

PORT ORDINANCE NO. 4794
ORDINANCE AMENDING PORT OF OAKLAND ("PORT")
TARIFF NUMBER 2-A (ORDINANCE NO. 2833) TO:
(A) MODIFY SPACE ASSIGNMENT RATES; (B) MODIFY
WHARFAGE RATES FOR CONTAINERIZED CARGO NOT
OTHERWISE SPECIFIED; AND (C) MAKE VARIOUS
MINOR ADMINISTRATIVE UPDATES, EFFECTIVE JULY
1, 2025; 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 6.2, dated May 8, 2025 (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. The Board hereby finds and determines that:

A. This Ordinance is adopted pursuant to the authority under Article 7 of the Charter of the City of Oakland, including but not limited to Section 706(10) of the Charter, and the rates, dockage, rentals, tolls, wharfage, and charges are reasonable for the use of Port properties, appliances, and facilities or to recover costs of services rendered; and

B. The proposed amendments to Port Tariff No. 2-A were reviewed in accordance with the requirements of the California Environmental Quality Act ("CEQA"). The proposed action is categorically exempt from the California Environmental Quality Act ("CEQA") under Section 15273 of the CEQA Guidelines because the proposed action is for the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, and other charges for: (1) meeting operating expenses, including employee wage rates and fringe benefits; (2) purchasing or leasing supplies, equipment, or materials; (3) meeting financial reserve needs and requirements; (4) obtaining funds for capital projects, necessary to maintain service within existing service areas; or (5) obtaining funds necessary to maintain intra-city transfers as authorized under the City charter. Therefore, the proposed action is not subject to CEQA.

Section 2. References in this ordinance to an Item Number, or to a Tariff Section number, mean the Item Number or the Tariff Section number, respectively, in Port Tariff Number 2-A, adopted by Port Ordinance No. 2833, as amended. Underlined words and phrases indicate modified language to the portions of the Item Numbers referenced in this ordinance.

Section 3. The following pages, items, and sections shall be amended as set forth herein:

A. Section VI, Item 06400 is revised to increase Containerized Cargo Not Otherwise Specified ("N.O.S.") rates by ten percent (10%).

B. Section X-B, Item 10155(b) is revised to (a) update the minimum charge by three and one-half percent (3.5%).

C. Section X-B, Item 10160 is revised to increase each rate in this by three and one-half percent (3.5%).

D. Miscellaneous other administrative or less substantive updates are made throughout the Tariff, including updates to staff names, Board appointments, and typographical errors among other minor edits to Port Tariff 2-A to ensure accuracy and consistency.

Section 4. This Ordinance shall take effect on July 1, 2025; 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, May 8, 2025.
Passed to print for one day by the following vote: Ayes: Commissioners Cluver, Dominguez Walton, Lee, Leslie, Martinez, Myres and President Colbruno - 7. Noes: 0.

Daria Edgerly,

Secretary of the Board