

BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO
ACCEPT GRANT FUNDING FROM THE DEPARTMENT OF HOMELAND
SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY FOR
PORT SECURITY GRANT FUNDING FOR TWO PORT SECURITY
PROJECTS IN THE AMOUNT OF \$1,350,000.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.1 dated October 25, 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, 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 hereby finds and determines that:

A. It is in the best interest of the Port to approve the acceptance of grants awarded by the Department of Homeland Security Federal Emergency Medical Agency ("DHS/FEMA") for support of two security initiatives: (1) Port Security Operations Center staffing and (2) Maritime Security Surveillance System major maintenance and repair projects ("Port Security Projects").

B. The proposed action to accept the DHS/FEMA grant was reviewed in accordance with the requirements of the California Environmental Quality Act ("CEQA"), and the Port CEQA Guidelines. The Port Security Projects were determined to be exempt from CEQA at the time the projects initially approved by the Board. This action to accept grant funding for these Port Security Projects is not subject to additional environmental review under CEQA.

SECTION 2. The Board hereby:

A. Approve the acceptance of grants awarded by DHS/FEMA for the Port Security Projects.

B. Authorizes the Executive Director to submit documents and accept DHS/FEMA grants on behalf of the Board, and to execute and submit all documents which may be necessary or convenient to complete said applications when said grant offers are released. The Secretary of the Board is hereby authorized and directed to attest to the execution of such grant agreements, if deemed necessary.

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 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.

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