

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

PORT ORDINANCE NO. 4480

**ORDINANCE APPROVING FIVE YEARS EXTENSIONS OF SEVENTY
MULTIPLE AGREEMENT WITH AIRPORT TENANTS AND SERVICE
PROVIDERS OPERATING AT OAKLAND INTERNATIONAL AIRPORT.**

WHEREAS, from 1997 through 2017, the Board of Port Commissioners of the City of Oakland ("Board") adopted ordinances and resolutions approving the terms and conditions of seventy agreements for tenants and service providers occupying space and/or operating throughout Oakland International Airport, as set forth in Exhibit 1; and

WHEREAS, the Board has reviewed and evaluated the Agenda Report for Agenda Item 2.1, dated June 14, 2018 (the "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 ORDAINED by the Board of Port Commissioners of the City of Oakland as follows:

Section 1. 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 2. The Board hereby delegates to the Director of Aviation the authority to approve the extension of the seventy agreements listed on Exhibit 1 for one or more additional terms ending no later than June 30, 2023 under their existing rent structures, which is (i) zero rent for certain governmental entities, Port contractors, required under other Port agreements, or used as customer service amenities for the benefit of Port operations, (ii) rent that is adjusted annually based on increases in the Consumer Price Index and then periodically adjusted based on Fair Market Rental Value, or (iii) based on the Port's Rates and Charges Ordinance (service providers without premises are charged ten percent of gross revenues derived from activities on the Airport, subject to a fixed monthly minimum fee); provided that in no event shall the rent decrease.

Section 3. The Board hereby authorizes the Director of Aviation to execute the extension agreements, subject to approval as to form and legality by the Port Attorney.

Section 4. The Board hereby finds and determines that extending the term of the seventy existing agreements is categorically exempt from the requirements of California Environmental Quality Act ("CEQA") pursuant to the general rule in Section 15061(b)(3) which states that CEQA applies only to activities that have a potential for causing a significant effect on the environment, and it can be seen with certainty that there is no possibility that the extensions will result in a physical change in the environment.

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 Board. Unless and until separate written contract(s) are duly executed on behalf of the Board as authorized by this ordinance, are signed as approved as to form and legality by the Port Attorney, and are delivered to other contracting party, there shall be no valid or effective contract(s).

The Board of Port Commissioners, Oakland, California, June 14, 2018. Passed to print for one day by the following vote: Ayes: Commissioners Cluver, Hamlin, Martinez, Yee and President Story - 5. Excused: Commissioners Butner and Colbruno - 2. Noes: 0.

Daria Edgerly
Secretary of the Board

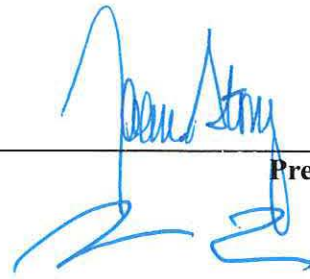
Adopted at a Regular Meeting held June 28, 2018
by the following vote:

Ayes: Commissioners Butner, Colbruno, Cluver, Martinez, Yee and
President Story - 6

Noes: 0

Excused: Commissioner Hamlin - 1

Attest:



President.

Secretary.

Approved as to form and legality:



Port Attorney

Exhibit 1
Airport Properties Agreements Previously Approved by Board Action

Party	Use	Location	Agreement ¹	Board No. ²	Board Date	Monthly Rent	FY17-18 Revenue ³
A/C Supply	Airline Services ⁴	North Field: L142	L&C	R: 09-097	04-15-1997	\$ 889.89	\$ 10,577
Airport Mailers	Passenger Amenity	South Field: M103	TRA	No Action	N/A	300.00	3,600.00
Airport Terminal Services, Inc.	Airline Services	North Field: M103	SUP	O: 4221	05-18/2017	14,985.70	170,843.00
Alaska Airlines, Inc.	Warehouse	South Field Cargo Building	SUP	O: 4335	05-28-2015	17,658.22	202,620.00
Alameda County Mosquito Abatement	Environmental Investigation	No Premises	SUP	O: 4242	07-11-2013	0.00	0.00
American Heart Association	CPR Training Kiosk	South Field: M103 and M367	TRA	No Action	N/A	0.00	0.00
ARINC	Airline Services	South Field: M367	SUP	O: 4320	01-15-2015	250.00	3,000.00
Aviation Port Services, LLC	Airline Services	South Field: Various	SUP	O: 4305	09-11-2014	7,945.80	427,979.00
British Airways, PLC	Airline Services	No Premises	SUP	O: 4304	09-11-2014	250.00	21,600.00
Cal-Air Aviation Services, Inc.	Airline Services	No Premises	SUP	R: 09-140	10-06-2009	250.00	3,000.00
Chevron U.S.A., Inc.	Environmental Investigation	South Field Tank Farm	L&C	R: 06-060	03-07-2006	0.00	0.00
City of Oakland – Oakland Police Department	Aircraft Storage	North Field: L710	L&C	O: 4385	07-14-2016	0.00	0.00
City of Oakland – Parks and Recreation	Soccer Field	North Field: L903	Lease	O: 3525	07-06-1999	0.00	0.00
Civil Air Patrol	Squadron Headquarters	North Field: L130	SUP	O: 4451	11-30-2017	0.00	0.00
CleanNet of the Bay Area	Airline Services	No Premises	SUP	O: 4233	06-13-2013	250.00	4,200.00
CMC Food Services	Storage	South Field: M367	ROE	O: 4223	04-11-2013	519.08	5914.00
DAL Global Services, LLC	Warehouse	South Field Cargo Building	L&C	R: 04-004	01-20-2004	8,450.96	685,504.00

¹ Agreement Types: Lease = *Lease*; L&C = *License and Concession Agreement*; ROE = *Right-of-Entry and Indemnity Agreement*; SUP = *Space/Use Permit*; MOU = *Memorandum of Understanding*; TRA = *Temporary Rental Agreement*.

² Board action take: R = Resolution and O = Ordinance, or where “No Action”: this action will be the first time the Board has approved the agreement.

³ Projected revenue in the Board’s adopted FY2017-2018 Budget.

⁴ Airline Services include: passenger, ground and cargo handling; airline catering; aircraft and equipment maintenance and repair; airline facilities janitorial.

Party	Use	Location	Agreement	Board No.	Board Date	Monthly Rent	FY17-18 Revenue
DeSilva Gates Construction	Construction Storage	Doolittle Drive @ Eden Road	TRA	R: 12-121	09-20-2012	2,500.00	30,000.00
EcoServices, LLC	Airline Services	No Premises	SUP	O: 4230	03-28-2013	250.00	73,200.00
Federal Express Corporation	Drop Box	South Field: M103	ROE	R: 09-9151	04-20-1999	355.00 ⁵	355.00
Flying Food Group, LLC	Airline Services	No Premises	SUP	R: 10-154	11-16-2010	500.00	252,000.00
Fox Rent-a-Car	Rental Car Facility	North Field: L814	L&C	R 08-207 R: 11-096	06-19-2007 09-01-2011	18,098.31	213,144.00
G2 Secure Staff, LLC	Airline Services	No Premises	SUP	O: 4233	06-13-2013	250.00	156,000.00
GMR Aerial Surveys, Inc.	Aerial Photography	North Field: L908	L&C	R: 10-153	11-16-2010	1,360.34	15,742.00
Gate Gourmet, Inc.	Airline Services	No Premises	ROE	O: 4230	04-11-2013	500.00	12,000.00
Gateway Frontline Services, Inc.	Airline Services	No Premises	SUP	R: 10-165	12-14-2010	250.00	288,000.00
Goldring Power, LLC	Light Manufacturing	North Field: L551	SUP	R: 12-067	06-07-2012	3,554.00	42,648.00
Host International	Concessions Office & Storage	South Field – Multiple Spaces	SUP	O: 4227	04-11-2013	0.00	0.00
HSS Inc.	Airport Contract Security Services	South Field: X106	TRA	O: 4375	04-28-2016	0.00	0.00
Jet Blast Aircraft Detailing, LLC	Aircraft Cleaning	No Premises	SUP	R: 12-036	04-05-2012	553.00	6,636.00
Jett Pro Line Maintenance, Inc.	Airline Services	No Premises	L&C	R: 04-240	09-07-2004	250.00	102,000.00
Leidos, Inc.	TSA Equipment Maintenance	No Premises	SUP	O: 4291	06-26-2014	0.00	0.00
Lloyd W. Aubry Co., Inc.	Airline Services	No Premises	L&C	R: 04-210	08-03-2004	250.00	3,000.00
Master Lightning Security Solutions	Airline Services	No Premises	SUP	O: 4233	06-13-2013	250.00	36,000.00
Matrix Aviation Services, Inc.	Airline Services	No Premises	ROE	R: 09-141	10-06-2009	250.00	72,000.00
MorphoTrust USA, LLC	TSA Pre-Check Enrollment Services	South Field: M130	TRA	No Action	N/A	0.00	0.00
New Tech Aircraft Services, Inc.	Airline Services	No Premises	SUP	R: 11-148	01-17-2011	250.00	20,400.00
New Zoom	Automated Retail	South Field: Various	SUP	O: 4287	07-14-2016	2,500.00	37,986.00
Next Century Aviation	Aircraft Storage	North Field: L710	L&C	R: 07-198	08-07-2007	3,049.00	36,588.00

