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**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

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.

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