

BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

RESOLUTION APPROVING BUILDING PERMIT REQUESTED BY SEAFARER'S MINISTRY OF THE GOLDEN GATE (SMGG).

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated Item No. 2.4 - the Summary Sheet for Permit Application (Port Permit No. 5231) dated May 9, 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: Seafarer's Ministry of the Golden Gate (SMGG).
- B. Premises: 4001 7th Street, Oakland, California.
- C. Estimated Cost: \$5,000.00.

D. Work: Installation of a sculpture on a new 6'x6' concrete pad adjacent to the Maritime Center building. The proposed installation is outside the 100-foot shoreline band, but Applicant will obtain BCDC approval if required. The sculpture will serve as a memorial to merchant marine veterans, other mariners who have lost their lives at sea, and to all seafarers on ships coming into Oakland. The sculpture's artist is Bosun James Allen King, an active seafarer and member of the Sailors Union of the Pacific.

E. Sustainability: No sustainability measures are being considered outside the scope of 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 15303, Class 3(e), which exempts the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

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.