



**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 25-63

**RESOLUTION APPROVING CAL/OES FORM 130 TO
DESIGNATE AUTHORIZED AGENTS FOR A
REIMBURSEMENT REQUEST FROM A FEMA DISASTER
ASSISTANCE PROGRAM; 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 for Agenda Item No. 2.1, dated July 24, 2025, 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 the proposed action is statutorily exempt from the California Environmental Quality Act ("CEQA") under Section 15269(c) of the CEQA Guidelines, which exempts specific actions necessary to prevent or mitigate an emergency.

Section 2. The Board hereby:

A. Approves the **Governor's Office of Emergency Services ("Cal/OES") Form 130**, substantially in the form attached to this resolution, and designates the Executive Director and Chief Financial Officer as signatories and authorized agents to interact with Cal/OES and the Federal Emergency Management Agency ("FEMA") as it relates to Form 130 and the reimbursement process on behalf of the Port of Oakland, as further described in the Agenda Report; and

B. Approves and authorizes the Executive Director to enter into any agreements or 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.

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 July 24, 2025
Passed by the following vote:

Ayes: Commissioners Dominguez Walton, Leslie, Myres and President Cluver – 4

Noes: – 0

Excused: Commissioners Martinez, Muhammad and Wong – 3



Cal OES ID No: 001-91007-00

DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES

BE IT RESOLVED BY THE Board of Port Commissioners OF THE Port Department of the City of Oakland
(Governing Body) (Name of Applicant)

THAT Executive Director, OR
(Title of Authorized Agent)

Chief Financial Officer, OR
(Title of Authorized Agent)

(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the Port Department of the City of Oakland,
(Name of Applicant)

a public entity established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Services for the purpose of obtaining federal financial assistance for any existing or future grant program, including, but not limited to any of the following:

- **Federally declared Disaster (DR), Fire Mitigation Assistance Grant (FMAG), California State Only Disaster (CDAA), Immediate Services Program (ISP), Hazard Mitigation Grant Program (HMGP), Building Resilient Infrastructure and Communities (BRIC), Legislative Pre-Disaster Mitigation Program (LPDM)**, under
- Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.
- **Flood Mitigation Assistance Program (FMA)**, under Section 1366 of the National Flood Insurance Act of 1968.
- **National Earthquake Hazards Reduction Program (NEHRP)** 42 U.S. Code 7704 (b) ((2) (A) (ix) and 42 U.S. Code 7704 (b) (2) (B) National Earthquake Hazards Reduction Program, and also The Consolidated Appropriations Act, 2018, Div. F, Department of Homeland Security Appropriations Act, 2018, Pub. L. No. 115-141
- **California Early Earthquake Warning (CEEW)** under CA Gov Code – Gov, Title 2, Div. 1, Chapter 7, Article 5, Sections 8587.8, 8587.11, 8587.12

That the Port Department of the City of Oakland, a public entity established under the
(Name of Applicant)

laws of the State of California, hereby authorizes its agent(s) to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.



Please check the appropriate box below

- ☒ This is a universal resolution and is effective for all open and future disasters/grants declared up to three (3) years following the date of approval.
- ☐ This is a disaster/grant specific resolution and is effective for only disaster/grant number(s): _____

Passed and approved this ____ day of _____, 20____

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

CERTIFICATION

I, _____, duly appointed and _____ of
(Name) (Title)

Port Department of the City of Oakland, do hereby certify that the above is a true and
(Name of Applicant)

correct copy of a resolution passed and approved by the Board of Port Commissioners
(Governing Body)

of the Port Department of the City of Oakland on the ____ day of _____, 20____.
(Name of Applicant)

(Signature)

(Title)



**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 25-64

**RESOLUTION APPROVING AND AUTHORIZING THE
EXECUTIVE DIRECTOR TO ASSIGN A PROFESSIONAL
SERVICES AGREEMENT WITH MANDIANT, INC. TO
GOOGLE LLC; 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 for Agenda Item No. 2.2, dated July 24, 2025, 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 the proposed action is not subject to the California Environmental Quality Act ("CEQA") under the general rule exclusion under Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that the proposed action will not have a significant effect on the environment and therefore is not a "project" under CEQA.

