

**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

12/19/2024  
Item No.: 2.1  
CT/pcm

*MP*

**RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN EIGHTH SUPPLEMENTAL AGREEMENT WITH OAKLAND FIRE SERVICES ADMINISTRATION TO EXTEND THE EXISTING MEMORANDUM OF UNDERSTANDING FOR AIRCRAFT RESCUE AND FIRE FIGHTING FOR TWO YEARS THROUGH DECEMBER 31, 2026, FOR AN ADDITIONAL \$16.2 MILLION AND FINDING THAT THE PROPOSED ACTION IS EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

**WHEREAS**, the City of Oakland, a municipal corporation (the "City"), acting by and through its Board of Port Commissioners (the "Port") have entered into a Memorandum of Understanding Regarding Aircraft Rescue Fire Fighting Services at the Oakland International Airport (as amended, the "MOU"); and

**WHEREAS**, the MOU will expire on December 31, 2024; and

**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 2.1, dated December 19, 2024 ("Agenda Report") and related agenda materials, has received the expert testimony of Port staff, and has provided opportunities for and taken public comment; now, therefore be it

**RESOLVED**, 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; and be it

**FURTHER RESOLVED**, 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; and be it

**FURTHER RESOLVED**, that the Board hereby authorizes the Executive Director to execute an Eighth Supplemental Agreement with Oakland Fire Services Administration to extend the MOU for up to two years through December 31, 2026, for an additional amount not to exceed \$16,200,000, subject to approval by the Port Attorney as to form and legality; and be it

**FURTHER RESOLVED**, that this resolution 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 resolution, 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; and be it

**FURTHER RESOLVED**, that this resolution shall be effective immediately upon adoption by the Board.

DRAFT