



**PORT OF
OAKLAND**

*530 Water Street
Oakland, California 94607
510.627.1337*

Minutes

Thursday, September 12, 2024

3:30 PM

Board Room – 2nd Floor

www.portofoakland.com

ROLL CALL

President Colbruno called the Regular Meeting of September 12, 2024 to order at the hour of 1:02 and the following Commissioners were in attendance:

Commissioner Dominguez Walton participated in Closed Session via teleconference.

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

Excused: 2 - Commissioner Yui Hay Lee and Commissioner Arabella Martinez

1. CLOSED SESSION

President Colbruno convened the Board in Closed Session at 1:03 p.m. to hear the following Items:

Commissioner Dominguez Walton left the meeting at the hour of 2:57 p.m.

1.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - (Pursuant to Paragraph (1) of Subdivision (d) of California Government Code Section 54956.9): Number of Matter(s): 1:

(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

File ID: [\[295-24\]](#)

1.2 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - (Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of California Government Code Section 54956.9): Number of Matters: 1

File ID: [\[296-24\]](#)

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

Title: Executive Director

File ID: [\[297-24\]](#)

OPEN SESSION/ROLL CALL

President Colbruno called the Regular Meeting of September 12, 2024 to order in Open Session at the hour of 3:36 p.m.

Present: 4 - President Michael Colbruno, Commissioner Jahmese Myres, First Vice-President Andreas Cluver and Second Vice-President Barbara Leslie

Excused: 3 - Commissioner Stephanie Dominguez Walton, Commissioner Arabella Martinez and Commissioner Yui Hay Lee

CLOSED SESSION REPORT

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

OPEN FORUM

The following members of the Public addressed the Board in Open Forum:

Patricia St. Onge, Peggy Merz, Jane Perry, Bonnie Richman, and Rani Marx

2. CONSENT ITEMS

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

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

Ayes: 4 - Commissioner Myres, Second Vice-President Leslie, First Vice-President Cluver and President Colbruno

Excused: 3 - Commissioner Dominguez Walton, Commissioner Lee and Commissioner Martinez

2.1 Resolution 24-60: Approve and Authorize the Executive Director to Execute Two Agreements with the U.S. Department of Homeland Security, Transportation Security Administration to (1) Extend an Existing Letter of Agreement on the Installation, Maintenance, and Operation of Checkpoint Duress Alarms and (2) Establish Bailment to Allow Transportation Security Administration to Possess, Use, Care For and Return a Port-Owned Portable X-Ray System and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Aviation)**

File ID: [\[276-24\]](#)

This Resolution was approved.

2.2 Resolution 24-61: Approve and Authorize the Executive Director to Approve the 2024 Wildfire Mitigation Plan and Submit the 2024 Wildfire Mitigation Plan to the California Public Utilities Commission Wildfire Safety Advisory Board of California. **(Utilities)**

File ID: [\[270-24\]](#)

This Resolution was approved.

- 2.3 Resolution 24-62:** Building Permit for Southwest Airlines Tenant Improvements for Pilot's Lounge, 1 Airport Drive, Terminal 2 Lower Level, OAK **(Environmental/Aviation)**

File ID: [\[278-24\]](#)

This Resolution was approved.

- 2.4 Resolution 24-63:** Building Permit for Southwest Airlines Upgrades to Communications Systems, 1 Airport Drive, et al, OAK **(Environmental/Aviation)**

File ID: [\[279-24\]](#)

This Resolution was approved.

- 2.5 Ordinance 4764,** 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute An Airline Operating Agreement And Annex "A" Space/Use Permit With Aeroenlaces Nacionales, S.A. De C.V. (D/B/A/ Viva Aerobus), With Anticipated Revenues Of \$410,035.75, Based On FY2024/2025 Rates And Charges, Operating At San Francisco Bay Oakland International Airport And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.

File ID: [\[272-24\]](#)

This Ordinance was approved.

- 2.6 Ordinance 4765,** 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute Amendment No. 1 To Space/Use Permit With Alclear, LLC DbA Clear To Provide Registered Traveler Services At San Francisco Bay Oakland International Airport, To Extend The Term Through June 30, 2025 For Approximately \$337,776.53 In Anticipated Revenue And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.

File ID: [\[273-24\]](#)

This Ordinance was approved.

- 2.8 Minutes:** Approval of the Minutes of the Regular Meetings of June 13, 2024, June 27, 2024 and July 11, 2024. **(Board)**

File ID: [\[298-24\]](#)

The Minutes were approved.

2.7 **Ordinance 4766**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Extend The Term Of A Temporary License Agreement With HLT CA Hilton, LLC For Premises Consisting Of Approximately 10 Acres Located At 1 Hegenberger Road, Oakland, For Demolition Of Certain Improvements, For A Total Term Of 18 Months, And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.

File ID: [\[274-24\]](#)

The ordinance failed due to a lack of votes. The ordinance was moved to the next meeting.