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

A. Assign a Professional Services Agreement with Mandiant, Inc. to **Google LLC** for on-call cyber security consulting, incident response, and training and support, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney; and

B. Enter into any agreements or 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.

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 July 24, 2025

Passed by the following vote:

Ayes: Commissioners Dominguez Walton, Leslie, Myres and President Cluver – 4

Noes: – 0

Excused: Commissioners Martinez, Muhammad and Wong – 3



**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 25-65

**RESOLUTION APPROVING AND AUTHORIZING THE
EXECUTIVE DIRECTOR TO SUBMIT PASSENGER
FACILITY CHARGE APPLICATION #18 TO THE
FEDERAL AVIATION ADMINISTRATION IN THE
AMOUNT OF \$53,454,553 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 for Agenda Item No. 6.2, dated July 24, 2025, 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 proposed Passenger Facility Charge ("PFC") Application #18 is necessary to fund, in whole or in part, certain PFC eligible costs for Airfield, Terminal, and Security Projects for eight specific projects; and

WHEREAS, the Port held an air carrier consultation meeting on May 19, 2025 to brief the airlines on the projects included in the proposed PFC Application #18; and

WHEREAS, by the June 18, 2025 deadline, all airlines agreed with the projects proposed by PFC Application #18, either through written response or by not responding, which is interpreted as agreement; 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") under the general rule exclusion under Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that the proposed action will not have a significant effect on the environment and therefore is not a "project" under CEQA.

Section 2. The Board hereby approves and authorizes the Executive Director to submit Passenger Facility Charge Application #18 to the Federal Aviation Administration, as more fully described in the Agenda Report.

Section 3. This resolution shall be effective immediately upon adoption by the Board.

At the Regular Meeting held on July 24, 2025
Passed by the following vote:

Ayes: Commissioners Dominguez Walton, Leslie, Myres and President Cluver – 4

Noes: – 0

Excused: Commissioners Martinez, Muhammad and Wong – 3

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

7/24/25
Item No.: 6.3
CLF/pcm



RESOLUTION NO. 25-66

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO AWARD AND EXECUTE CONTRACTS WITH BLOCKA CONSTRUCTION, INC., OBR ELECTRIC LLC, SILMAN VENTURE CORPORATION DBA SILMAN INDUSTRIES, AND TULUM INNOVATION ENGINEERING, INC. FOR ON-CALL ELECTRICAL DISTRIBUTION INFRASTRUCTURE CONSTRUCTION IN THE AGGREGATE AMOUNT NOT TO EXCEED OF \$15,000,000 COMMENCING SEPTEMBER 1, 2025 AND ENDING AUGUST 31, 2026, 2027, OR 2028 AND RESOLVE BID PROTESTS IN ACCORDANCE WITH CHAPTER 5.12 OF THE PORT OF OAKLAND'S ADMINISTRATIVE CODE AND FINDING THAT THE PROPOSED ACTION IS EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, the Board of Port Commissioners of the City of Oakland ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 6.3, dated July 24, 2025, 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 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 and determines that the proposed action was reviewed in accordance with the requirements of the California Environmental Quality Act ("CEQA") and CEQA Guidelines. The action was found to be exempt under CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility the action may have a significant impact on the environment.

Section 2. The Board hereby approves the award of contracts to: Blocka Construction, Inc. OBR Electric LLC, SilMan Venture Corporation DBA SilMan Industries, and Tulum Innovation Engineering, Inc. for on-call electrical distribution infrastructure construction in the aggregate amount of \$15,000,000, with contracts commencing September 1, 2025, and ending August 31, 2026, 2027, or 2028, as further described in the Agenda Report (collectively, "On-Call Contracts").

Section 3. The Board hereby authorizes the Executive Director to:

A. Finally resolve bid protests pursuant to Chapter 5.12 of the Port of Oakland Administrative Code.

B. Execute on behalf of the Board the On-Call Contracts on the terms and conditions set forth herein and in the Agenda Report, subject to approval as to form and legality by the Port Attorney.

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

Section 4. The Board further finds that:

A. The Director of Engineering, the Chief Engineer, and the Principal Engineer are each authorized to approve the project manual and plans for each instance of work performed under the On-Call Contracts in advance of construction, pursuant to Government Code Section 830.6.

B. A bond for the faithful performance of the work, and a bond to guarantee the payment of all claims for labor and materials furnished and for amounts due, each in the amount of one hundred percent (100%) of the contract price shall be provided as prescribed by applicable laws and regulations and the contract specifications.

