

PORT ORDINANCE NO. 4706
ORDINANCE APPROVING OAKLAND INTERNATIONAL AIRPORT
HANGAR/RAMP SPACE AGREEMENTS WITH MULTIPLE
GENERAL AVIATION TENANTS, FOR TERMS COMMENCING ON
VARIOUS DATES AND EXPIRING JUNE 30, 2026, WITH
ANTICIPATED ANNUAL REVENUES OF \$8,538.00 FOR FY
2023, OPERATING AT THE NORTH FIELD OF OAKLAND
INTERNATIONAL AIRPORT.

WHEREAS, the Board of Port Commissioners (the "Board") has reviewed and evaluated the Agenda Report for Agenda Item 6.1, dated May 11, 2023 (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 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. 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.

Section 3. The Board hereby approves the terms and conditions set forth in the Agenda Report for the Oakland International Airport Hangar/Ramp Space Agreements (the "Agreements") with the four General Aviation ("GA") tenants, as set forth in Exhibit A, for a term commencing on the dates set forth in Exhibit A, and expiring June 30, 2026, thereby permitting the continued occupancy by the tenants of the ramp/apron space, Port-owned Port-a-Ports, Port-owned T-Hangars and Tie-down areas plus ingress and egress over the Port's property at the North Field of Oakland International Airport.

Section 4. The Board hereby authorizes the Executive Director of the Port to execute, and/or ratifies the Executive Director's execution of, the Agreements with the four GA tenants, and to make such additions, modifications, or corrections as necessary to implement the Agreements or to correct errors, subject to the limitations set forth herein and 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 5. This Ordinance is not evidence of and does not create or constitute (a) a contract(s), 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 contract 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 other contracting party, there shall be no valid or effective contract.

Section 6. 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, May 11, 2023.
Passed to print for one day by the following vote: Ayes: Commissioners Butner, Cluver, Colbruno, Lee, Martinez, Story, and President Leslie - 7.

Daria Edgerly,

Secretary of the Board

EXHIBIT A

North Field General Aviation Tenants (New Agreements and Amendments)						
Tenant	Agreement Type	Facility	Location	Start Date	Rate	FY 22/23 Revenues
Brannigan, John	Agreement	Port-a-Port	6-B-3	9/1/22	\$ 327	\$ 3,270
Cutler, Kenneth	Agreement	Port-a-Port	6-A-7	2/1/23	\$ 327	\$ 1,635
Stone Aviation LLC	Agreement	Port-a-Port	6-C-5	4/1/23	\$ 257	\$ 771
Walker, John	Agreement	T-Hangar	906A	1/1/23	\$ 477	\$ 2,862
TOTALS					\$ 1,388	\$ 8,538