

West Oakland Sustainable Port Collaborative & Port of Oakland Partnership Agreement Re: Planning and Grants Coordination for Seaport Transition to Electrification and Zero-Emissions and For Community Environmental Benefits

I. Background

The community of West Oakland has pursued a steady course of revitalization aimed at sustainable development and public health over the last several decades. Despite these efforts, the West Oakland community continues to face disproportionate impacts to both human health and the environment.

The Port of Oakland is a key economic engine for the Bay Area region and the State of California, including the West Oakland community. The Port, working with community representatives from the West Oakland Environmental Indicators Project, as well as other public interest and environmental partners, is committed to tackling air pollution and working to transition the Port's operations to zero-emissions while improving the quality of life for its West Oakland neighbors. At the same time, transitioning to clean energy, especially considering significant State and federal funding, presents key opportunities for the Port to secure important investments to accelerate its modernization and sustainability. Grant funding and planning for electrification at the Seaport through zero-emissions technologies, supporting infrastructure, and zero-emissions energy (collectively, "zero-emissions") is an important area for collaboration between the Port, West Oakland residents, and community groups.

II. The West Oakland Port Electrification Partnership (the "Partnership")

The Partnership consists of the City of Oakland, a municipal corporation, acting by and through its Board of Port Commissioners ("Port"), and the following groups in the West Oakland Sustainable Port Collaborative (the "WOSPC Partners"): West Oakland Environmental Indicators Project ("WOEIP"), Earthjustice, the Union of Concerned Scientists ("UCS"), the Environmental Defense Fund ("EDF"), the East Bay Community Energy Authority ("EBCE"), and UC Berkeley Goldman School of Public Policy ("UCB"). Additional groups in the West Oakland Sustainable Port Collaborative may join the Partnership upon request and amendment of this agreement by the other members of the Partnership.

III. Goals Statement

It is the intent of this Partnership to foster collaboration among members in order to accelerate the Port's near- and long-term transition to zero-emissions and to support and foster the Port's operation as a sustainable, healthy, and economically supportive neighbor to the West Oakland community. As a result, the Partners agree that their voluntary efforts are focused on the following specific objectives ("Partnership Objectives"):

1. To build the WOSPC Partners' capacity to engage in matters related to transitioning the Port from fossil fuel-powered stationary and mobile sources of emissions to zero-emissions and to enhance the WOSPC Partners' understanding of planning and funding opportunities applicable to the Port's Seaport operations.
2. To enhance the Port's capacity to effectively and meaningfully engage with public interest stakeholders in West Oakland and incorporate stakeholder feedback into zero-emissions projects and planning.

3. To coordinate regarding development of electrification and zero-emissions plans at the Port, including a comprehensive electrification planning document for the Port, that outline the vision and major elements of electrification as an important strategy for the transition to zero-emissions at the Port.
4. To enhance the Port's capacity to take advantage of increasing zero emissions grant funding opportunities at the local, State, and federal levels and identify, develop, and successfully implement grant-funded projects that fulfill elements of the comprehensive electrification planning document that improve both West Oakland and the Port's air quality and climate and economic resilience.
5. To identify projects that provide environmental and associated benefits and address historical burdens to the West Oakland community, and further the legal and statutory missions of the Port, and to jointly pursue funding for such projects.

IV. Principles for Partnership

To achieve the goals of the Partnership, Partners are expected to:

- Share non-confidential data and information in order to assist the Port and the Partnership as a whole in meeting the goals listed in Section III.
- Keep each other informed of actions, initiatives, and legislation or regulations that may contribute to the goals, including grant funding opportunities and grant applications relevant to and/or pursued by the Port.
- Coordinate activities to enable proactive engagement and mutual understanding about top priorities for future funding opportunities for the Port.
- Identify obstacles to achieving goals and develop solutions to overcome them.
- Think creatively about how Partners can work together to utilize respective resources and advocacy to make a difference in the wellbeing of the West Oakland community.
- Respect each other's individual roles and contributions and any limitations a Partner may have with regard to resources.
- Share relevant information and updates related to West Oakland among Partners.

