



**PORT OF
OAKLAND**

*530 Water Street
Oakland, California 94607
510.627.1337*

Minutes

Thursday, July 25, 2024

4:00 PM

Board Room – 2nd Floor

DRAFT

www.portofoakland.com

ROLL CALL

President Colbruno called the Regular Meeting of July 25, 2024 to order at the hour of 1:08 p.m. and the following Commissioners were in attendance:

Present: 6 - Commissioner Stephanie Dominguez Walton, Commissioner Arabella Martinez, Commissioner Jahmese Myres, Second Vice-President Barbara Leslie, First Vice-President Andreas Cluver and President Michael Colbruno

Excused: 1 - Commissioner Yui Hay Lee

1. CLOSED SESSION

President Colbruno convened the Board in Closed Session at 1:11 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): **Number of Matter(s): 4: 2:**

(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

(1) City of Oakland, a municipal corporation, acting by and through its Board of Port Commissioners v. Jack London Square (Oakland) Operator, LLC, et al., American Arbitration Association Case No. 01-22-0003-2422

File ID: [\[265-24\]](#)

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

Property: 1 Market Street, Oakland, CA

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

Agency Negotiator: Jonathan Veach, Chief Real Estate Officer, and Dorin Tiutin, Commercial Real Estate Manager

Under Negotiation: Price and Terms of Payment

File ID: [\[266-24\]](#)

1.3 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: [\[267-24\]](#)

1.4 CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to California Government Code Section 54957.6):

Agency Designated Representative: Michael Mitchell

Employee Organizations: 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 And Unrepresented Employees: Port Employee Units H/M

File ID: [\[268-24\]](#)

OPEN SESSION/ROLL CALL

President Colbruno called the Regular Meeting of July 25, 2024 to order in Open Session at the hour of 4:07 p.m.

Present: 6 - Commissioner Stephanie Dominguez Walton, Commissioner Arabella Martinez, Commissioner Jahmese Myres, Second Vice-President Barbara Leslie, First Vice-President Andreas Cluver and President Michael Colbruno

Excused: 1 - Commissioner Yui Hay Lee

CLOSED SESSION REPORT

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

2. CONSENT ITEMS

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

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

Ayes: 6 - Commissioner Dominguez Walton, Commissioner Martinez, Commissioner Myres, Second Vice-President Leslie, First Vice-President Cluver and President Colbruno

Excused: 1 - Commissioner Lee

2.1 Ordinance 4764: Approve and Authorize the Executive Director to Execute an Airline Operating Agreement and Annex "A" Space/Use Permit with Aeroenlaces Nacionales, S.A. de C.V. (d/b/a/ Viva Aerobus), with Anticipated Revenues of \$410,035.75, Based on FY2024/2025 Rates and Charges, Operating at San Francisco Bay Oakland International Airport and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Aviation)**

File ID: [\[255-24\]](#)

This Ordinance was approved.

- 2.2 Resolution 24-56:** Approve and Authorize the Executive Director to Execute an Agreement with Magnetic Ticket and Label Corporation to Provide Airline Boarding Pass and Baggage Tag Paper Stock for a Three-Year Term and a Maximum Compensation Not to Exceed \$350,000. **(Technology and Innovation)**

File ID: [\[252-24\]](#)

This Resolution was approved.

- 2.3 Ordinance 4760,** 2nd Reading Of An Ordinance Approving The Extension Of Authority For The Port Of Oakland To Collect Customer Facility Charges At San Francisco Bay Oakland International Airport Through June 30, 2035; Establishing An Alternative Customer Facility Charge Of \$7.50 Per Day For On-Airport Rental Car Transactions And \$7.42 Per Day For Off-Airport Rental Car Transactions, Not To Exceed Five Total Contract Days, Effective October 1, 2024; And Making The Implementing Amendments To Appendix C-4 Of The Port Of Oakland Administrative Code.

File ID: [\[261-24\]](#)

This Ordinance was approved.

- 2.4 Ordinance 4761,** 2nd Reading Of An Ordinance Approving The Utilities Rates And Charges And Master Utility Fee Schedule, And Adoption Into Chapter 10.03 And Appendix F Of The Port Of Oakland Administrative Code (POAC) By Amending And Restating Port Ordinance Nos. 3439, 3521, 3621, 3651, 3674, 3714, 3727, 2798, 3926, 3944, 3950, 3982, 4028, 4034, 4064, 4143, 4225, 4260, 4339, 4354, 4468 And Port Resolution Nos. 02410 And 05181, And Amendment Of Chapter 10.01 Of The POAC; And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.

File ID: [\[262-24\]](#)

This Ordinance was approved.

- 2.5 Ordinance 4762,** 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute An Airline Operating Agreement And Its Annex "A" Space/Use Permit With Advanced Air, LLC, With Anticipated Revenues Of \$191,627.45, Operating At San Francisco Bay Oakland International Airport And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.

File ID: [\[263-24\]](#)

This Ordinance was approved.

