



SUPPLEMENTAL BOARD AGENDA

Thursday, June 27, 2024

Board Room – 2nd Floor

The Public Portion Of The Meeting Will Begin At 5:00 p.m.

PUBLIC PARTICIPATION

To Speak on an Agenda Item via Teleconference

To participate via teleconference please click the link below.

To comment by Zoom video conference, click the "Raise Your Hand" button to request to speak when Public Comment is being taken on the eligible Agenda item. During your turn, you will be unmuted to make public comment, and re-muted after the allotted time. All speakers will be allotted a minimum of one minute.

*To comment by phone, please call on one of the phone numbers listed below. You will be prompted to "Raise Your Hand" by pressing "*9" to request to speak when Public Comment is being taken on the eligible Agenda Item. During your turn, you will be unmuted to make public comment, and re-muted after the allotted time. Please unmute yourself by pressing *6.*

<https://portoakland.zoomgov.com/j/1607845980>

To join by Telephone:

US: US: +1 669 254 5252 or +1 669 216 1590 or +1 415 449 4000

Webinar ID: 160 784 5980

To Speak on an Agenda Item In-person

You may speak on any item appearing on the Agenda. Please fill out a Speaker's Card and give it to the Board Secretary before the start of the meeting or immediately after the conclusion of Closed Session. You may submit a Speaker Card for Open Forum any time prior to Open Forum. All speakers will be allotted a minimum of one minute.

ROLL CALL

Commissioner Colbruno, Commissioner Dominguez Walton, Commissioner Martinez, Commissioner Myres, Second Vice-President Cluver, First Vice-President Lee and President Leslie

1. CLOSED SESSION (12:00 p.m.)

Closed Session discussions and materials may not be disclosed to a person not entitled to receive it, unless the Board authorizes disclosure of that confidential information.

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

Property: Maritime Area, Oakland, CA

Negotiating Parties: Maritime Tenants

Agency Negotiator: Bryan Brandes, Director of Maritime

Under Negotiation: Price and Terms of Payment

Property: 1 Market Street, Oakland, CA

Negotiating Parties: Various developers and/or property owners around Howard Property

Agency Negotiator: Jonathan Veach, Director of Commercial Real Estate, and Dorin Tiutin, Commercial Real Estate Manager

Under Negotiation: Price and Terms of Payment

Property: 1 Hegenberger Road, Oakland

Negotiating Parties: Park Hotels & Resorts Inc.

Agency Negotiator: Jonathan Veach, Chief Real Estate Officer

Under Negotiation: Price and Terms of Payment

File ID: [\[223-24\]](#)

1.2 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: [\[224-24\]](#)

1.3 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:
<https://www.oaklandairport.com/terminal-development-meeting-materials/#terminal-section-0> .**

File ID: [\[225-24\]](#)

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

Title(s): Executive Director and Port Attorney

File ID: [\[226-24\]](#)

OPEN SESSION/ROLL CALL

Commissioner Colbruno, Commissioner Dominguez Walton, Commissioner Martinez, Commissioner Myres, Second Vice-President Cluver, First Vice-President Lee and President Leslie

CLOSED SESSION REPORT

The Port Attorney or Board Secretary will report on any final actions taken in Closed Session.

2. CONSENT ITEMS

Action by the Board under “Consent Items” means that all matters listed below have been summarized and will be adopted by one motion and appropriate vote. Consent Items may be removed for further discussion by the Board at the request of any member of the Board.

- 2.1 Resolution:** Accept and Authorize the Executive Director to Execute a Grant Agreement for \$5,200,000 of Fiscal Year 2021 Port Infrastructure Development Program Funding, including \$35,000,000 of Matching Funds to Help Fund Additional Resiliency Components of Certain Electrical Infrastructure Upgrades and Find that the Proposed Action Complies with the California Environmental Quality Act as it was Analyzed in the 2002 Oakland Army Base Area Redevelopment Plan Environmental Impact Report. **(Maritime)**

File ID: [\[167-24\]](#)

Attachments: [Agenda Report](#)
[Resolution Item 2.1](#)

- 2.2 Resolution:** Approve and Authorize the Executive Director to Execute an Amendment to a No-Cost Temporary License Agreement with QuayChain Technologies, Inc. to Extend the Term Approximately Four Years to December 12, 2028, for the Management of Field Devices that Collect Supply Chain Movement Data in the Maritime Area; and Find that the Proposed Action is Exempt under the California Environmental Quality Act **(Maritime)**

File ID: [\[197-24\]](#)

Attachments: [Agenda Report](#)
[Resolution Item 2.2](#)

