



PORT OF OAKLAND

*530 Water Street
Oakland, California 94607
510.627.1337*

Minutes

Thursday, October 26, 2023

3:30 PM

Board Room – 2nd Floor

DRAFT

www.portofoakland.com

ROLL CALL

President Leslie called the Regular Meeting of October 26, 2023 to order at the hour of 1:03 p.m. and the following Commissioners were in attendance:

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

Excused: 1 - First Vice-President Yui Hay Lee

1. CLOSED SESSION

President Leslie convened the Board in Closed Session at 1:05 p.m. to hear the following Items:

- 1.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - (Significant Exposure to Litigation Pursuant to Paragraph (4) of Subdivision (d) of California Government Code Section 54956.9): **Number of Matters 1.**

File ID: [\[328-23\]](#)

- 1.2 THREAT TO PUBLIC SERVICES OR FACILITIES** - (Pursuant to California Code Section 54957 (a)): **Number of Matters: 1.**

File ID: [\[329-23\]](#)

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

Property: Billboards on Burma Road, South of the Eastern span of the Bay Bridge approach to Oakland

Negotiating Parties: Clear Channell Outdoor, LLC, Outfront Media, LLC, and the Port of Oakland

Agency Negotiator: Dorin Tiutin, Acting Director of Commercial Real Estate

Under Negotiation: Price and Terms of Payment

Property: Retail Program Totaling 16 Retail Units

Negotiating Parties: HG OAK Retail Concessionaires JV (Hudson Group, Arandia Designs, Maj Collection); MRG Oakland, LLC (The Marshall Retail Group, Oaklandish, LLC and Silver Dragon Cafe, LLC); Paradies Lagardere @ OAK, LLC (Paradies Lagardere, JR Lester and Associates, LTD), and the Port of Oakland

Agency Negotiator: Nyika Allen, Assistant Director of Aviation; Linda Peng, Manager of Aviation Properties

Under Negotiation: Price and Terms of Payment

File ID: [\[330-23\]](#)

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

Title(s): Port Attorney and Executive Director

File ID: [\[332-23\]](#)

OPEN SESSION/ROLL CALL

President Lee called the Regular Meeting of October 26, 2023 to order in Open Session at the hour of 4:15 p.m.

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

Excused: 1 - First Vice-President Yui Hay Lee

CLOSED SESSION REPORT

Secretary of the Board, Daria Edgerly, announced that Item 6.1 was pulled from the agenda.

Port Attorney, Mary Richardson, reported that the Board had taken the following action in Closed Session at the previous meeting of September 28, 2023:

A motion was made by Commissioner Colbruno, seconded by Second Vice-President Cluver, to approve Resolution 23-87. The motion carried by the following vote:

6 Ayes: Commissioner Michael Colbruno, Commissioner Stephanie Dominguez Walton, Commissioner Arabella Martinez, Commissioner Jahmese Myres, Second Vice-President Andreas Cluver and President Yui Hay Lee

1 Excused: President Leslie

Resolution 23-87: Resolution Approving And Authorizing Settlement Of Two Insurance Claims For Property Damage Due To Two Fires At Port Of Oakland ("Port")-Owned Buildings Located At 8407 Edgewater Drive In Oakland, California For A Combined Total Payment To The Port Of \$2,211,301.96, And Further Authorizing The Port's Executive Director To Execute Any And All Documents Necessary To Settle These Claims And Collect Claims Payments.

2. CONSENT ITEMS

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

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

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

Excused: 1 - First Vice-President Lee

- 2.1 Resolution 23-89:** Approve and Authorize the Executive Director to Waive Formal Competitive Procurement Procedures and Execute a Contract with ADB Safegate Americas, LLC to Furnish Airfield Electrical Equipment for an Amount Not to Exceed \$400,000; Apply for and Accept Grant Awards of Approximately \$13,000,000 or More if Additional Funding Becomes Available from the Federal Aviation Administration Airport Improvement Program for Federal Fiscal Year 2024 in Support of the Taxiway Whiskey Pavement Rehabilitation Project ; and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Engineering / Aviation)**

File ID: [\[310-23\]](#)

This Resolution was approved.

