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**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A FOURTH SUPPLEMENTAL AGREEMENT WITH THE CITY OF OAKLAND, ACTING FOR THE OAKLAND FIRE SERVICES ADMINISTRATION, TO EXTEND THE EXISTING MEMORANDUM OF UNDERSTANDING FOR AIRCRAFT RESCUE AND FIRE FIGHTING ONE YEAR THROUGH FISCAL YEAR 2021 FOR AN AMOUNT NOT TO EXCEED \$6,500,000.**

**WHEREAS**, the City of Oakland, a municipal corporation (the "City") and the City of Oakland, a municipal corporation, acting by and through its Board of Port Commissioners (the "Port") have entered into a Memorandum of Understanding Regarding Aircraft Rescue Fire Fighting Services at the Metropolitan Oakland International Airport (as amended, the "MOU"); and

**WHEREAS**, the MOU will expire on June 30, 2020; and

**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.1 dated May 28, 2020 ("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

**RESOLVED**, 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; and be it

**FURTHER RESOLVED**, that the Board hereby authorizes the Executive Director to execute a Fourth Supplemental Agreement with the City, acting for the Oakland Fire Services Administration, to extend the MOU for one year to June 30, 2021 for an amount not to exceed \$6,500,000, subject to approval by the Port Attorney as to form and legality; and be it

**FURTHER RESOLVED**, that the Board determines and finds that this project is categorically exempt from California Environmental Quality Act ("CEQA") 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; and be it

**FURTHER RESOLVED**, that this resolution 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 resolution, 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.

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