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**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION APPROVING THE PORT'S PARTICIPATION IN THE JACK LONDON IMPROVEMENT DISTRICT FOR TEN YEARS; APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE AMENDED AND RESTATED JACK LONDON IMPROVEMENT DISTRICT PUBLIC TRUST AGREEMENT FOR A TEN-YEAR SERVICE PERIOD; APPROVING THE PORT SHARE PLAN FOR THE JACK LONDON IMPROVEMENT DISTRICT FOR YEAR 2024; AND AUTHORIZING A PAYMENT OF \$195,070.67 TO THE CITY OF OAKLAND TREASURER FOR YEAR 2023, FOR CERTAIN SERVICES PROVIDED WITHIN THE JACK LONDON DISTRICT.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 6.4, dated October 24, 2024, 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, the Port's participation in the Jack London Improvement District ("JLID") is consistent with the Port's duty to use and manage Port property in trust for the people of the State of California; 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") because the proposed action does not involve an activity that may cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment as further defined in Section 21065 of the Public Resources Code.

Section 2. The Board hereby takes the following actions, as further described in the Agenda Report:

- A. Approves the Port's participation in the JLID for ten (10) years;
- B. Approves and authorizes the Executive Director to execute the Amended and Restated Jack London Improvement District Public Trust Agreement for a ten (10)-year service period;
- C. Approve the Port Share Plan for the JLID for Year 2024;
- D. Authorize payment of \$195,070.67 to the City of Oakland Treasurer for Year 2023, for certain services provided within the Jack London District; and
- E. Execute any agreements or make any additions, modifications, or corrections necessary to implement the proposed actions above 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.