

PORT ORDINANCE NO. 4784

ORDINANCE APPROVING AND ADOPTING THE AIRPORT PARKING RATES INTO CHAPTER 5.04 AND APPENDIX C-2 OF THE PORT OF OAKLAND ADMINISTRATIVE CODE (POAC) BY AMENDING AND RESTATING PORT ORDINANCE NO. 2610, AS AMENDED, EFFECTIVE JULY 1, 2025, AND FINDING THAT THE PROPOSED ACTION IS EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

**WHEREAS**, the Board of Port Commissioners of the City of Oakland ("Board") has reviewed and evaluated the Agenda Report for Agenda Item 6.2, dated March 13, 2025, ("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; and

**WHEREAS**, Section 706 of the City of Oakland ("City") Charter gives to the Board the complete and exclusive power and duty for and on behalf of the City to exercise various powers and duties relating to the Port's jurisdiction, including, but not limited to, the power and duty to "adopt and enforce such ordinances, orders, regulations and practices as are necessary for the proper administration and discharge of its duties and powers, or for the management and government of the port, and its facilities" (City Charter, Sec. 706(27)); and

**WHEREAS**, 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.** The Board hereby finds and determines that the proposed action is not subject to the California Environmental Quality Act ("CEQA") under the general rule exclusion under Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that the proposed action will not have a significant effect on the environment and therefore is not a "project" under CEQA.

**Section 2.** The Board hereby:

A. Approves and amends the ordinances establishing the Airport parking rates, which shall be effective on July 1, 2025, as further described in the Agenda report.

B. Adopts the Airport parking rates as Chapter 5.04 and Appendix C-2 of the Port of Oakland Administrative Code ("POAC") by amending and restating Port Ordinance Nos. 2610, 2613, 2788, 2843, 2844, 2876, 3007, 3033, 3125, 3130, 3316, 3414, 3479, 3586, 3644, 3749, 3830, 3951, 3963, 4038, 4061, 4066, 4096, 4110, 4150, 4157, 4280, and 4537, as set forth in **Attachments A and B** to this Ordinance, attached hereto and incorporated herein.

C. Authorizes the Executive Director or her designee to take all actions necessary to implement this adoption into the POAC, provided that such actions do not materially differ from the terms and conditions set forth herein and in the Agenda Report, subject to approval as to form and legality by the Port Attorney.

**Section 3.** This Ordinance is not evidence of and does not create or constitute (a) a contract, 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 Port. Unless and until a separate written agreement 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 the other contracting party, there shall be no valid or effective agreement.

**Section 4.** This Ordinance shall take effect on the date of its final adoption; provided, however, that if a petition protesting the adoption of this Ordinance is timely and duly submitted to the elections official of the City of Oakland in the manner required under California Elections Code § 9237, the effective date of this Ordinance shall be suspended, and all actions authorized by this Ordinance shall be null and void.

The Board of Port Commissioners, Oakland, California, March 13, 2025. Passed to print for one day by the following vote: Ayes: Commissioners Cluver, Lee, Martinez and President Colbruno - 4. Noes: 0. Excused: Commissioners Dominguez Walton, Leslie and Myres - 3.

Daria Edgerly,

Secretary of the Board

# **Attachment A**

## **Chapter 5.04     Airport Parking Rates**

### **Section 05.04.010     Definitions**

Unless from the context a different meaning is apparent, the words and phrases as used in this Chapter shall have the following meanings, whether such terms are capitalized, and whether used in the singular or the plural, or the masculine or the feminine:

“Airport Parking Facilities” shall mean all parking areas at the Airport designated by the Executive Director for public automobile parking that are subject to this Chapter.

“Daily Lot” shall mean all parking areas at the Airport designated by the Executive Director to be for daily parking of vehicles.

“Economy Lot” shall mean all parking areas at the Airport designated by the Executive Director to be economy parking areas.

“Employee Lot” shall mean all parking areas at the Airport designated by the Executive Director for use by employees of Tenants and/or employees of the Port.

“Hourly Lot” shall mean all parking areas at the Airport designated by the Executive Director to be for hourly parking of vehicles.

“Executive Director” shall mean the officer appointed and employed by the Board to serve as the chief executive of the Port under Section 706(21) of the Charter, or their designee.

“Off-Airport Parking Lot” shall mean a parking area designated by the Executive Director not located on Airport property but located within a seven (7)-mile radius of the Airport.

“Parking Tax” shall mean the City’s twenty percent (20%) parking tax set forth in Chapter 4.16 of the City’s Municipal Code, as such Chapter may be amended or superseded.

