



PORT OF OAKLAND

*530 Water Street
Oakland, California 94607
510.627.1337*

Minutes

Thursday, May 23, 2019

3:00 PM

Board Room – 2nd Floor

ROLL CALL

President Butner called the Regular Meeting of May 23, 2019 to order at the hour of 1:00 p.m. and the following Commissioners were in attendance:

Present: 7 - Commissioner Yui Hay Lee, Commissioner Barbara Leslie, Commissioner Arabella Martinez, Commissioner Joan Story, Second Vice-President Michael Colbruno, First Vice-President Andreas Cluver and President Ces Butner

1. CLOSED SESSION

President Butner convened the Board in Closed Session at 1:02 p.m. to hear the following Items:

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

Property: Vacant/underutilized property on the North Field of Oakland International Airport identified as Hangars 2, 230C & 230D, adjacent aircraft apron, and, and vehicle parking.

Negotiating Parties: KaiserAir and Howard Fields and Port of Oakland

Agency Negotiator: Bryant L. Francis - Director of Aviation, Tatiana Starostina - Assistant Director of Aviation and Brandon J. Mark - Aviation Properties Manager

Under Negotiation: Price and Terms of Proposed Exclusive Negotiating Agreement

Property: One Market Street, Oakland, CA (Howard Terminal)

Negotiating Parties: Oakland Athletics and Port of Oakland

Agency Negotiator: Pamela Kershaw, Director of Commercial Real Estate

Under Negotiation: Price and Terms of Tenancy

File ID: [140-19]

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** 2

File ID: [141-19]

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

Title: Executive Director

File ID: [142-19]

OPEN SESSION/ROLL CALL

President Butner called the Regular Meeting of May 23, 2019 to order in Open Session at the

hour of 3:10 p.m.

Present: 7 - Commissioner Yui Hay Lee, Commissioner Barbara Leslie, Commissioner Arabella Martinez, Commissioner Joan Story, Second Vice-President Michael Colbruno, First Vice-President Andreas Cluver and President Ces Butner

CLOSED SESSION REPORT

Port Attorney, Danny Wan, reported that the Board had taken the following action in Closed Session:

A motion made by Second Vice-President Colbruno, seconded by Commissioner Martinez, to approve Resolution 19-33. The motion carried by the following vote:

7 Ayes: Commissioner Lee, Commissioner Leslie, Commissioner Martinez, Commissioner Story, Second Vice-President Colbruno, First Vice-President Cluver and President Butner

Resolution 19-33: Resolution Approving and Authorizing Execution of a Settlement Agreement and Partial Release with Respect to The Oakland Army Base and Related Areas with Zurich American Insurance Company in the Amount of \$1,750,000.

2. CONSENT ITEMS

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

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

Ayes: 7 - Commissioner Lee, Commissioner Leslie, Commissioner Martinez, Commissioner Story, Second Vice-President Colbruno, First Vice-President Cluver and President Butner

- 2.1 **PULLED:** Ordinance: Approval of a Second Amendment to Lease with Cool Port Oakland-DRE, LLC, for the Development and Operations of a Temperature Controlled Logistics Facility to Modify Land Boundaries, Tenant Access and Other Terms (Maritime)

File ID: [\[114-19\]](#)

This Ordinance was pulled.

- 2.2 **Resolution 19-34:** Authorizing the Executive Director to Extend the Existing Procurement Contract with Aramark Uniform Services for One-Year to June 30, 2020. **(Aviation)**

File ID: [\[115-19\]](#)

This Resolution was approved.