- 2.3 Resolution:** Approve and Authorize the Executive Director to Execute an Agreement with Microsoft Corp. for Microsoft Unified Enterprise Support for a One-Year Term in an Amount Not to Exceed \$193,154.60 (**Technology & Innovation**)

File ID: [\[212-24\]](#)

Attachments: [Agenda Report](#)
[Resolution Item 2.3](#)

- 2.4 Building Permit** for HG OAK Retail Concessionaires JV Tenant Improvements for Little Main Street, 1 Airport Drive, Space T1-R-G5, OAK (**Environmental/Aviation**)

File ID: [\[208-24\]](#)

Attachments: [Permit 2024a](#)
[Resolution Item 2.4](#)

- 2.5 Building Permit** for HG OAK Retail Concessionaires JV Tenant Improvements for Duty Free, 1 Airport Drive, Space T1-G1, OAK (**Environmental/Aviation**)

File ID: [\[209-24\]](#)

Attachments: [Permit 2024b](#)
[Resolution Item 2.5](#)

- 2.6 Building Permit** for HG OAK Retail Concessionaires JV Tenant Improvements for Local Taste, 1 Airport Drive, Space T1-FB-C1-1, OAK (**Environmental/Aviation**)

File ID: [\[210-24\]](#)

Attachments: [Permit 2024c](#)
[Resolution Item 2.6](#)

- 2.7 Ordinance 4753**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute The Third Supplemental Agreement To Lease With Oakland Aviation Museum To Extend The Term Of The Agreement For An Additional Three Years, Seven Months And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.

File ID: [\[227-24\]](#)

Attachments: [Ordinance 4753](#)

- 2.8 Ordinance 4754**, 2nd Reading Of An Ordinance Approving Oakland International Airport Hangar/Ramp Space Agreements With Multiple General Aviation Tenants, For Terms Commencing On Various Dates And Expiring June 30, 2026, With Anticipated Annual Revenues Of \$33,349 For FY 2024, Operating At The North Field Of San Francisco Bay Oakland International Airport And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.
- File ID:** [\[228-24\]](#)
- Attachments:** [Ordinance 4754](#)
- 2.9 Ordinance 4755**, 2nd Reading Of An Ordinance Amending Port Of Oakland Ordinance No. 867 Ratifying And Setting The Annual Compensation For The Director Of Aviation Classification At \$325,000.
- File ID:** [\[229-24\]](#)
- Attachments:** [Ordinance 4755](#)
- 2.10 Ordinance 4756**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute First Supplemental Agreements To The Leases With Impact Transportation, LLC And Pacific Coast Container, Inc., Dba PCC Logistics To Modify The Tenants' Obligations To Complete Certain Deferred Maintenance; And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.
- File ID:** [\[230-24\]](#)
- Attachments:** [Ordinance 4756](#)
- 2.11 Ordinance 4757**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To (1) Execute A Lease Agreement With Fm Adeline, LLC, For An Approximate 2-Acre Battery Electric Drayage Truck Charging Facility With An Initial Term Through June 30, 2040, Resulting In Average Annual Revenue Of Approximately \$327,000 And Average Annual Expense Of \$30,000; And (2) Adopt An Initial Study/Negative Declaration Consistent With The California Environmental Quality Act For The Proposed Project.
- File ID:** [\[231-24\]](#)
- Attachments:** [Ordinance 4757](#)
- 2.12 Report:** Commissioners' Travel Expenses for CY 2023. **(Finance & Admin)**
- File ID:** [\[219-24\]](#)
- Attachments:** [Report](#)
[Attachment](#)

- 2.13 Report:** External Auditor's Report to the Board of Port Commissioners for the Year Ended June 30, 2023. **(Finance & Admin)**

File ID: [\[218-24\]](#)

Attachments: [Report](#)
[Attachment](#)

3. MAJOR PROJECTS

This segment of the meeting is reserved for action and discussions regarding the status of Major Projects and issues of special importance.

4. BUDGET & FINANCE

This segment of the meeting is reserved for action or discussion regarding the status of Budget and Finance issues.

