

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

10/24/2024
Item No.: 2.1
CT/pcm

McR

RESOLUTION NO. 24-82

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH COVENANT AVIATION SECURITY, LLC TO EXTEND THE EXISTING AGREEMENT FOR TWO YEARS TO AUGUST 31, 2027, WITH NO INCREASE IN MAXIMUM COMPENSATION AND FINDING THAT THE PROPOSED ACTION IS EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, the Board of Port Commissioners ("Board"), has reviewed and evaluated the Agenda Report Item 2.1, dated October 24, 2024 ("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, that the Board finds and determines that the proposed action is categorically exempt from the California Environmental Quality Act ("CEQA") under Section 15301 of the CEQA Guidelines because the proposed action consists of activities that involve negligible or no expansion of an existing use; and be it

FURTHER RESOLVED, that the Board hereby approves the terms and conditions of an amendment to the agreement with Covenant Aviation Security, LLC ("Covenant") to provide screening, inspection and security guard services at the San Francisco Bay Oakland International Airport, to extend the existing agreement for two years to August 31, 2027, with no increase in maximum compensation, as more fully described and set forth in the Agenda Report; and be it

FURTHER RESOLVED, that the Board hereby authorizes the Executive Director to execute such amendment with Covenant, subject to review and approval as to form and legality by the Port Attorney, and make any additions, modifications, or corrections necessary to implement the proposed action or to correct errors, subject to the limitations set forth herein, provided that any addition, modification, or correction does not materially differ from the terms and conditions set forth herein and in the Agenda Report, and are approved as to form and legality by the Port Attorney; and be it

FURTHER RESOLVED, that this resolution is not evidence of and does not create or constitute (a) a contract(s), 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 Port. This resolution approves and authorizes the execution of an agreement in accordance with the terms of this resolution. Unless and until a separate written agreement 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 the other contracting party, there shall be no valid or effective agreement; 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; and be it

FURTHER RESOLVED, this resolution shall be effective immediately upon adoption by the Board.

At the Regular Meeting held on October 24, 2024

Passed by the following vote:

Ayes: Commissioners Cluver, Dominguez Walton, Leslie, Martinez, Myres and President Colbruno – 6

Excused: Commissioner Lee – 1

Noes: – 0

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

10/24/2024
Item No.: 2.2
CT/pcm



RESOLUTION NO. 24-83

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN AMENDMENT TO THE LETTER OF AGREEMENT WITH THE SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT TO EXTEND THE TERM THROUGH DECEMBER 31, 2029, FOR THE PORT TO PROVIDE BART AS-NEEDED BUS SERVICE AND FINDING THAT THE PROPOSED ACTION IS EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, the Board of Port Commissioners ("Board"), has reviewed and evaluated the Agenda Report Item 2.2, dated October 24, 2024 ("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, that the Board finds and determines that the proposed action is categorically exempt from the California Environmental Quality Act ("CEQA") under Section 15301 of the CEQA Guidelines because the proposed action consists of activities that involve negligible or no expansion of an existing use; and be it

FURTHER RESOLVED, that the Board hereby approves the terms and conditions of an amendment to the letter of agreement with the San Francisco Bay Area Rapid Transit District ("BART") to provide as-needed bus service between the Coliseum BART station and the San Francisco Bay Oakland International Airport, at the hourly rates set forth below, through December 31, 2029, subject to cancellation by either party with 30-day notice, as more fully described and set forth in the Agenda Report; and be it

FURTHER RESOLVED, that the hourly rates for the bus bridge transit service shall be as follows:

BART Bus Bridge Rates¹

Service Scenario	Regular Day	Holiday
	<u>Hourly Rates</u>	<u>Hourly Rates</u>
<u>One-Bus Operation</u>		
Fee per First Hour	\$ 185	\$ 267
Fee per Add'l Hour	\$ 131	\$ 194
<u>Two-Bus Operation</u>		
Fee per First Hour	\$ 272	\$ 425
Fee per Add'l Hour	\$ 223	\$ 326; and be it

¹ Rates are calculated by Aviation staff and include costs for Port and contractor labor, overhead, maintenance and fuel. Rates shall be adjusted on January 1st of each year during the Extension Term. The rate adjustment shall be based on Consumer Price Index (CPI) as published by US Bureau of Labor Statistics for the San Francisco Bay Area for the previous 12-month period.

