

**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

11/30/2023  
Item No.: 2.3  
CT/msr



**ORDINANCE APPROVING AND AUTHORIZING THE EXECUTIVE  
DIRECTOR TO EXECUTE AN AMENDMENT TO THE TEMPORARY  
LICENSE AGREEMENT WITH THE CENTER FOR INDEPENDENT  
LIVING, INC. TO EXTEND THE TERM FOR TWO YEARS FROM  
FEBRUARY 1, 2024 THROUGH JANUARY 31, 2026.**

**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 November 30, 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 not subject to the California Environmental Quality Act ("CEQA") because the proposed action does not involve an activity that may cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment as further defined in Section 21065 of the Public Resources Code.

**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 Amendment to Temporary License Agreement with the **Center for Independent Living, Inc.** to extend the term by two years from February 1, 2024 through January 31, 2026, as described in the Agenda Report.

**Section 4.** The Board hereby authorizes the Executive Director to execute (i) the Amendment to Temporary License Agreement with the **Center for Independent Living, Inc.**, subject to approval as to form and legality by the Port Attorney, and (ii) make such additions, modifications, or corrections as necessary to implement such Amendment 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.

**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.

DRAFT

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**President.**

**Attest:** \_\_\_\_\_  
**Secretary.**

**Approved as to form and legality:**

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**Port Attorney**