



**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

**RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE  
DIRECTOR TO EXECUTE AN AGREEMENT WITH CYPRESS  
PRIVATE SECURITY LP FOR MARITIME SECURITY PATROL  
SERVICES FOR A TERM OF TWO (2) YEARS, WITH TWO  
ONE-YEAR OPTIONS TO EXTEND IN AN AMOUNT NOT TO  
EXCEED \$1,100,000**

**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.10 dated June 13, 2019 ("Agenda Report") and related agenda materials, has received the expert testimony of Port of Oakland ("Port") staff, and has provided opportunities for and taken public comment; and

**WHEREAS**, Port staff issued a Request for Proposal for maritime security patrol services in February of 2019; and

**WHEREAS**, based on the evaluation of the proposals received, Port staff recommends that the Board authorize the Executive Director to enter into a professional services agreement for maritime security patrol services with **Cypress Private Security, LP ("Cypress")**; 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 related agenda materials and in testimony received;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

**SECTION 1.** Based upon the information contained in the Agenda Report and testimony received, the Board hereby finds and determines that:

A. The Agreement with **Cypress** will constitute an agreement for obtaining professional, technical and specialized services that are temporary in nature and that it is in the best interest of the Port to secure such services from **Cypress**.

B. The proposal to authorize the Executive Director to enter into an agreement with **Cypress** was reviewed in accordance with the requirements of CEQA and Port CEQA Guidelines. The general rule in Section 15061(b)(3) of the CEQA Guidelines states that CEQA only applies

to activities that have a potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that awarding a security contract will result in a physical change in the environment, and therefore, no environmental review is required.

**SECTION 2.** The Board hereby:

A. Approves and authorizes the Executive Director to execute an Agreement with **Cypress** for maritime security patrol services for a two (2) year term, with two one-year options to extend subject to written approval by the Executive Director, and as further described in the Agenda Report in an amount not to exceed \$1,100,000.

**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 Board. Unless and until a separate written agreement 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 agreement.

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