

BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND

6/13/19

Item 6.1

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ORDINANCE (I) AMENDING SECTION 9 OF PORT ORDINANCE NO. 4430 RELATING TO CHARGES FOR USE OF FACILITIES AT OAKLAND INTERNATIONAL AIRPORT, NORTH FIELD, AND (II) APPROVING AND AUTHORIZING A FOUR-YEAR EXTENSION OF 151 EXISTING AGREEMENTS WITH GENERAL AVIATION TENANTS AT OAKLAND INTERNATIONAL AIRPORT.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated Agenda Report Item 6.1 dated June 13, 2019, and related agenda materials ("Agenda Report"), 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 Report, and in related agenda materials and in testimony received; now, therefore

BE IT ORDAINED by the Board of Port Commissioners of the City of Oakland as follows:

Section 1. Subsection d(1) of Section 9 of Port Ordinance No. 4430 is hereby amended to read in full as follows:

"d. (1) Signatory Airlines/Based Tenant Aircraft in Commercial Passenger Operations, including General Aviation Aircraft. For paved or improved Aircraft parking spaces in the North Field, other than those described in subsection e(1), e(2), e(3), f(1) or f(2), designated to accommodate aircraft with wingspans or length, whichever is greater, the rates shall be as follows:

Tiedowns	Monthly Rate	First 8 hours or Fraction Thereof	Each Additional 8 Hours or Fraction Thereof	Maximum Total Daily Rate
40 feet or less	\$80.00	\$6.00	\$3.00	\$12.00
50 feet or less	97.00	7.00	4.00	15.00
75 feet or less	162.00	12.00	5.00	22.00
100 feet or less	182.00	18.00	6.00	30.00

125 feet or less	283.00	29.00	12.00	53.00
150 feet or less	413.00	40.00	18.00	76.00
175 feet or less	547.00	52.00	28.00	108.00
200 feet or less	675.00	64.00	33.00	130.00
Over 200 feet	816.00	77.00	39.00	155.00
Blimp 40 feet or less	1,258.00	84.00	40.00	164.00
Taxi-in/taxi out	110.00	7.00	4.00	15.00

Notwithstanding the monthly rates hereinabove set forth, the monthly rate for Aircraft 40 feet or less requiring taxi-in/taxi out capability is \$107.00.

The monthly rates set forth above (but not the hourly or daily rates) will increase (but not decrease) each year through June 30, 2023, by the increase in the Consumer Price Index for Urban Wage Earners and Clerical Workers for the San Francisco/Oakland/San Jose Area, rounded up to the nearest whole dollar."

Section 2. Subsection g(2) of Section 9 of Port Ordinance No. 4430 is hereby amended to read in full as follows:

"(2) For storage of Aircraft in T-hangars in the North Field, the monthly storage rates exclusive of office space in said T-hangars shall be as follows (as further adjusted by the Consumer Price Index as described below):

Hangar Area (Port-owned Hangars)	Monthly Rates
Port-A-Port (760 square feet)	\$314.00
Port-A-Port (1,000 square feet)	380.00
T-Hangar (840 square feet)	321.00
T-Hangar (960 square feet)	366.00
T-Hangar (1,110 square feet)	425.00
T-Hangar (1,152 square feet)	441.00
T-Hangar (1,596 square feet)	609.00

Hangar Area Between Hangar 6 & 7, and South of Building L-606 (Port-owned Hangars)	Monthly Rates
T-Hangar (1,060 square feet)	\$495.00
T-Hangar (1,340 square feet)	623.00

Hangar Area (Privately owned Port-a-Port)	Monthly Rates
Ramp Space (780 square feet)	\$168.00
Ramp Space (1,060 square feet)	229.00
Ramp Space (1,340 square feet)	291.00
Ramp Space (2,050 square feet)	441.00

The rate for office space in said T-Hangars shall be \$0.3026 per square foot per month rounded to the nearest dollar for the total office space occupied. Electricity shall be provided separately on a metered basis.

