

## BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

### RESOLUTION APPROVING BUILDING PERMIT REQUESTED BY PACIFIC MARITIME ASSOCIATION.

**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated Item No. 2.6 - the Summary Sheet for Permit Application (Port Permit No. 5161) dated November 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 the Applicant for a building permit to perform certain work at the Premises, 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 the following work:

- A. Applicant: Pacific Maritime Association
- B. Premises: 1 Jefferson Street, Howard Terminal, Oakland, California
- C. Estimated Cost: \$30,000
- D. Work: Installation of two new modular buildings on the leased premises: one for classrooms and the other for restroom facilities. The work will include tie-downs staked in the ground, entrance modifications, and utility connections (the sewer connection will include an underground section of approximately 25 feet while the other utilities will be above ground.)

**SECTION 2.** The Board hereby finds and determines that the Port complies with the California Environmental Quality Act ("CEQA") because the Port, as the Responsible Agency, has determined the work to be performed under this building permit is addressed by a Negative Declaration prepared by the Department of Toxic Substances Control in 2002 pursuant to Section 15096 of the CEQA Guidelines, which Initial Study/Negative Declaration is available at [www.envirostor.dtsc.ca.gov](http://www.envirostor.dtsc.ca.gov) for the Howard Marine Terminal Site.

**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.