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**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

**RESOLUTION APPROVING CONSENT TO CHANGE IN
CONTROL OF TASTE, INC. OPERATING AS VINO
VOLO AND ASSIGNMENT OF SPACE/USE PERMIT
FOR SPECIALTY RETAIL/WINE BAR CONCESSION
FROM THE CURRENT SHAREHOLDERS TO HOJEIJ
BRANDED FOODS, LLC.**

WHEREAS, the Board has reviewed and evaluated the Agenda Report Item No. 2.1 dated June 22, 2017 ("Agenda Report") and related agenda materials, has received the expert testimony of Port staff, and has provided opportunities for and taken public comment;

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 related agenda materials and in testimony received; and

WHEREAS, on July 7, 2009, the Board of Port Commissioners ("Board") approved the Space/Use Permit for Specialty Retail/Wine Bar Concession ("SUP") with Taste Inc. dba Vino Volo ("Vino Volo");

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. Based upon the information contained in the Agenda Report and testimony received, the Board hereby:

A. Consents to the change in control of Vino Volo and assignment of the SUP to Hojeij Branded Foods, LLC;

B. Waives the requirement of payment of Bonus Value contractually obligated for such consent; and

C. Authorizes the Executive Director to execute the appropriate documentation to effect the transaction, subject to approval as to form and legality by the Port Attorney.

SECTION 2. 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 Board. Unless and until a separate written agreement 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 agreement.

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