The monthly rates set forth above will increase (but not decrease) each year through June 30, 2023, by the increase in the Consumer Price Index for Urban Wage Earners and Clerical Workers for the San Francisco/Oakland/San Jose Area, rounded up to the nearest whole dollar."

Section 3. The Board hereby approves and authorizes the extensions of 151 existing agreement listed on Exhibit A to this ordinance for four years to June 30, 2023, at the rates set forth in Exhibit A to this ordinance and the terms and conditions set forth in the Agenda Report, and upon such standard terms and conditions as specified in such agreements.

Section 4. The Board hereby authorizes the Executive Director to execute extension amendments to the existing 151 agreements, subject to the Port Attorney's review and approval as to form and legality.

Section 5. The Board hereby finds and determines that the establishment and imposition of the above rates pursuant to Sections 1 and 2 of this ordinance is exempt from the requirements of the California Environmental Quality Act under California Public Resources Code Section 21080(b)(8) and Sections 15273 and 15061(b)(3) of Title 14 of the California Code of Regulations. The bases for the exemption are that the rates are established and imposed for the purpose of obtaining funds for capital projects necessary to maintain service within existing service areas and it can be seen with certainty that there is no possibility that imposition of the rates referenced herein will have a significant effect on the environment. The Board further finds and determines that the action to extend the 151 existing agreements is categorically exempt from requirements of 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. No changes to the premises or use are proposed.

Section 6. 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.

Section 7. This ordinance shall be effective July 1, 2019.

DRAFT

President.

Attest: _____

Secretary.

Approved as to form and legality:

Port Attorney

Exhibit A

North Field General Aviation Tenants (New T-Hangars)				
Tenant	Facility	Location	Monthly Rent	FY19/20 Revenues
Timothy Brennan	T-Hangar	878A	\$ 380	\$ 4,560
Timothy Brennan	T-Hangar	878B	\$ 380	\$ 4,560
Mark Baird	T-Hangar	878C	\$ 380	\$ 4,560
Harry Saddler	T-Hangar	878D	\$ 380	\$ 4,560
William Kimmerer	T-Hangar	878E	\$ 380	\$ 4,560
Julius Timbol	T-Hangar	878F	\$ 380	\$ 4,560
Cyrus Baseghi	T-Hangar	878G	\$ 380	\$ 4,560
Claus Weisemann	T-Hangar	878H	\$ 380	\$ 4,560
Mike Charlie, Inc/Sergio Mello	T-Hangar	878J	\$ 380	\$ 4,560
Scott Robertson	T-Hangar	878L	\$ 314	\$ 3,768
Geoffrey M. Bolton	T-Hangar	878P	\$ 314	\$ 3,768
Louis Buhler	T-Hangar	878T	\$ 314	\$ 3,768
Brennon York	T-Hangar	878U	\$ 314	\$ 3,768
Steven Booska	T-Hangar	879C	\$ 314	\$ 3,768
Michael Wasteney	T-Hangar	879F	\$ 314	\$ 3,768
James Gay	T-Hangar	879G	\$ 314	\$ 3,768
Peter Killcommons	T-Hangar	879H	\$ 314	\$ 3,768
Bruce Godfrey	T-Hangar	879J	\$ 314	\$ 3,768
Daniel Humphrey	T-Hangar	879L	\$ 314	\$ 3,768
James Litton	T-Hangar	879M	\$ 314	\$ 3,768
Stephen J. Wright	T-Hangar	879N	\$ 314	\$ 3,768
James M. Stephenson	T-Hangar	879P	\$ 314	\$ 3,768
Robin Beauchamp	T-Hangar	879Q	\$ 314	\$ 3,768
Phil Perry	T-Hangar	880A	\$ 314	\$ 3,768
Conway B. Jones	T-Hangar	880C	\$ 314	\$ 3,768
Gerard Cerchio	T-Hangar	880F	\$ 314	\$ 3,768
New T-Hangars Subtotal			\$ 8,758	\$ 105,096

