



**PORT OF
OAKLAND**

*530 Water Street
Oakland, California 94607
510.627.1337*

Minutes

Thursday, November 7, 2024

3:30 PM

Board Room – 2nd Floor

DRAFT

www.portofoakland.com

ROLL CALL

President Colbruno called the Regular Meeting of November 7, 2024 to order at the hour of 1:08 p.m. and the following Commissioners were in attendance:

Present: 6 - Commissioner Stephanie Dominguez Walton, Commissioner Arabella Martinez, Commissioner Jahmese Myres, Second Vice-President Barbara Leslie, First Vice-President Andreas Cluver and President Michael Colbruno

Excused: 1 - Commissioner Yui Hay Lee

1. CLOSED SESSION

President Colbruno convened the Board in Closed Session at 1:10 p.m. to hear the following Items:

Commissioner Myres left the meeting at 3:30 p.m.

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

President Colbruno called the Regular Meeting of November 7, 2024 to order in Open Session at the hour of 3:40 p.m.

Present: 5 - Commissioner Stephanie Dominguez Walton, Commissioner Arabella Martinez, Second Vice-President Barbara Leslie, First Vice-President Andreas Cluver and President Michael Colbruno

Excused: 2 - Commissioner Yui Hay Lee and Commissioner Jahmese Myres

CLOSED SESSION REPORT

Port Attorney, Mary Richardson, reported that the Board had taken no final action in Closed Session.

First Vice-President Cluver recused himself from Item 1.3 due to a potential financial conflict of interest and was not in the room and took no part in the discussion or deliberation of the item.

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

2. CONSENT ITEMS

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

A motion was made by Commissioner Dominguez Walton, seconded by Commissioner Martinez, to approve the Consent Agenda. The motion carried by the following vote:

Ayes: 5 - Commissioner Dominguez Walton, Commissioner Martinez, Second Vice-President Leslie, First Vice-President Cluver and President Colbruno

Excused: 2 - Commissioner Lee and Commissioner Myres

2.1 Resolution 24-89: 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: [\[320-24\]](#)

This Resolution was approved.

- 2.2 Resolution 24-90:** 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: [\[314-24\]](#)

This Resolution was approved.

- 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: [\[354-24\]](#)

This Ordinance was approved.

- 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: [\[355-24\]](#)

This Ordinance was approved.

- 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: [\[356-24\]](#)

This Ordinance was approved.

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

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

The Minutes were approved.

3. MAJOR PROJECTS

There were no "Major Projects" on the Agenda.

4. BUDGET & FINANCE

There were no "Budget & Finance" Items to approve.

5. STRATEGY & POLICY

There were no "Strategy & Policy" Items to approve.

6. REMAINING ACTION ITEMS

6.1 Resolution 24-91: 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: [\[345-24\]](#)

Aviation Director, Craig Simon, introduced Item 6.1.

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

Ayes: 5 - Commissioner Dominguez Walton, Commissioner Martinez, Second Vice-President Leslie, First Vice-President Cluver and President Colbruno

Excused: 2 - Commissioner Lee and Commissioner Myres

6.2 Ordinance 4774: 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: [\[347-24\]](#)

Chief Commercial Real Estate Officer, Jonathan Veach, introduced Item 6.2.

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

Ayes: 4 - Commissioner Dominguez Walton, Commissioner Martinez, Second Vice-President Leslie and President Colbruno

Excused: 2 - Commissioner Lee and Commissioner Myres

Recused: 1 - First Vice-President Cluver

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 the California Environmental Quality Act. **(CRE)**

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

Chief Commercial Real Estate Officer, Jonathan Veach, introduced Item 6.3.

Dorin Tiutin, Commercial Real Estate Manager, addressed the Board on Item 6.3.

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

Ayes: 5 - Commissioner Dominguez Walton, Commissioner Martinez, Second Vice-President Leslie, First Vice-President Cluver and President Colbruno

Excused: 2 - Commissioner Lee and Commissioner Myres

- 6.4 Resolution 24-92:** 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: [\[349-24\]](#)

Environmental Programs and Planning Director, Colleen Liang, introduced Item 6.4.

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

Ayes: 5 - Commissioner Dominguez Walton, Commissioner Martinez, Second Vice-President Leslie, First Vice-President Cluver and President Colbruno

Excused: 2 - Commissioner Lee and Commissioner Myres

- 6.5 Resolution 24-93:** 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: [\[346-24\]](#)

Chief Financial Officer, Julie Lam, presented Item 6.5.

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

Ayes: 5 - Commissioner Dominguez Walton, Commissioner Martinez, Second Vice-President Leslie, First Vice-President Cluver and President Colbruno

Excused: 2 - Commissioner Lee and Commissioner Myres

7. UPDATES/ANNOUNCEMENTS

Director of Environmental Programs and Planning, Colleen Liang, announced that the Port was presented with an award from the American Association of Port Authorities for "Excellence in Community/Educational Outreach."

Chief Operating Officer, Kristi McKenney, announced that the Port was awarded a \$323M grant from the U.S. Environmental Protection Agency to assist with the Port's zero-emissions efforts.

8. SCHEDULING

There were no "Scheduling Items" on the Agenda.

OPEN FORUM

Thanh Vuong, Port Principal Engineer, addressed the Board in Open Forum.

ADJOURNMENT

There being no additional business, the Meeting was adjourned at the hour of 4:18 p.m.

Approved:

Daria Edgerly
Secretary of the Board

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