

## BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

### RESOLUTION APPROVING AND AUTHORIZING ADDITIONAL DESIGN BUDGET IN THE AMOUNT NOT TO EXCEED \$130,000 FOR THE LIFT STATION NO. 2 CAPITAL IMPROVEMENTS PROJECT AT OAKLAND INTERNATIONAL AIRPORT.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.3 dated May 24, 2018 ("Agenda Report") and related agenda materials, has received the expert testimony of Port of Oakland ("Port") staff, and has provided opportunities for and taken public comment; and

WHEREAS, the Board previously authorized a design budget of \$410,000 for the **Lift Station No. 2 Capital Improvements Project at Oakland International Airport ("Lift Station 2 Project")**; 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 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 testimony received, the Board finds that:

A. It is in the best interest of the Port to approve and authorize additional design budget authorization of \$130,000 for the **Lift Station 2 Project**.

B. The proposed design budget authorization was reviewed in accordance with the requirements of the California Environmental Quality Act ("CEQA"), and the Port CEQA Guidelines. CEQA only applies to activities that have a potential for causing a significant effect on the environment. The proposed action will not result in a physical change to the environment and therefore is exempt from CEQA and no further environmental review is required.

**SECTION 2.** The Board hereby approves and authorizes an increase in the design budget authorization for the **Lift Station 2 Project** of \$130,000, for a total design project budget of \$540,000.

**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 Board. 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 other contracting party, there shall be no valid or effective agreement(s).

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