



MINUTES

Thursday, May 14, 2015

Board Room – 2nd Floor

ROLL CALL

President Yee called the meeting to order at the hour of 1:02 pm, and the following Commissioners were in attendance:

Present: 4 - Commissioner Michael Colbruno, Commissioner James Head, Second Vice-President Earl Hamlin, and President Alan Yee

Excused: 2 - Commissioner Bryan Parker, and First Vice-President Ces Butner

1. CLOSED SESSION

President Yee adjourned the meeting into Closed Session at the hour of 1:04 p.m.

Commissioner Parker arrived at the meeting at 1:55 p.m.

- 1.1** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of California Government Code Section 54956.9): 4 Matters

File ID: [269-15]

- 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: [271-15]

- 1.3** THREAT TO PUBLIC SERVICES OR FACILITIES - (Pursuant to California Government Code Section 54957).

Consultation with: Douglas Mansel, Aviation Security Manager

File ID: [272-15]

1.4 PUBLIC EMPLOYEE PERFORMANCE EVALUATION - (Pursuant to California Government Code Section 54957.6).

Title: Port Attorney

Title: Chief Audit Officer

File ID: [222-15]

1.5 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: Metropolitan Golf Links 10051 Doolittle Drive Oakland, CA 94603

Negotiating Parties: Port of Oakland, City of Oakland and Oakland Golf, LLC (represented by Thomas B. Isaak of CourseCo, Inc., and President of O.G.P., Inc., General Partner)

Agency Negotiator: Deborah Ale Flint, Director of Aviation & Brandon J. Mark, Manager of Airport Properties, Port of Oakland

Under Negotiation: Price and Terms of Tenancy

File ID: [270-15]

OPEN SESSION/ROLL CALL

President Yee reconvene the meeting in Open Session at the hour of 4:03 p.m., and the following Commissioners were in attendance:

Present: 5 - Commissioner Michael Colbruno, Commissioner James Head, Commissioner Bryan Parker, Second Vice-President Earl Hamlin, and President Alan Yee

Excused: 1 - First Vice-President Ces Butner

CLOSED SESSION REPORT

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

Resolution 15-043, Approving and Authorizing Execution Of Any Necessary Settlement Documentation With Oakland Marinas LLP With Respect To The September 2010 Fuel Spill.

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

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

Excused: 2 - Commissioner Parker, and First Vice-President Butner

Resolution 15-044, Approving and Authorizing Execution of a Settlement and Claim Release Agreement With Respect To The Parking Tax With Chartis Specialty Insurance Company N/K/A American International Specialty Lines Insurance Company.

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

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

Excused: 2 - Commissioner Parker, and First Vice-President Butner

PUBLIC HEARING

Director of Environmental Programs & Planning, Richard Sinkoff, presented the staff report.

President Yee requested a motion to re-open the Public Hearing.

A motion was made by Commissioner Parker, seconded by Commissioner Head, that the Public Hearing be re-opened. The motion carried by the following vote:

Ayes: 6 - Commissioner Colbruno, Commissioner Head, Commissioner Parker, Uno, Second Vice-President Hamlin, and President Yee

Excused: 1 - First Vice-President Butner

Public Hearing opened.

Applicant, Satish Narayan, addressed the Board

Appellants: David Blackwell, Richard Haygood, Mark Taylor and Ty Hudson addressed the Board.

Andy Silver, of the Carpenter's Union, answered a question asked by Commissioner Parker.

The Following Speakers addresses the Board on the Public Hearing: Ken Patel, Alex Lantsberg, Amy Willis, Mike Genthner, Loren Nalewanski, Susan Wise, Richard Ehmen, Andy Silver, Michael Pinechi, Lian Alan, Gary Oates, Teresa Cheng, Tom Sullivan, Karl Heisler, Blanca Smith, Jack Hutchison, Jonathan Hintze and Wei-Ling Huber

Public Hearing: Administrative Appeals on the Environmental Impact Report Development Permit (#5016) for the Proposed Hotel at 195 Hegenberger Road - Continued Hearing (Engineering)

File ID: [\[258-15\]](#)

A motion was made by Commissioner Uno, seconded by Commissioner Hamlin to uphold the appeal. The motion failed by the following vote:

Ayes: 3 - Commissioner Head, Uno, and Second Vice-President Hamlin

No: 3 - Commissioner Colbruno, Commissioner Parker, and President Yee

Excused: 1 - First Vice-President Butner

A motion was made by Commissioner Parker, seconded by Commissioner Colbruno, that this item be remanded back to the Executive Director to address the issues addressed in the appeal. The motion carried by the following vote:

Ayes: 6 - Commissioner Colbruno, Commissioner Head, Commissioner Parker, Uno, Second Vice-President Hamlin, and President Yee

Excused: 1 - First Vice-President Butner

The Board President called for a five minute break.

