



MINUTES

Thursday, December 19, 2024

Board Room – 2nd Floor

ROLL CALL

President Colbruno called the Regular Meeting of December 19, 2024 to order at the hour of 1:06 p.m. and the following Commissioners were in attendance:

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 1:08 p.m. to hear the following Items:

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

Property: Various space assignment and short term tenancy areas located in the outer harbor terminal area, the former Oakland Army Base and throughout the Seaport

Negotiating Parties: Various space assignment and short term tenants located in the outer harbor terminal area, the former Oakland Army Base and throughout the Seaport and the Port of Oakland

Agency Negotiator: Bryan Brandes, Director of Maritime

Under Negotiation: Price and Terms of Payment

Property: Seaport Area, Oakland, CA

Negotiating Parties: Existing and Future Tenants and The Port of Oakland

Agency Negotiator: Bryan Brandes, Director of Maritime

Under Negotiation: Price and Terms of Payment

Property: Seaport Area, Oakland, CA

Negotiating Parties: City of Alameda, Future Maritime Tenants, and The Port of Oakland

Agency Negotiator: Bryan Brandes, Director of Maritime

Under Negotiation: Price and Terms of Payment

File ID: [\[393-24\]](#)

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): 2

File ID: [\[394-24\]](#)

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

Title: Executive Director

File ID: [\[395-24\]](#)

1.4 CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to California Government Code Section 54957.6):

Agency Designated Representative: Michael Mitchell

Employee Organizations: International Federation of Professional and Technical Engineers, Local 21; Service Employees International Union, Local 1021; Western Council of Engineers; International Brotherhood of Electrical Workers, Local 1245 And Unrepresented Employees: Port Employee Units H/M

File ID: [\[396-24\]](#)

OPEN SESSION/ROLL CALL

President Colbruno called the Regular Meeting of December 19, 2024 to order in Open Session at the hour of 4:55 p.m.

Secretary of the Board, Daria Edgerly, announced that Item 2.2 is pulled from Consent and will be heard immediately following the Consent Items.

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

CLOSED SESSION REPORT

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

2. CONSENT ITEMS

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

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

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

Excused: 2 - Commissioner Lee and Commissioner Martinez

- 2.1 Resolution 24-97:** Approve and Authorize the Executive Director to Execute an Eighth Supplemental Agreement with Oakland Fire Services Administration to Extend the Existing Memorandum of Understanding for Aircraft Rescue and Fire Fighting for Two Years through December 31, 2026, for an Additional \$16.2 Million and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Aviation)**

File ID: [\[365-24\]](#)

This Resolution was approved.

- 2.3 Ordinance 4777:** Approve and Authorize the Executive Director to Execute an Amendment No. 2 to the Space/Use Permit for Security Checkpoint Customer Service Enhancement Program with Security Point Media, LLC to Extend the Term through June 30, 2027 and Modify Rent and Premises at Oakland Airport with Anticipated Revenues of \$728,125 over the Proposed Extended Term, Waive the Restriction in Resolution No. 16-144 - Resolution Approving a Restatement, Affirmation and Update to the Board's Policy for Awarding Concession and Customer Service Privileges at the Terminal Complex at Oakland Airport, and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Aviation)**

File ID: [\[374-24\]](#)

This Ordinance was approved.

- 2.4 Ordinance 4778:** Approve and Authorize the Executive Director to Extend Space Assignment Agreements, Temporary Rental Agreements, and Temporary License Agreements that (a) Have Been In Effect For More Than One Year As of December 5, 2024, and/or (b) Are Likely To Be In Effect For More Than One Year As of December 31, 2024, Through December 31, 2025, Resulting In Annual Revenue of Approximately \$8.6 Million, and Find that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Maritime)**

File ID: [\[338-24\]](#)

This Ordinance was approved.

- 2.5 Ordinance 4779:** Approve and Authorize the Executive Director to Execute a First Supplemental Agreement to the Lease with Pacific Layberthing South, LLC, for Water and Land Area at Berth 68, to Extend the Maximum Term by Six Months through April 30, 2025, Resulting in Additional Revenue of \$271,500, and Find that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Maritime)**

File ID: [\[357-24\]](#)

This Ordinance was approved.

- 2.6 Resolution 24-98:** Approve and Authorize the Executive Director to Execute a Restated Administrative Services Agreement with Empower Annuity Insurance Company of America for

Recordkeeping and Administrative Services for the Port's Deferred Compensation Plan, for a Five-Year Term with Three Two-Year Extension Options; and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Finance & Admin)**

File ID: [\[375-24\]](#)

This Resolution was approved.

- 2.7 Resolution 24-99:** Approve and Authorize the Executive Director to Execute a Professional Services Agreement with Enterprise Risk Management, Inc. for Payment Card Industry Data Security Standards Consulting Services for a Term Not to Exceed Seven Years with a Maximum Compensation Not to Exceed \$413,770; and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Technology & Innovation)**

File ID: [\[388-24\]](#)

This Resolution was approved.

- 2.8 Resolution 24-100:** Approve and Authorize the Executive Director to Execute a Professional Services Agreement with AeroCloud Systems, Inc. to Implement a Cloud Based Common Use Solution and Provide Hosting/Support at the Oakland International Airport for a Five-Year Term with Two, One-Year Options to Extend for a Maximum Compensation Not to Exceed \$870,000 and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Technology & Innovation)**

File ID: [\[358-24\]](#)

This Resolution was approved.

- 2.9 Resolution 24-101:** Approve and Authorize the Executive Director to Execute a Professional Services Agreement for Strategic Communications and Media/Public Relations Services with Full Court Press Communications for a Three-Year Term and a Maximum Compensation Not To Exceed \$525,000 **(Communications)**.

File ID: [\[377-24\]](#)

This Resolution was approved.

