



**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

**RESOLUTION NO. 24-89**

**RESOLUTION APPROVING AND AUTHORIZING 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.**

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**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 2.1, dated November 7, 2024, 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 because the proposed action does not involve an activity that may cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment as further defined in Section 21065 of the Public Resources Code.

B. The proposed action is for obtaining professional, scientific, or technical services that are temporary in nature, 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 of the Port to:

A. 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, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney.

B. Make any additions, modifications, or corrections necessary to execute the requested agreement 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 November 7, 2024

Passed by the following vote:

Ayes: Commissioners Cluver, Dominguez Walton, Leslie, Martinez and President Colbruno – 5

Excused: Commissioners Lee and Myres – 2

Noes: – 0

**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

11/7/2024  
Item No.: 2.2  
RS/pcm

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**RESOLUTION NO. 24-90**

**RESOLUTION APPROVING AND ADOPTING THE PORT OF OAKLAND ELECTRIC UTILITY PHYSICAL SECURITY PLAN AND AUTHORIZING THE EXECUTIVE DIRECTOR TO SUBMIT THIS RESOLUTION TO THE CALIFORNIA PUBLIC UTILITIES COMMISSION; AND FINDING THAT THE PROPOSED ACTION IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

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**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated Agenda Report Item 2.2 dated November 7, 2024, 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**, in January 2019, the California Public Utilities Commission ("CPUC") approved Decision D.19-01-018 ("D.19-01-018"), requiring California's investor-owned utilities to prepare and submit a physical security plan for certain categories of their electric facilities; and

**WHEREAS**, the Port of Oakland values the physical security of its publicly owned utility, and similar to other publicly owned utilities in the state, generally treats CPUC safety rules for electric utility supply systems as key industry standards and agreed to develop a similar utility security plan for its electric systems; and

**WHEREAS**, consistent with industry standard, the Port prepared a Draft Utility Physical Security Plan ("Draft Plan"), which it submitted both to a qualified third party reviewer and a separate qualified authority for two levels of review; and

**WHEREAS**, the Port prepared a Final Utility Physical Security Plan ("Utility Security Plan") to address and incorporate any identified deficiencies by those reviewers, of which there were none; and

**WHEREAS**, the Utility Security Plan is not attached to the Agenda Report and is not attached to this Resolution in order to protect the information contained therein from distribution to those who may threaten the very security the Utility Security Plan seeks to protect; and

**WHEREAS**, the Board has reviewed and considered: 1) the Utility Security Plan; 2) the results of the third party evaluation conducted by the Cybersecurity and Infrastructure Security Agency ("CISA"), a division of the US Department of Homeland Security, who performed the review and had no further comments on the Utility Security Plan; and 3) the results of the

qualified authority review conducted by the California Officer of Emergency Services, Homeland Security Division ("CalOES"), which concluded that the Utility Security Plan meets and exceeds the risk mitigation standards set by the Department of Homeland Security; and

**WHEREAS**, pursuant to Section 6.6 and Ordering Paragraphs 3-4 of D.19-01-018, publicly owned utilities such as the Port shall provide the Director of the Safety and Enforcement Division and the Director of the Energy Division of the CPUC with notice of adoption of its Utility Security Plan by way of a copy of a signed resolution, and the Port seeks to comply with these provisions as industry standard; 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 proposed action 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.** The Board hereby determines that CalOES has sufficient familiarity with relevant federal, state, and local standards to serve in the role of emergency response and critical infrastructure protection for the review of the Utility Security Plan and designates it as the Port's qualified Authority for purposes of review of the Utility Security Plan.

**Section 3.** The Board hereby approves the Utility Security Plan and directs and authorizes the Executive Director to submit this Resolution adopting the Utility Security Plan to the CPUC as evidence of the Port's voluntary compliance with D.19-01-018.

**Section 4.** 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 the Utility Security Plan and directs and authorizes the submittal of this Resolution adopting the Utility Security Plan to the CPUC in accordance with the terms of this resolution.