North Field General Aviation Tenants (Old T-Hangars)				
Tenant	Facility	Location	Monthly Rent	FY19/20 Revenues
Allen Low	T-Hangar	905A	\$ 609	\$ 7,308
Daniel Chadbourne	T-hangar	905B	\$ 609	\$ 7,308
Colin Cross	T-Hangar	905C	\$ 609	\$ 7,308
Alameda Aero Club	T-hangar	905D	\$ 609	\$ 7,308
Joseph Fields	T-Hangar	906A	\$ 425	\$ 5,100
Jay Busby	T-Hangar	906B	\$ 321	\$ 3,852
Paul Millner	T-Hangar	906C	\$ 321	\$ 3,852
William Bartlett	T-Hangar	906D	\$ 321	\$ 3,852
Stephen S. Ashley	T-Hangar	906E	\$ 321	\$ 3,852
Lionel Madore	T-Hangar	906F	\$ 321	\$ 3,852
Noel Cragg	T-Hangar	906G	\$ 321	\$ 3,852
Dennis Wassmann	T-Hangar	906H	\$ 321	\$ 3,852
Arthur DiGrazia	T-Hangar	906J	\$ 321	\$ 3,852
Laurence Everett	T-Hangar	906K	\$ 425	\$ 5,100
Zachary R. Heineman	T-Hangar	907A	\$ 321	\$ 3,852
Howard Clay II	T-Hangar	907B	\$ 321	\$ 3,852
Mon K. Lee/26 Tango LLC	T-Hangar	907C	\$ 321	\$ 3,852
Aaron Dwyer	T-Hangar	907D	\$ 321	\$ 3,852
Michael Eggen	T-Hangar	907E	\$ 425	\$ 5,100
David Ruegg	T-Hangar	907F	\$ 425	\$ 5,100
Christian Borth	T-Hangar	907G	\$ 321	\$ 3,852
Brian Cain	T-Hangar	907H	\$ 321	\$ 3,852
Barry Burgess	T-Hangar	907J	\$ 321	\$ 3,852
Donald Put	T-Hangar	907K	\$ 321	\$ 3,852
William O'Keefe Jr.	T-Hangar	909A	\$ 441	\$ 5,292
Wayne Marchant	T-Hangar	909B	\$ 366	\$ 4,392
Steve Marlin	T-Hangar	909C	\$ 366	\$ 4,392
Arnold Lim	T-Hangar	909D	\$ 366	\$ 4,392
Joe Trujillo	T-Hangar	909E	\$ 366	\$ 4,392
Ivar Anderson	T-Hangar	909F	\$ 366	\$ 4,392
Roy Trillia	T-Hangar	909G	\$ 366	\$ 4,392
Bruce Bauer	T-Hangar	909H	\$ 366	\$ 4,392
Kelli Gant & Mike McHugh	T-Hangar	909J	\$ 366	\$ 4,392
Kenneth Levins	T-Hangar	909K	\$ 441	\$ 5,292
William Reining	T-Hangar	910A	\$ 366	\$ 4,392
Lelan Sparks/Larry Betts	T-Hangar	910B	\$ 366	\$ 4,392
Roger Boyvey	T-Hangar	910C	\$ 366	\$ 4,392
Carol Healy	T-Hangar	910D	\$ 366	\$ 4,392
Randall Shaffer	T-Hangar	910F	\$ 441	\$ 5,292
Shannon Rubicam	T-Hangar	910G	\$ 366	\$ 4,392
Barbara Bolton	T-Hangar	910H	\$ 366	\$ 4,392
Marc Aymerich	T-Hangar	910J	\$ 366	\$ 4,392
Duane Sitter/Linda Norris	T-Hangar	910K	\$ 366	\$ 4,392
Old T-Hangars Subtotal			\$ 16,451	\$ 197,412

