



## MINUTES

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Thursday, July 12, 2018

Board Room – 2nd Floor

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### ROLL CALL

President Story called the Regular Meeting of July 12, 2018 to order at the hour of 1:00 p.m. and the following Commissioners were in attendance:

**Present:** 7 - Commissioner Michael Colbruno, Commissioner Earl Hamlin, Commissioner Arabella Martinez, Commissioner Alan Yee, Second Vice-President Andreas Cluver, First Vice-President Ces Butner and President Joan Story

### 1. CLOSED SESSION

President Story 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:** 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:** [250-18]

**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 Matter 1**

**File ID:** [251-18]

**1.3 CONFERENCE WITH LABOR NEGOTIATORS** (Pursuant to California Government Code Section 54956.6):

- International Federation of Professional and Technical Engineers, Local 21; Service Employees International Union, Local 1021; Western Council of Engineers; International Brotherhood of Electrical Workers, Local 1245

**File ID:** [252-18]

**1.4 PUBLIC EMPLOYMENT** - (Pursuant to California Government Code Section 54957)

- Chief Audit **Officer**
- Assistant Secretary of the Board

**File ID:** [253-18]

**OPEN SESSION/ROLL CALL**

President Story called the Regular Meeting of July 12, 2018 to order at the hour of 3:07 p.m. and the following Commissioners were in attendance:

**Present:** 7 - Commissioner Michael Colbruno, Commissioner Earl Hamlin, Commissioner Arabella Martinez, Commissioner Alan Yee, Second Vice-President Andreas Cluver, First Vice-President Ces Butner and President Joan Story

**CLOSED SESSION REPORT**

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

**A motion made by First Vice-President Butner, seconded by Commissioner Yee, to approve Resolution 18-63. The motion carried by the following vote:**

**Ayes:** 7 - Commissioner Colbruno, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, Second Vice-President Cluver, First Vice-President Butner and President Story

**Resolution 18-63:** Resolution Approving and Authorizing Execution of a Settlement Agreement with Rolls-Royce Corporation Concerning Environmental Claims Related to 7200 Earhart Road, Oakland, California ("Main Building") and 6701 Old Earhart Road, Oakland, California ("Test Cell Facility") Including A Settlement Payment to the Port of Oakland ("Port") of \$80,000.

## 2. CONSENT ITEMS

Board Secretary, Daria Edgerly, introduced the Consent Items.

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

**Ayes:** 7 - Commissioner Colbruno, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, Second Vice-President Cluver, First Vice-President Butner and President Story

- 2.1 Resolution 18-64:** Authorize the Executive Director to Execute Consent and Joint Use of Track Agreements with the Union Pacific Railroad Company; Dreisbach Enterprises, Inc.; and Unicold Corporation for Operation of Newly Constructed Track at the Maritime Support Center. **(Maritime)**

**File ID:** [\[233-18\]](#)

**This Resolution was approved**

- 2.2 Ordinance 4483,** 2nd Reading Of An Ordinance Amending Port Ordinance No. 4430 Relating To Landing And Tenant Terminal Space Rental Fees At Metropolitan Oakland International Airport.

**File ID:** [\[247-18\]](#)

**This Ordinance was approved.**

- 2.3 Ordinance 4484,** 2nd Reading Of An Ordinance (1) Approving And Authorizing The Executive Director To Execute With GSC Logistics, Inc. A Fourth Amendment To Lease For Premises Located At 555 Maritime Street, Extending The Lease Through June 30, 2023 And With An Annual Rent Range Of \$1.45 Million And \$1.68 Million And (2) Authorizing \$85,000 In Operating Expenses For Deferred Maintenance On The Leased Premises.

**File ID:** [\[248-18\]](#)

**This Ordinance was approved.**

- 2.4 Ordinance 4485,** 2nd Reading Of An Ordinance Authorizing The Extension Of (1) A Space Assignment Agreement With Trapac, LLC For Approximately Twenty-Four Acres, And (2) A Temporary Rental Agreement With O.C. Jones And Sons, Inc., For Approximately Six Acres To Support Trapac's Terminal Redevelopment, Both Within The Outer Harbor Terminal, For Up To An Additional Nine Months Beyond The Current Expiration Of June 30, 2018, And Resulting In Minimum Net Revenue Of \$788,000.

**File ID:** [\[249-18\]](#)

**This Ordinance was approved.**

**2.5 Minutes:** Approval of the Minutes of the Regular Meeting of June 14, 2018.

File ID: [\[240-18\]](#)

The Minutes were approved.

### 3. MAJOR PROJECTS

There were no "Major Projects" on the Agenda.

### 4. BUDGET & FINANCE

There were no Budget & Finance Items to approve.

### 5. STRATEGY & POLICY

**5.1 Report:** Draft Seaport Air Quality 2020 and Beyond Plan (**Engineering**)

File ID: [\[217-18\]](#)

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

Greg Nudd and John McLaurin addressed the Board on Item 5.1.

