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BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE PARKING MANAGEMENT AGREEMENTS WITH DOUGLAS PARKING, LLC FOR SELF-PARKING SERVICES AND WITH VALET HOSPITALITY SERVICES - JACK LONDON SQUARE, LLC FOR VALET PARKING SERVICES FOR VARIOUS PORT-OWNED PARKING FACILITIES IN JACK LONDON SQUARE FOR A TERM OF THREE (3) YEARS WITH TWO (2) ONE-YEAR OPTIONS, FOR AN AMOUNT NOT TO EXCEED \$10,438,861.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item 6.2, dated February 22, 2018 (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; 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. The Board hereby approves the following:

- A. Awarding to, and authorizing the Executive Director to execute with, Parking Management Agreements with **Douglas Parking, LLC** for self-parking services and with **Valet Hospitality Service - Jack London Square, LLC** for valet parking services, respectively, for a total amount not to exceed \$10,438,861 over the potential five-year term, as further described in the Agenda Report, provided that both proposers submit to the Port fully executed Labor Peace Agreements and Parking Management Agreements pursuant to the timeframes in the Request for Proposal (RFP).

- B. If the Labor Peace Agreements or Parking Management Agreements are not executed and submitted to the Port within the timeframes in the RFP, the Board hereby awards to, and authorizes the Executive Director to execute with, a Parking Management Agreement with **ABM Parking Services** for both self-parking services and valet parking services, and that the existing Parking Management Agreements be extended for thirty days as necessary to allow for execution of these documents, as described further in the Agenda Report.

SECTION 2. Based upon the information contained in the Agenda Report and in testimony received, the Board finds and determines the following:

- A. The proposed assignment is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15300.4, which exempts the execution of leases or 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 use beyond that previously existing.
- B. The proposed agreements are for the performance of general services by contract that are in the public interest because of economy and better performance, and will not result in the loss of employment or salary by any person having permanent status in the competitive service.

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.

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