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**SUPPLEMENTAL BOARD AGENDA**

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Thursday, November 21, 2024

Board Room – 2nd Floor

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***The Public Portion Of The Meeting Will Begin At 4:00 p.m.***

**PUBLIC PARTICIPATION**

*To Speak on an Agenda Item via Teleconference*

*To participate via teleconference please click the link below.*

*To comment by Zoom video conference, click the "Raise Your Hand" button to request to speak when Public Comment is being taken on the eligible Agenda item. During your turn, you will be unmuted to make public comment, and re-muted after the allotted time. All speakers will be allotted a minimum of one minute.*

*To comment by phone, please call on one of the phone numbers listed below. You will be prompted to "Raise Your Hand" by pressing "\*9" to request to speak when Public Comment is being taken on the eligible Agenda Item. During your turn, you will be unmuted to make public comment, and re-muted after the allotted time. Please unmute yourself by pressing \*6.*

*<https://portoakland.zoomgov.com/j/1606213693>*

*To join by Telephone:*

*US: US: +1 669 254 5252 or +1 669 216 1590 or +1 415 449 4000*

*Webinar ID: 160 621 3693*

*To Speak on an Agenda Item In-person*

*You may speak on any item appearing on the Agenda. Please fill out a Speaker's Card and give it to the Board Secretary before the start of the meeting or immediately after the conclusion of Closed Session. You may submit a Speaker Card for Open Forum any time prior to Open Forum. All speakers will be allotted a minimum of one minute.*

**ROLL CALL**

*Commissioner Dominguez Walton, Commissioner Lee, Commissioner Martinez, Commissioner Myres, Second Vice-President Leslie, First Vice-President Cluver and President Colbruno*

**1. CLOSED SESSION (1:00 p.m.)**

*Closed Session discussions and materials may not be disclosed to a person not entitled to receive it, unless the Board authorizes disclosure of that confidential information.*

- 1.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: **Number of Matter(s): 1.** Refer to link for additional details about the threat of potential litigation relating the proposed project: [Terminal Modernization And Development Environmental Review - San Francisco Bay Oakland International Airport](https://www.iflyoak.com/business/terminal-modernization/eir/)  
<<<https://www.iflyoak.com/business/terminal-modernization/eir/>>>

**File ID:** [\[361-24\]](#)

- 1.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - (Pursuant to Paragraph (1) of Subdivision (d) of California Government Code Section 54956.9): **Number of Matter(s): 1:**

(1) City and County of San Francisco v. City of Oakland, etc., et al, U.S. District Court (N.D. Cal.) Case No. 3:24-cv-02311

**File ID:** [\[362-24\]](#)

- 1.3 PUBLIC EMPLOYEE PERFORMANCE EVALUATION** - (Pursuant to California Government Code Section 54957)

**Title:** Executive Director

**File ID:** [\[363-24\]](#)

- 1.4 CONFERENCE WITH LABOR NEGOTIATORS** (Pursuant to California Government Code Section 54957.6):

**Agency Designated Representative:** Michael Mitchell

**Employee Organizations:** International Federation of Professional and Technical Engineers, Local 21; Service Employees International Union, Local 1021; Western Council of Engineers; International Brotherhood of Electrical Workers, Local 1245 And Unrepresented Employees: Port Employee Units H/M

**File ID:** [\[364-24\]](#)

## OPEN SESSION/ROLL CALL

*Commissioner Dominguez Walton, Commissioner Lee, Commissioner Martinez, Commissioner Myres, Second Vice-President Leslie, First Vice-President Cluver and President Colbruno*

## CLOSED SESSION REPORT

*The Port Attorney or Board Secretary will report on any final actions taken in Closed Session.*

## 2. CONSENT ITEMS

*Action by the Board under “Consent Items” means that all matters listed below have been summarized and will be adopted by one motion and appropriate vote. Consent Items may be removed for further discussion by the Board at the request of any member of the Board.*

- 2.1 Ordinance 4775**, 2nd Reading Of An Ordinance Approving The Amended Parking Rates And Charges For Port-Owned Parking Facilities In Jack London Square, Effective January 1, 2025, And Adoption Into Chapter 5.07 And Appendix E Of The Port Of Oakland Administrative Code (POAC) By Amending And Restating Port Ordinance Nos. 3044, 3135, 3361, 3423, 3497, 3589, 3606, 3688, And 3735, And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.

