

PORT ORDINANCE NO. 4451

ORDINANCE APPROVING AMENDMENT TO SPACE/USE PERMIT WITH  
CIVIL AIR PATROL TO EXTEND THE TERM BY FIVE YEARS AT  
A MONETARY CONSIDERATION OF \$1.00 PER ANNUM FOR  
PREMISES AT NORTH FIELD 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 2.1, dated November 30, 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 the Amendment to Space/Use Permit with **Civil Air Patrol** to extend the term five years to November 30, 2022, with a 30-day termination provision by either party, for monetary consideration of \$1.00 per annum.

**Section 3.** The Board hereby authorizes the Director of Aviation to execute the Amendment to Space/Use Permit with Civil Air Patrol, 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 Civil Air Patrol 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.

The Board of Port Commissioners, Oakland, California, November 30, 2017. Passed to print for one day by the following vote: Ayes: Commissioners Butner, Cluver, Colbruno, Hamlin, Martinez, Yee and President Story - 7. Noes: 0.

Daria Edgerly  
Secretary of the Board