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 Port. This resolution approves and authorizes the execution of 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, signed as approved as to form and legality by the Port Attorney, and delivered to the other contracting party, there shall be no valid or effective agreements.

Section 6. This resolution shall be effective immediately upon adoption by the Board.

At the Regular Meeting held on July 24, 2025

Passed by the following vote:

Ayes: Commissioners Dominguez Walton, Leslie, Myres and President Cluver – 4

Noes: – 0

Excused: Commissioners Martinez, Muhammad and Wong – 3

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

7/24/25
Item No.: 6.4
CLF/pcm



RESOLUTION NO. 25-67

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO AWARD AND EXECUTE CONTRACTS WITH ANDREW M JORDAN INC. DBA A&B CONSTRUCTION, D-LINE CONSTRUCTORS, INC., MARINSHIP DEVELOPMENT INTEREST LLC, MCGUIRE AND HESTER, AND A. TEICHERT & SON, INC. DBA TEICHERT CONSTRUCTION FOR ON-CALL CIVIL UTILITY INFRASTRUCTURE CONSTRUCTION IN AN AGGREGATE AMOUNT NOT TO EXCEED \$15,000,000 COMMENCING SEPTEMBER 1, 2025 AND ENDING AUGUST 31, 2026, 2027, OR 2028 AND RESOLVE BID PROTESTS IN ACCORDANCE WITH CHAPTER 5.12 OF THE PORT OF OAKLAND'S ADMINISTRATIVE CODE AND FINDING THAT THE PROPOSED ACTION IS EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, the Board of Port Commissioners of the City of Oakland ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 6.4, dated July 24, 2025, 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 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 and determines that the proposed action was reviewed in accordance with the requirements of the California Environmental Quality Act ("CEQA") and CEQA Guidelines. The action was found to be exempt under CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility the action may have a significant impact on the environment.

Section 2. The Board hereby approves the award of contracts to: Andrew M Jordan Inc. DBA A&B Construction, D-Line Constructors, Inc., Marinship Development Interest LLC, McGuire and Hester, and A. Teichert & Son, Inc. DBA Teichert Construction for on-call civil utility infrastructure construction in an aggregate amount not to exceed \$15,000,000 commencing September 1, 2025 and Ending August 31, 2026, 2027, or 2028, as further described in the Agenda Report (collectively, "On-Call Contracts").

Section 3. The Board hereby authorizes the Executive Director to:

A. Finally resolve bid protests pursuant to Chapter 5.12 of the Port of Oakland Administrative Code.

B. Execute on behalf of the Board the On-Call Contracts on the terms and conditions set forth herein and in the Agenda Report, subject to approval as to form and legality by the Port Attorney.

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

Section 4. The Board further finds that:

A. The Director of Engineering, the Chief Engineer, and the Principal Engineer are each authorized to approve the project manual and plans for each instance of work performed under the On-Call Contracts in advance of construction, pursuant to Government Code Section 830.6.

B. A bond for the faithful performance of the work, and a bond to guarantee the payment of all claims for labor and materials furnished and for amounts due, each in the amount of one hundred percent (100%) of the contract price shall be provided as prescribed by applicable laws and regulations and the contract specifications.

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 Port. This resolution approves and authorizes the execution of 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, signed as approved as to form and legality by the Port Attorney, and delivered to the other contracting party, there shall be no valid or effective agreements.

Section 6. This resolution shall be effective immediately upon adoption by the Board.

At the Regular Meeting held on July 24, 2025

Passed by the following vote:

Ayes: Commissioners Dominguez Walton, Leslie, Myres and President Cluver – 4

Noes: – 0

Excused: Commissioners Martinez, Muhammad and Wong – 3

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

7/24/25
Item No.: 6.5
CLF/pcm



RESOLUTION NO. 25-68

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO AWARD AND EXECUTE CONTRACTS WITH NIBBI BROS. ASSOCIATES, INC., SILMAN VENTURE CORP DBA SILMAN INDUSTRIES, AND SUFFOLK CONSTRUCTION COMPANY, INC. FOR ON-CALL BUILDING RELATED CONSTRUCTION IN AN AGGREGATE AMOUNT NOT TO EXCEED \$24,000,000 COMMENCING SEPTEMBER 1, 2025 AND ENDING AUGUST 31, 2026, 2027, OR 2028 AND RESOLVE BID PROTESTS IN ACCORDANCE WITH CHAPTER 5.12 OF THE PORT OF OAKLAND'S ADMINISTRATIVE CODE AND FINDING THAT THE PROPOSED ACTION IS EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, the Board of Port Commissioners of the City of Oakland ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 6.5, dated July 24, 2025, 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 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 and determines that the proposed action was reviewed in accordance with the requirements of the California Environmental Quality Act ("CEQA") and CEQA Guidelines. The action was found to be exempt under CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility the action may have a significant impact on the environment.

