



**AGENDA REPORT**

**PROPOSED ACTION:** **Resolution:** Approving and Authorizing the Executive Director to Assign a Professional Services Agreement with Mandiant, Inc. to Google LLC, and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Technology and Innovation)**

**Submitted By:** Kyle Mobley, Director of Technology & Innovation; Kristi McKenney, Executive Director

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| <b><u>Parties Involved:</u></b> Mandiant, Inc., Reston, VA, Google LLC, Mountain View, CA | <b><u>Amount:</u></b> N/A |
|---|---------------------------|

**EXECUTIVE SUMMARY:** This action consents to the assignment of a Professional Services Agreement for on-call cyber security consulting, incident response, training and support, (collectively, cyber security resource subscriptions) from Mandiant, Inc. (Mandiant) to Google LLC (Google). The request for assignment is necessary after Google acquired Mandiant.

**BACKGROUND & ANALYSIS**

In March 2022, the Port entered into a Professional Services Agreement with Mandiant to provide one year of on-call cyber security consulting, incident response, training and support, (collectively, cyber security resource subscriptions) for the Port's technology environment.

In March 2023, the Port entered into a supplemental agreement to extend services for three additional years, ending in March 2026. In April 2024, Google announced that it had acquired Mandiant and was notified that existing agreements would be assigned to Google as of October 1, 2024.

The proposed assignment will result in the continued provisioning of on-call cybersecurity consulting, incident response, training and support services; cybersecurity resource subscriptions to the Port under the agreements.

## **OTHER FINDINGS AND PROVISIONS**

### **ENVIRONMENTAL REVIEW**

The proposed action was analyzed under the California Environmental Quality Act (CEQA) and was found to be:

☐ Categorically exempt under the following CEQA Guidelines Section:

Choose an item.

☒ "Common Sense" exemption under CEQA Guidelines Section 15061(b)(3).

☐ Other/Notes:

### **BUDGET**

☒ Administrative (No Impact to Operating, Non-Operating, or Capital Budgets); OR

☐ Operating

☐ Non-Operating

☐ Capital

Analysis: Proposed action is administrative in nature and does not impact FY 2026 Board adopted budget.

### **STAFFING**

☒ No Anticipated Staffing Impact.

☐ Anticipated Change to Budgeted Headcount.

Reason:

☐ Other Anticipated Staffing Impact (e.g., Temp Help).

Reason:

### **MARITIME AND AVIATION PROJECT LABOR AGREEMENT (MAPLA):**

Applies? No (Not Aviation or Maritime CIP Project) – proposed action is not covered work on Port's Capital Improvement Program in Aviation or Maritime areas above the threshold cost.

☐ Additional Notes:

### **LIVING WAGE** (City Charter § 728):

Applies?

No (No Covered Agreement) – proposed action is not an agreement, contract, lease, or request to provide financial assistance within the meaning of the Living Wage requirements.

☐ Additional Notes:

### **SUSTAINABLE OPPORTUNITIES:**

Applies? **No.**

Reason: This change of assignment has no sustainability impact

### **GENERAL PLAN** (City Charter § 727):

Conformity Determination:

|   |  |
|---|--|
|   | Not Required – conformity determination not required because proposed action does not change use of or make alterations to an existing facility, or create a new facility. |
| <p><b><u>STRATEGIC PLAN.</u></b> The proposed action would help the Port achieve the following goal(s) in the Port's Strategic Plan:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Capture Our Market and Grow the Economic Base</li> <li><input checked="" type="checkbox"/> Modernize and Upgrade Infrastructure</li> <li><input type="checkbox"/> Transition to Zero-Emissions and Build Climate Resilience</li> <li><input type="checkbox"/> Maximize Land Use Value and Revenues</li> <li><input type="checkbox"/> Workforce Training and Jobs Development</li> <li><input type="checkbox"/> Create Opportunities for Local Businesses and Community Economic Development</li> </ul> |  |