



MINUTES

Thursday, May 28, 2015

Board Room – 2nd Floor

ROLL CALL

President Yee called the meeting to order at the hour of 1:15 p.m., and the following Commissioners were in attendance:

Present: **6 -** Commissioner Michael Colbruno, Commissioner James Head, Commissioner Bryan Parker, Second Vice-President Earl Hamlin, First Vice-President Ces Butner, and President Alan Yee

1. CLOSED SESSION

President Yee convened the Board in Closed Session at the hour of 1:15 p.m. to hear the following Items:

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

Levester Pierson v. Port of Oakland, WCAB Nos. ADJ829268, ADJ722717, ADJ7311201

CMC Food Services LLC and NNF Grewal, Inc., v. Port of Oakland, et al.; Alameda County Superior Court Case No.: RG13685134

File ID: [286-15]

1.2 CONFERENCE WITH LABOR NEGOTIATORS - (Pursuant to California Government Code Section 54957.6).

Employee Organizations: International Federation of Professional and Technical Engineers, Local 21 (IFPTE-Local 21); Services Employees International Union, Local 1021 (SEIU-Local 1021); Western Council of Engineers (WCE); and International Brotherhood of Electrical Workers, Local 1245 (IBEW-Local 1245)

Unrepresented Employees: Unit H and M

File ID: [288-15]

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

Title: Secretary of the Board

File ID: [\[289-15\]](#)

This Item was pulled.

This Closed Session Item was pulled.

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

Property: Oakland Army Base

Negotiating Parties: Prologis, LP; CCIG Oakland Global, LLC; Oakland Global Rail Enterprises, LLC and Port of Oakland

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: Price and Terms of Payment

Property: Berths 25-26 (Port of Oakland)

Negotiating Parties: Ports America Outer Harbor Terminal, LLC, TraPac, LLC and Port of Oakland

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: Price and Terms of Payment

Property: 555 Maritime Street, Oakland (Approximately 38 acres of land currently occupied by Shippers Transport Express that is adjacent to the Port-owned rail terminal operated by Burlington Northern Santa Fe in the Port's Maritime area).

Negotiating Parties: Lineage Logistics/Dreisbach Enterprises and Port of Oakland

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: Price and Terms of Tenancy

Property: 255 Second Street, Oakland, California

Negotiating Parties: Jack London Square Ventures, LLC and Port of Oakland

Agency Negotiator: Pamela Kershaw, Director of Commercial Real Estate

Under Negotiation: Price and Terms of Payment

File ID: [287-15]

CITIZENS OVERSIGHT & REPORTING COMMITTEE (CORC)**COMMITTEE CALLED TO ORDER**

Co-Chairman Alan Yee called the meeting of the Citizens Oversight and Reporting Committee (CORC) to order at 4:00 p.m. and the following members were present:

Co-Chairman Dave **Needle** of Alameda; Allen **Tai** of Alameda; Red **Wetherill**, President of the Citizen's League for Airport Safety and Serenity; Barbara **Tuleja** of the Citizen's League for Airport Safety and Serenity; Jim **Nelson** of Keep Jets over the Bay; Port Commissioner Michael **Colbruno**; Port Commissioner James **Head**; Port Commissioner Bryan **Parker**; Port Vice-President Earl **Hamlin**; Port Vice-President Ces **Butner** and Port President Alan **Yee**.

The Committee discussed the following Items:

- 1.) Call To Order
- 2.) Introduction of Members
 - a) Board of Port Commissioners,
 - b) Dave Needle, CORC Member & Chairman, City of Alameda,
 - c) Allen Tai, CORC Member, City of Alameda,
 - d) Red Wetherill, CORC Member, President, Citizens League for Airport Safety and Serenity,
 - e) Barbara Tuleja, CORC Member, Secretary, Citizens League for Airport Safety and Serenity
- 3.) President Yee's Remarks
- 4.) Chairman Needle's Remarks
- 5.) Discussion and Presentation
 - a) Highlights of CORC's Success working closely with Port staff and present recent examples from 2013 and 2014.
 - b) Presentation regarding background and current statistics for the use of voluntary jet aircraft noise abatement procedures at North Field
 - c) Discussion of CORC's concerns regarding reduction in use of preferential runway procedures
- 6.) Open Forum (CORC)
- 7.) Adjournment (CORC)

File ID: [\[282-15\]](#)

This Report was received and filed.

COMMITTEE ADJOURNMENT

There being no additional business, the Committee Meeting was adjourned at the hour of 4:23 p.m.

OPEN SESSION/ROLL CALL

President Yee reconvened the Meeting in Open Session at the hour of 4:26 p.m., and the following Commissioners were in attendance:

Present: **6** - Commissioner Michael Colbruno, Commissioner James Head, Commissioner Bryan Parker, Second Vice-President Earl Hamlin, First Vice-President Ces Butner, and President Alan Yee

CLOSED SESSION REPORT

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

2 CONSENT ITEMS

A motion was made by Commissioner Head, seconded by Commissioner Colbruno, to approve the Consent Agenda. The motion carried by the following vote:

Ayes: **6** - Commissioner Colbruno, Commissioner Head, Commissioner Parker, Second Vice-President Hamlin, First Vice-President Butner, and President Yee

Excused: **1** - Uno

- 2.1** Ordinance: Approval of Space/Use Permit with Sky Chefs, Inc. at Oakland International Airport. (Aviation)

File ID: [\[230-15\]](#)

