



MINUTES

Thursday, May 8, 2025

Board Room – 2nd Floor

ROLL CALL

President Colbruno called the Regular Meeting of May 8, 2025 to order at the hour of 1:10 p.m. and the following Commissioners were in attendance:

Present: 7 - Commissioner Stephanie Dominguez Walton, Commissioner Yui Hay Lee, Commissioner Arabella Martinez, Commissioner Jahmese Myres, Second Vice-President Barbara Leslie, First Vice-President Andreas Cluver and President Michael Colbruno

1. CLOSED SESSION

President Colbruno convened the Board in Closed Session at 1:11 p.m. to hear the following Items:

Commissioner Dominguez Walton arrived at the meeting at 1:49 p.m.

1.1 THREAT TO PUBLIC SERVICES OR FACILITIES - (Pursuant to California Government Code Section 54957)

Consultation with Kristi McKenney, Executive Director and Troy Hosmer, Port Facilities Security Officer

File ID: [\[134-25\]](#)

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): 2:**

(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

(2) City and County of San Francisco v. Port of Oakland, U.S. Court of Appeals for the Ninth Circuit, Case No. 24-7532

File ID: [\[135-25\]](#)

1.3 CONFERENCE WITH REAL PROPERTY NEGOTIATOR - (Pursuant to California Government Code Section 54956.8)

Property: 1101 Embarcadero West, Oakland, CA
Negotiating Parties: Radius Recycling Inc. and Port of Oakland
Agency Negotiator: Bryan Brandes, Director of Maritime
Under Negotiation: Price and Terms of Payment

Property: 1901-1995 Embarcadero Road, Oakland; 1900-2000 Embarcadero, Oakland; and other parcels in Jack London Square and the Airport Business Park
Negotiating Parties: SSS Investment Group; Embarcadero Business Park, LLC; Various other tenants in Jack London Square and the Oakland Business Park; and the Port of Oakland
Agency Negotiator: Jonathan Veach, Chief Real Estate Officer
Under Negotiation: Price and Terms of Payment
File ID: [\[136-25\]](#)

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

Title: Executive Director

File ID: [\[137-25\]](#)

OPEN SESSION/ROLL CALL

President Colbruno called the Regular Meeting of May 8, 2025 to order in Open Session at the hour of 4:20 p.m.

Present: 7 - Commissioner Stephanie Dominguez Walton, Commissioner Yui Hay Lee, Commissioner Arabella Martinez, Commissioner Jahmese Myres, Second Vice-President Barbara Leslie, First Vice-President Andreas Cluver and President Michael Colbruno

CLOSED SESSION REPORT

Port Attorney, Mary Richardson, reported that the Board had taken the following action in Closed Session at the meeting held on April 24, 2025:

A motion was made by Commissioner Dominguez Walton, seconded by Commissioner Martinez, to approve Resolution 25-38. The motion carried by the following vote:

7Ayes: Commissioner Stephanie Dominguez Walton, Commissioner Yui Hay Lee, Commissioner Arabella Martinez, Commissioner Jahmese Myres, Second Vice-President Barbara Leslie, First Vice-President Andreas Cluver, and President Michael Colbruno

Resolution 25-38: Resolution Approving And Authorizing Execution Of A Payment Plan Settlement Agreement With Port Commercial Real Estate Tenant Hanwen Investment Inc, A California Corporation Doing Business As Dragon Gate Oakland, To Recover Deferred Payments, Monthly Rental, Common Area Expense Reimbursement, And Performance Deposit Adjustment Under The Lease.

2. CONSENT ITEMS

Secretary of the Board, Daria Edgerly, introduced the Consent Items.

A motion was made by Commissioner Lee, seconded by Second Vice-President Leslie, to approve the Consent Agenda. The motion carried by the following vote:

Ayes: 7 - Commissioner Dominguez Walton, Commissioner Lee, Commissioner Martinez, Commissioner Myres, Second Vice-President Leslie, First Vice-President Cluver and President Colbruno

- 2.1 Ordinance 4791:** Approve and Authorize the Executive Director to Execute an Amendment to the Temporary License Agreement to Extend the Term of the Agreement with Valley Humane Society, Inc. for Three Years and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Aviation)**

File ID: [\[123-25\]](#)

This Ordinance was approved.

- 2.2 Ordinance 4792:** Approve and Authorize the Executive Director to Execute a Second Supplemental Agreement to the Lease with Pacific Layberthing South, LLC, for Water and Land Area at Berth 68, to Extend the Maximum Term by Six Months through October 31, 2025, Resulting in Additional Revenue of \$276,000; and Find that the Proposed Action is Exempt Under the California Environmental Quality Act **(Maritime)**

File ID: [\[80-25\]](#)

This Ordinance was approved.

- 2.3 Ordinance 4787,** 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute A Construction Ramp Storage And Staging Space/Use Permit With Western Construction, Inc. At Oakland Airport To Include A Total Of Approximately 2,700 Square Feet Of Ramp Space For Up To \$48,600 In Total Rent From January 1, 2024 Through December 31, 2026 And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.

File ID: [\[130-25\]](#)

This Ordinance was approved.

- 2.4 Ordinance 4788,** 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute A Lounge Storage And Support Space/Use Permit With Cavu Experiences, LLC At Oakland Airport To Include A Total Of Approximately 420 Square Feet Of Concession Storage Support Space For Up To \$51,442.75 In Total Rent From January 22, 2024 Through December 31, 2025, And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.

File ID: [\[131-25\]](#)

This Ordinance was approved.

- 2.5 Ordinance 4789**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute A Third Amendment To The Lease With Shippers Transport Express, Inc. To Modify Premises And Compensation Due To Certain Development Activities; Executive A Second Amendment To The Temporary License Agreement With Alameda County Transportation Commission For Access To Perform Development Activities, Including For The 7th Street Grade Separation East Project, To Extend The Term Through December 31, 2028; And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.