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

**At the Regular Meeting held on November 7, 2024**

**Passed by the following vote:**

**Ayes: Commissioners Cluver, Dominguez Walton, Leslie, Martinez and President Colbruno – 5**

**Excused: Commissioners Lee and Myres – 2**

**Noes: – 0**

**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

11/07/2024  
Item No.: 6.1  
ERR/pcm

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**RESOLUTION NO. 24-91**

**RESOLUTION APPROVING AND AUTHORIZING 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.**

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**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 6.1, dated November 7, 2024, 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 categorically exempt from the California Environmental Quality Act ("CEQA") under Section 15306 of the CEQA Guidelines because the proposed action is for basic data collection and information gathering that will not result in a serious or major disturbance to an environmental resource.

B. The proposed action is for obtaining professional, scientific, or technical services that are temporary in nature, 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 of the Port to:

A. 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, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney.

B. Make any additions, modifications, or corrections necessary to execute the requested agreement 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 November 7, 2024

Passed by the following vote:

Ayes: Commissioners Cluver, Dominguez Walton, Leslie, Martinez and President Colbruno – 5

Excused: Commissioners Lee and Myres – 2

Noes: – 0



**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

**RESOLUTION NO. 24-92**

**RESOLUTION APPROVING AND AUTHORIZING 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.**

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**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 6.4, dated November 7, 2024, 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 because the proposed action does not involve an activity that may cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment as further defined in Section 21065 of the Public Resources Code.

B. The proposed action is for obtaining professional, scientific, or technical services that are temporary in nature, 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 of the Port to:

A. 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, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney.

B. Make any additions, modifications, or corrections necessary to execute the requested agreement 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 November 7, 2024  
Passed by the following vote:

Ayes: Commissioners Cluver, Dominguez Walton, Leslie, Martinez and President Colbruno – 5  
Excused: Commissioners Lee and Myres – 2  
Noes: – 0



**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

11/07/2024  
Item No. 6.5  
CT/pcm

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**RESOLUTION NO. 24-93**

**RESOLUTION APPROVING AND AUTHORIZING 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 MAKING CERTAIN DETERMINATIONS IN CONNECTION THEREWITH AND FINDING THAT THE PROPOSED ACTION IS EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

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**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.5, dated November 7, 2024, ("Agenda Report") and related materials, has received the expert testimony of Port of Oakland ("Port") staff, and has provided opportunities for and taken public comment; now, therefore, be it

**RESOLVED**, that the Board hereby determines that the proposed action 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; and be it

**FURTHER RESOLVED**, that the Board, subject to the terms and conditions hereinafter described, hereby authorizes the Executive Director to transfer, from the Port Revenue Fund to the General Fund of the City, a total amount not greater than \$3,055,775, said transfer to be made from any funds available in the Port Revenue Fund in accordance with the Ninth purpose of Section 717(3) of the Charter of the City, subject and subordinate to all payments required by the First, Second, Third, Fourth, Fifth, Sixth, Seventh, and Eighth purposes of Section 717(3) of the Charter of the City; and be it

**FURTHER RESOLVED**, that the Board does hereby determine that moneys, sufficient to make the \$3,055,775 maximum transfer hereinabove specified, exist in said Port Revenue Fund which are not needed for any of the First through Eighth purposes of said Section 717(3) of said Charter; and be it

**FURTHER RESOLVED**, that the General Services payments and Lake Merritt reimbursements are conditioned upon and subject to the terms and conditions contained in the Memorandum of Understanding effective July 1, 1983, between the Port and the City of Oakland, acting by and through its City Council, as amended by the Eleventh Supplemental Agreement (General Services) effective July 1, 1993, and as amended by the Twelfth Supplemental Agreement (Lake Merritt Tidelands) effective July 1, 1993; and be it

**FURTHER RESOLVED**, that the action taken by this resolution does not constitute a commitment by the Board with respect to any other determination of moneys being available for the Ninth purpose of Section 717(3) of the Charter of the City; and be it

**FURTHER RESOLVED**, that in acting upon the matters contained herein, 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 materials and in testimony received; and be it

**FURTHER RESOLVED**, that 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; and be it

**FURTHER RESOLVED**, that this resolution shall be effective immediately upon adoption by the Board.

At the Regular Meeting held on November 7, 2024

Passed by the following vote:

Ayes: Commissioners Cluver, Dominguez Walton, Leslie, Martinez and President Colbruno – 5

Excused: Commissioners Lee and Myres – 2

Noes: – 0