07/23/2026
Item No. 2.1
EJP/pcm
MCR

BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND

RESOLUTION NO. 26-65

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.

At the Regular Meeting held on July 23, 2026
Passed by the following vote:

Ayes: Commissioners Cluver, Leslie, Martinez, Muhammad, Wong, and President Dominguez Walton – 6
Noes: – 0
Excused: Commissioner Myres – 1

BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND

RESOLUTION NO. 26-66

RESOLUTION APPROVING BUILDING PERMIT REQUESTED BY LJB INC. FOR WORK AT 1 SALLY RIDE WAY, 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. 2.2 – the Summary Approval for Permit Application (Port Permit No. 97-2026) dated July 2, 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 categorically exempt from the California Environmental Quality Act ("CEQA") under Section 15301 of the CEQA Guidelines because the proposed action consists of activities that involve negligible or no expansion of an existing use, and under Section 15302 of the CEQA Guidelines because the proposed structure(s) will have substantially the same purpose and capacity as the existing structure(s) on the property.

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: **LJB Inc.**

B. Premises: 1 Sally Ride Way, Oakland, California.

C. Estimated Cost: $400,000.00.

D. Work: Replacement of aircraft crew access platforms at two (2) gates at the FedEx facility located at Oakland San Francisco Bay Airport.

E. Sustainability: Applicant will be encouraged to implement sustainable policies and best management practices during construction.

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.

At the Regular Meeting held on July 23, 2026
Passed by the following vote:

Ayes: Commissioners Cluver, Leslie, Martinez, Muhammad, Wong, and President Dominguez Walton – 6
Noes: – 0
Excused: Commissioner Myres – 1

07/23/2026
Item No. 2.3
EJP/pcm
MCR

BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND

RESOLUTION NO. 26-67

RESOLUTION APPROVING BUILDING PERMIT REQUESTED BY SSA MARINE FOR WORK AT 1579 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. 2.3 – the Summary Approval for Permit Application (Port Permit No. 88-2025) 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 categorically exempt from the California Environmental Quality Act ("CEQA") under Section 15332 of the CEQA Guidelines because the proposed action: (a) is consistent with applicable general plan and zoning designation and policies; (b) occurs within city limits, the site is no more than five acres, and is substantially surrounded by urban uses; (c) the site has no value as habitat for endangered, rare, or threatened species; (d) approval of the proposed action would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) the site can be adequately served by all required utilities and public services.

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: **SSA Marine.**

B. Premises: 1579 Middle Harbor Road, Oakland, California.

C. Estimated Cost: $20,000,000.00.

D. Work: Construction of new heavy duty EV chargers for top picks and utility tractor rigs, as well as associated civil improvements.

E. Sustainability: The Work will facilitate increased usage of zero-emission heavy equipment 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.

At the Regular Meeting held on July 23, 2026
Passed by the following vote:

Ayes: Commissioners Cluver, Leslie, Martinez, Wong, and President Dominguez Walton – 5
Recused: Commissioner Muhammad – 1
Noes: – 0
Excused: Commissioner Myres – 1

BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND

RESOLUTION NO. 26-68

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO AND EXECUTE PRODUCT AND SERVICES AGREEMENTS WITH ZDEVCO, LLC, VOLVO TRUCKS NORTH AMERICA, AND BYD TRUCK, LLC ESTABLISHING THE TRUCK LOANER PROGRAM, EACH FOR A TERM OF TWO YEARS WITH TWO ONE-YEAR OPTIONS TO EXTEND IN AN AGGREGATE AMOUNT NOT TO EXCEED $6,200,000, AND FUNDED BY FEDERAL GRANT FUNDS OF $3,862,500 AND PORT FUNDS OF $2,337,500, 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 the Agenda Report for Agenda Item No. 6.1, dated July 23, 2026, 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 testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board finds and determines that:

A. The proposed action is categorically exempt from the California Environmental Quality Act ("CEQA") under Section 15301 of the CEQA Guidelines because the proposed action consists of activities that involve negligible or no expansion of an existing use; and

B. The proposed action is also exempt under CEQA Guidelines Section 1306 Information Collection. The proposed action will allow participating fleets to evaluate the operational performance and suitability of ZE drayage trucks before making a long-term investment in purchasing them.

Section 2. The Board hereby approves and authorizes the Executive Director to:

A. Enter into product and services agreements with ZDEVCO, LLC, Volvo Trucks North America, and BYD Truck, LLC for procurement of Zero Emissions Drayage Trucks and other services to establish the Truck Loaner Program for a period of two years with two one-year options to extend in an amount not to exceed $6,200,000, funded by Federal grant funds of $3,862,500 and Port funds of $2,337,500, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney; and

B. Enter into any agreements or make any additions, modifications, or corrections necessary to implement the proposed action or to correct errors, subject to the limitations set forth herein, provided that any addition, modification, or correction does not materially differ from the terms and conditions set forth herein and in the Agenda Report, and are approved as to form and legality by the Port Attorney.