File ID: [\[132-25\]](#)

This Ordinance was approved.

- 2.6 Ordinance 4790**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute A Tenth Supplemental Agreement To The Lease With BNSF Railway Company For The Joint Intermodal Terminal To Extend The Term Through December 31, 2025, Provide One Option To Extend The Term By One Year, Modify Compensation Resulting In A Revenue Reduction Of Approximately \$3.2 Million In Fy 2026, And Modify Other Provisions Relating To Term And Potential Future Rail Service; And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.

File ID: [\[133-25\]](#)

This Ordinance was approved.

- 2.7 Minutes:** Approval of the Minutes of the Regular Meeting of April 24, 2025. **(Board)**

File ID: [\[139-25\]](#)

These Minutes were approved.

3. MAJOR PROJECTS

There were no "Major Projects" on the Agenda.

4. BUDGET & FINANCE

- 4.1 Report:** FY 2026 Operating and Capital Budget Update #2. **(Finance & Admin)**

File ID: [\[119-25\]](#)

Chief Financial Officer, Julie Lam, presented Item 4.1.

Maritime Director, Bryan Brandes, Executive Director, Kristi McKenney, Utilities Director, Andre Basler, and Human Resources Director, Michael Mitchell, addressed the Board on Item 4.1

Diane Dillon addressed the Board on Item 4.1.

This Report was received and filed.

5. STRATEGY & POLICY

- 5.1 Informational Report:** Proposed Electricity Rate Adjustment for Fiscal Year 2026 for Rate Classes B and D Serving the Oakland International Airport, and Rate Classes A, B, C, E, F, and G Serving the Port of Oakland Seaport. **(Utilities)**

File ID: [\[125-25\]](#)

Utilities Director, Andre Basler, introduced Item 5.1.

This Report was received and filed.

6. REMAINING ACTION ITEMS

- 6.1 Ordinance 4793:** Approve and Authorize the Executive Director to Execute a Second Amendment to Temporary Rental *Agreement* with Delux Public Charter, LLC dba JSX Operating at Oakland Airport for a Total Term of Just Over Seven Years from May 7, 2021, through June 30, 2028, and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Aviation)**

File ID: [\[103-25\]](#)

Aviation Director, Craig Simon, introduced Item 6.1.

A motion was made by Second Vice-President Leslie, seconded by Commissioner Lee, that the Ordinance be approved. The motion carried by the following vote:

Ayes: 7 - Commissioner Dominguez Walton, Commissioner Lee, Commissioner Martinez, Commissioner Myres, Second Vice-President Leslie, First Vice-President Cluver and President Colbruno

- 6.2 Ordinance 4794:** Approval of Amendments to Tariff No. 2-A, Effective July 1, 2025, to (a) Modify Space Assignment Rates, (b) Modify Wharfage Rates for Containerized Cargo Not Otherwise Specified, and (c) Make Various Minor Administrative Updates; and Find that the Proposed Action is Exempt under the California Environmental Quality Act **(Maritime)**

File ID: [\[121-25\]](#)

Maritime Director, Bryan Brandes, introduced Item 6.2.

A motion was made by Commissioner Lee, seconded by First Vice-President Cluver, that the Ordinance be approved. The motion carried by the following vote:

Ayes: 7 - Commissioner Dominguez Walton, Commissioner Lee, Commissioner Martinez, Commissioner Myres, Second Vice-President Leslie, First Vice-President Cluver and President Colbruno

- 6.3 Resolution 25-44:** Approve and Authorize the Executive Director to Execute a Supplemental

Agreement to the Professional Services Agreement, Dated February 28, 2020, with Carahsoft Technology Corporation for SAP Concur Expense and Invoice Software to Increase the Maximum Compensation by an Additional \$230,000 to \$680,000; Waive Formal Competitive Procurement Procedures; and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Finance & Admin)**

File ID: [\[127-25\]](#)

Chief Financial Officer, Julie Lam, introduced Item 6.3.

A motion was made by Commissioner Lee, seconded by Commissioner Myres, that the Resolution be approved. The motion carried by the following vote:

Ayes: 7 - Commissioner Dominguez Walton, Commissioner Lee, Commissioner Martinez, Commissioner Myres, Second Vice-President Leslie, First Vice-President Cluver and President Colbruno

- 6.4 Resolution 25-45:** Approve and Authorize the Executive Director to Enter into a Professional Services Agreement for External Auditing Services with Macias Gini & O'Connell LLP for the Fiscal Years Ending June 30, 2025, 2026, and 2027 with Two (2) Possible One-Year Extensions for Audit Services for Fiscal Years Ending June 30, 2028 and 2029, for a Total Not to Exceed Amount of \$1,777,223 and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Finance & Admin)**

File ID: [\[128-25\]](#)

Chief Financial Officer, Julie Lam, introduced Item 6.4.

A motion was made by Commissioner Myres, seconded by Commissioner Dominguez Walton, that the Resolution be approved. The motion carried by the following vote:

Ayes: 7 - Commissioner Dominguez Walton, Commissioner Lee, Commissioner Martinez, Commissioner Myres, Second Vice-President Leslie, First Vice-President Cluver and President Colbruno

7. UPDATES/ANNOUNCEMENTS

There were no "Updates or Announcements".

8. SCHEDULING

There were no "Scheduling Items" on the Agenda.

OPEN FORUM

There were no Public Speakers in Open Forum.

ADJOURNMENT

There being no additional business, the Meeting was adjourned at the hour of 5:30 p.m.

Approved:

Daria Edgerly
Secretary of the Board