

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

PORT ORDINANCE NO. 4531

**ORDINANCE APPROVING AIRLINE OPERATING
AGREEMENT WITH REDDING AERO ENTERPRISES,
INC. OPERATING AT OAKLAND INTERNATIONAL
AIRPORT FOR A TERM EXPIRING ON SEPTEMBER
30, 2021, WITH ANNUAL LANDING FEE REVENUE
ESTIMATED AT \$21,000.**

WHEREAS, Redding Aero Enterprises, Inc. ("Redding Aero") will operate as an all-cargo "feeder" for United Parcel Service, Inc. ("UPS") flying packages from smaller airports to UPS' sort facility at Oakland International Airport; and

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 2.1, dated September 12, 2019 ("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 of Port Commissioners of the City of Oakland as follows:

Section 1. The Board hereby approves the terms and conditions of the Port's standard form Airline Operating Agreement ("AOA") with Redding Aero, for a term expiring on September 30, 2021, at the rates set forth in the Port's annual Rates and Charges Ordinance and terms and conditions set forth in the Agenda Report, and upon such standard terms and conditions as specified in the AOA, subject to the Port Attorney's review and approval as to form and legality.

Section 2. The Board hereby authorizes the Executive Director to execute the AOA, subject to the Port Attorney's approval as to form and legality.

Section 3. The Board hereby finds and determines that the operations for Redding Aero are consistent with the Port's Airport

Development Program, and that no further California Environmental Quality Act ("CEQA") review is required pursuant to CEQA Guidelines Section 15162.

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 Board. 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).

The Board of Port Commissioners, Oakland, California, September 12, 2019. Passed to print for one day by the following vote: Ayes: Commissioners Cluver, Colbruno, Lee, Leslie, Martinez, Story and President Butner - 7. Noes: 0.


Daria Edgerly

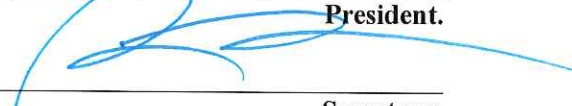
Secretary of the Board

Adopted at a Regular Meeting held September 26, 2019
by the following vote:

Ayes: Commissioners Cluver, Colbruno, Lee, Leslie, Martinez, Story and
President Butner - 7
Noes: 0

Attest:



President.


Secretary.

Approved as to form and legality:



Interim Port Attorney

BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

PORT ORDINANCE NO. 4532

ORDINANCE APPROVING TWO SPACE/USE PERMITS WITH TWO AIRLINE SERVICES PROVIDERS - PROSPECT INTERNATIONAL AIRPORT SERVICES CORPORATION AND STANDARD AERO SERV, LLC - EACH FOR TERMS EXPIRING JUNE 30, 2023, FOR AGGREGATE ESTIMATED ANNUAL REVENUE OF \$303,000 (TOTAL FOR BOTH), OPERATING AT OAKLAND INTERNATIONAL AIRPORT.

WHEREAS, the Board has reviewed and evaluated the Agenda Report for Agenda Item 2.2, dated September 12, 2019 (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. 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 (i) the Space/Use Permit ("SUP") with Prospect International Airport Services Corporation ("Prospect") for a term expiring June 30, 2023, with a 30-day termination provision by either party, for consideration of a minimum monthly fee of \$250.00 or 10% of gross revenues, whichever is greater, and a performance deposit of \$100,000, as described in the Agenda Report, and (ii) the SUP with Standard Aero Serv, LLC ("Standard Aero") for a term expiring June 30, 2023, with a 30-day termination provision by either party, for consideration of a minimum monthly fee of \$250.00 or 10% of gross revenues, whichever is greater, and a performance deposit of \$5,000, as described in the Agenda Report.

Section 3. The Board hereby authorizes the Executive Director to execute the SUP with Prospect and the SUP with Standard Aero, and to make such additions, modifications, or corrections as necessary to implement the SUPs 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 4. The Board hereby finds and determines that this action is categorically exempt from requirements of the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15301, Existing Facilities, which exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. No changes to the premises or use are proposed.

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, September 12, 2019. Passed to print for one day by the following vote: Ayes: Commissioners Cluver, Colbruno, Lee, Leslie, Martinez, Story and President Butner - 7. Noes: 0.

Daria Edgerly

Secretary of the Board

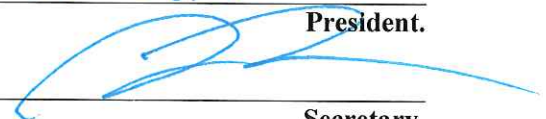
Adopted at a Regular Meeting held September 26, 2019
by the following vote:

Ayes: Commissioners Cluver, Colbruno, Lee, Leslie, Martinez, Story and
President Butner - 7
Noes: 0



President.

Attest:



Secretary.

Approved as to form and legality:


Interim Port Attorney

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

PORT ORDINANCE NO. 4533

**ORDINANCE APPROVING AND AUTHORIZING THE EXECUTIVE
DIRECTOR TO EXECUTE A FIRST AMENDMENT TO THE
TEMPORARY LICENSE AGREEMENT WITH HDR ENGINEERING,
INC. FOR CERTAIN PORT OF OAKLAND LANDS LOCATED
ADJACENT TO 7TH STREET AND WITHIN THE RIGHT OF WAY OF
7TH STREET AND MARITIME STREET TO EXTEND THE TERM
THROUGH MARCH 31, 2020, FOR VARIOUS ACTIVITIES IN
SUPPORT OF THE 7TH STREET GRADE SEPARATION PROJECTS.**

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 September 12, 2019 (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 entered into a rent-free Temporary License Agreement with the HDR Engineering, Inc. ("HDR") on or about November 1, 2018, for as-needed access and use by HDR with access to Port property near the intersection of 7th Street and Maritime Street to conduct certain activities necessary to complete the design of the 7th Street Grade Separation East Project ("TLA"); 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 and authorizes the extension of the TLA with HDR through March 31, 2020, and otherwise on the same terms and conditions as the original TLA.

Section 3. The Board finds and determines that:

A. Based upon all the information received by the Port, the services provided by HDR pursuant to the First Amendment to the TLA related to the 7th Street Grade Separation Projects provide a direct benefit to the Port and can be accommodated without adverse impacts to the Port's maritime operations.

B. Based upon all the information received by the Port, the proposed First Amendment to the TLA is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to CEQA

Guidelines Section 15306, which exempts from CEQA data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource.

Section 4. The Board hereby approves and authorizes the Executive Director of the Port ("Executive Director") to execute the First Amendment to the TLA with HDR and to make minor amendments to the TLA consistent with the intent of this ordinance and 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, 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, September 12, 2019. Passed to print for one day by the following vote: Ayes: Commissioners Cluver, Colbruno, Lee, Leslie, Martinez, Story and President Butner - 7. Noes: 0.

Daria Edgerly

Secretary of the Board

Adopted at a Regular Meeting held September 26, 2019
by the following vote:

Ayes: Commissioners Cluver, Colbruno, Lee, Leslie, Martinez, Story and
President Butner - 7
Noes: 0



President.

Attest:



Secretary.

Approved as to form and legality:


Port Attorney