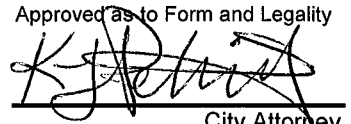


**REVISED**  
12-10-15

Approved as to Form and Legality

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

  
City Attorney

2015 DEC 10 PM 4:19

RESOLUTION No. 85923 C.M.S.

Introduced by Councilmember \_\_\_\_\_

**A REPORT AND RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO NEGOTIATE AND ENTER INTO OPERATING AGREEMENTS WITH VARIOUS COMPANIES UNDER THE ALTERNATIVE SITE FRAMEWORK OF THE OAKLAND FOREIGN TRADE ZONE, #56 FOR ZONE DESIGNATION**

**WHEREAS**, the City of Oakland (the "City") is a municipal corporation organized under its charter and the laws of the State of California; and

**WHEREAS**, in 1980 the City was the designated by the Federal Foreign Trade Zone Board as Grantee for Oakland Foreign Trade Zone #56 ("FTZ #56"); and

**WHEREAS**, in 1981 the City entered into agreements with Oakland International Trade Center to operate the Oakland Foreign Trade Zone #56 ("FTZ #56") to stimulate economic activity through international trade, assembly, processing and manufacturing, and local jobs; and

**WHEREAS**, in 1989, City subsequently transferred such agreement to Pacific American Warehousing & Trucking Company (PACAM) for the operation of FTZ #56; and

**WHEREAS**, in 2008, the City as Grantee, entered into an agreement for the operation of the FTZ #56 General Purpose Zone with Matson Logistics; and

**WHEREAS**, the Foreign Trade Zone designation allows companies operating within a federally-licensed Foreign Trade Zone to delay, reduce, or eliminate U.S. customs duties on imported merchandise, thereby increasing local business competitiveness and retaining local jobs and production domestically; and

**WHEREAS**, the City as Grantee for FTZ #56 has applied to the Federal Foreign Trade Zone Board for the new Alternative Site Framework (C.M.S. 85136), which allows the Grantee to receive, and administer, but not approve applications for additional subzones within its FTZ #56 Service Area; and

**WHEREAS**, returning to City Council for approval of each operating agreement with the various companies would hinder zone designations and operations by causing time delays, and would be counter to the Foreign Trade Zone Board's determination that Grantee's not intervene in operations of private subzone operators; now therefore be it

**RESOLVED**, that the City Council hereby authorizes the City Administrator or designee to negotiate and enter into operating agreements with various companies for subzone designation under the Alternative Site Framework of the Oakland Foreign Trade Zone, #56; and be it

**FURTHER RESOLVED**, that the City Attorney shall review and approve as to form and legality all such operating agreements of the Oakland Foreign Trade Zone #56, and all such agreements shall be filed with the City Clerk and disclosed to the City Council's Community and Economic Development

Committee via a noticed informational report brought at least semi-annually unless no such Operating Agreements were approved during the prior six months.

**NOW, THEREFORE, in consideration of the covenants and promises contained herein, it is mutually agreed by and between the parties as follows:**

IN COUNCIL, OAKLAND, CALIFORNIA, DEC - 8 2015

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, COUNCIL  
PRESIDENT GIBSON MCELHANEY - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST: *LaTonda Simmons for*  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California