

MR

**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO DISBURSE UP TO \$2,000,000 (TWO MILLION DOLLARS) TO THE ROSE FOUNDATION FOR COMMUNITIES AND THE ENVIRONMENT ("ROSE FOUNDATION") TO ADMINISTER A GRANT MAKING PROGRAM CONSISTENT WITH THE INTENT OF THE WEST OAKLAND COMMUNITY FUND AND AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE ROSE FOUNDATION TO ESTABLISH AND GRANT FUNDS FOR THE WEST OAKLAND COMMUNITY FUND MEMORANDUM OF UNDERSTADING.

**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 6.5, dated October 10, 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**, 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 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 approves and authorizes the Executive Director to:

A. Disburse up to \$2,000,000 (two million dollars) to the Rose Foundation to administer a grant making program consistent with the intent of the West Oakland Community Fund;

B. Enter into the Memorandum of Understanding with the Rose Foundation to establish and grant funds to the West Oakland Community Fund; and

C. 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.

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