**File ID:** [\[360-24\]](#)

**Attachments:** [Ordinance 4775](#)

## 3. MAJOR PROJECTS

*This segment of the meeting is reserved for action and discussions regarding the status of Major Projects and issues of special importance.*

## 4. BUDGET & FINANCE

*This segment of the meeting is reserved for action or discussion regarding the status of Budget and Finance issues.*

## 5. STRATEGY & POLICY

*This segment of the meeting is reserved for action or discussion on Strategy and Policy Issues.*

## 6. REMAINING ACTION ITEMS

*Remaining Action Items are items not previously addressed in this Agenda that may require staff presentation and/or discussion and information prior to action by the Board.*

- 6.1 Ordinance 4774**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To: Execute A Fifth Amendment To The Agreement For Purchase And Sale And Ground Lease Of Real Property And Escrow Instructions With Zarsion-OHP I, LLC To Disburse Certain Cost Cap Funds Currently Held In Escrow For The Brooklyn Basin Project; And Execute Amended And Restated Agreements With Zarsion-OHP I, LLC Regarding The Cost Cap Insurance Escrow Account And Replacement Letter Of Credit For Various Project Phases (Brooklyn Basin), And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.

**File ID:** [\[359-24\]](#)

**Attachments:** [Ordinance 4774](#)

- 6.2 Resolution:** Certify the San Francisco Bay Oakland International Airport Terminal Modernization and Development Project Environmental Impact Report; Adopt California Environmental Quality Act Findings and Statement of Overriding Considerations; and Adopt a Mitigation Monitoring and Reporting Program. **(Environmental/Aviation)**

**Resolution:** Approve and Authorize the Executive Director to: (1) Award and Execute a Contract with Swinerton Builders for the Demolition of Building J (Quonset Hut) and Modular Building as Project Components of the San Francisco Bay Oakland International Airport Terminal Modernization and Development Project in an Amount Not to Exceed \$233,813; and (2) Execute Contract Change Orders to the Extent Necessary in an Amount Not to Exceed \$47,000. **(Engineering/Aviation)**

**File ID:** [\[344-24\]](#)

**Attachments:** [Agenda Report](#)  
[Resolution Item 6.2\(A\)](#)  
[Resolution Item 6.2\(B\)](#)  
[Supplemental Public Comment](#)

## 7. UPDATES/ANNOUNCEMENTS

*The President, Members of the Board and the Executive Director will report on noteworthy events occurring since the last Board Meeting.*

## 8. SCHEDULING

*This segment of the meeting is reserved for scheduling items for future Agendas and/or scheduling Special Meetings*

## OPEN FORUM

*The Board will receive public comment on non-agenda items during this time.*

## ADJOURNMENT

*The next Regular Meeting of the Board will be held on December 5, 2024.*

## PUBLIC PARTICIPATION

### To Speak on an Agenda Item

You may speak on any item appearing on the Agenda. Please fill out a Speaker's Card and give it to the Board Secretary **before the start of the meeting** or immediately after conclusion of Closed Session. Cards received after the start of the meeting will be treated as a single request to speak in Open Forum. All speakers will be allotted a minimum of one minute.

### To Receive Agendas & Related Materials

Should you have questions or concerns regarding this Agenda, or wish to review any of the Agenda Related Materials, please contact the Board Secretary, Daria Edgerly, at: (510) 627-1337, or visit our web page at: [www.portoakland.com](http://www.portoakland.com)

To receive Port Agendas and Agenda Related Materials by email, please email your request to: [dedgerly@portoakland.com](mailto:dedgerly@portoakland.com)

### Disability Related Modifications

Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, may submit a written request, electronic request, or telephone request [via the California Relay Service (telephone) for the hearing impaired at (800) 735-2922], to the Secretary of the Board **no later than five working days** prior to the scheduled meeting date.

Daria Edgerly, Secretary of the Board  
530 Water Street, Oakland, CA 94607  
[dedgerly@portoakland.com](mailto:dedgerly@portoakland.com)  
(510) 627-1337

### Language & Interpretive Services

As a grantee of federal aid grant funds from the US Department of Transportation, the Port is responsible for ensuring equal access to its programs, services, and benefits. To request bilingual interpreters or materials in alternate formats, please contact the Secretary of the Board **no later than five working days** prior to the scheduled meeting date.

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## **Commissioners' Statement of Intention**

We are a governing Board whose authority lies with the entirety of the Board.

We govern in accordance with our fiduciary duty to the Port of Oakland.

We conduct ourselves with clarity and transparency, grounded in the principles of integrity, trust and respect.

We reach our decisions through candid, open and deliberative debate and hold both staff and ourselves accountable for implementing them.