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BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

RESOLUTION APPROVING AND AUTHORIZING THE AVIATION DIRECTOR TO APPLY FOR AND THE EXECUTIVE DIRECTOR TO ACCEPT FEDERAL AVIATION ADMINISTRATION AIRPORT IMPROVEMENT PROGRAM ("AIP") GRANTS FOR FEDERAL FISCAL YEAR 2020 FOR THE AIRPORT GEOMETRY STUDY AND AIRPORT LAYOUT PLAN UPDATE, AIRPORT PAVEMENT MANAGEMENT PLAN, TAXIWAY BRAVO REHABILITATION AND TAXIWAY VICTOR REHABILITATION PROJECTS.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.1 dated February 27, 2020 ("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 finds that it is in the best interest of the Port to approve the submittal and acceptance of Federal Aviation Administration Airport Improvement Program ("FAA AIP") grant applications to the Federal Aviation Administration for Federal Fiscal Year 2020 for the following projects: **Airport Geometry Study and Airport Layout Plan Update, Airport Pavement Management Plan, Taxiway Bravo Rehabilitation, and Taxiway Victor Rehabilitation ("AIP FFY 2020 Projects")**.

SECTION 2. The Board hereby approves the submission of and acceptance of FAA AIP grants for the **AIP FFY 2020 Projects**.

SECTION 3. The Board hereby authorizes:

(A) The Director of Aviation of the Port of Oakland ("Aviation Director") to apply for and submit grant applications and other documents for the **AIP FFY 2020 Projects** on behalf of said Board, and to execute and submit all documents which may be necessary or convenient to complete

said applications when said Grant Offers are released by the FAA for Federal Fiscal Year 2020.

(B) The Executive Director of the Port of Oakland ("Executive Director") to accept and execute grant agreements and other documents for the **AIP FFY 2020 Projects** on behalf of said Board, and to execute and submit all documents which may be necessary or convenient to complete said acceptance once the Grant Offer or applicable documents are released by the FAA for the Federal Fiscal Year 2020. The Secretary of the Board ("Secretary") is hereby authorized and directed to attest to the execution of such grant agreements, if deemed necessary.

SECTION 4. This action to apply for and accept grants for the AIP FFY 2020 Projects was reviewed in accordance with the California Environmental Quality Act ("CEQA") and the CEQA Guidelines. The general rule in Section 15061(b)(3) of the CEQA Guidelines states that CEQA applies only to activities that have a potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that the proposed action will result in a physical change in the environment, and therefore it is not subject to CEQA and no further environmental review is required.

SECTION 5. 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).