North Field General Aviation Tenants (Port-O-Ports)				
Tenant	Facility	Location	Monthly Rent	FY19/20 Revenues
Bert Inch	Ramp Space	6-A-1	\$ 291	\$ 3,492
Joseph Mudd	Ramp Space	6-A-3	\$ 291	\$ 3,492
Bryan Walker	Ramp Space	6-A-5	\$ 291	\$ 3,492
Rodney Pimentel	Ramp Space	6-A-7	\$ 291	\$ 3,492
James Gabbert/Next Century	Ramp Space	6-A-9	\$ 291	\$ 3,492
Anthony Simmons	Ramp Space	6-A-11	\$ 291	\$ 3,492
Eric Choate	Ramp Space	6-A-13	\$ 291	\$ 3,492
Bruce Lymburn	Ramp Space	6-A-15	\$ 291	\$ 3,492
Jeffrey Purdue	Ramp Space	6-A-17	\$ 168	\$ 2,016
Bert Inch	Ramp Space	6-B-1	\$ 291	\$ 3,492
Allan Edwards	Ramp Space	6-B-2	\$ 291	\$ 3,492
Younus Aftab	Ramp Space	6-B-3	\$ 291	\$ 3,492
David Berk	Ramp Space	6-B-5	\$ 291	\$ 3,492
Bryan Walker	Ramp Space	6-B-7	\$ 291	\$ 3,492
James Blanco	Ramp Space	6-B-8	\$ 291	\$ 3,492
Craig Valentine	Ramp Space	6-B-9	\$ 291	\$ 3,492
Peter Dessart	Ramp Space	6-B-10	\$ 291	\$ 3,492
Craig Valentine	Ramp Space	6-B-11	\$ 229	\$ 2,748
Jerry Wagner	Ramp Space	6-B-12	\$ 291	\$ 3,492
Bryan Walker	Ramp Space	6-B-13	\$ 229	\$ 2,748
Albert & Jean Ferrari	Ramp Space	6-B-14	\$ 291	\$ 3,492
James Blanco	Ramp Space	6-B-15	\$ 229	\$ 2,748
James and Kathleen Bauer	Ramp Space	6-B-16	\$ 229	\$ 2,748
Anthony Simmons	Ramp Space	6-B-17	\$ 229	\$ 2,748
Peter Dessart	Ramp Space	6-B-18	\$ 229	\$ 2,748
James Hager	Ramp Space	6-C-1	\$ 229	\$ 2,748
David McCloskey	Ramp Space	6-C-2	\$ 229	\$ 2,748
Jared Cure	Ramp Space	6-C-3	\$ 229	\$ 2,748
James Hager	Ramp Space	6-C-4	\$ 229	\$ 2,748
Thierry Locard/Yakflight	Ramp Space	6-C-5	\$ 229	\$ 2,748
Eric Choate	Ramp Space	6-C-6	\$ 229	\$ 2,748
William Harmon	Ramp Space	6-C-7	\$ 229	\$ 2,748
Gale Giger	Ramp Space	6-C-8	\$ 229	\$ 2,748
Davi E.M. Arnaut	Ramp Space	6-C-9	\$ 229	\$ 2,748
James Breazeale	Ramp Space	6-C-10	\$ 229	\$ 2,748
Eric Choate	Ramp Space	6-C-12	\$ 229	\$ 2,748
Quentin Helgren	Ramp Space	6-C-13	\$ 229	\$ 2,748
Patrick Murray	Ramp Space	6-C-14	\$ 229	\$ 2,748
Steven Tappan	Ramp Space	6-C-15	\$ 229	\$ 2,748
Eric Choate	Ramp Space	6-C-16	\$ 229	\$ 2,748
David Berk	Ramp Space	6-C-17	\$ 229	\$ 2,748
Athanassios Diacakis	Ramp Space	6-C-18	\$ 229	\$ 2,748
Jason Appelbaum	Ramp Space	6-C-19	\$ 441	\$ 5,292
Joel Yarmon/Pipeline Capital	Ramp Space	6-D-1	\$ 229	\$ 2,748
Donald Brody	Ramp Space	6-D-2	\$ 441	\$ 5,292
James Gabbert/Next Century	Ramp Space	6-D-3	\$ 229	\$ 2,748
Fite Prop, LLC/Rodney Fite	Ramp Space	6-D-4	\$ 229	\$ 2,748
James Gabbert/Next Century	Ramp Space	6-D-5	\$ 229	\$ 2,748
Fite Prop, LLC/Rodney Fite	Ramp Space	6-D-6	\$ 229	\$ 2,748
James Gabbert/Next Century	Ramp Space	6-D-7	\$ 229	\$ 2,748
Jeff Perdue	Ramp Space	6-D-8	\$ 229	\$ 2,748
James Gabbert/Next Century	Ramp Space	6-D-9	\$ 229	\$ 2,748

