

BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND

6/8/17
Item 6.1
EP/CT/lhr
CTD

ORDINANCE APPROVING AND ADOPTING RULES AND REGULATIONS FOR OAKLAND INTERNATIONAL AIRPORT, WHICH AMEND AND RESTATE PORT ORDINANCE NO. 4362, AND APPROVING EXTENSIONS OF THE TRANSPORTATION NETWORK COMPANY COMMERCIAL GROUND TRANSPORTATION NON-EXCLUSIVE OPERATING PERMITS WITH RASIER-CA, LLC (DBA UBER), LYFT, INC., AND TICKENGO, INC. (DBA WINGZ).

WHEREAS, the Board of Port Commissioners of the City of Oakland ("Board") has reviewed and evaluated the Agenda Report for Agenda Item 6.1, dated June 8, 2017 (the "Agenda Report") and related agenda materials, including the amended and restated Rules and Regulations for Oakland International Airport, attached thereto and available at www.portofoakland.com/port/board-of-commissioners/board-meetings), 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 and adopts the Rules and Regulations for Oakland International Airport, which amend and restate Port Ordinance No. 4362, to be effective October 1, 2017, and as set forth in the Agenda Report, subject to approval by the Port Attorney as to form and legality.

Section 3. The Board hereby approves the terms of, and authorizes the Executive Director to execute, extensions of the Transportation Network Company Commercial Ground Transportation Non-Exclusive Operating Permits with **Rasier-CA, LLC (dba Uber), Lyft, Inc., and Tickengo, Inc. (dba Wingz)** through September 30, 2017, provided that such extensions are approved as to form and legality by the Port Attorney.

Section 4. The Board further finds and determines that approval of the Rules and Regulations and extensions of the TNC Pilot Program Permits are exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15301, 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.

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.

DRAFT

President.

Attest: _____
Secretary.

Approved as to form and legality:

Port Attorney