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## BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE ALL DOCUMENTS, INCLUDING AN OTHER TRANSACTION AGREEMENT AND A STATEMENT OF JOINT OBJECTIVES, TO PARTICIPATE IN THE TRANSPORTATION SECURITY ADMINISTRATION'S ("TSA") LAW ENFORCEMENT OFFICER REIMBURSEMENT PROGRAM FOR THREE YEARS COMMENCING APRIL 2020, WHICH MAY BE EXTENDED AT TSA'S DISCRETION, FOR AN ESTIMATED PARTIAL REIMBURSEMENT OF \$343,100 PER YEAR.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 2.3, dated January 23, 2020 ("Agenda Report") and related materials, has received the expert testimony of Port of Oakland ("Port") staff, and has provided opportunities for and taken public comment; now, therefore, be it

RESOLVED, based upon the information contained in the Agenda Report, the Board hereby authorizes the Executive Director to execute all necessary Law Enforcement Officer ("LEO") Reimbursement Program documents with the Transportation Security Administration ("TSA"), including the TSA's Other Transaction Agreement and Statement of Joint Objectives for three years (starting April 2020), which may be extended at TSA's discretion, for an estimated partial reimbursement of \$343,100 per year, subject to approval as to form and legality by the Port Attorney, as more fully set forth in the Agenda Report; and be it

FURTHER RESOLVED, the Board hereby finds that there is no possibility that participating in the TSA's LEO Reimbursement Program will have a significant effect on the environment, and is therefore not a "Project" under the California Environmental Quality Act (CEQA), and is not subject to CEQA under the General Rule Exclusion in Section 15061(b)(3) of the Guidelines which states that CEQA applies only to projects that have a potential for causing a significant effect on the environment; and be it

**FURTHER RESOLVED**, that 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 one or more agreements in accordance with the terms of this resolution. Unless and until separate written agreements are duly executed on behalf of the Board as authorized by this resolution, are signed and approved as to form and legality by the Port Attorney, and are delivered to the other contracting party, there shall be no valid or effective agreements; and be it

**FURTHER RESOLVED**, that in acting upon the matters contained herein, 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 materials and in testimony received.

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