FURTHER RESOLVED, that the Board hereby authorizes the Executive Director to execute such amendment, subject to review and approval as to form and legality by the Port Attorney, and make any additions, modifications, or corrections necessary to implement the proposed action or to correct errors, subject to the limitations set forth herein, provided that any addition, modification, or correction does not materially differ from the terms and conditions set forth herein and in the Agenda Report, and are approved as to form and legality by the Port Attorney; and be it

FURTHER RESOLVED, that this resolution is not evidence of and does not create or constitute (a) a contract(s), 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 Port. This resolution approves and authorizes the execution of an agreement in accordance with the terms of this resolution. Unless and until a separate written agreement 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 the other contracting party, there shall be no valid or effective agreement; 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; and be it

FURTHER RESOLVED, this resolution shall be effective immediately upon adoption by the Board.

At the Regular Meeting held on October 24, 2024
Passed by the following vote:

Ayes: Commissioners Cluver, Dominguez Walton, Leslie, Martinez, Myres and President Colbruno – 6
Excused: Commissioner Lee – 1
Noes: – 0



**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 24-84

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO (1) NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH NAVISITE LLC FOR MANAGED SERVICES AND OPERATIONAL SUPPORT FOR ORACLE E-BUSINESS SUITE ON THE ORACLE CLOUD INFRASTRUCTURE PLATFORM FOR A FIVE-YEAR TERM WITH TWO ONE-YEAR OPTIONS TO EXTEND AND A MAXIMUM COMPENSATION NOT TO EXCEED \$2,087,000; AND (2) IF NEGOTIATIONS WITH NAVISITE LLC ARE UNSUCCESSFUL, NEGOTIATE WITH THE NEXT HIGHEST RATED FIRMS IN ORDER OF RANKING UNTIL AN AGREEMENT IS REACHED, AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT FOR A MAXIMUM COMPENSATION NOT TO EXCEED \$2,900,000.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 2.3, dated October 24, 2024, and related agenda materials ("Agenda Report"), 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 testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board finds and determines that:

A. The proposed action is not subject to the California Environmental Quality Act because the proposed action does not involve an activity that may cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment as further defined in Section 21065 of the Public Resources Code.

B. The proposed action is for obtaining professional, scientific, or technical services that are temporary in nature, and will not result in the loss of employment or salary by any person having permanent status in the competitive service.

Section 2. The Board hereby approves and authorizes the Executive Director of the Port to:

A. Negotiate and execute a professional services agreement with Navisite LLC for managed services and operational support for Oracle E-Business Suite on the Oracle Cloud Infrastructure Platform for a five-year term with two one-year options to extend and a maximum compensation not to exceed \$2,087,000, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney.

B. If negotiations with Navisite LLC are unsuccessful, negotiate with the next highest rated firms in order of ranking until an agreement is reached, and execute a professional services agreement for a maximum compensation not to exceed \$2,900,000, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney.

C. Make any additions, modifications, or corrections necessary to execute the requested agreement or to correct errors, subject to the limitations set forth herein, provided that any addition, modification, or correction does not materially differ from the terms and conditions set forth herein and in the Agenda Report and are approved as to form and legality by the Port Attorney.

Section 3. 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 Port. This resolution approves and authorizes the execution of a contract in accordance with the terms of this resolution. Unless and until a separate written contract is duly executed on behalf of the Board as authorized by this resolution, is signed as approved as to form and legality by the Port Attorney, and is delivered to other contracting party, there shall be no valid or effective contract.

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

At the Regular Meeting held on October 24, 2024

Passed by the following vote:

Ayes: Commissioners Cluver, Dominguez Walton, Leslie, Martinez, Myres and President Colbruno – 6

Excused: Commissioner Lee – 1

Noes: – 0

McR

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 24-85

RESOLUTION APPROVING AND AUTHORIZING THE PORT OF OAKLAND RISK MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO RENEW THE PORT OF OAKLAND POLLUTION LEGAL LIABILITY INSURANCE WITH BEAZLEY EXCESS AND SURPLUS INSURANCE, INC. AND MARKEL SPECIALTY AS EVANSTON INSURANCE CO. ARRANGED AND PAID THROUGH AN INSURANCE BROKER, ALLIANT INSURANCE SERVICES, INC., AS DESCRIBED HEREIN, FOR A THREE-YEAR TERM, SUBJECT TO MINOR ADJUSTMENTS UPON PLACEMENT, AND IN AN AMOUNT NOT TO EXCEED \$1,250,000.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 2.4, dated October 24, 2024, and related agenda materials ("Agenda Report"), 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 testimony received; and

WHEREAS, the Executive Director has delegated authority to the Risk Manager to execute insurance policies;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The proposed action is not subject to the California Environmental Quality Act ("CEQA") because the proposed action does not involve an activity that may cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment as further defined in Section 21065 of the Public Resources Code.