### 6. REMAINING ACTION ITEMS

**6.1 Ordinance 4488:** Approve and Authorize the Executive Director to Enter into a New Lease Agreement for Approximately 2 Acres of Submerged Land Adjacent to a Pier on Real Property Commonly Referred to as 1101 Embarcadero West, Located Adjacent to the Southerly Side of Embarcadero West and Adjacent to the Westerly Boundary of Howard Terminal with Schnitzer Steel Industries, Inc., for a 5-Year Term Through July 26, 2023, Resulting in Annualized Rent Ranging from Approximately \$143,000 to Approximately \$165,000 (**Maritime**)

File ID: [\[214-18\]](#)

Maritime Director, John Driscoll, introduced Item 6.1.

Adam Simon addressed the Board's questions on Item 6.1.

**A motion was made by Commissioner Yee, seconded by First Vice-President Butner, that the Ordinance be approved. The motion carried by the following vote:**

**Ayes:** 7 - Commissioner Colbruno, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, Second Vice-President Cluver, First Vice-President Butner and President Story

- 6.2 Resolution 18-65:** Authorize the Executive Director to Extend the Term of the Management Agreement with ABM Industry Groups, LLC, dba ABM Parking Services, for the Seaport Interim Truck Parking Facilities for a Term up to Two Years at an Estimated Cost of \$6.9 million. **(Maritime)**

File ID: [\[232-18\]](#)

Maritime Director, John Driscoll, introduced Item 6.2.

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

**Ayes:** 7 - Commissioner Colbruno, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, Second Vice-President Cluver, First Vice-President Butner and President Story

- 6.3 Resolution 18-66:** Authorize Construction Budget of \$3,965,000, Authorize the Director of Engineering to Approve Plans and Project Manual, and Award Contract to Vellutini Corporation dba Royal Electric Company for \$2,634,242.00 for Airfield Signage Replacement Project, Oakland International Airport. **(Engineering/Aviation)**

File ID: [\[228-18\]](#)

Aviation Director, Bryant Francis, introduced Item 6.3.

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

**Ayes:** 7 - Commissioner Colbruno, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, Second Vice-President Cluver, First Vice-President Butner and President Story

- 6.4 Resolution 18-67:** Approving and Authorizing the Executive Director to Enter Into An Interconnection Agreement with the Pacific Gas and Electric Company for the Provision of Wholesale Transmission Service to the Port's Cuthbertson Substation. **(Engineering)**

File ID: [\[241-18\]](#)

Engineering Director, Chris Chan, introduced Item 6.4.

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

**Ayes:** 7 - Commissioner Colbruno, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, Second Vice-President Cluver, First Vice-President Butner and President Story

- 6.5 Resolution 18-68 and Ordinance 4489:** Adoption of a Resolution to Approve the Terms and Conditions of Employment and Certain Benefits as Set Forth in the Memorandum of Understanding between the Port of Oakland and International Brotherhood of Electrical Workers, Local 1245 for the period January 1, 2018 through June 30, 2022 (“successor MOU”) and Enactment of An Ordinance to Amend Port Ordinance No. 867 to Set the Salaries and Certain Benefits as set forth in the successor MOU. **(Finance & Admin)**

**File ID:** [\[231-18\]](#)

Human Resources Director, Michael Mitchell, introduced Item 6.5.

**A motion was made by Second Vice-President Cluver, seconded by Commissioner Yee, that the Resolution and Ordinance be approved. The motion carried by the following vote:**

**Ayes:** 7 - Commissioner Colbruno, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, Second Vice-President Cluver, First Vice-President Butner and President Story

## **7. UPDATES/ANNOUNCEMENTS**

Social Responsibility Director, Amy Tharpe, introduced the Port's 2018 College Interns.

**College Interns:** Antoneil Carter, Meziane Chaib, Derek Cheung, Benjamin Co, John Dang, Evelyn Esparza, Major Jones, Constantine Kawalya, Yi Cong Kuang, Breanna Madison, William Newman, Alexandra Pineda, Sean Senn, Caroline Sernett, Diana Servin Ayala, Dimitri Stetsenko, Tyler Stewart, Jonathan Tonel, Kayla Toy, Nicole Valdez and Gabriella Willingham addressed the Board and thanked the Board for the opportunity to intern at the Port.

Katie Olson-Kenny, Maritime Development & Business Rep., announced the Port of Hakata Delegation visited the Port on July 5, 2018.

## **8. SCHEDULING**

There were no "Scheduling Items" on the Agenda.

## **9. ELECTION OF OFFICERS**

**9.1 Resolution 18-69: Election of Officers (Board)**

File ID: [\[239-18\]](#)

President Story called for nominations for the Offices of President, First Vice-President and Second Vice-President

President Story nominated Ces Butner for President and Andreas Cluver for First Vice-President. Commissioner Yee nominated Michael Colbruno for Second Vice-President.

The election results, which were unanimous, were as follows: Ces Butner, President; Andreas Cluver, First Vice-President and Michael Colbruno, Second Vice-President.

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

**Ayes:** 7 - Commissioner Colbruno, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, Second Vice-President Cluver, First Vice-President Butner and President Story

**OPEN FORUM**

There were no Public Speakers in Open Forum.

**ADJOURNMENT**

President Story re-convened the Board in Closed Session at 4:09 p.m. to hear the following Items:

**PUBLIC EMPLOYMENT - (Pursuant to California Government Code Section 54957)**

- Chief Audit Officer

There being no additional business, the Meeting was adjourned at the hour of 4:36 p.m.

Approved: September 13, 2018

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Daria Edgerly  
Secretary of the Board