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**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

**RESOLUTION APPROVING PERMIT APPLICATION BY  
CLEAN ENERGY FUELS TO INSTALL A CANOPY AT  
NORTH FIELD FUEL STATION.**

**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated the Summary Sheet for Permit Application, Item No. 2.10, dated June 8, 2017 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 related agenda materials and in testimony received;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

**SECTION 1.** In reliance upon the representations and certifications set forth upon and submitted with an application by **Clean Energy Fuels** ("Applicant") for a building permit to install a canopy over an existing CNG fuel station at North Field at 7855 Earhart Road, Oakland, California ("Premises") at an estimated cost of \$154,000, 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 authorizes the Executive Director to approve the building permit for work related to installation of a new canopy structure at the Premises; the canopy will be approximately 35 x 40 feet and installed over an existing CNG fuel station at the Premises.

**SECTION 2.** The Board hereby finds and determines that the work to be performed under this building permit was reviewed pursuant to the California Environmental Quality Act ("CEQA") and the Port CEQA Guidelines, and the proposed work has been determined to be exempt from the requirements of CEQA pursuant to Section 15301, Class 1(a)&(e) of the Port CEQA Guidelines.

**SECTION 3.** (a) Neither this resolution nor the Board's approval of said 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 said work or with respect to any agreement between the Port and Applicant; and (b) 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 Board.

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

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