A motion was made by Commissioner Head, seconded by Commissioner Colbruno, to approve the Consent Agenda. The motion carried by the following vote:

- 2.2** Ordinance: Approval of a Space/Use Permit with Alaska Airlines, Inc. for Space in the Port's Air Cargo Building (Aviation)

File ID: [\[249-15\]](#)

A motion was made by Commissioner Head, seconded by Commissioner Colbruno, to approve the Consent Agenda. The motion carried by the following vote:

- 2.3** 2nd Reading of Ordinance 4336: Approval of a Space/Use Permit with PrimeFlight Aviation Services, Inc. (Aviation)

File ID: [\[250-15\]](#)

A motion was made by Commissioner Head, seconded by Commissioner Colbruno, to approve the Consent Agenda. The motion carried by the following vote:

- 2.4 Ordinance: Approval of Amendment No. 1 to the Temporary Rental Agreement with Security Point Media, LLC to Extend Term and Modify Rent Terms. (Aviation)

File ID: [\[253-15\]](#)

A motion was made by Commissioner Head, seconded by Commissioner Colbruno, to approve the Consent Agenda. The motion carried by the following vote:

- 2.5 Ordinance No. 4333, 2nd Reading Of An Ordinance Amending Port Ordinance No. 867 To Create Airport Operations Specialist I And Airport Operations Specialist Ii Classifications.

File ID: [\[285-15\]](#)

A motion was made by Commissioner Head, seconded by Commissioner Colbruno, to approve the Consent Agenda. The motion carried by the following vote:

3. MAJOR PROJECTS

There were no Major Projects to consider.

4. BUDGET & FINANCE

- 4.1 Report: FY 2016 Operating and Capital Budget Update #2. (Finance and Administration)

File ID: [\[141-15\]](#)

Chief Financial Officer, Sara Lee, introduced 4.1.

The Report was accepted and filed.

- 4.2 Financial Report...Unaudited Financials for 9 months ended March 31, 2015 including Capital Expenditure Report...(Finance & Admin)

File ID: [\[142-15\]](#)

Chief Financial Officer, Sara Lee, introduced 4.2.

The Report was accepted and filed.

5. STRATEGY & POLICY

5.1 PULLED Resolution: Approval to Establish and Implement a Community Investment Policy (SRD)

File ID: [\[276-15\]](#)

This Item was Pulled from the Agenda.

5.2 Report: Policy Enhancement to the Port of Oakland Non-Discrimination and Small Local Business Utilization Policy (SRD)

File ID: [\[290-15\]](#)

Social Responsibility Director, Amy Tharpe, presented the Item joined by consultants Mara Rosales, of Rosales Business Partners and Julian Gross, of Julian Gross Consulting.

Commissioner Head recommended that the item be brought back for more detailed discussion at the next Board Meeting.

This Report was moved to subsequent meeting.

6. REMAINING ACTION ITEMS

6.1 Ordinance: Approval of Amendments to Telecommunications License Agreements with Wireless Telecommunications Carriers Operating at Oakland International Airport. (Aviation)

File ID: [\[278-15\]](#)

Aviation Director, Deborah Ale-Flint, presented 6.1.

A motion was made by Commissioner Colbruno, seconded by Commissioner Head, that this Ordinance be approved. The motion carried by the following vote:

Ayes: **5** - Commissioner Colbruno, Commissioner Head, Commissioner Parker, Second Vice-President Hamlin, and President Yee

Absent: **1** - First Vice-President Butner

- 6.2** Ordinance: Various Changes to Tariff No. 2-A Regarding Space Assignment Rates, Termination and Modification Rights for Wharf and Space Assignments, and Shore Power Maintenance Rates, effective July 1, 2015; and Amendment of Port Ordinance No. 3439 to Revise Shore Power Vessel Commissioning Charge effective July 1, 2015. (Maritime)

File ID: [\[280-15\]](#)

Maritime Director, John Driscoll, introduced Item 6.2.

A motion was made by Commissioner Colbruno, seconded by Commissioner Parker, that this Ordinance be approved. The motion carried by the following vote:

Ayes: **5** - Commissioner Colbruno, Commissioner Head, Commissioner Parker, Second Vice-President Hamlin, and President Yee

Absent: **1** - First Vice-President Butner

- 6.3** Resolution: Approval to Submit Passenger Facility Charge (PFC) Application #17 to Federal Aviation Administration (FAA) in the amount of \$202,467,650 (Aviation Division)

File ID: [\[281-15\]](#)

Aviation Director, Deborah Ale-Flint, introduced 6.3.

A motion was made by Commissioner Colbruno, seconded by Commissioner Head, that this Resolution be approved. The motion carried by the following vote:

Ayes: **5** - Commissioner Colbruno, Commissioner Head, Commissioner Parker, Second Vice-President Hamlin, and President Yee

Absent: **1** - First Vice-President Butner

7. UPDATES/ANNOUNCEMENTS

Commissioner Colbruno announced that Alice Spearman, former Oakland School Board member, passed away.

Commissioner Colbruno reported on Northern California Power Agency Federal Conference in Washington D.C. and thanked Nicholas Procos, Manager of Utilities Administration.

President Yee reported on a recent Trade Mission to Asia and thanked Executive Director Chris Lytle and Maritime Director John Driscoll for their leadership.

8. SCHEDULING

OPEN FORUM

There were no speakers in Open Forum.

ADJOURNMENT

There being no additional business, the Meeting was adjourned at the hour of 6:34 p.m. in memory of Alice Spearman.

Date

John Betterton
Secretary of the Board