



**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 25-75

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO (1) NEGOTIATE AND EXECUTE A GRANT AGREEMENT WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION - FEDERAL HIGHWAY ADMINISTRATION TO ACCEPT A \$4,056,915 "REDUCTION OF TRUCK EMISSIONS AT PORT FACILITIES" GRANT WITH \$1,014,229 OF MATCHING FUNDS, INCLUDING \$168,000 OF PORT FUNDS; (2) EXECUTE ANCILLARY AGREEMENTS WITH EAGLE ROCK AGGREGATES, INC. TO ENABLE GRANT FUNDING; AND (3) EXECUTE A CONTRACT TO PROCURE A CLASS 8 BATTERY ELECTRIC TRUCK AND CHARGER AT A TOTAL COST NOT TO EXCEED \$630,000, AND DESIGNATE AN EXISTING DIESEL POWERED CLASS 8 ELECTRIC TRUCK AS NO LONGER USED, INADEQUATE, OBSOLETE OR WORN-OUT AND THE SALE, DONATION, AND/OR OTHER DISPOSITION OF SUCH OTHER EXISTING VEHICLES; AND FIND THAT THE PROPOSED ACTION COMPLIES WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AS ANALYZED IN THE 2002 OAKLAND ARMY BASE AREA REDEVELOPMENT PLAN ENVIRONMENTAL IMPACT REPORT ("EIR") AND SUPPLEMENTAL EIR TO THE 2002 EIR FOR THE EAGLE ROCK AGGREGATES OAKLAND TERMINAL PROJECT.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 2.1, dated September 11, 2025, 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; and

WHEREAS, on December 16, 2021, the Board of Port Commissioners certified the Supplemental Environmental Impact Report ("SEIR") to the Oakland Army Base Area Redevelopment Plan EIR (SCH No. 2001082058) and adopted CEQA findings, a Mitigation Monitoring and Reporting Program, and a Statement of Overriding Considerations for the proposed action;

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") through the SEIR to the Oakland Army Base Area Redevelopment Plan EIR (SCH No. 2001082058).

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

A. Negotiate and execute a grant agreement with the United States Department of Transportation - Federal Highway Administration to accept a \$4,056,915 "Reduction of Truck Emissions at Port Facilities" grant with \$1,014,229 of matching funds, including \$168,000 of Port funds, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney;

B. Execute ancillary agreements with Eagle Rock Aggregates, Inc. to enable grant funding, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney;

C. Execute a contract to procure a Class 8 battery electric truck and charger at a total cost not to exceed \$630,000, as further described in the Agenda Report;

D. Designate an existing diesel powered Class 8 electric truck as no longer used, inadequate, obsolete or worn-out and the sale, donation, and/or other disposition of such other existing vehicles, as further described in the Agenda Report; and

E. 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 September 11, 2025
Passed by the following vote:

Ayes: Commissioners Dominguez Walton, Leslie, Martinez, Muhammad, Myres, Wong and President Cluver – 7
Noes: – 0



**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 25-76

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO: (1) EXECUTE A CONTRACT TO PROCURE A BATTERY ELECTRIC DIVE BOAT AT A TOTAL COST NOT TO EXCEED \$300,000; (2) DESIGNATE AN EXISTING GAS POWERED DIVE BOAT AND TRAILER AS NO LONGER USED, INADEQUATE, OBSOLETE OR WORN-OUT AND THE SALE, DONATION AND/OR OTHER DISPOSITION OF SUCH EXISTING VEHICLE THROUGH A VARIETY OF MEANS, INCLUDING SURPLUS SALE, DONATION, SCRAPPING, RECYCLING, DESTRUCTION, AND ABANDONMENT IN ACCORDANCE WITH PORT OF OAKLAND ADMINISTRATIVE CODE SECTION 5.12.160; AND (3) FIND 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. 2.2, dated September 11, 2025, 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 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.

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

A. Execute a contract to procure a battery electric dive boat at a total cost not to exceed \$300,000, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney.