Ayes: 2 - Second Vice-President Leslie and President Colbruno

No: 1 - Commissioner Myres

Excused: 3 - Commissioner Dominguez Walton, Commissioner Lee and Commissioner Martinez

Abstain: 1 - First Vice-President Cluver

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 24-64:** Approve and Authorize the Executive Director to (1) Award and Execute a Contract with Granite Construction Company for Construction of Airport Perimeter Dike Phase 2 Seismic Improvements at San Francisco Bay Oakland International Airport in an Amount Not to Exceed \$33,968,430 and Execute Contract Change Orders in an Amount Not to Exceed \$6,793,686; and (2) Apply for and Accept Federal Grant Awards in the Amount Available From the Federal Aviation Administration; and 3) Adopt the Supplemental Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Proposed Project. **(Engineering / Aviation)**

File ID: [\[171-24\]](#)

Director of Engineering, Emilia Sanchez, introduced Item 6.1.

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

Ayes: 4 - Commissioner Myres, Second Vice-President Leslie, First Vice-President Cluver and President Colbruno

Excused: 3 - Commissioner Dominguez Walton, Commissioner Lee and Commissioner Martinez

- 6.2 Resolution 24-65:** Approve and Authorize the Executive Director to Execute Professional Services Agreements with Burns & McDonnell Western Enterprises, Inc. and GHD Inc. for On-Call Marine Engineering Design Services for Federally Funded Projects for Four-Year Terms Renewable Up to Two Years with an Aggregate Maximum Compensation for all Agreements Not to Exceed \$16,000,000. **(Engineering)**

File ID: [\[207-24\]](#)

Director of Engineering, Emilia Sanchez, introduced Item 6.2.

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

Ayes: 4 - Commissioner Myres, Second Vice-President Leslie, First Vice-President Cluver and President Colbruno

Excused: 3 - Commissioner Dominguez Walton, Commissioner Lee and Commissioner Martinez

- 6.3 Resolution 24-66:** Approve and Authorize the Executive Director to Execute Professional Services Agreements with AECOM Technical Services, Inc., Kimley-Horn & Associates, and WHM Corporation for On-Call Port-wide Pavement Assessment Management Program and Design Services for Non-Federally Funded Projects for Four-Year Terms, Renewable Up to Two Years with an Aggregate Maximum Compensation for All Agreements Not to Exceed \$18,000,000. **(Engineering)**

File ID: [\[214-24\]](#)

Director of Engineering, Emilia Sanchez, introduced Item 6.3.

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

Ayes: 4 - Commissioner Myres, Second Vice-President Leslie, First Vice-President Cluver and President Colbruno

Excused: 3 - Commissioner Dominguez Walton, Commissioner Lee and Commissioner Martinez

6.4 Ordinance 4767: Enactment of the Ordinance Necessary to Ratify and Set the Salary Increase and the Salaries Retroactive to the Pay Period Containing July 1, 2024, for Certain Port of Oakland Non-Represented Positions in Port Employee Representation Unit H **(Finance & Admin)**

File ID: [\[281-24\]](#)

Human Resources Director, Michael Mitchell, introduced Item 6.4.

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

Ayes: 4 - Commissioner Myres, Second Vice-President Leslie, First Vice-President Cluver and President Colbruno

Excused: 3 - Commissioner Dominguez Walton, Commissioner Lee and Commissioner Martinez

6.5 Resolution 2467: and Ordinance 4768:1 Adoption of a Resolution to Approve the Terms and Conditions of Employment and Certain Benefits as Set Forth in the Memorandum of Understanding Between the Port of Oakland and Western Council of Engineers for the Period July 1, 2024 through September 30, 2025 and Authorize the Executive Director to Execute the Memorandum of Understanding and 2) Enactment of An Ordinance to Amend Port Ordinance No. 867 to Set the Salaries and Certain Benefits as Set Forth in the Memorandum of Understanding Between the Port of Oakland and Western Council of Engineers for the Period July 1, 2024 Through September 30, 2025. **(Finance & Admin)**

File ID: [\[282-24\]](#)

Human Resources Director, Michael Mitchell, introduced Item 6.5.

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

Ayes: 4 - Commissioner Myres, Second Vice-President Leslie, First Vice-President Cluver and President Colbruno

Excused: 3 - Commissioner Dominguez Walton, Commissioner Lee and Commissioner Martinez

7. UPDATES/ANNOUNCEMENTS

Executive Director, Danny Wan, announced that the Port hosted U.S. Senator Alex Padilla and California Governor Gavin Newsom along with other Federal and State Officials to Celebrate \$1.2 Billion Investment in California's Arches Hydrogen Hub.

Maritime Director, Bryan Brandes, announced The Port's partnership with the Harbor Trucking Association for an upcoming "Zero Emissions Ride & Drive" event. at the Oakland Seaport.

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 4:15 p.m.

Approved:

Daria Edgerly
Secretary of the Board

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