Section 2. The Board hereby approves the award of contracts to: Nibbi Bros. Associates, Inc., SilMan Venture Corp DBA SilMan Industries, and Suffolk Construction Company, Inc. for on-call building related construction in an aggregate amount not to exceed \$24,000,000 commencing September 1, 2025 and ending August 31, 2026, 2027, or 2028, as further described in the Agenda Report (collectively, "On-Call Contracts").

Section 3. The Board hereby authorizes the Executive Director to:

A. Finally resolve bid protests pursuant to Chapter 5.12 of the Port of Oakland Administrative Code.

B. Execute on behalf of the Board the On-Call Contracts on the terms and conditions set forth herein and in the Agenda Report, subject to approval as to form and legality by the Port Attorney.

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

Section 4. The Board further finds that:

A. The Director of Engineering, the Chief Engineer, and the Principal Engineer are each authorized to approve the project manual and plans for each instance of work performed under the On-Call Contracts in advance of construction, pursuant to Government Code Section 830.6.

B. A bond for the faithful performance of the work, and a bond to guarantee the payment of all claims for labor and materials furnished and for amounts due, each in the amount of one hundred percent (100%) of the contract price shall be provided as prescribed by applicable laws and regulations and the contract specifications.

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 Port. This resolution approves and authorizes the execution of 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, signed as approved as to form and legality by the Port Attorney, and delivered to the other contracting party, there shall be no valid or effective agreements.

Section 6. This resolution shall be effective immediately upon adoption by the Board.

At the Regular Meeting held on July 24, 2025

Passed by the following vote:

Ayes: Commissioners Dominguez Walton, Leslie, Myres and President Cluver – 4

Noes: – 0

Excused: Commissioners Martinez, Muhammad and Wong – 3

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 25-69

7/24/2025
Item No.: 6.6
RS/pcm



RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO (1) ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH GREENBELT ALLIANCE/PEOPLE FOR OPEN SPACE TO LEAD COMMUNITY ENGAGEMENT FOR THE CLIMATE ADAPTATION PLANNING FOR OAKLAND'S FRONTLINE COMMUNITIES PROJECT FOR A PERIOD OF UP TO THREE (3) YEARS WITH AN OPTION FOR A ONE (1) YEAR EXTENSION AND IN AN AMOUNT NOT TO EXCEED \$500,000; AND (2) IF NEGOTIATIONS WITH GREENBELT ALLIANCE/PEOPLE FOR OPEN SPACE ARE UNSUCCESSFUL, TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH THE NEXT HIGHEST RATED FIRM(S) FOR A MAXIMUM AMOUNT NOT TO EXCEED \$500,000; 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 for Agenda Item No. 6.6, dated July 24, 2025, 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 Climate Adaptation Planning for Oakland's Frontline Communities ("CAPOFC") is a multiyear project to study the effects of Sea Level Rise and Groundwater Intrusion changes due to climate change and to identify adaptation strategies for the Port and adjacent frontline communities; and

WHEREAS, on April 4, 2025, the Port released a formal competitive solicitation in a Request for Proposal titled Community Engagement for the Port's CAPOFC Project, evaluated and ranked the proposals, and issued a Notice and Intent to Award to Greenbelt Alliance/People for Open Space ("Greenbelt"); 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 categorically exempt from the California Environmental Quality Act ("CEQA") under Section 15306 of the CEQA Guidelines because the proposed action is for basic data collection and information gathering that will not result in a serious or major disturbance to an environmental resource.