“Premier Lot” shall mean all parking areas at the Airport designated by the Executive Director to be premier parking areas.

“Self-Park Lot” shall mean all parking areas at the Airport designated by the Executive Director to be for self-parking of vehicles.

“Tenant” shall mean any Person leasing or licensing real property from the Port, including, without limitation, any subtenant or sublicensee thereof.

Words relating to aeronautical practices, processes, and equipment shall be construed in this Chapter according to their usage in the aviation industry.

### **Section 05.04.020     Airport Parking Rates**

## **Attachment A**

It shall be unlawful to park a vehicle in Airport Parking Facilities without paying the parking rates established in this Chapter. The rates for vehicles using the Airport Parking Facilities at the Airport are as set forth in Appendix C-2.

### **Section 05.04.030      Authority of the Executive Director to Set Maximum 24-Hour Rates**

The Executive Director is hereby authorized to set 24-hour rates from time to time for all Airport Parking Facilities up to and including the maximum 24-hour rates specified in Appendix C-2.

### **Section 05.04.040      Authority of the Executive Director to Establish Discount and Promotional Rates**

The Executive Director may establish from time to time the discount and promotional parking rates set forth in Appendix C-2 for vehicles using the Airport Parking Facilities. The Executive Director may also take such actions as may be necessary to implement the promotional and discount programs set forth in this Section as they deem to be appropriate, including, but not limited to, entering into agreements with Persons enrolling in such programs. Such discount or promotional rates may include or exclude amounts attributable to the City's Parking Tax.

# Attachment B

## Appendix C-2

### Airport Parking Rates

#### A. Short-Term Parking Rates

As authorized under Section 5.04.020, the following short-term parking rates are fixed for vehicles using the Port's public automobile parking facilities at the Airport as follows.

Effective Date: July 1, 2025

##### 1. Short-Term Hourly Lot Rates

Time	Rate
0-30 minutes	\$4.00
31-60 minutes	\$8.00
61-90 minutes	\$12.00
91-120 minutes	\$16.00
121 minutes – 24 hours	The rates will increase by \$4.00 for every 30-minute increment thereafter until the maximum 24-hour rate is reached

The Short-Term Hourly Lot Rates shall be discounted to the Short-Term Rate applicable to the Daily Lot for vehicles that possess a valid Disabled Person placard or Disabled Person license plate issued by the California Department of Motor Vehicles (or a comparable placard or license plate issued by a public agency of another state).

##### 2. Short-Term Economy Lot Rates

Time	Rate
0-30 minutes	\$3.00
31-60 minutes	\$6.00
61-90 minutes	\$9.00
91-120 minutes	\$12.00
121 minutes – 24 hours	Maximum 24-hour rate

##### 3. Short-Term Daily Lot Rates

Time	Rate
0-30 minutes	\$4.00
31-60 minutes	\$8.00

## Attachment B

61-90 minutes	\$12.00
91-120 minutes	\$16.00
121 minutes – 24 hours	Maximum 24-hour rate

### 4. Short-Term Premier Lot Rates

Minutes	Rate
0-30 minutes	\$5.00
31-60 minutes	\$10.00
61-90 minutes	\$15.00
91-120 minutes	\$20.00
121 minutes – 24 hours	Maximum 24-hour rate

### 5. Employee Lot Parking Rates

Monthly Rate	\$47.00
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The Employee Lot Parking Rates shall be discounted by ten percent (10%), rounded up to the nearest dollar, for the first parking permit for employees who are students (currently enrolled in a school), active or veteran U.S. military personnel, and seniors (age 55 and over).

## B. Maximum 24-Hour Rates

The following rates are the maximum 24-hour parking rates that may be set by the Executive Director, as authorized under Section 5.04.030.

Effective Date: July 1, 2025

### 1. Maximum Rates for Economy Lot

The Executive Director is authorized to set maximum 24-hour parking rates from time to time for the Economy Lot, from and including the Low rate through the High rate listed below.

Economy Lot Maximum 24-Hour Rate	
Low	\$14.00
High	\$25.00

### 2. Maximum Rates for Daily Lot

The Executive Director is authorized to set maximum 24-hour parking rates from time to time for the Daily Lot, from and including the Low rate through the High rate listed below.

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Daily Lot Maximum 24-Hour Rate	
Low	\$18.00
High	\$35.00

### 3. Maximum Rates for Hourly Lot

The Executive Director is authorized to set maximum 24-hour parking rates from time to time for the Hourly Lot, from and including the Low rate through the High rate listed below.