Section 3. This resolution 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. This resolution approves and authorizes the execution of a contract in accordance with the terms of this resolution. 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.

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

At the Regular Meeting held on July 23, 2026
Passed by the following vote:

Ayes: Commissioners Cluver, Leslie, Martinez, Muhammad, Wong, and President Dominguez Walton – 6
Noes: – 0
Excused: Commissioner Myres – 1

07/23/2026
Item No.: 6.2
BPQ/pcm
MCH

BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND

RESOLUTION NO. 26-69

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO AWARD AND EXECUTE A CONTRACT WITH GHILOTTI BROS., INC. IN AN AMOUNT NOT-TO-EXCEED $50,687,777 TO CONSTRUCT THE BERTH 24 BACKLANDS REDEVELOPMENT PROJECT AT THE PORT OF OAKLAND OUTER HARBOR TERMINAL; EXECUTE CONTRACT CHANGE ORDERS IN AN AMOUNT NOT-TO-EXCEED $10,137,555; AND FINDING THAT THE PROPOSED ACTION COMPLIES WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AS EVALUATED IN THE 2024 NEGATIVE DECLARATION ADOPTED FOR THE OUTER HARBOR TERMINAL REDEVELOPMENT PROJECT.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 6.2, dated July 23, 2026, 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 testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board finds and determines that:

A. The proposed action complies with the California Environmental Quality Act ("CEQA") as evaluated in the Negative Declaration adopted for the Outer Harbor Terminal Redevelopment Project (SCH No. 2024080230); and

B. The proposed action is for obtaining professional, scientific, or technical services that are temporary in nature, and will not result in the loss of employment or salary by any person having permanent status in the competitive service.

Section 2. The Board hereby approves and authorizes the Executive Director to:

A. Award and execute a contract with **Ghilotti Bros., Inc.** in an amount not-to-exceed $50,687,777 to construct the Berth 24 Backlands Redevelopment Project at the Port of Oakland Outer Harbor Terminal and execute contract change orders in an amount not-to-exceed $10,137,555, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney; and

B. Finally resolve bid protests pursuant to Chapter 5.12 of the Port of Oakland Administrative Code; and

C. Enter into any agreements or make any additions, modifications, or corrections necessary to implement the proposed action or to correct errors, subject to the limitations set forth herein, provided that any addition, modification, or correction does not materially differ from the terms and conditions set forth herein and in the Agenda Report, and are approved as to form and legality by the Port Attorney.

Section 3. The Board further finds that:

A. The Director of Engineering, the Chief Engineer, and the Principal Engineer are each authorized to approve the project manual and plans for each instance of work performed under the Contract in advance of construction, pursuant to Government Code Section 830.6.

B. A bond for the faithful performance of the work, and a bond to guarantee the payment of all claims for labor and materials furnished and for amounts due under the Unemployment Insurance Code, each in the amount of one hundred percent (100%) of the Contract price shall be provided by Contractor as prescribed by applicable laws and regulations and the Contract specifications.

C. The procedure prescribed by applicable laws, regulations, and the Contract specifications shall be taken for the execution of said contract.

Section 4. This resolution 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. This resolution approves and authorizes the execution of a contract in accordance with the terms of this resolution. 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.

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

At the Regular Meeting held on July 23, 2026
Passed by the following vote:

Ayes: Commissioners Cluver, Leslie, Martinez, Muhammad, Wong, and President Dominguez Walton – 6
Noes: – 0
Excused: Commissioner Myres – 1

BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND

RESOLUTION NO. 26-70

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO AWARD AND EXECUTE AN AGREEMENT WITH SPHEROS ENVIRONMENTAL GROUP PARENT INC. ("SPHEROS") TO IMPLEMENT A CLEAN PORTS AIR QUALITY MONITORING PROGRAM FOR AN AMOUNT NOT-TO-EXCEED $2,145,868 FOR A FOUR-YEAR TERM WITH A ONE-YEAR EXTENSION OPTION, BUT IF NEGOTIATIONS WITH SPHEROS ARE UNSUCCESSFUL, AWARD AND EXECUTE AN AGREEMENT WITH THE NEXT HIGHEST RATED FIRM FOR AN AMOUNT NOT-TO-EXCEED $2,145,868; 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 the Agenda Report for Agenda Item No. 6.3, dated July 23, 2026, 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 testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board finds and determines that:

A. The proposed action is categorically exempt from the California Environmental Quality Act ("CEQA") under Section 15306 of the CEQA Guidelines because the proposed action is for basic data collection and information gathering that will not result in a serious or major disturbance to an environmental resource; and

B. The proposed action is for obtaining professional, scientific, or technical services that are temporary in nature, and will not result in the loss of employment or salary by any person having permanent status in the competitive service.

