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BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

RESOLUTION APPROVING BUILDING PERMIT REQUESTED BY SOUTHWEST AIRLINES.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated Item No. 2.1 - the Summary Sheet for Permit Application (Port Permit No. 5207) dated March 11, 2019 - and related agenda materials ("Agenda Sheet"), has received the expert testimony of Port of Oakland ("Port") staff, and has provided opportunities for and taken public comment; and

WHEREAS, that 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 Sheet and in related agenda materials and in testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. In reliance upon the representations and certifications set forth upon and submitted with an application by the Applicant (defined below) for a building permit to perform certain work at the Premises (defined below), and provided that the Applicant complies with all of the terms and conditions set forth in Applicant's agreement(s) with the Port and all other documents regulating use of the Premises, the Board hereby approves the building permit for the following work:

- A. Applicant: Southwest Airlines.
- B. Premises: 1 Airport Drive, Terminal 2, Oakland, California.
- C. Estimated Cost: \$1,500,000.00.
- D. Work: Construction of improvements to the "T-Point" checked baggage screening area between Terminals 1 and 2. The work will reconfigure and add to the existing space, going from one belt running parallel to Airport Drive to three belts running perpendicular. Work includes addition of a new canopy (approximately 4,990 square feet), new belts and screening equipment, installation of related electrical, data, and fire water and alarm services, and connections to the Terminal building. The work will fill in the gap in the wall along

the sidewalk between Terminals 1 and 2, remove the temporary fencing, and complete the sidewalk.

- E. Sustainability: Applicant will follow current Green Building and Energy Codes as enforced by the City of Oakland, as well as the construction debris recycling requirements. The project includes installation of site design measures to reduce pollution, stormwater runoff peak flows and volumes, and other impacts. No other sustainability measures are being considered for this project.

SECTION 2. The Board hereby finds and determines that the work to be performed under this building permit is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") and the Port CEQA Guidelines under Section 15301, Class 1(e), which exempts additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and the project area is not environmentally sensitive.

SECTION 3. (a) Neither this resolution nor the Board's approval of said work (i) is a waiver by the Board of any Port right or remedy with respect to Applicant under any agreement between the Port and the Applicant or with respect to any obligation of Applicant, or (ii) releases Applicant from any obligation with respect to said work or with respect to any agreement between the Port and Applicant; and (b) this resolution is not evidence of and does not create or constitute (i) a contract, or the grant of any right (other than to perform the work subject to the provisions of this resolution), entitlement or property interest, or (ii) any obligation or liability on the part of the Board or any officer or employee of the Port.

SECTION 4. This resolution shall be effective immediately upon adoption by the Board.