- 4.1 Ordinance:** Approve Proposed Fiscal Year 2025 Airline Landing Fee Rates, Terminal Space Rental Rates, and Other Fees Generating \$102.3 Million in Revenue at San Francisco Bay Oakland International Airport and Amend Appendix C-1 of the Port of Oakland Administrative Code to Adjust the Proposed Fiscal Year 2025 Fees. **(Aviation)**

File ID: [\[215-24\]](#)

Attachments: [Agenda Report](#)
[Attachment B](#)
[Ordinance Item 4.1](#)

- 4.2 Resolution:** Approval of the Annual Operating and Capital Budgets for Fiscal Year Ending June 30, 2025; Authorize the Payment of Operating and Other Expenses, the Payment of Debt Service of the Port for the Fiscal Year Ending June 30, 2025; Authorize the Payment of \$246,248,000 of Total Capital Expenditures, as Provided in the Capital Budget for the Fiscal Year Ending June 30, 2025; Authorize FY 2024 Carryover Spending in FY 2025; Authorize Transfers Between Operating and Capital Budgets Due to Changes in Accounting Treatment. **(Finance & Admin)**

File ID: [\[216-24\]](#)

Attachments: [Agenda Report](#)
[Attachment A](#)
[Attachment B](#)
[Resolution Item 4.2](#)

- 4.3 Resolution:** Approve and Authorize the Port Attorney to Execute Fiscal Year 2025 Outside Counsel and Consultant Retention Agreements with Selected Law Firms and Consultants and Related Actions, in an initial total amount of \$3,659,000, subject to adjustments under the Port Attorney's contracting authority. **(Port Attorney)**

File ID: [\[222-24\]](#)

Attachments: [Agenda Report](#)
[Resolution Item 4.3](#)

5. STRATEGY & POLICY

This segment of the meeting is reserved for action or discussion on Strategy and Policy Issues.

- 5.1 Information Report:** Proposed Restructuring and Modifications to the Port of Oakland Electric Rates with Rate Increases for All Rate Classes serving the San Francisco Bay Oakland International Airport and All Except One Rate Class serving the Port of Oakland Seaport for Fiscal Year 2025. **(Executive Office)**

File ID: [\[220-24\]](#)

Attachments: [Agenda Report](#)
[Exhibit A](#)
[Exhibit B](#)

6. REMAINING ACTION ITEMS

Remaining Action Items are items not previously addressed in this Agenda that may require staff presentation and/or discussion and information prior to action by the Board.

- 6.1 Resolution:** Approve and Authorize the Executive Director to Execute Professional Services Agreements with Moffatt & Nichol, Liftech Consultants, Inc., and COWI North America, Inc., or if Negotiations with Any Firm is Unsuccessful, with the Next Highest Rated Firms, for On-Call Marine Engineering Design Services for Non-Federally Funded Projects for Four-Year Terms Renewable Up to Two Years with an Aggregate Maximum Compensation Not to Exceed \$16,000,000. **(Engineering)**

File ID: [\[195-24\]](#)

Attachments: [Agenda Report](#)
[Resolution Item 6.1](#)

- 6.2 Ordinance:** Enactment of the Ordinance Necessary to Create the New Classification of Director of Port Utilities. **(Finance & Admin)**

File ID: [\[232-24\]](#)

Attachments: [Agenda Report](#)
[Ordinance Item 6.2](#)

7. UPDATES/ANNOUNCEMENTS

The President, Members of the Board and the Executive Director will report on noteworthy events occurring since the last Board Meeting.

8. SCHEDULING

This segment of the meeting is reserved for scheduling items for future Agendas and/or scheduling Special Meetings

OPEN FORUM

The Board will receive public comment on non-agenda items during this time.

ADJOURNMENT

The next Regular Meeting of the Board will be held on July 11, 2024.

PUBLIC PARTICIPATION

To Speak on an Agenda Item

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To Receive Agendas & Related Materials

Should you have questions or concerns regarding this Agenda, or wish to review any of the Agenda Related Materials, please contact the Board Secretary, Daria Edgerly, at: (510) 627-1337, or visit our web page at: www.portoakland.com

To receive Port Agendas and Agenda Related Materials by email, please email your request to: dedgerly@portoakland.com

Disability Related Modifications

Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, may submit a written request, electronic request, or telephone request [via the California Relay Service (telephone) for the hearing impaired at (800) 735-2922], to the Secretary of the Board **no later than five working days** prior to the scheduled meeting date.

Daria Edgerly, Secretary of the Board
530 Water Street, Oakland, CA 94607
dedgerly@portoakland.com
(510) 627-1337

Language & Interpretive Services

As a grantee of federal aid grant funds from the US Department of Transportation, the Port is responsible for ensuring equal access to its programs, services, and benefits. To request bilingual interpreters or materials in alternate formats, please contact the Secretary of the Board **no later than five working days** prior to the scheduled meeting date.

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Commissioners' Statement of Intention

We are a governing Board whose authority lies with the entirety of the Board.

We govern in accordance with our fiduciary duty to the Port of Oakland.

We conduct ourselves with clarity and transparency, grounded in the principles of integrity, trust and respect.

We reach our decisions through candid, open and deliberative debate and hold both staff and ourselves accountable for implementing them.