- 2.6 Ordinance 4763**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute An Airline Operating Agreement With Sun Country, Inc., With Anticipated Annual Revenues Of \$65,254.53 Based On Fy 2023/24 And Fy 2024/25 Rates And Charges, Operating At San Francisco Bay Oakland International Airport And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.

File ID: [\[264-24\]](#)

This Ordinance was approved.

- 2.7 Report:** Report of Appointments, Separations and Leaves of Absence for FY 2023-24 4th Quarter (April 1, 2024 - June 30, 2024). **(Finance & Admin)**

File ID: [\[253-24\]](#)

This Report was received and filed.

3. MAJOR PROJECTS

There were no "Major Projects" on the Agenda.

4. BUDGET & FINANCE

- 4.1 Report:** Unaudited Financials for 11 months ended May 31, 2024. **(Finance & Admin)**

File ID: [\[245-24\]](#)

Chief Financial Officer, Julie Lam, presented Item 4.1.

This Report was received and filed.

5. STRATEGY & POLICY

There were no "Strategy & Policy" Items to approve.

6. REMAINING ACTION ITEMS

- 6.1 Ordinance 4765:** Approve and Authorize the Executive Director to Execute Amendment No. 1 to Space/Use Permit with Alclear, LLC. dba CLEAR to Provide Registered Traveler Services at San Francisco Bay Oakland International Airport to Extend the Term through June 30, 2025, for Approximately \$337,776.53 in Anticipated Revenue and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Aviation)**

File ID: [\[256-24\]](#)

Aviation Director, Craig Simon, introduced Item 6.1.

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

Ayes: 6 - Commissioner Dominguez Walton, Commissioner Martinez, Commissioner Myres, Second Vice-President Leslie, First Vice-President Cluver and President Colbruno

Excused: 1 - Commissioner Lee

- 6.2 Resolution: Resolution 24-57 & Ordinance 4766:** Approve and Authorize the Executive Director to Execute a Temporary License Agreement with HLT CA Hilton, LLC for Premises Consisting of Approximately 10 Acres Located at 1 Hegenberger Road, Oakland, for Demolition of Certain Improvements, for a Term of up to 18 Months, including a Proposed Port of Oakland Cost Share in an Amount Not to Exceed \$2,000,000 and ~~Authorize~~ an Additional Contingency Amount Not-to- Exceed \$400,000, ~~(20%)~~ and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act **(Commercial Real Estate)**.

File ID: [\[260-24\]](#)

Dorin Tiutin, Commercial Real Estate Manager, introduced Item 6.2.

Port Attorney, Mary Richardson and Executive Director, Danny Wan, addressed the Board on Item 6.2.

A motion was made by Second Vice-President Leslie, seconded by President Colbruno, that the Resolution and Ordinance be moved to a subsequent meeting. The motion carried by the following vote:

Ayes: 4 - Commissioner Dominguez Walton, Commissioner Martinez, Second Vice-President Leslie and President Colbruno

No: 1 - Commissioner Myres

Excused: 1 - Commissioner Lee

Abstain: 1 - First Vice-President Cluver

- 6.3 Resolution 24-58:** Approve and Authorize the Executive Director to Execute a Professional Services Agreement for Federal Advocacy Services with Van Scoyoc Associates Incorporated for a Three-Year Term, with Two, One-Year Extension Options, for a Maximum Compensation Not to Exceed \$762,500. **(Public Engagement)**

File ID: [\[259-24\]](#)

Chief Public Engagement Officer, Matt Davis, introduced Item 6.3.

Diego Gonzalez, Government Affairs Manager, presented Item 6.3.

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

- 6.4 Resolution 24-59:** Approve and Authorize the Executive Director to Waive Formal Competitive Procurement Procedures and Execute a Second Supplemental Agreement to the Professional Services Agreement with CorVel Healthcare Corporation for Medical Bill Review and Payment Utilization Review Services to Increase the Maximum Compensation from \$150,000 to \$300,000 and Extend the Term Through August 2, 2026 **(Finance & Admin)**

File ID: [\[254-24\]](#)

Human Resources Director, Michael Mitchell, introduced Item 6.4.

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

Ayes: 6 - Commissioner Dominguez Walton, Commissioner Martinez, Commissioner Myres, Second Vice-President Leslie, First Vice-President Cluver and President Colbruno

Excused: 1 - Commissioner Lee

7. UPDATES/ANNOUNCEMENTS

President Colbruno, announced that he will replace himself, and appoint Commissioner Myres as Chair of the Environmental Sustainability Ad Hoc Committee.

Chief Public Engagement Officer, Matt Davis, introduced Marjon Saulon, Government Affairs Field Representative.

President Colbruno and Commissioners thanked Commissioner Leslie for her service as Board President.

8. SCHEDULING

There were no "Scheduling Items" on the Agenda.

OPEN FORUM

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

Jeffrey Beeman, Skylar Hope, Lyna Deschambault, William Skinner, Paul English, and Jeralyn Moran

ADJOURNMENT

There being no additional business, the Meeting was adjourned at the hour of 5:12 p.m.

Approved:

Daria Edgerly
Secretary of the Board

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