive Director
(510) 627-1325 Fax (510) 839-5104

MARITIME DIVISION

JOHN C. DRISCOLL, DIRECTOR OF MARITIME
(510) 627-1243
BRENDA JAMES, EXECUTIVE ASSISTANT
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ADMINISTRATION AND FINANCE

DELPHINE PRÉVOST, ADMINISTRATION
& FINANCE MANAGER (510) 627-1141
LISA FRANCO (510) 627-1574
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BETH FRISHER, BUSINESS DEVELOPMENT &
INT'L MARKING MANAGER (510) 627-1834
RONALD BROWN (510) 627-1166
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RICKY SUN (510) 627-1319
YEN TRAN (510) 627-1376

PROJECT MANAGEMENT SERVICES

RAMONA DIXON (510) 627-1634
PIA FRANZESE (510) 627-1154
DELPHINE PRÉVOST (510) 627-1141

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CHIEF WHARFINGER (510) 627-1308
ROBERT CATHEY (510) 627-1547
RALPH REYNOSO (510) 627-1313
JUSTIN TASCHEK (510) 627-1309
RICHARD TAYLOR (510) 627-1393

SECURITY

MICHAEL O'BRIEN, (510) 627-1303
PORT FACILITIES SECURITY OFFICER
ERIC NAPRALLA (510) 627-1403

HARBOR FACILITIES

BILL MORRISON, MANAGER (510) 627-1500

PORT OF OAKLAND OFFICE HEADQUARTERS
530 Water Street, Oakland, California 94607
Telephone (510) 627-1100

For explanation of abbreviations and reference marks see Page 10.

ADOPTED: June 11, 2015

EFFECTIVE: July 1, 2015

MARITIME DIVISION HOMEPAGE INFORMATION

<http://www.portoakland.com/maritime>

MARITIME DIVISION

JOHN C. DRISCOLL, DIRECTOR OF MARITIME
jdriscoll@portoakland.com

BRENDA JAMES, EXECUTIVE ASSISTANT
bjames@portoakland.com

ADMINISTRATION AND FINANCE

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PROJECT MANAGEMENT SERVICES

OPERATIONS

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JUSTIN TASCHEK, jtaschek@portoakland.com
RICHARD TAYLOR, rtaylor@portoakland.com

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MICHAEL O'BRIEN, mobrien@portoakland.com
ERIC NAPRALLA, enapralla@portoakland.com

HARBOR FACILITIES

BILL MORRISON, bmorrison@portoakland.com

Note: The above telephone numbers apply only when dialed from the United States.
Please consult local telephone procedures if dialing from outside the United States.

For explanation of abbreviations and reference marks see Page 10.

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THE BOARD OF PORT COMMISSIONERS
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SECTION X - A: WHARF ASSIGNMENTS	ITEM NO.
<p style="text-align: center;">WHARF ASSIGNMENT</p> <p>(a) A Wharf Assignment shall commence on the date specified by the Director of Maritime or his/her designee.</p> <p>(b) A Preferential or Secondary Wharf Assignment may be terminated by the Assignee effective not sooner than 30 days after giving written notice of termination to the Port, and may be terminated by the Director of Maritime or his/her designee at any time, effective not sooner than 30 days after giving written notice of termination to the Assignee. Either the Port or Assignee may terminate on less than 30 days written notice, subject to mutual written agreement of the Assignee and Director of Maritime or his/her designee. Termination of the assignment will not terminate any obligations or liabilities that arose under the assignment prior to termination, including the Assignee's obligation to remove all items brought upon the assignment premises by Assignee.</p> <p>(c) A Temporary Wharf Assignment may be terminated by the Assignee when the use for the assigned area has ended; but not before all cargo involved, and all dunnage and debris has been removed by the Assignee from the assigned area. The Temporary Wharf Assignment may be terminated by the Director of Maritime or his/her designee at any time, effective not sooner than 30 days after giving written notice of termination to the Assignee.</p>	<p style="text-align: center;">(^) 10110</p>
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SECTION X - B: SPACE ASSIGNMENTS	ITEM NO.
<p style="text-align: center;">ASSIGNMENT</p> <p>(a) A Space Assignment, and charges therefore shall commence on the date specified by the Director of Maritime or his/her designee.</p> <p>(b) A Space Assignment may be terminated by the Assignee effective not sooner than 30 days after giving written notice of termination to the Port, and may be terminated by the Director of Maritime or his/her designee at any time, effective not sooner than 30 days after giving written notice of termination to the Assignee. Either the Port or Assignee may terminate on less than 30 days written notice, subject to mutual written agreement of the Assignee and Director of Maritime or his/her designee. Termination of the assignment will not terminate any obligations or liabilities that arose under the assignment prior to termination, including the Assignee's obligation to remove all items brought upon the assignment premises by Assignee.</p> <p>(c) By mutual written agreement of the Assignee and Director of Maritime or his/her designee, the Port may modify a Space Assignment to provide operational flexibility, including modifications such as adjustments to area boundaries, reclassification of space type, and relocation of Assignee operations.</p>	<p style="text-align: center;">(*) 10140</p>

For explanation of abbreviations and reference marks see Page 10.

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SECTION X - B: SPACE ASSIGNMENTS

ITEM
NO.

SPACE ASSIGNMENT RATES

Space Assignment rates will be assessed as contained in the following table which designates the types of areas used and assigned; if and as available: (See Item 10155):

TYPE OF AREA	DOLLARS PER SQUARE FOOT PER MONTH				
	UNPAVED	ROCKED		PAVED	
Land	\$.123	Without Lighting or Fencing	With Lighting and Fencing	Without Lighting or Fencing	With Lighting and Fencing
		\$.152	\$.173	\$.182	\$.226
Warehouse Space	First Floor Level \$.36	THIS SPACE LEFT INTENTIONALLY BLANK			
In Bond Storage (See Item 10155)	\$.39				
OFFICE SPACE N.O.S.	Non-Air Conditioned		Air Conditioned		
	\$1.19		\$1.35		

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For explanation of abbreviations and reference marks see Page 10.

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Maintenance Rates:

The Tenant shall reimburse the Port for all actual costs of labor and materials incurred to perform the Port's maintenance activities identified in Item 02530.

(*)
02535

1. Effective July 1, 2015, the Tenant shall be required to pay any and all maintenance costs, up to \$2,265 per berth per month, of which \$1,981 comprises routine maintenance, with the remaining \$284 comprising a flat monthly charge towards 3-year major maintenance events. The Tenant will be billed only for actual costs incurred for routine maintenance services, up to \$1,981 per berth per month, plus the flat monthly charge of \$284 for the 3-year service event.
2. The charge set forth in this Item 02535 will be applied on an aggregated basis across a Tenant's berths, such that the maximum charge to the Tenant is equal to the per berth per month charge multiplied by the number of berths at the Tenant's marine terminal.
3. The Director of Maritime or his/her designee may change

(Item 02535 continued on Next Page)