⁵ FedEx rental is per year, not per month

Party	Use	Location	Agreement	Board No.	Board Date	Monthly Rent	FY17-18 Revenue
Nocal Rental (Payless)	Rental Car Facility	North Field: L618	L&C	R: 11-097	09-01-2011	9,957.32	140,916.00
Oakland Flyers	Flight and Ground Training School	North Field: L606	L&C	R: 04270	10-05-2004; 12-04-2007	1,927.00	23,124.00
Oakland Fuel Facilities Corp.	Modular Structure Parking	South Field Stadium Area	L&C	R: 04-039	03-02-2004	461.72	5,362.00
Oakland Fuel Facilities Corp.	Vehicle Fueling Facilities	South Field Stadium Area	L&C	O: 3379	09-02-1997	1,808.48	21,278.00
Oakland Aviation Museum	Storage	Lower Level T1 (M103)	L&C	R: 4223	04-11-2003	0.00	0.00
Pacific Telecomm Services (PTS)	Pay Phones	South Field: Various	SUP	O: 4386	07-14-2016	0.00	0.00
Passur Aerospace, Inc.	Radar Facilities	ARFF	SUP	R: 10-064	06-22-2010	0.00	0.00
Piedmont Airlines, Inc.	Airline Services	No Premises	SUP	R: 12-037	04-05-2012	250.00	3,000.00
PrimeFlight Aviation Services, Inc.	Airline Services	No Premises	SUP	O: 4336	05-28-2015	250.00	66,000.00
Rainbow Mobile Wash	Airline Services	No Premises	L&C	R: 04-045	03-02-2004	250.00	3,000.00
Safeway, Inc.	Aircraft Storage	North Field: L810	L&C	R: 09-068	06-02-2009	39,399.00	472,788.00
San Francisco Parking	Shuttle Bus Lot	North Field: Earhart/Langley	L&C	R: 07-289	06-05-2007	22,220.00	267,528.00
SCIS Air Security Corp.	Security Services	No Premises	L&C	R: 09-157	11-03-2009	250.00	18,000.00
Signature Flight Support	FBO	North Field: L710A	L&C	R: 4253	12-26-2013	10,571.72	126,860.64
Silver Dragon Café LLC	Concession Storage	South Field: M103	SUP	O: 4227	04-11-2013	0.00	0.00
Sky Chefs, Inc.	Airline Services	South Field: M111	SUP	O: 4230	04-11-2013	2,500.00	336,000.00
Smarte Carte, Inc.	Carts and Lockers	South Field: Various	SUP	O: 4425	06-08-2017	651.30	93,979.00
Southwest Airlines Co.	Warehouse	South Field Cargo Building	L&C	R: 07-024	02-06-2007	23,654.41	277,420.00
Southwest Airlines Co.	Ground Support	North Field: L617	L&C	R: 07-295	12-18-2007	8,185.00	98,220.00