North Field General Aviation Tenants (Port-O-Ports) - Continued				
Tenant	Facility	Location	Monthly Rent	FY19/20 Revenues
Garrett Gruener	Ramp Space	6-D-10	\$ 229	\$ 2,748
James Gabbert/Next Century	Ramp Space	6-D-11	\$ 229	\$ 2,748
James Hager	Ramp Space	6-D-12	\$ 229	\$ 2,748
Richard Green	Ramp Space	6-D-13	\$ 229	\$ 2,748
Donald Brody	Ramp Space	6-D-14	\$ 229	\$ 2,748
Donald Brody	Ramp Space	6-D-16	\$ 229	\$ 2,748
Port-O-Ports Subtotal			\$ 14,761	\$ 177,132

North Field General Aviation Tenants (Tiedowns)				
Tenant	Facility	Location	Monthly Rent	FY19/20 Revenues
Aaron Burns	Tiedown	T-6	\$ 80	\$ 960
Alameda Aero Club	Tiedown	T-12	\$ 80	\$ 960
Alameda Aero Club	Tiedown	T-14	\$ 80	\$ 960
Alameda Aero Club	Tiedown	T-17	\$ 80	\$ 960
Alameda Aero Club	Tiedown	T-18	\$ 80	\$ 960
Alameda Aero Club	Tiedown	T-19	\$ 80	\$ 960
Alexander Polvi	Tiedown	T-8	\$ 80	\$ 960
Damon Vander Lind	Tiedown	T-16	\$ 80	\$ 960
Dan Malmgren	Tiedown	6-B-6	\$ 80	\$ 960
David Newitt	Tiedown	A-6	\$ 80	\$ 960
Erick Davidson	Tiedown	909-1	\$ 80	\$ 960
FBN Holding Cor/James Couch	Tiedown	910-4	\$ 80	\$ 960
Greg Keller	Tiedown	906-2	\$ 80	\$ 960
James Watkins	Tiedown	B-2	\$ 80	\$ 960
John Mathison	Tiedown	T-7	\$ 80	\$ 960
John Urness	Tiedown	T-4	\$ 80	\$ 960
Kevin B. Gilheany	Tiedown	T-3	\$ 80	\$ 960
Kevin Buhler	Tiedown	907-4	\$ 80	\$ 960
Masoud Safi	Tiedown	907-2	\$ 80	\$ 960
Michael Wastenev	Tiedown	M-9	\$ 80	\$ 960
Oakland Flyers/Jim Gray	Tiedown	G-1	\$ 80	\$ 960
Ronald Jones	Tiedown	T-10	\$ 80	\$ 960
Ronald Jones	Tiedown	T9	\$ 80	\$ 960
William Drummond	Tiedown	907-7	\$ 80	\$ 960
Tie Downs Subtotal			\$ 1,920	\$ 23,040