Section 2. The Board hereby approves and authorizes the Port of Oakland Risk Manager to execute all necessary documents to renew the Port's PLL policy with Beazley Excess and Surplus Insurance, with excess insurance provided by Markel Specialty as Evanston Insurance Co., arranged and paid through an insurance broker, Alliant Insurance

Services, Inc., generally covering all Port-owned property, in an amount not to exceed \$1,250,000 for a 3-year term commencing on December 2024 to December 2027 ("New PLL Policy"), as further described in the Agenda Report.

Section 3. The New PLL Policy shall be subject to the Port Attorney's review as to form and legality.

Section 4. 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 Port. This resolution approves and authorizes the execution of a contract in accordance with the terms of this resolution. Unless and until a separate written contract is duly executed on behalf of the Board as authorized by this resolution, is signed as approved as to form and legality by the Port Attorney, and is delivered to other contracting party, there shall be no valid or effective contract.

Section 5. This resolution shall be effective immediately upon adoption by the Board.

At the Regular Meeting held on October 24, 2024

Passed by the following vote:

Ayes: Commissioners Cluver, Dominguez Walton, Leslie, Martinez, Myres and President Colbruno – 6

Excused: Commissioner Lee – 1

Noes: – 0



**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 24-86

RESOLUTION APPROVING THE PORT'S PARTICIPATION IN THE JACK LONDON IMPROVEMENT DISTRICT FOR TEN YEARS; APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE AMENDED AND RESTATED JACK LONDON IMPROVEMENT DISTRICT PUBLIC TRUST AGREEMENT FOR A TEN-YEAR SERVICE PERIOD; APPROVING THE PORT SHARE PLAN FOR THE JACK LONDON IMPROVEMENT DISTRICT FOR YEAR 2024; AND AUTHORIZING A PAYMENT OF \$195,070.67 TO THE CITY OF OAKLAND TREASURER FOR YEAR 2023, FOR CERTAIN SERVICES PROVIDED WITHIN THE JACK LONDON DISTRICT.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 6.4, dated October 24, 2024, and related agenda materials ("Agenda Report"), has received the expert testimony of Port of Oakland ("Port") staff, and has provided opportunities for and taken public comment; and

WHEREAS, the Port's participation in the Jack London Improvement District ("JLID") is consistent with the Port's duty to use and manage Port property in trust for the people of the State of California; 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 testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board finds and determines that the proposed action is not subject to the California Environmental Quality Act ("CEQA") because the proposed action does not involve an activity that may cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment as further defined in Section 21065 of the Public Resources Code.

Section 2. The Board hereby takes the following actions, as further described in the Agenda Report:

- A. Approves the Port's participation in the JLID for ten (10) years;
- B. Approves and authorizes the Executive Director to execute the Amended and Restated Jack London Improvement District Public Trust Agreement for a ten (10)-year service period;
- C. Approve the Port Share Plan for the JLID for Year 2024;
- D. Authorize payment of \$195,070.67 to the City of Oakland Treasurer for Year 2023, for certain services provided within the Jack London District; and
- E. Execute any agreements or make any additions, modifications, or corrections necessary to implement the proposed actions above or to correct errors, subject to the limitations set forth herein, provided that any addition, modification, or correction does not materially differ from the terms and conditions set forth herein and in the Agenda Report, and are approved as to form and legality by the Port Attorney.

Section 3. 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 Port. This resolution approves and authorizes the execution of a contract in accordance with the terms of this resolution. Unless and until a separate written contract is duly executed on behalf of the Board as authorized by this resolution, is signed as approved as to form and legality by the Port Attorney, and is delivered to other contracting party, there shall be no valid or effective contract.

