

BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND

6/22/17
Item No: 2.2
CT/1hr
CT (W)

ORDINANCE APPROVING AMENDMENT NO. 1 TO SPACE/USE PERMIT WITH TECHNICAL EDUCATION SERVICES, INC. D/B/A THE AVIATION INSTITUTE OF MAINTENANCE TO EXTEND THE TERM TO APRIL 30, 2018 AND INCREASE RENT AT OAKLAND INTERNATIONAL AIRPORT.

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 22, 2017 (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 Amendment No. 1 to Space/Use Permit with **Technical Education Services, Inc. d/b/a the Aviation Institute of Maintenance** ("AIM") to extend the term of the current Space/Use Permit to April 30, 2018 and increase the rent to \$35,702.07 per month.

Section 3. The Board hereby authorizes the Executive Director to execute Amendment No. 1 to Space/Use Permit with AIM, subject to approval as to form and legality by the Port Attorney.

Section 4. The Board hereby finds and determines that amending the Space/Use Permit with AIM is categorically exempt from 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.

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.

S

DRAFT

President.

Attest: _____
Secretary.

Approved as to form and legality:

Port Attorney