Section 2. The Board hereby approves and authorizes the Executive Director to:

A. Award and Execute an agreement with **Spheros Environmental Group Parent Inc. ("Spheros")** to implement a Clean Ports Air Quality Monitoring Program for a total amount not-to-exceed $2,145,868 for a four-year term with a one-year extension option, but if negotiations with **Spheros** are unsuccessful, award and execute an agreement with the next highest rated firm for an amount not-to-exceed $2,145,868, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney; and

B. Enter into any agreements or make any additions, modifications, or corrections necessary to implement the proposed action or to correct errors, subject to the limitations set forth herein, provided that any addition, modification, or correction does not materially differ from the terms and conditions set forth herein and in the Agenda Report, and are approved as to form and legality by the Port Attorney.

Section 3. This resolution 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. This resolution approves and authorizes the execution of a contract in accordance with the terms of this resolution. 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.

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

At the Regular Meeting held on July 23, 2026
Passed by the following vote:

Ayes: Commissioners Cluver, Leslie, Martinez, Muhammad, Wong, and President Dominguez Walton – 6
Noes: – 0
Excused: Commissioner Myres – 1

07/23/2026
Item No.: 6.4
EJP/pcm

BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND

RESOLUTION NO. 26-71

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXTEND THE MARITIME AND AVIATION PROJECT LABOR AGREEMENT (MAPLA) WITH THE BUILDING AND CONSTRUCTION TRADES COUNCIL OF ALAMEDA COUNTY, AFL-CIO (BTC) FOR ONE YEAR, THROUGH JULY 31, 2027, 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 the Agenda Report for Agenda Item No. 6.4, dated July 23, 2026, 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 testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board 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 the action is not subject to CEQA.

Section 2. The Board hereby approves and authorizes the Executive Director to:

A. Extend the Maritime and Aviation Project Labor Agreement (MAPLA) with the **Building and Construction Trades Council of Alameda County, AFL-CIO (BTC)**, for one (1) year, through July 31, 2027, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney; and

B. Enter into any agreements or make any additions, modifications, or corrections necessary to implement the proposed action or to correct errors, subject to the limitations set forth herein, provided that any addition, modification, or correction does not materially differ from the terms and conditions set forth herein and in the Agenda Report, and are approved as to form and legality by the Port Attorney.

Section 3. This resolution 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. This resolution approves and authorizes the execution of a contract in accordance with the terms of this resolution. 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.

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

At the Regular Meeting held on July 23, 2026
Passed by the following vote:

Ayes: Commissioners Leslie, Martinez, Muhammad, Wong, and President Dominguez Walton – 5
Recused: Commissioner Cluver – 1
Noes: – 0
Excused: Commissioner Myres – 1

07/23/2026
Item No.: 6.5
BPQ/pcm

BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND

RESOLUTION NO. 26-72

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO AWARD AND EXECUTE AN AGREEMENT FOR NATURALIST EDUCATION PROGRAM SERVICES AT MIDDLE HARBOR SHORELINE PARK WITH BETH TEPER, DBA NURTURE NATURE, FOR UP TO TWO YEARS WITH THREE OPTIONAL ONE-YEAR EXTENSIONS, FOR AN AMOUNT NOT-TO-EXCEED $1,010,799 OVER FIVE YEARS; 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 the Agenda Report for Agenda Item No. 6.5, dated July 23, 2026, 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 testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board finds and determines that:

A. The proposed action is not subject to the California Environmental Quality Act ("CEQA") under the general rule of 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 the action is not subject to CEQA; and

B. The proposed action is for obtaining professional, scientific, or technical services that are temporary in nature, and will not result in the loss of employment or salary by any person having permanent status in the competitive service.

Section 2. The Board hereby approves and authorizes the Executive Director to:

A. Award and execute an agreement for Naturalist Education Program Services at Middle Harbor Shoreline Park with Beth Teper, dba **Nurture NATURE**, for up to two years with three optional one-year extensions, for an amount not-to-exceed $1,010,799 over five years, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney; and

B. Enter into any agreements or make any additions, modifications, or corrections necessary to implement the proposed action or to correct errors, subject to the limitations set forth herein, provided that any addition, modification, or correction does not materially differ from the terms and conditions set forth herein and in the Agenda Report, and are approved as to form and legality by the Port Attorney.

Section 3. This resolution 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. This resolution approves and authorizes the execution of a contract in accordance with the terms of this resolution. 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.

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

At the Regular Meeting held on July 23, 2026
Passed by the following vote:

Ayes: Commissioners Cluver, Leslie, Martinez, Muhammad, Wong, and President Dominguez Walton – 6
Noes: – 0
Excused: Commissioner Myres – 1