

PORT ORDINANCE NO. 4857

ORDINANCE APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AMENDMENTS TO THE AIRLINE OPERATING AGREEMENTS WITH TWENTY PASSENGER AND CARGO AIRLINES, AND AMENDMENTS TO SPACE/USE PERMITS WITH NINE OF THESE PASSENGER AIRLINES SERVING OAKLAND SAN FRANCISCO BAY AIRPORT, FOR A TERM OF TWO YEARS, GENERATING ANTICIPATED REVENUES OF APPROXIMATELY \$101+ MILLION IN FY 2026-27, 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 Item 6.1, dated July 9, 2026, ("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 Report, and in related agenda materials and in testimony received; now, therefore

BE IT ORDAINED by the Board 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 Section 15301 of the CEQA Guidelines because the proposed action consists of activities that involve negligible or no expansion of an existing use.

Section 2. The Board hereby approves the terms and conditions of (i) the Amendments to Airline Operating Agreements ("AOA Amendment") with the twenty airlines listed in Exhibit "A" and (ii) the Amendments to Annex "A" Space/Use Permits ("SUP Amendment") with nine of the twenty airlines listed in Exhibit "A", for a term expiring on September 30, 2028, at the rates set forth in the Port's annual Rates and Charges Ordinance, and the terms and conditions set forth in the Agenda Report.

Section 3. The Board hereby authorizes the Executive Director to execute the AOA Amendments with each of the twenty airlines and the SUP Amendments with nine of these twenty airlines, subject to the Port Attorney's approval as to form and legality.

Section 4. This ordinance is not evidence of and does not create or constitute (a) a contract or lease, 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 separate written agreement(s) are duly executed on behalf of the Board as authorized by

this ordinance, is signed and 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(s).

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, July 9, 2026.
Passed to print for one day by the following vote: Ayes: Commissioners Dominguez Walton, Leslie, Martinez, Muhammad, Myres, Wong, and President Cluver - 7. Noes: 0.

Daria Edgerly,

Secretary of the Board

Exhibit A

	Airline	Annex A SUP Premises?
1	ABX AIR, INC.	No
2	ADVANCED AIR, LLC	Yes
3	ALASKA AIRLINES, INC. (SEAPZ)	Yes
4	ALLEGiant AIR, LLC	Yes
5	DELTA AIRLINES, INC.	Yes
6	DELUX PUBLIC CHARTER, LLC dba JSX	No
7	FEDERAL EXPRESS CORPORATION	No
8	FRONTIER AIRLINES, INC.	Yes
9	HAWAIIAN AIRLINES, INC.	Yes
10	HORIZON AIR INDUSTRIES, INC.	No
11	REDDING AERO ENTERPRISES, INC.	No
12	SATA INTERNACIONAL	No
13	SKYWEST AIRLINES	No
14	SOUTHWEST AIRLINES	Yes
15	SUN COUNTRY AIRLINES	No
16	TACA INTERNATIONAL AIRLINES (dba AVIANCA)	No
17	UNITED PARCEL SERVICE, INC.	No
18	VIVA AERO BUS	Yes
19	VOLARIS - CONCESIONARIA VUELA	Yes
20	VUELA EL SALVADOR, S.A. DE C.V., DBA VOLARIS EL SALVADOR	No