



## **SUPPLEMENTAL BOARD AGENDA**

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Thursday, October 10, 2024

Board Room – 2nd Floor

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***The Public Portion Of The Meeting Will Begin At 3:30 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/1610273407>*

*To join by Telephone:*

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

*Webinar ID: 161 027 3407*

*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 REAL PROPERTY NEGOTIATOR - (Pursuant to California Government Code Section 54956.8)**

**Property:** 2 Broadway, Oakland; 525 Embarcadero West, Oakland; 10 Washington Street, Oakland; 1901-1995 Embarcadero Road, Oakland; and 530 Water Street, 5th Floor, Oakland

**Negotiating Parties:** Scott's Seafood Restaurant, Beverages & More, Inc., Waterfront Hotel, SSS Investment Group, GSC Logistics

**Agency Negotiator:** Jonathan Veach, Chief Real Estate Officer

**Under Negotiation:** Price and Terms of Payment

**Property:** Food and Beverage Program Totaling (16) F&B Units

**Negotiating Parties:** High Flying Foods, SSP America, Soaring Food Group, Rylo Management, NNF Grewal Associates, and the Port of Oakland

**Agency Negotiator:** Jon Cimperman, Acting Manager of Aviation Properties

**Under Negotiation:** Price and Terms of Payment

**File ID:** [\[323-24\]](#)

**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:** [\[324-24\]](#)

**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 Resolution:** Approve and Authorize Certain Actions Pursuant to the Tax Equity & Fiscal Responsibility Act of 1982, in Connection with the Financing and Refinancing of Various Port Capital Improvements. **(Finance & Admin)**

**File ID:** [\[316-24\]](#)

**Attachments:**    [Agenda Report](#)  
[Resolution Item 2.1](#)

- 2.2 Ordinance 4769**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute A Third Supplement To The Non-Exclusive Preferential Assignment Agreement With Trapac, LLC For The Berths 25-33 Marine Terminal To Extend Trapac's Deadline To Deploy Certain Diesel-Electric Hybrid Retrofitted Equipment And Finding The Proposed Action Is Exempt Under The California Environmental Quality Act.

**File ID:** [\[321-24\]](#)

**Attachments:**    [Ordinance 4769](#)

- 2.3 Ordinance 4770**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute A License And Concession Agreement With Herc Rentals, Inc., For The Premises Located At 7729 Oakport Street, Oakland, For A Term Of Seven Years At An Initial Monthly Rent Of \$42,536.94, And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.

**File ID:** [\[322-24\]](#)

**Attachments:**    [Ordinance 4770](#)

## 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 Resolution:** Approve and Authorize the Executive Director to Execute a Professional Services Agreement with Ariadne Maps GmbH to Procure and Install a Passenger Data Analytics System for San Francisco Bay Oakland International Airport for a Three-Year Term with Two, One-Year Options to Extend, for a Maximum Compensation Not-to-Exceed \$1,067,000, Enter into an Agreement with a Competitively Selected Vendor to Provide Network Switches for an Amount Not-To-Exceed \$260,000, for a Project Total of \$1,327,000 and Find that the Proposed Action is Exempt Under the California Environmental Quality Act **(Aviation & Technology and Innovation)**

**File ID:** [\[317-24\]](#)

**Attachments:** [Agenda Report](#)  
[Resolution Item 6.1](#)

- 6.2 Resolution:** Approve and Authorize the Executive Director to Execute the Baseline Agreement and All Other Related Documents Necessary for the Port to Receive Volkswagen Environmental Mitigation Trust Zero Emission Freight and Marine Program Grant Funds from the California Air Resources Board in the Amount of \$4,998,144 for Shore Power Infrastructure Development to Serve Berth 22 and Find that the Proposed Action is Not a Project Under the California Environmental Quality Act **(Maritime)**

**File ID:** [\[302-24\]](#)

**Attachments:** [Agenda Report](#)  
[Resolution Item 6.2](#)

- 6.3 Resolution:** Approve and Authorize the Executive Director to Waive Formal Competitive Procurement Procedures, Solicit Design-Build Services for the San Francisco Bay Oakland International Airport Substation SS-1 Replacement Project and the Substation SS-EV1 Construction Project Using Competitive Design Build Procurement Procedures, and Resolve Any Protests Resulting from the Process. **(Engineering/Aviation)**

**File ID:** [\[213-24\]](#)

**Attachments:** [Agenda Report](#)  
[Resolution Item 6.3](#)

- 6.4 Resolution:** Approve and Authorize the Executive Director to Award and Execute a Contract with Anvil Builders Inc. in an Amount Not to Exceed \$10,911,545 for the Construction of Former Oakland Army Base SS-R-14 Switchgear Replacement New SS-R-10, Execute Contract Change Orders in an Amount Not to Exceed \$1,750,000, and Find that the Proposed Action Complies with the California Environmental Quality Act as it was Analyzed in the 2002 Oakland Army Base Area Redevelopment Plan Environmental Impact Report. **(Engineering/Maritime)**

**File ID:** [\[184-24\]](#)

**Attachments:**    [Agenda Report](#)  
                              [Resolution Item 6.4](#)

- 6.5 Resolution:** Approve and Authorize the Disbursement of up to \$2,000,000 to The Rose Foundation for Communities and the Environment to Administer a Grant Making Program Consistent with the Intent of the West Oakland Community Fund and Authorize the Executive Director to Execute a Memorandum of Understanding with the Rose Foundation to Establish and Grant Funds for the West Oakland Community Fund Memorandum of Understanding. **(SRD)**

**File ID:** [\[258-24\]](#)

**Attachments:**    [Agenda Report](#)  
                              [Attachment](#)  
                              [Resolution Item 6.5](#)

## **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 October 24, 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.