B. Designate an existing gas powered dive boat and trailer as no longer used, inadequate, obsolete or worn-out and dispose of such existing vehicle in accordance with Port of Oakland Administrative Code Section 5.12.160, as further described in the Agenda Report.

C. Make any additions, modifications, or corrections necessary to execute the requested actions 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 September 11, 2025

Passed by the following vote:

Ayes: Commissioners Dominguez Walton, Leslie, Martinez, Muhammad, Myres, Wong and President Cluver – 7

Noes: – 0

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

9/11/2025
Item No.: 6.5
EJP/pcm



RESOLUTION NO. 25-77

**RESOLUTION APPROVING THE PORT SHARE PLAN
FOR THE JACK LONDON IMPROVEMENT DISTRICT
FOR YEAR 2025; AUTHORIZING A PAYMENT OF
\$251,362.09 FOR YEAR 2024 AND \$263,930.18
FOR YEAR 2025 TO THE CITY OF OAKLAND
TREASURER FOR CERTAIN SERVICES PROVIDED
WITHIN THE JACK LONDON DISTRICT; 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 September 11, 2025, 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") 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 takes the following actions, as further described in the Agenda Report:

A. Approve the Port Share Plan for the JLID for Year 2025;

B. Authorize payment of \$251,362.09 for Year 2024 and \$263,930.18 for Year 2025 to the **City of Oakland Treasurer** for certain services provided within the Jack London District; and

C. 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.

At the Regular Meeting held on September 11, 2025

Passed by the following vote:

Ayes: Commissioners Dominguez Walton, Leslie, Martinez, Muhammad, Myres, Wong and President Cluver – 7

Noes: – 0



**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 25-78

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A THIRD PHASE AGREEMENT BY AND AMONG THE NORTHERN CALIFORNIA POWER AGENCY ("NCPA") AND NCPA PARTICIPANTS FOR ENERGY STORAGE SERVICE AGREEMENT WITH TROLLEY PASS PROJECT LLC FOR THE PURCHASE OF ENERGY STORAGE PRODUCTS FOR A DELIVERY TERM OF 20 YEARS, FOR A TOTAL COST NOT TO EXCEED \$13.3 MILLION; 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 Agenda Report Item 6.6 dated September 11, 2025, 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, 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 RESOLVED 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. The development, construction, and operation of the Trolley Pass energy storage system facility is not dependent upon the Port entering into a purchase agreement. Additionally, any Port purchase agreement for energy storage products does not grant any land use entitlements, does not allow operation of the project, and does not in any way authorize use of the project.

Section 2. The Board hereby:

A. Approves the Port entering into a Third Phase Agreement ("Third Phase Agreement") with the NCPA and NCPA Participants for Energy Storage Service Agreement ("ESSA") with Trolley Pass Project LLC, which would obligate the Port to purchase up to four megawatts (MW) of battery energy storage products from Trolley Pass Project LLC, for a delivery term of 20 years and an anticipated commercial operation date of June 1, 2029, at a total cost not to exceed \$13.3 million. This Third Phase Agreement will allow NCPA to enter into an ESSA with Trolley Pass Project LLC. The ESSA contains a storage rate of \$12.71/kW-month for the 20-year term, allowing for a pre-approved contract price increase cap of up to 6% for certain defined events.

B. Authorizes the Executive Director to (i) execute the Third Phase Agreement, subject to approval as to form and legality by the Port Attorney, and (ii) make such additions, modifications, or corrections as necessary to implement the agreement, provided that any such addition, modification, or correction does 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 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 an agreement(s) in accordance with the terms of this resolution. Unless and until a separate written agreement(s) is duly executed on behalf of the Board as authorized by this resolution, is signed and approved as to form and legality by the Port Attorney, and is delivered to the contracting party, there shall be no valid or effective agreement(s).