Hourly Lot Maximum 24-Hour Rate	
Low	\$31.00
High	\$50.00

The maximum 24-hour parking rate for the Hourly Lot shall be discounted to the maximum 24-hour parking rate applicable to the Daily Lot for vehicles that possess a valid Disabled Person placard or Disabled Person license plate issued by the California Department of Motor Vehicles (or a comparable placard or license plate issued by a public agency of another state).

### 4. Maximum Rates for Premier Lot

The Executive Director is authorized to set maximum 24-hour parking rates from time to time for the Premier Lot, from and including the Low rate through the High rate listed below.

Premier Lot Maximum 24-Hour Rate	
Low	\$35.00
High	\$55.00

## C. Other Provisions

### 1. Parking Tax

All rates described in this Appendix shall be inclusive of the Parking Tax.

### 2. Third-Party Administrative Fees

The Executive Director may, but is not obligated to, charge all or part of any third-party administrative fees directly related to the administration of the parking reservation system on a pass-through basis without markup, provided, however, that such fees do not exceed Five Dollars (\$5.00) per reservation transaction.

## **Attachment B**

### **D. Discount and Promotional Rates**

The following rates are the discount and promotional parking rates set by the Executive Director, as authorized under Section 5.04.040.

Effective Date: July 1, 2025

#### **1. Airport Parking Loyalty Program**

- A. The Executive Director may establish a parking loyalty program that enables customers to accumulate loyalty points at a rate of up to Ten Cents (\$0.10) for each One Dollar (\$1.00) paid to the Port for use of the Airport Parking Facilities under this Appendix C-2. Accumulated loyalty points shall have no cash value.
- B. Customers may redeem accumulated loyalty points to discount the fees that would typically be required under Sections A and B of this Appendix C-2. Redemptions of loyalty points shall be in full-day increments, i.e., the amount equal to the maximum 24-hour rate currently applicable to the Airport Parking Facility (Premier, Hourly, Daily, or Economy Lots) for the fee to be discounted. Redemptions may not exceed the equivalent of seven (7) times' the 24-hour rate of the currently applicable Airport Parking Facility (Premier, Hourly, Daily, or Economy Lots) for the fee to be discounted.
- C. The Executive Director may establish other terms and conditions for the parking loyalty program, including, for example, requirements for customers to formally enroll in the program and expiration periods for accumulated loyalty points.

#### **2. Promotional and Discount Offers**

- A. The Executive Director may establish a qualifying coupon for parking with which the rate for a minimum stay of not less than twenty-four (24) hours in the Premier Lot, Hourly Lot, or Daily Lot shall be a rate that is Five Dollars (\$5.00) lower than the rate that would otherwise be charged under this Chapter, provided that the rate shall not be reduced below Zero Dollars (\$0.00).
- B. The Executive Director may establish a qualifying coupon for parking with which the rate for a minimum stay of not less than twenty-four (24) hours in the Premier Lot, Hourly Lot, or Daily Lot shall be a rate that is Ten Dollars (\$10.00) lower than the rate that would otherwise be charged under this Chapter, provided that the rate shall not be reduced below Zero Dollars (\$0.00).



## **Attachment B**

- C. The Executive Director may establish a qualifying coupon for parking for a minimum stay of not less than five (5) consecutive twenty-four (24) hour periods in the Economy Lot, Hourly Lot, or Daily Lot, in which the rate for the fourth and fifth twenty-four (24) hour period shall be Zero Dollars (\$0.00).

### **3. Parking Reservation System Promotion and Discounts**

- A. By way of clarification, the range of rates described in Appendix C-2, Section B (Maximum 24-Hour Rates) includes the ability of the Executive Director to establish, from time to time, promotional rates for parking reservations that are pre-booked (i.e., purchased in advance) for parking in the Economy Lot, Daily Lot, Hourly Lot, and/or Premier Lot within such range.

### **4. Air Service Parking Promotion Program**

- A. The Executive Director may establish a program in which customers flying on Air Service Promotion Routes (defined below) may be eligible to receive up to five (5) twenty-four (24) hour periods of free parking at the Daily Lot. The length of such program may range from three (3) weeks through three (3) months. Eligible customers must comply with all terms and conditions established by the Executive Director, including, for example, any requirements to register or present a coupon or promotional code.
- B. “Air Service Promotion Routes” are airline routes at the Airport designated by the Executive Director based on the need to promote new air service, attract new airlines, retain existing air service, and/or improve passenger traffic.