



Thursday, February 8, 2024

Board Room – 2nd Floor

The Public Portion Of The Meeting Will Begin At 4:00 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/1606439241>

To join by Telephone:

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

Webinar ID: 160 643 9241

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 (1:00 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 LEGAL COUNSEL - ANTICIPATED LITIGATION** - (Significant Exposure to Litigation Pursuant to Paragraph (2) or (3) of Subdivision (d) of California Government Code Section 54956.9): **Number of Matters: 1.**

File ID: [\[024-24\]](#)

- 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: [\[025-24\]](#)

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

Property: Various Properties Surrounding the Existing Inner and Outer Harbor Turning Basins in the Oakland Navigation Channel

Negotiating Parties: Various Property Owners Surrounding the Existing Inner and Outer Harbor Turning Basins and the Port of Oakland

Agency Negotiator: Bryan Brandes, Director of Maritime

Under Negotiation: Price and Terms of Payment

File ID: [\[026-24\]](#)

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

Title(s): Executive Director and Port Attorney

File ID: [\[027-24\]](#)

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 Ordinance 4741**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute An Amendment No. 1 To Space/Use Permit With Boingo, LLC For In-Terminal Public Wi-Fi Services At Oakland International Airport To Extend The Space/Use Permit With Boingo, LLC For Five Years Until December 31, 2028; Finding That It Is In The Best Interest Of Oakland International Airport To Extend The Space/Use Permit With Boingo, LLC And Waive Sec. F.4 Of Port 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” And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.

File ID: [\[028-24\]](#)

Attachments: [Ordinance 4741](#)

- 2.2 Ordinance 4742**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute Amendments To Telecommunications License Agreements With New Cingular Wireless PCS, LLC, GTE Mobilnet Of California Limited Partnership, And T-Mobile West, LLC Operating At Oakland International Airport To Extend The Term For Five Years To December 31, 2028 And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.

File ID: [\[029-24\]](#)

Attachments: [Ordinance 4742](#)

- 2.3 Minutes:** Approval of the Minutes of the Special Meeting of January 19, 2024 and the Regular Meeting of January 25, 2024. **(Board)**

File ID: [\[030-24\]](#)

Attachments: [January 19, 2024 Minutes](#)

[January 25, 2024 Minutes](#)

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.

5. STRATEGY & POLICY

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

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 a Letter Agreement with the City of Oakland for Maintenance, Operating Reserve, and Capital Reserve Costs Related to Community Facilities District No. 2015-1, Providing for a Payment Not to Exceed \$413,815.16 for Fiscal Year 2023-24 **(Maritime)**

File ID: [\[017-24\]](#)

Attachments: [Agenda Report](#)

- 6.2 Resolution:** Approve and Authorize the Executive Director to (1) Enter into a Contract with The Dutra Group for The Replacement of Berth 10 Fenders and Bollards Project in an Amount Not-To-Exceed \$3,348,050 and (2) Execute Contract Change Orders as Necessary in an Amount Not-To-Exceed \$699,610; and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Maritime/Engineering)**

File ID: [\[006-24\]](#)

Attachments: [Agenda Report](#)

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 February 22, 2024.

PUBLIC PARTICIPATION

To Speak on an Agenda Item

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 conclusion of Closed Session. Cards received after the start of the meeting will be treated as a single request to speak in Open Forum. All speakers will be allotted a minimum of one minute.

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.