CONSENT ITEMS

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

Ayes: 6 - Commissioner Colbruno, Commissioner Head, Commissioner Parker, Uno, Second Vice-President Hamlin, and President Yee

Absent: 1 - First Vice-President Butner

- 2.1 Ordinance: Creation of Two New Classifications of Airport Operations Specialist I and Airport Operations Specialist II. (Finance and Administration)

File ID: [\[252-15\]](#)

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

- 2.2 Resolution: Extension of the Custodian Eligible List from May 13, 2015 through May 13, 2016.. (Finance & Administration)

File ID: [\[254-15\]](#)

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

- 2.3 Ordinance 4330: 2nd Reading of An Ordinance Amending Port Ordinance No. 867 To Create Director Of Governmental Affairs Classification. (Admin.)

File ID: [\[262-15\]](#)

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

- 2.4 Ordinance 4331: 2nd Reading of An Ordinance Approving Amendment No. 2 To Space/Use Permit - Public Pay Telephone Concession With Jaroth, Inc. Doing Business As Pacific Telemanagement Services For Public Pay Telephone Concession Privileges At Oakland International Airport.

File ID: [\[263-15\]](#)

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

- 2.5 Ordinance 4332: 2nd Reading of An Ordinance Approving An Other Transaction Agreement With The United States Of America, Acting Through The Transportation Security Administration At Oakland International Airport.

File ID: [\[264-15\]](#)

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

- 2.6 Minutes: Approval of the Minutes of The Regular Meeting of April 23, 2015.

File ID: [\[268-15\]](#)

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

- 2.7 Report: Executive Director Awards of Public Works and Professional Services Contracts for the Period from May 2014 through April 2015. (Engineering)

File ID: [\[257-15\]](#)

This Report was received and filed.

3. MAJOR PROJECTS

There were no Major Projects Items to discuss.

- 6.7 Resolution: Additional Budget and Related Approvals for Project Scoping Services Related to Grant Funding Consideration of Port Priority Projects (Engineering)

File ID: [\[260-15\]](#)

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

Ayes: 6 - Commissioner Colbruno, Commissioner Head, Commissioner Parker, Uno, Second Vice-President Hamlin, and President Yee

Absent: 1 - First Vice-President Butner

4. BUDGET & FINANCE

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

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

This Report was moved to subsequent meeting.

- 4.2 Resolution: Authorization to Enter into a Letter Agreement with the City of Oakland Outlining Port Pension Payments for FY 2016 as a Result of the City Participating in the CalPERS Pre-Pay Program. (Finance and Administration)

File ID: [\[251-15\]](#)

Chief Financial Officer, Sara Lee, introduced 4.2.

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

Ayes: 6 - Commissioner Colbruno, Commissioner Head, Commissioner Parker, Uno, Second Vice-President Hamlin, and President Yee

Absent: 1 - First Vice-President Butner

5. STRATEGY & POLICY

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

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

This Resolution was moved to subsequent meeting.

6. REMAINING ACTION ITEMS

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

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

This Ordinance was moved to subsequent meeting.

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

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

This Ordinance was moved to subsequent meeting.

- 6.3 2nd Reading of Ordinance 4336: Approval of a Space/Use Permit with PrimeFlight Aviation Services, Inc. (Aviation)

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

This Ordinance was moved to subsequent meeting.

- 6.4 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: [\[253-15\]](#)

This Ordinance was moved to subsequent meeting.

- 6.5** Resolution: Budget Authorization and other Approvals Required to Construct the Air Cargo Way Repair Project at the South Field, Oakland International Airport (Aviation)

File ID: [\[255-15\]](#)

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

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

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

- 6.6** Resolution: Affirming Port Consent to the Planned Unit Development Amendment Authorized by the City of Oakland for Various Properties in Jack London Square (CRE)

File ID: [\[256-15\]](#)

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

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

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

7. UPDATES/ANNOUNCEMENTS

There were no updates or announcements.

8. SCHEDULING

There were no "Scheduling" items.

OPEN FORUM

Carl Walter and Ty Hudson addressed the Board in Open Forum.

ADJOURNMENT

There being no additional business, the Meeting was adjourned at the hour of 7:35 p.m.

July 9, 2015

Daria Edgerly
Assiostant Secretary of the Board