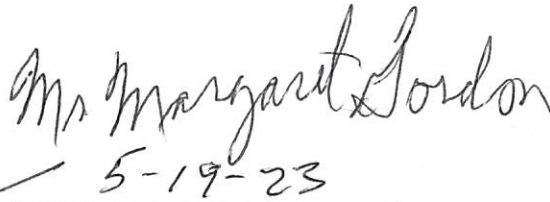
V. Administrative and Communications Protocol

To achieve the goals of the Partnership, the Partners are expected to:

1. Participate in monthly meetings focused on eliminating stationary and mobile sources of freight pollution at the Seaport and in the West Oakland community. WOEIP and the Port will jointly develop the agendas for the meetings. At the request of WOEIP or the Port, additional ad hoc meetings may be scheduled as needed and as practicable recognizing the short turnaround time of funding opportunities and need for more timely discussion.
2. Work together to create a forward-looking calendar of funding opportunities that the Port may pursue in order to fulfill elements of the Port's comprehensive electrification planning document or the Port's zero-emissions objectives in order to facilitate application development and support for grant applications for the Port.
3. The Port and WOSPC Partners will inform each other of funding opportunities for the Port that would further Partnership Objectives. When possible, the Port will notify the WOSPC Partners when the Port intends to explore the possibility of applying for a funding opportunity that furthers one or more Partnership Objectives.

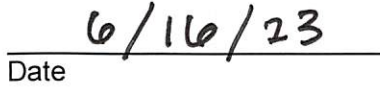
West Oakland Sustainable Port
Collaborative Partners


West Oakland Environmental
Indicators Project


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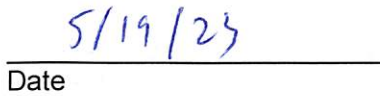
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Earthjustice


6/16/23

Date


East Bay Community Energy
Authority

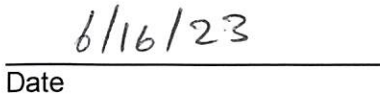

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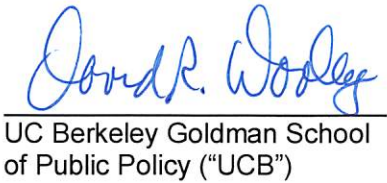
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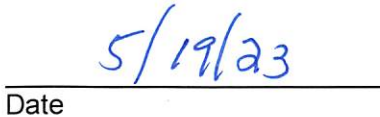

Inder Khalsa, EBCE General Counsel


Environmental Defense Fund


6/16/23

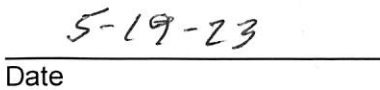
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UC Berkeley Goldman School
of Public Policy ("UCB")


5/19/23

Date


Union of Concerned Scientists


5-19-23

Date

4. Partners will endeavor to support the Port's applications to secure grants to further one or more Partnership Objectives, including providing letters of support for grant applications upon reasonable notice and review and providing timely feedback on the project applications considering application deadlines. The Port and WOSPC Partners will mutually provide each other reasonable opportunities to review and provide feedback considering application deadlines on grant proposal applications for the Port, including suggested modifications or additions.
5. In the case of disagreement regarding WOSCP Partner feedback, the Partners will work together in good faith to discuss and attempt to resolve the issue prior to application submission.

VI. Duration

Initial commitments by Partners will be from June 16, 2023 through December 31, 2023, which may be extended by a written amendment to this Agreement by Partners. The Partners will jointly review the effectiveness of the Partnership after six months from the start date.

VII. Good Faith Collaboration

The Port retains the sole discretion to determine whether, or not, to proceed with a Port grant application submission or grant-funded project, in the event that the Parties cannot resolve their concerns or disagreements regarding Port projects. This agreement reflects a voluntary effort that does not create any legally binding rights or obligations. The Partners are not making any funding, contractual, programmatic, or other commitments or decisions on behalf of their respective agencies/organizations by entering into this non-binding agreement.

In the spirit of collaboration and collective problem-solving, the Partners agree to the statements outlined in this agreement and to resolve to work together to demonstrate how multiple stakeholders working in concert can achieve meaningful improvements in environmental protection for communities such as West Oakland.


Port of Oakland
CITY OF OAKLAND,
a municipal corporation,
acting by and through its
Board of Port Commissioners,

By: _____


DANNY WAN, Executive Director

Approved as to form and legality:

By: _____


MARY C. RICHARDSON, Port Attorney
(Or Assistant Port Attorney or Deputy Port
Attorney signing on behalf of)