Party	Use	Location	Agreement	Board No.	Board Date	Monthly Rent	FY17-18 Revenue
Southwest Airlines Co.	Provisioning Center	South Field: M155	Lease	O: 4269	12-19-2013	27,960.00	332,251.00
SouveNEAR	Automated Retail	South Field: Various	SUP	O: 4287	07-17-2016	250.00	9,000.00
StandardAero Business Aviation Services, LLC	Aircraft Maintenance	No Premises	SUP	O: 4422	03-28-2013	1,108.00	13,296.00
State of California (Highway Patrol)	LEO Training Exercises	South Field: Terminus of Alan Shepard Way	TRA	No Action	N/A	0.00	0.00
Sundance Air Services, Inc.	Aircraft Maintenance	North Field: L908	L&C	R: 10-110	09-07-2010	866.00	10,392.00
Taste, Inc. dba Vino Volo	Storage	South Field: M103	TRA	No Action	N/A	0.00	0.00
Technical Educational Services, Inc.	Aircraft Education	North Field: Various	L&C	R: 10-159	11-16-2010	35,702.00	428,424.00
Transportation Security Administration	Storage Magazine	North Field: L922	MOU	No Action	N/A	0.00	0.00
Transportation Security Administration	Lost and Found Office	South Field: M101	MOU	O: 4234	06-13-2013	0.00	0.00
Tricopian, LLC	Automated Retail	South Field: Various	SUP	O: 4296	06-05-2014	1,200.00	14,400.00
United Air Lines, Inc.	Radar Facilities	ARFF	L&C	R: 04265	10-05-2004	3,841.93	45,254.00
United Parcel Service	Warehouse	South Field Cargo Building	L&C	R: 06134	06-06-2006	156,371.06	1,854,962.00
Total FY17-18 Budgeted Revenue							\$6,059,153.64

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

PORT ORDINANCE NO. 4481

ORDINANCE APPROVING LEASE AMENDMENT NO. 10 TO THE U.S. GOVERNMENT LEASE FOR REAL PROPERTY WITH THE UNITED STATES OF AMERICA, GENERAL SERVICES ADMINISTRATION, ON BEHALF OF THE TRANSPORTATION SECURITY ADMINISTRATION, WHICH INCREASES THE LEASED OFFICE SPACE USED BY THE TRANSPORTATION SECURITY ADMINISTRATION AT OAKLAND INTERNATIONAL AIRPORT BY 225 SQUARE FEET AT A RENTAL RATE OF \$5,666.17 PER MONTH THROUGH SEPTEMBER 30, 2021.

WHEREAS, in 2011, the City of Oakland, acting by and through its Board of Port Commissioners (the "Port") and the **United States of America, General Services Administration** ("GSA"), on behalf of the Transportation Security Administration ("TSA") entered into the U.S. Government Lease for Real Property for a term of ten years, through September 30, 2021 for premises at the Oakland International Airport; and

WHEREAS, the U.S. Government Lease for Real Property has been amended multiple times to consolidate TSA offices and add additional space in various locations growing the TSA's total leased premises to approximately 6,521 square feet; and

WHEREAS, the Board of Port Commissioners of the City of Oakland ("Board") has reviewed and evaluated the Agenda Report for Agenda Item 2.2, dated June 14, 2018 (the "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 ORDAINED by the Board of Port Commissioners of the City of Oakland as follows:

Section 1. 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 2. The Board hereby approves the terms and conditions set forth in the Agenda Report for the Lease Amendment No. 10 to the U.S. Government Lease for Real Property with the GSA, on behalf of the TSA, as of July 1, 2018, to increase the leased office space of the leased premises by 225 square feet, at the rental rate under the Port's rates

and charges ordinance, which would increase monthly rent by \$5,666.17 based on the current rates and charges ordinance.