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

At the Regular Meeting held on October 24, 2024
Passed by the following vote:

Ayes: Commissioners Dominguez Walton, Leslie, Martinez, Myres and President Colbruno – 5
Excused: Commissioners Cluver and Lee – 2
Noes: – 0

McR

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 24-87

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE PROFESSIONAL SERVICES AGREEMENTS WITH MOTT MACDONALD GROUP, INC., SCHAAF & WHEELER, AND WOOD RODGERS, INC., OR IF NEGOTIATIONS WITH ANY FIRM IS UNSUCCESSFUL, WITH THE NEXT HIGHEST RATED FIRMS, FOR ON-CALL CIVIL UTILITY DESIGN SERVICES FOR FOUR-YEAR TERMS RENEWABLE UP TO TWO YEARS WITH AN AGGREGATE MAXIMUM COMPENSATION FOR ALL AGREEMENTS NOT TO EXCEED \$12,000,000.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 6.5, dated October 24, 2024, and related agenda materials ("Agenda Report"), 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 testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board finds and determines that:

A. The proposed action is not subject to the California Environmental Quality Act because the proposed action does not involve an activity that may cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment as further defined in Section 21065 of the Public Resources Code.

B. The proposed action is for obtaining professional, scientific, or technical services that are temporary in nature, and will not result in the loss of employment or salary by any person having permanent status in the competitive service.

Section 2. The Board hereby approves and authorizes the Executive Director of the Port to:

A. Negotiate and execute professional services agreements with Mott MacDonald Group, Inc., Schaaf & Wheeler, and Wood Rodgers, Inc., or if negotiations with any firm is unsuccessful, with the next highest rated firms for on-call civil utility design services for four-year terms renewable up to two years with an aggregate maximum compensation for all agreements not to exceed \$12,000,000, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney.

B. Make any additions, modifications, or corrections necessary to execute the requested agreement or to correct errors, subject to the limitations set forth herein, provided that any addition, modification, or correction does not materially differ from the terms and conditions set forth herein and in the Agenda Report and are approved as to form and legality by the Port Attorney.

Section 3. 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 Port. This resolution approves and authorizes the execution of a contract in accordance with the terms of this resolution. Unless and until a separate written contract is duly executed on behalf of the Board as authorized by this resolution, is signed as approved as to form and legality by the Port Attorney, and is delivered to other contracting party, there shall be no valid or effective contract.

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

At the Regular Meeting held on October 24, 2024

Passed by the following vote:

Ayes: Commissioners Dominguez Walton, Leslie, Martinez, Myres and President Colbruno – 5

Excused: Commissioners Cluver and Lee – 2

Noes: – 0

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

10/24/2024
Item No.: 8.1
CT/pcm

MR

RESOLUTION NO. 24-88

**RESOLUTION ADOPTING A NEW SCHEDULE FOR THE MEETINGS
OF THE BOARD OF PORT COMMISSIONERS FOR CALENDAR YEAR
2025.**

WHEREAS, Article III of the By-Laws and Administrative Rules of the Board of Port Commissioners ("By-Laws"), specifies that the Board of Port Commissioners ("Board") shall establish a regular meeting schedule for Board meetings; and

WHEREAS, the Ralph M. Brown Act (California Government Code Section 54950 et seq.) permits the Board to determine and adjust the dates and times of the Board's regular meetings, from time to time, by way of resolution or motion; now, therefore be it

RESOLVED, that the Board's meetings for calendar year 2025 shall be held in the Board Room of the Port of Oakland Building, 530 Water Street, in the City of Oakland on the following days at the following times:

Thursday, January 30, 2025	1:00 PM
Thursday, February 13, 2025	1:00 PM
Thursday, February 27, 2025	1:00 PM
Thursday, March 13, 2025	1:00 PM
Thursday, March 27, 2025	1:00 PM
Thursday, April 10, 2025	1:00 PM
Thursday, April 24, 2025	1:00 PM
Thursday, May 8, 2025	1:00 PM
Thursday, May 22, 2025	1:00 PM
Thursday, June 12, 2025	1:00 PM
Thursday, June 26, 2025	1:00 PM
Thursday, July 10, 2025	1:00 PM
Thursday, July 24, 2025	1:00 PM

August Recess

Thursday, September 11, 2025	1:00 PM
Thursday, September 25, 2025	1:00 PM
Thursday, October 9, 2025	1:00 PM
Thursday, October 23, 2025	1:00 PM
Thursday, November 6, 2025	1:00 PM
Thursday, November 20, 2025	1:00 PM
Thursday, December 4, 2025	1:00 PM
Thursday, December 18, 2025	1:00 PM; and be it

FURTHER RESOLVED, that the Board shall modify this meeting schedule, as appropriate from time to time, by action of the Board.

At the Regular Meeting held on October 24, 2024
Passed by the following vote:

Ayes: Commissioners Dominguez Walton, Leslie, Martinez, Myres and President Colbruno – 5

Excused: Commissioners Cluver and Lee – 2

Noes: – 0