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**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

**RESOLUTION APPROVING BUILDING PERMIT
REQUESTED BY FM ADELINE LLC FOR WORK AT 1405
MIDDLE HARBOR ROAD, OAKLAND, AND FINDING
THAT THE PROPOSED ACTION IS EXEMPT UNDER
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated Item No. 2.1 - the Summary Approval for Permit Application (Port Permit No. 33-2024) dated July 6, 2026, - 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 testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board hereby finds and determines that the Work (defined below) to be performed under this building permit is subject to the Initial Study / Negative Declaration filed with Alameda County on June 28, 2024 (State Clearinghouse Number 2023040309), in accordance with the California Environmental Quality Act ("CEQA").

Section 2. 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 the 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: **FM Adeline LLC.**

B. Premises: 1405 Middle Harbor Road, Oakland, California.

C. Estimated Cost: \$750,000.00.

D. Work: Construction of new electric vehicle truck charging depot and associated structures.

E. Sustainability: The Work will facilitate increased usage of zero-emission electric trucks throughout the seaport in accordance with the Port's goal of reducing emissions.

Section 3. Neither this resolution nor the Board's approval of the 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 the Work or with respect to any agreement between the Port and Applicant.

Section 4. 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 5. This resolution shall be effective immediately upon adoption by the Board.