Section 3. The Board hereby authorizes the Executive Director to execute the Lease Amendment No. 10 to the U.S. Government Lease for Real Property with GSA, subject to approval as to form and legality by the Port Attorney.

Section 4. The Board hereby finds and determines that entering into the Lease Amendment No. 10 to the U.S. Government Lease for Real Property with GSA is categorically exempt from the requirements of California Environmental Quality Act ("CEQA") pursuant to Section 15301, Existing Facilities.

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 Board. 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.

The Board of Port Commissioners, Oakland, California, June 14, 2018. Passed to print for one day by the following vote: Ayes: Commissioners Cluver, Hamlin, Martinez, Yee and President Story - 5. Excused: Commissioners Butner and Colbruno - 2. Noes: 0.

Daria Edgerly
Secretary of the Board

Adopted at a Regular Meeting held June 28, 2018
by the following vote:

Ayes: Commissioners Butner, Colbruno, Cluver, Martinez, Yee and
President Story - 6

Noes: 0

Excused: Commissioner Hamlin - 1

Attest: _____



President.



Secretary.

Approved as to form and legality:



Port Attorney

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

PORT ORDINANCE NO. 4482

**ORDINANCE APPROVING AND AUTHORIZING THE EXECUTIVE
DIRECTOR TO EXECUTE A SECOND AGREEMENT TO EXTEND
THE RIGHT-OF-ENTRY AND INDEMNITY AGREEMENT WITH
EXXONMOBIL OIL CORPORATION TO UNDERTAKE CERTAIN
REMEDIAL ACTIVITIES AT BERTHS 23 AND 24 THROUGH JUNE
30, 2023.**

WHEREAS, the Board of Port Commissioners of the City of Oakland ("Board") has reviewed and evaluated the Agenda Report for Agenda Item 2.3, dated June 14, 2018 (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; and

WHEREAS, the Port and ExxonMobil Oil Corporation ("Exxon") entered into a Right-of-Entry and Indemnity Agreement ("Original Agreement") covering Exxon's access to Berths 23 and 24 for Exxon to conduct remedial activities, with said Original Agreement having a current expiration date of June 30, 2018; now, therefore

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

Section 1. 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 2. The Board hereby finds and determines that the proposed Second Agreement to Extend the Original Agreement ("2nd Extension") is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines, Section 15301(p), which exempts renewals, extensions or amendments to leases or license and concession agreements where the premises or licensed activity was previously leased or licensed to the same or another person and involving negligible or no expansion of use beyond that previously existing. Approval of the proposed 2nd Extension with ExxonMobil Oil Corporation falls within this class of exemptions. Furthermore, ExxonMobil Oil Corporation's clean-up activities on the premises were previously reviewed under CEQA. On June 17, 2003, the Board adopted an "Initial Study/Mitigated Negative Declaration for Soil and

Groundwater Investigation and Vapor Extraction and Air Sparging Pilot Testing/Interim Remediation at Berths 23 and 24" (Resolution No. 03167). Accordingly, no additional environmental review is required to take the action recommended in the Agenda Report.

Section 3. The Board hereby authorizes the Executive Director or his designee to execute with **Exxon** the proposed 2nd Extension to extend the term of the Original Agreement through June 30, 2023, subject to the terms and conditions described in the Agenda Report and 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 Board. 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.

The Board of Port Commissioners, Oakland, California, June 14, 2018. Passed to print for one day by the following vote: Ayes: Commissioners Cluver, Hamlin, Martinez, Yee and President Story - 5. Excused: Commissioners Butner and Colbruno - 2. Noes: 0.


Daria Edgerly
Secretary of the Board

Adopted at a Regular Meeting held June 28, 2018
by the following vote:

Ayes: Commissioners Butner, Colbruno, Cluver, Martinez, Yee and President Story - 6

Noes: 0

Excused: Commissioner Hamlin - 1



President.
Attest: _____
Secretary.

Approved as to form and legality:



Port Attorney