



**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 25-46

**RESOLUTION APPROVING BUILDING PERMIT
REQUESTED BY COOL PORT OAKLAND DRE, LLC FOR
WORK AT 575 MARITIME STREET, OAKLAND, 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 Item No. 2.3 - the Summary Approval for Permit Application (Port Permit No. 16-2024) dated May 5, 2025, - and related agenda materials ("Agenda Sheet"), 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 Sheet and in testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board hereby finds and determines that the Work (defined below) to be performed under this building permit 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. In reliance upon the representations and certifications set forth upon and submitted with an application by the Applicant (defined below) for a building permit to perform the Work at the Premises (defined below), and provided that the Applicant complies with all of the terms and conditions set forth in Applicant's agreement(s) with the Port and all other documents regulating use of the Premises, the Board hereby approves the building permit for the following Work:

A. Applicant: **Cool Port Oakland DRE, LLC.**

B. Premises: 575 Maritime Street, Oakland, California.

C. Estimated Cost: \$2,800,000.00.

D. Work: Installation of approximately 67,000 square feet of solar panels on the roof, including installation of wiring and electrical equipment to connect to the electrical system of the building on the Premises. The new system will only generate power for on-site use and not feed into the grid, and has been approved under a Utility Service Agreement.

E. Sustainability: The Work will provide renewable energy to the building on the Premises, will comply with the California Green Building Code for new materials, and all debris will be handled according to the California Construction and Demolition Debris Recycling regulations.

Section 3. Neither this resolution nor the Board's approval of the Work: (i) is a waiver by the Board of any Port right or remedy with respect to Applicant under any agreement between the Port and the Applicant or with respect to any obligation of Applicant; or (ii) releases Applicant from any obligation with respect to the Work or with respect to any agreement between the Port and Applicant.

Section 4. This resolution is not evidence of and does not create or constitute: (i) a contract, or the grant of any right (other than to perform the Work subject to the provisions of this resolution), entitlement or property interest; or (ii) any obligation or liability on the part of the Board or any officer or employee of the Port.

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

At the Regular Meeting held on May 22, 2025

Passed by the following vote:

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

Excused: Commissioner Lee –1

Noes: – 0

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**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 25-47

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE U.S. ARMY CORPS OF ENGINEERS FOR IN-KIND SERVICES FOR THE PROPOSED OAKLAND HARBOR TURNING BASINS WIDENING PROJECT; 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 Agenda Report Item 6.1 dated May 22, 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 has been working closely with the United States Army Corps of Engineers ("USACE") on the proposed Oakland Inner Harbor and Outer Harbor turning basins project ("Proposed Project"); and

WHEREAS, 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. The action to enter into a Memorandum Of Understanding with the USACE for In-Kind Services For The Proposed Project ("Agreement") was reviewed in accordance with the requirements of the California Environmental Quality Act ("CEQA"). Per Section 15061(b)(3) of the CEQA Guidelines, it can be seen with certainty that there is no possibility that this action may have a significant effect on the environment and this action is not subject to CEQA. The CEQA determination is limited to the Agreement only and does not constitute approval of the Proposed Project, for which a Final Environmental Impact Report has not yet been certified.

Section 2. The Board hereby:

A. Approves and authorizes the Port's Executive Director to execute an Agreement with the USACE to outline the terms upon which (a) the Port Design Work will advance, and (b) the Port's expenditure will be credited toward the non-Federal contribution of funds for the Proposed Project in the planned future design agreement, and as further described herein and in the Agenda Report.

B. Authorizes the Executive Director to (i) execute such Agreement, subject to approval as to form and legality by the Port Attorney, and (ii) make such additions, modifications, or corrections as necessary to implement the Agreement, 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, subject to approval 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 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 the contracting party, there shall be no valid or effective agreement(s).

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

At the Regular Meeting held on May 22, 2025
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. 25-48

**RESOLUTION APPROVING AND AUTHORIZING THE
EXECUTIVE DIRECTOR TO WAIVE FORMAL
COMPETITIVE PROCUREMENT PROCEDURES AND
EXECUTE AN AGREEMENT WITH MICROSOFT CORP.
TO RENEW MICROSOFT UNIFIED ENTERPRISE
SUPPORT FOR A THREE-YEAR TERM IN AN AMOUNT
NOT TO EXCEED \$652,057, 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 May 22, 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. Waive formal competitive procurement procedures and to execute an agreement with **Microsoft Corp.** to renew Microsoft Unified Enterprise Support for a three-year term in an amount not to exceed \$652,057, 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 May 22, 2025

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. 25-49

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO WAIVE FORMAL COMPETITIVE PROCUREMENT PROCEDURES AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH SECURITAS TECHNOLOGY CORPORATION TO PROVIDE A NEW ACCESS CONTROL SOLUTION FOR THE PORT OF OAKLAND HEADQUARTERS BUILDING AND HARBOR FACILITIES COMPLEX FOR AN AMOUNT NOT TO EXCEED \$475,000, 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. 6.3, dated May 22, 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, that 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. Waive formal competitive procurement procedures and to enter into a Professional Services Agreement with **Securitas Technology Corporation** to provide a new access control solution for the Port of Oakland headquarters building and Harbor Facilities Complex in an amount not to exceed \$475,000, 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 May 22, 2025

Passed by the following vote:

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

– 6

Excused: Commissioner Lee –1

Noes: – 0