- 2.10 Resolution 24-102:** Building Permit for MRG Oakland LLC Tenant Improvements for Roll East, 1 Airport Drive, Space T1-R-G12, OAK **(Environmental/Aviation)**

File ID: [\[380-24\]](#)

This Resolution was approved.

- 2.11 Resolution 24-103:** Building Permit for MRG Oakland LLC Tenant Improvements for Oakland Supply Company, 1 Airport Drive, Space T2-R-G22, OAK **(Environmental/Aviation)**

File ID: [\[381-24\]](#)

This Resolution was approved.

- 2.12 Resolution 24-104:** Building Permit for MRG Oakland LLC Tenant Improvements for Oaklandish Retail, 1 Airport Drive, Space T2-R-C2-1, OAK (**Environmental/Aviation**)

File ID: [\[382-24\]](#)

This Resolution was approved.

- 2.13 Resolution 24-105:** Building Permit for MRG Oakland LLC Tenant Improvements for In Motion, 1 Airport Drive, Space T2-R-C2-3, OAK (**Environmental/Aviation**)

File ID: [\[383-24\]](#)

This Resolution was approved.

- 2.14 Resolution 24-106:** Building Permit for BNSF Railway Installation of Gate Controls at the Truck Gate, 333 Maritime Street (**Environmental/Maritime**)

File ID: [\[389-24\]](#)

This Resolution was approved.

- 2.15 Minutes:** Approval of the Minutes of the Regular Meetings of October 24, 2024 and November 7, 2024. (**Board**)

File ID: [\[387-24\]](#)

The Minutes were approved.

- 2.2 Ordinance 4776:** Approve and Authorize the Executive Director to Execute a Temporary License Agreement with Building & Construction Trades Council of Alameda County Effective January 1, 2025 Through December 31, 2029. (**Aviation**)

File ID: [\[373-24\]](#)

Aviation Director, Craig Simon, introduced Item 2.2.

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 Myres, Second Vice-President Leslie and President Colbruno

Excused: 2 - Commissioner Lee and Commissioner Martinez

Recused: 1 - First Vice-President Cluver

3. MAJOR PROJECTS

There were no "Major Projects" on the Agenda.

4. BUDGET & FINANCE

4.1 **Report:** Unaudited Financials for 3 months ended September 30, 2024, including Capital Expenditure Report. **(Finance & Admin)**

File ID: [\[369-24\]](#)

Chief Financial Officer, Julie Lam, presented Item 4.1.

Chief Operating Officer, Kristi McKenney, addressed the Board on Item 4.1.

This Report was received and filed.

5. STRATEGY & POLICY

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

6. REMAINING ACTION ITEMS

6.1 **Resolution 24-107:** Approve and Authorize the Executive Director to: (1) Award and Execute a Contract with Oliver de Silva Inc. dba Gallagher & Burk Inc. in an Amount Not to Exceed \$9,876,876.00 for the Everport Terminal Services Pavement Project and (2) Execute Change Orders in an Amount Not to Exceed \$1,975,375.00; and Find that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Engineering/Maritime)**

File ID: [\[378-24\]](#)

Director of Engineering, Emilia Sanchez, introduced Item 6.1.

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

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

Excused: **2 -** Commissioner Lee and Commissioner Martinez

6.2 **Resolution 24-108:** Approve and Authorize the Executive Director to Execute Professional Services Agreements with Consolidated Engineering Laboratories and Construction Testing Services for On-Call Material Testing and Construction Inspection Services for Non-Federally Funded Projects and Inspection Services, Inc. and Ninyo & Moore Geotechnical & Environmental Science Consultants for On-Call Material Testing and Construction Inspection Services for Federally Funded Projects, for Three-Year Terms with an Aggregate Maximum Compensation for All Agreements Not to Exceed \$3,000,000 and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Engineering)**

File ID: [\[368-24\]](#)

Director of Engineering, Emilia Sanchez, introduced Item 6.2.

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

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

Excused: 2 - Commissioner Lee and Commissioner Martinez

- 6.3 Resolution 24-109:** Approve and Authorize the Executive Director to: (1) Execute a Grant Agreement with the United States Environmental Protection Agency to Accept a \$322,167,584 Clean Ports Program Grant with \$145,588,614 of Matching Funds, Including \$7,569,953 of Port Funds and (2) Execute Ancillary Agreements such as Individual Sub-Grant Agreements with Project Partners to Enable Grant Funding; and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Environmental)**

File ID: [\[367-24\]](#)

Environmental Programs and Planning Director, Colleen Liang, introduced Item 6.3

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

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

Excused: 2 - Commissioner Lee and Commissioner Martinez

- 6.4 Resolution 24-110:** Approve and Authorize the Executive Director to: (1) Apply for and, if Awarded, Accept and Execute a Grant Agreement with the U.S. Environmental Protection Agency for the Clean Heavy-Duty Vehicles Grant Program for a Grant Amount Not to Exceed \$10,499,274 and (2) Execute All Ancillary Agreements such as Individual Sub-Grant Agreements with Project Partners to Enable Grant Funding; and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Environmental)**

File ID: [\[391-24\]](#)

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

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

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

Excused: 2 - Commissioner Lee and Commissioner Martinez

7. UPDATES/ANNOUNCEMENTS

President Colbruno shared that on December 19, 1911, Weldon Cook announced that he would attempt the first flight between San Francisco and Oakland.

8. SCHEDULING

President Clobruno announced that a Special Meeting will be held on January 23, 2025.

OPEN FORUM

There were no Public Speakers in Open Forum.

ADJOURNMENT

There being no additional business, the Meeting was adjourned at the hour of 5:31 p.m.

Approved: March 27, 2025

Daria Edgerly
Secretary of the Board