

PORT ORDINANCE NO. 4841
ORDINANCE APPROVING AND AUTHORIZING THE EXECUTIVE
DIRECTOR TO EXECUTE LICENSE AND CONCESSION
AGREEMENTS WITH ACE PARKING III, 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 THAT WILL EXTEND
BEYOND ONE (1) YEAR, AND FINDING THAT THE PROPOSED
ACTION IS EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL
QUALITY ACT.

WHEREAS, the Board of Port Commissioners of the City of Oakland (“Board”) has reviewed and evaluated the Agenda Report for Agenda Item 6.3, dated April 23, 2026, 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, Section 706 of the City of Oakland (“City”) Charter gives to the Board the complete and exclusive power and duty for and on behalf of the City to make provisions for the needs of commerce, shipping, and navigation of the Port and to promote the development, construction, and operation of all waterfront properties, including piers, wharves, sea walls, docks, and other improvements; and

WHEREAS, the proposed action will provide service for members of the public who use the waterfront, and is consistent with the Port’s duty to use and manage Port property in trust for the people of the State of California (the “Tidelands Trust”), and the private use of Port property pursuant to the requested approval will not interfere with the Tidelands Trust; and

WHEREAS, 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 testimony received; now, therefore,

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

Section 1. The Board hereby finds and determines that the proposed action is categorically exempt from the California Environmental Quality Act (“CEQA”) under the general rule exclusion under Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that the proposed action will not have a significant effect on the environment and therefore the action is not subject to CEQA.

Section 2. The Board further finds and determines that:

A. By separate resolution, it has approved and authorized the Executive Director to execute agreements with ACE Parking III, 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 for an amount not to exceed \$6,555,685 over three years, including their associated License and Concession Agreements for a period of up to one (1) year; and

B. The License and Concession Agreements attached to the parking management agreements will extend beyond one (1) year, and accordingly, require the Board's approval by ordinance to authorize such extended term.

Section 3. The Board hereby approves and authorizes the Executive Director to do all of the following:

A. Execute the License and Concession Agreements attached to the above-referenced parking management agreements with **ACE Parking III, LLC** for self-parking services and with **Valet Hospitality Services - Jack London Square, LLC** for valet parking services (each an "Agreement") to extend beyond one (1) year, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney.

B. Make any additions, modifications, or corrections as necessary to implement the Agreement, 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, subject to approval as to form and legality by the Port Attorney.

Section 4. This Ordinance 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 Port. Unless and until a separate written agreement 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 the other contracting party, there shall be no valid or effective agreement.

Section 5. This Ordinance shall take effect on the date of its final adoption; provided, however, that if a petition protesting the adoption of this Ordinance is timely and duly submitted to the elections official of the City of Oakland in the manner required under California Elections Code § 9237, the effective date of this Ordinance shall be suspended, and all actions authorized by this Ordinance shall be null and void.

The Board of Port Commissioners, Oakland, California, April 23, 2026. Passed to print for one day by the following vote: Ayes: Commissioners Dominguez Walton, Martinez, Myres, Wong and President Cluver - 5. Abstain: Second Vice-President Leslie - 1. Noes: 0. Excused: Commissioner Muhammad - 1.

Daria Edgerly,

Secretary of the Board