2.3 Resolution 19-35: Ratifying Audit Committee Members (Port Attorney)File ID: [\[144-19\]](#)**This Resolution was approved.****2.4 Resolution 19-36, Building Permit: for the Seafarer's Ministry of the Golden Gate (SMGG) to Install a Sea Remembrance Sculpture Adjacent to the Maritime Center, 4001 7th Street, Maritime Area (Engineering)**File ID: [\[089-19\]](#)**This Resolution was approved.****2.5 Ordinance 4519, 2nd Reading of An Ordinance Amending Port Ordinance No. 2833 Amending Tariff No. 2-A.**File ID: [\[138-19\]](#)**This Ordinance was approved.****2.6 Ordinance 4520, 2nd Reading of An Ordinance Approving And Authorizing The Executive Director To Execute An Amendment To A License & Concession Agreement With HERC Rentals Inc. For Premises Located At 7727 Oakport Street, Oakland To Extend The Term For Five (5) Years With One Additional Option To Extend For An Additional Five (5) Years With A Starting Monthly Rent Of \$32,055.00.**File ID: [\[139-19\]](#)**This Ordinance was approved.****3. MAJOR PROJECTS**

There were no "Major Projects" on the Agenda.

4. BUDGET & FINANCE**4.1 Report: Unaudited Financials for 9 months ended March 31, 2019 including Capital Expenditure Report. (Finance & Admin)**File ID: [\[098-19\]](#)

Chief Financial Officer, Sara Lee, introduced Item 4.1.

This Report was received and filed.**5. STRATEGY & POLICY**

Commissioner Martinez left the meeting at the hour of 3:50 p.m.

5.1 Resolution: Approve "Seaport Air Quality 2020 and Beyond Plan - The Pathway to Zero Emissions" (**Engineering**)

File ID: [\[100-19\]](#)

Environmental Programs and Planning Director, Richard Sinkoff, introduced Item 5.1.

Second Vice-President Colbruno made a motion to approve Item 5.1 as amended, seconded by Commissioner Story.

First Vice-President Cluver made a substitute motion to bring the Item 5.1 back to the next Board meeting as amended by Second Vice-President Colbruno, seconded by Commissioner Lee.

Brian Beveridge, Greg Nudd, Elizabeth Yura, Bill Aboud, Michelle Ghafar and David Wooley addressed the Board on Item 5.1.

A motion was made by First Vice-President Cluver, seconded by Commissioner Lee, that the Resolution be moved to subsequent meeting. The motion carried by the following vote:

Ayes: 6 - Commissioner Lee, Commissioner Leslie, Commissioner Story, Second Vice-President Colbruno, First Vice-President Cluver and President Butner

Excused: 1 - Commissioner Martinez

6. REMAINING ACTION ITEMS

6.1 Resolution 19-37: Approval of an Additional \$1,840,000 in Project Budget for Costs Associated with the Raising of Cranes XC14, 15, 16 and 17 at the Oakland International Container Terminal, for a Total Budget of \$16,640,000. (**Maritime/Engineering**)

File ID: [\[128-19\]](#)

Maritime Director, John Driscoll, introduced Item 6.1.

Delphine Prevost, Admin/Finance Services Manager, presented Item 6.1.

Acting Director of Engineering, Robert Andrews, addressed the Board on Item 6.1.

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

Ayes: 6 - Commissioner Lee, Commissioner Leslie, Commissioner Story, Second Vice-President Colbruno, First Vice-President Cluver and President Butner

Excused: 1 - Commissioner Martinez

7. UPDATES/ANNOUNCEMENTS

In honor of Asian Pacific Heritage Month, Asian Employee Association President, Cheryl Ho

presented a video tribute dedicated to former Port Commissioner, Frank Kiang. Commissioner Kiang served multiple terms on the Board of Port Commissioners from 1998 to 2006.

Stan Kiang son of Frank Kiang, Rick deSilva and Carl Chan addressed the Board on Updates and Announcements.

8. SCHEDULING

There were no "Scheduling Items" on the Agenda.

OPEN FORUM

The following members of the Public addressed the Board in Open Forum:

Bill Aboudi

ADJOURNMENT

There being no additional business, the Meeting was adjourned at the hour of 5:01 p.m.

Approved:

Daria Edgerly
Secretary of the Board

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