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 to:

A. Enter into a Professional Services agreement with Greenbelt to lead community engagement for the CAPOFC project for a period of up to three (3) years with an option for a one (1) year extension, and in an amount not to exceed \$500,000, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney; and

B. If negotiations with Greenbelt or any firm is unsuccessful, enter into a Professional Services agreement with the next highest rated firm(s) to lead community engagement for the CAPOFC project for a period of up to three (3) years with an option for a one (1) year extension, and in an amount not to exceed \$500,000, 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 July 24, 2025

Passed by the following vote:

Ayes: Commissioners Dominguez Walton, Leslie, Myres and President Cluver – 4

Noes: – 0

Excused: Commissioners Martinez, Muhammad and Wong – 3



**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 25-70

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO AN AGREEMENT WITH QUESTIVITY, INC. (OR THE NEXT LOWEST RESPONSIVE AND RESPONSIBLE BIDDER) TO RENEW VMWARE LICENSING/SUPPORT FOR THREE YEARS FOR AN AMOUNT NOT TO EXCEED \$479,938.56 (OR THE NEXT CORRESPONDING LOW BID AMOUNT); 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 for Agenda Item No. 6.7, dated July 24, 2025, 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 ("CEQA") under the general rule exclusion under Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that the proposed action will not have a significant effect on the environment and therefore is not a "project" under CEQA.

B. The proposed action is for obtaining professional or technical services that are temporary in nature, are in the public interest because of economy or better performance, 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 to:

A. Enter into an agreement with **Questivity, Inc. (or the next lowest responsive and responsible bidder)** to renew VMware licensing/support for three (3) years in an amount not to exceed \$479,938.56 (or the next corresponding low bid amount), as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney; and

B. Enter into any agreements or 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.

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 July 24, 2025

Passed by the following vote:

Ayes: Commissioners Dominguez Walton, Leslie, Myres and President Cluver – 4

Noes: – 0

Excused: Commissioners Martinez, Muhammad and Wong – 3



**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 25-71

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO: (1) EXECUTE A CONTRACT TO PROCURE A BATTERY ELECTRIC WATER TRUCK AT A TOTAL COST NOT TO EXCEED \$580,000; (2) DESIGNATE AN EXISTING DIESEL POWERED WATER TRUCK AS NO LONGER USED, INADEQUATE, OBSOLETE OR WORN-OUT AND THE SALE, DONATION AND/OR DISPOSITION OF SUCH EXISTING VEHICLE THROUGH A VARIETY OF MEANS, INCLUDING SURPLUS SALE, DONATION, SCRAPPING, RECYCLING, DESTRUCTION, AND ABANDONMENT IN ACCORDANCE WITH PORT OF OAKLAND ADMINISTRATIVE CODE SECTION 5.12.160; AND (3) FIND 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 for Agenda Item No. 6.8, dated July 24, 2025, 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 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.

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

A. Execute a contract to procure a battery electric water truck at a total cost not to exceed \$580,000, as further described in

the Agenda Report, subject to approval as to form and legality by the Port Attorney.

B. Designate an existing diesel powered water truck as no longer used, inadequate, obsolete or worn-out and dispose of such existing truck in accordance with Port of Oakland Administrative Code Section 5.12.160, as further described in the Agenda Report.

C. Make any additions, modifications, or corrections necessary to execute the requested actions 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 July 24, 2025

Passed by the following vote:

Ayes: Commissioners Dominguez Walton, Leslie, Myres and President Cluver – 4

Noes: – 0

Excused: Commissioners Martinez, Muhammad and Wong – 3

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

7/24/2025
Item No.: 6.9
CT/pcm



RESOLUTION NO. 25-72

**RESOLUTION APPROVING AND AUTHORIZING THE
EXECUTIVE DIRECTOR TO EXECUTE AN AGREEMENT
WITH LOST SOX LLC DBA DISTILL FOR AIRPORT
MARKETING SERVICES AT THE OAKLAND AIRPORT FOR
A TERM OF TWO YEARS WITH ONE-YEAR OPTION TO
EXTEND IN A TOTAL AMOUNT NOT TO EXCEED
\$1,500,000; 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 for Agenda Item No. 6.9, dated July 24, 2025, 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 ("CEQA") under the general rule exclusion under Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that the proposed action will not have a significant effect on the environment and therefore is not a "project" under CEQA.

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 to:

A. Enter into an agreement with Lost Sox LLC dba Distill for Airport Marketing Services at the Oakland Airport for a term of two years with a one-year option to extend in a total amount not to exceed \$1,500,000,

as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney; and

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 July 24, 2025

Passed by the following vote:

Ayes: Commissioners Dominguez Walton, Leslie, Myres and President Cluver – 4

Noes: – 0

Excused: Commissioners Martinez, Muhammad and Wong – 3