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**SUPPLEMENTAL BOARD AGENDA**

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Thursday, November 7, 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/1613906915>

*To join by Telephone:*

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

*Webinar ID: 161 390 6915*

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

Consultation with Kristi McKenney, Chief Operating Officer

**File ID:** [\[350-24\]](#)

**1.2 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/>>>**

**File ID:** [\[351-24\]](#)

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

**Property:** Brooklyn Basin properties along Oakland Estuary

**Negotiating Parties:** Zarsion-OHP I, LLC and the Port of Oakland

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

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

**File ID:** [\[352-24\]](#)

**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 the Executive Director to Execute a Professional Services Agreement with Liftech Consultants, Inc. for On-Call Crane and Wharf Related Engineering Services Including Urgent and Emergency Work for a Term Not to Exceed Five Years with a Maximum Compensation Not to Exceed \$625,000. **(Engineering)**

**File ID:** [\[320-24\]](#)

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

- 2.2 Resolution:** Approving and Adopting the Port of Oakland Electric Utility Physical Security Plan and Authorizing the Executive Director to Submit the Resolution to the California Public Utilities Commission and finding that the Proposed Action is Exempt under the California Environmental Quality Act. **(Utilities)**

**File ID:** [\[314-24\]](#)

**Attachments:** [Agenda Report](#)  
[Resolution Item 2.2](#)

- 2.3 Ordinance 4771,** 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute Food Storage And Support Space/Use Permit With Each Of The Five Food & Beverage Concessionaires Operating At San Francisco Bay Oakland International Airport - HFF Oak Venture, LLC; Rylo Management; Soaring Food Group II, LLC; SSP America Oak, LLC And NNF Grewal, Inc. - To Include A Total Of Approximately 6,905 Square Feet Of Concession Storage Support Space For Up To \$4,646,573.09 In Total Rent From January 1, 2022 Through March 31, 2033 And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.

**File ID:** [\[354-24\]](#)

**Attachments:** [Ordinance 4771](#)

- 2.4 Ordinance 4772**, 2nd Reading Of An Ordinance Amending: 1) Port Of Oakland (“Port”) Tariff No. 2-A (Ordinance No. 2833) To Update Requirements And Set A Maintenance Charge For Emission Controls For Vessels At Berth, Including Shore Power; And 2) Chapter 10.03 (Utilities Rates And Charges) And Appendix F (Master Utility Fee Schedule) Of The Port Of Oakland Administrative Code (“POAC”) To Remove The Shore Power Maintenance Charge; And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.

**File ID:** [\[355-24\]](#)

**Attachments:** [Ordinance 4772](#)  
[Attachment](#)

- 2.5 Ordinance 4773**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute A Second Amendment To The License And Concession Agreement With Conglobal Industries, LLC To Extend The Agreement Term By Three Years Through June 30, 2028, Which Provides Average Annual Fixed Rent Of Approximately \$2.7 Million; And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.

**File ID:** [\[356-24\]](#)

**Attachments:** [Ordinance 4773](#)

- 2.6 Minutes:** Approval of the Minutes of the Regular Meetings of September 26, 2024 and October 10, 2024. **(Board)**

**File ID:** [\[353-24\]](#)

**Attachments:** [September 26, 2024 Minutes](#)  
[October 10, 2024 Minutes](#)

### **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 Negotiate and Execute a Professional Services Agreement with Mead and Hunt, Inc. for Terminal Energy and Decarbonization Audit for a Maximum Compensation Not to Exceed \$370,000 and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act **(Aviation)**

**File ID:** [\[345-24\]](#)

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

- 6.2 Ordinance:** Approve and Authorize 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. **(CRE)**

**File ID:** [\[347-24\]](#)

**Attachments:** [Agenda Report](#)  
[Attachment 1](#)  
[Attachment 2](#)  
[Ordinance Item 6.2](#)

- 6.3 Ordinance:** Approval of Amended Parking Rates and Charges for Port-Owned Parking Facilities in Jack London Square, Effective January 1, 2025, and Adoption into Charter 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. **(CRE)**

**File ID:** [\[348-24\]](#)

**Attachments:** [Agenda Report](#)  
[Supplemental Attachment](#)  
[Ordinance Item 6.3](#)

- 6.4 Resolution:** Approve and Authorize the Executive Director to Waive Formal Competitive Procurement Procedures and Execute a Fourth Supplemental Agreement to the Professional Services Agreement with Cambridge Systematics, Inc. to Add \$500,000 to the Maximum Compensation for a Total Amount Not to Exceed of \$1,900,000 to Provide Grant Management Consulting Services. **(Environmental)**

**File ID:** [\[349-24\]](#)

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

- 6.5 Resolution:** Approve and Authorize the Executive Director to Reimburse the City of Oakland \$3,055,775 for General Services and Lake Merritt Trust Services Rendered in Fiscal Year 2024 and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Finance & Admin)**

**File ID:** [\[346-24\]](#)

**Attachments:** [Agenda Report](#)  
[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 November 21, 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.

Daria Edgerly, Secretary of the Board  
530 Water Street, Oakland, CA 94607  
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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.