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

At the Regular Meeting held on September 11, 2025

Passed by the following vote:

Ayes: Commissioners Dominguez Walton, Leslie, Martinez, Muhammad, Myres, Wong and President Cluver – 7

Noes: – 0



**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 25-79

**RESOLUTION APPROVING AND AUTHORIZING THE
EXECUTIVE DIRECTOR OR HER DESIGNEE TO
SUBMIT TO THE CALIFORNIA ENERGY COMMISSION
AN ATTESTATION OF THE VERACITY OF THE PORT
OF OAKLAND'S POWER SOURCE DISCLOSURE
REPORT AND THE POWER CONTENT LABEL FOR
CALENDAR YEAR 2024; AND FINDING THAT THE
ACTION IS EXEMPT UNDER THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT.**

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated Agenda Report Item 6.7 dated September 11, 2025, 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, 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 RESOLVED AS FOLLOWS:

Section 1. Based upon the information contained in the Agenda Report and in testimony received, the Board hereby finds and determines that the proposed action is categorically exempt from the California Environmental Quality Act ("CEQA"), because the proposed action is not subject to 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, which relates to an attestation and disclosure of information, will not have a significant effect on the environment and therefore is not a "project" under CEQA.

Section 2. The Board hereby finds and declares the following:

A. Section 398.5 of the California Public Utilities Code requires retail suppliers in the State of California to annually report to the California Energy Commission ("CEC"), among other things, the sources of energy or electricity products offered to the retail suppliers' end-use customers. The Port is a retail supplier within the meaning of Section 398.5.

B. Section 1394(a), Article 5, Title 20 of the California Code of Regulations requires an attestation, signed by an authorized agent of the retail supplier under penalty of perjury, that the electricity claimed by the retail supplier as a specified purchase during the previous calendar year was sold once and only once to retail customers of that retail supplier, and that information included in the report, is true and correct.

C. Port staff have prepared the Report detailing the sources of generation, fuel type, and quantity of generation purchased from specified facilities in 2024. Also included in the Report is a schedule showing the amount of renewable energy credits used to meet compliancy that is unbundled from the energy the generator produces and the Power Content Label showing the mix of energy generation sources in the Port's power supply. Port staff submitted the Report to the CEC in June 2025.

Section 3. The Board hereby authorizes the Executive Director or her designee to submit to the CEC an attestation of the veracity of the Port's Power Source Disclosure Report and Power Content Label.

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 does not approve and authorize the execution of any agreement(s).

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

At the Regular Meeting held on September 11, 2025

Passed by the following vote:

Ayes: Commissioners Dominguez Walton, Leslie, Martinez, Muhammad, Myres, Wong and President Cluver – 7

Noes: – 0



**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 25-80

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH CAMBRIDGE SYSTEMATICS, INC. TO PROVIDE ENVIRONMENTAL FEDERAL GRANT ADMINISTRATION SUPPORT FOR A TOTAL COMBINED AMOUNT NOT TO EXCEED \$2,500,000 FOR A TERM OF UP TO FIVE (5) YEARS AND APPROVING THE INCLUSION OF \$9,450,312 IN REIMBURSABLE CLEAN HEAVY-DUTY VEHICLE PROGRAM OPERATING EXPENSES AND CORRESPONDING GRANT REVENUES IN THE PORT'S NON-OPERATING BUDGET FOR FISCAL YEAR 2026; 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. 6.8, dated September 11, 2025, 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 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 approves and authorizes the Executive Director to:

A. Enter into an agreement with Cambridge Systematics, Inc. to provide Environmental Federal Grant Administration Support for a total combined amount not to exceed \$2,500,000 for a term up to five (5) years, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney;

B. Approve the inclusion of \$9,450,312 in reimbursable Clean Heavy-Duty Vehicle Program operating expenses and corresponding grant revenues in the Port's non-operating budget for Fiscal Year 2026, as further described in the Agenda Report; 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. 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 September 11, 2025
Passed by the following vote:

Ayes: Commissioners Dominguez Walton, Leslie, Martinez, Muhammad, Myres, Wong and President Cluver – 7
Noes: – 0