

EP 4/18

BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

RESOLUTION APPROVING BUILDING PERMIT REQUESTED BY SSA TERMINALS, LLC.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated Item No. 2.1 - the Summary Sheet for Permit Application (Port Permit No. 5224) dated April 10, 2019 - 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 (defined below) for a building permit to perform certain work at the Premises (defined below), 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 approves the building permit for the following work:

- A. Applicant: **SSA Terminals, LLC.**
- B. Premises: 2505 Middle Harbor Road, Oakland, California.
- C. Estimated Cost: \$125,000.00.
- D. Work: Demolition of entrance canopy, including removal of three booths, foundations, bollards, and all aboveground structures. The area will be repaired or repaved for equipment parking.

E. Sustainability: This project will generate concrete and metal debris that will be recycled or disposed of in accordance with city and state construction debris disposal requirements, as applicable. No other sustainability measures are being considered for this project.

SECTION 2. The Board hereby finds and determines that the work to be performed under this building permit is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") and the Port CEQA Guidelines under Section 15301, Class 1(1), which exempts the demolition and removal of certain individual small structures.

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 Port.

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