

**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

**PORT ORDINANCE NO. 4593**

ORDINANCE APPROVING AND AUTHORIZING THE  
EXECUTIVE DIRECTOR TO EXECUTE A SPACE/USE PERMIT  
WITH ALCLEAR, LLC DBA CLEAR TO PROVIDE  
REGISTERED TRAVELER SERVICES AT OAKLAND  
INTERNATIONAL AIRPORT, FOR A TERM OF THREE+  
YEARS (EXPIRING JUNE 30, 2024) WITH ANTICIPATED  
FY2020-21 REVENUE OF \$36,000.

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**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item 6.1, dated March 11, 2021 ("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 that this action was reviewed in accordance with the requirements of the California Environmental Quality Act ("CEQA"). The Port has determined that this project is categorically exempt from the CEQA Guidelines pursuant to Section 15301, Existing Facilities. Section 15301 exempts from CEQA the repair, maintenance, and minor alteration of existing structures and facilities that involve negligible or no expansion of existing or former 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 Space/Use Permit ("SUP") with Alclear, LLC dba CLEAR ("Alclear") for a term of approximately three+ years from approximately April 1, 2021, through June 30, 2024, with estimated \$36,000 in new revenue for FY2020-21 and additional revenue in future years, as described in the Agenda Report.

**Section 4.** The Board hereby authorizes the Executive Director to execute the SUP with Alclear and to make such additions, modifications, or corrections as necessary to implement the SUP 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, March 11, 2021. Passed to print for one day by the following vote: Ayes: Commissioners Butner, Colbruno, Lee, Leslie, Martinez, Story and President Cluver - 7. Noes: 0.

Daria Edgerly

Secretary of the Board

Adopted at a Regular Meeting held April 8, 2021  
by the following vote:

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

Approved as to form and legality:

Port Attorney

Attest:

President.

Secretary.

**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

**PORT ORDINANCE NO. 4594**

**ORDINANCE AMENDING PORT OF OAKLAND ORDINANCE  
NO. 867 TO CREATE THE NEW CLASSIFICATION OF  
SAFETY AND BUSINESS CONTINUITY OFFICER.**

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**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Item 6.3 dated March 25, 2021 ("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 that this action was reviewed in accordance with the requirements of the California Environmental Quality Act ("CEQA") and the CEQA Guidelines. The requested action, to enact an ordinance to create the new classification of Safety and Business Continuity Officer, is a personnel-related action and is not a project pursuant to CEQA Guidelines, Sections 15060(c)(3) and 15378(b)(2), and no environmental review is therefore required.

**Section 2.** Section 5.0240 is hereby added to Port Ordinance No. 867 to create the classification of Safety and Business Continuity Officer, such classification assigned to salary grade 543.1 within said ordinance.

**Section 3.** In acting upon the matters contained herein, 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 materials and in testimony received.

**Section 4.** 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 Section 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, March 25, 2021. Passed to print for one day by the following vote: Ayes: Commissioners Butner, Colbruno, Leslie, Martinez, Story and President Cluver - 6. Excused: Commissioner Lee - 1. Noes: 0.

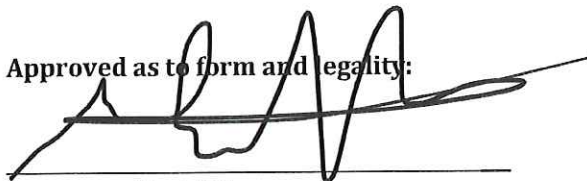
Daria Edgerly

Secretary of the Board

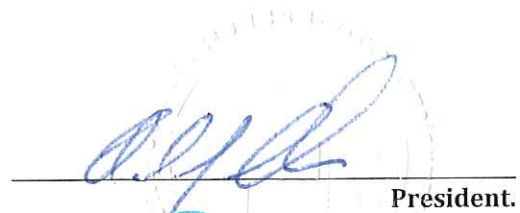
Adopted at a Regular Meeting held April 8, 2021  
by the following vote:


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

Approved as to form and legality:

  
\_\_\_\_\_  
Port Attorney

Attest:

  
\_\_\_\_\_  
President.

  
\_\_\_\_\_  
Secretary.