- 2.2 Resolution 23-90:** Approve and Authorize the Executive Director to Execute an Amendment to the Contract Purchase Agreement with Labor Finders Staffing Services, Inc. for As-Needed Temporary Staffing Services to Increase the Total Contract by \$350,000 for a Revised Total Authorized Contract Amount of \$500,000 for the Existing Contract Term that Expires June 30, 2024. **(Finance & Admin)**

File ID: [\[322-23\]](#)

This Resolution was approved.

- 2.3 Ordinance 4722 and Resolution 23-91:** Enactment of an Ordinance and Adoption of a Resolution Necessary to Extend the Terms and Conditions of Employment and Certain Benefits as set forth in the Memorandum of Understanding between the Port of Oakland and the International Brotherhood of Electrical Workers, Local 1245 for the Period July 1, 2024 through September 30, 2025 to Provide a 2% Salary Increase Effective the First Pay Period Containing July 1, 2024 and a 2.5% Salary Increase Effective the First Pay Period Containing January 1, 2025; and, to Authorize the Executive Director to Execute this Memorandum of Understanding on Behalf of the Board of Port Commissioners. **(Finance & Admin)**

File ID: [\[321-23\]](#)

This Ordinance was approved.

- 2.4 Resolution 23-92:** Approve and Authorize the Executive Director to Execute a Second Supplemental Agreement to the Professional Services Agreement, dated August 15, 2021, with Idemia Identity & Security USA LLC to: (1) Amend the Scope of Work to Provide Three Additional Exit Biometric Boarding Units with Five Years Support and (2) Increase the Maximum Compensation by \$180,000. **(Information Technology)**

File ID: [\[313-23\]](#)

This Resolution was approved.

- 2.5 Ordinance 4721,** 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute A Seventh Supplemental Agreement To A Lease With DASL, LLC For Premises Located At The Cost Plus Parking Lot Located At 101 Clay Street, Oakland To Extend The Term Through October 31, 2026, At An Initial Monthly Rental Rate Of \$10,737 During The Extension Term, And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.

File ID: [\[314-23\]](#)

This Ordinance was approved.

- 2.6 Minutes:** Approval of the Minutes of the Regular Meeting of September 14, 2023. **(Board)**

File ID: [\[336-23\]](#)

The Minutes were approved.

- 2.7 Report:** Report of Appointments, Separations and Leaves of Absence for FY 2023-24, 1st Quarter (July 1, 2023 - September 30, 2023). **(Finance & Admin)**

File ID: [\[248-23\]](#)

This Report was received and filed.

3. MAJOR PROJECTS

There were no "Major Projects" on the Agenda.

4. BUDGET & FINANCE

4.1 Report: Fiscal Year 2023 Financial Highlights. (Finance & Admin)

File ID: [\[247-23\]](#)

Chief Financial Officer, Julie Lam, presented Item 4.1.

Maritime Director, Bryan Brandes, addressed the Board on Item 4.1.

Hugh Morrison addressed the Board on Item 4.1.

This Report was received and filed.

5. STRATEGY & POLICY**5.1 Report: Proposed Utility Rules and Regulations (Executive Office)**

File ID: [\[320-23\]](#)

Chief Operating Officer, Kristi McKenney, presented Item 5.1.

This Report was received and filed.

5.2 Information Report: Port of Oakland Visual Branding Efforts and Logo Update

File ID: [\[326-23\]](#)

Chief Public Engagement Officer, Matt Davis, presented Item 5.2.

Hugh Morrison addressed the Board on Item 5.2.

6. REMAINING ACTION ITEMS

- 6.1 ~~PULLED Ordinance:~~ Adopt an Ordinance to Approve and Authorize the Executive Director to: (1) ~~Execute an Amendment to Space/Use Permit for Retail and Duty Free Concession with WDFG North America LLC to Extend the Term on an As-Needed Basis for Up to an Additional Twelve Months from July 1, 2023 through June 30, 2024 for approximately \$464,658.66 in Anticipated Revenues;~~ (2) ~~Consent to Assignment of the Space/Use Permit from The Marshall Retail Group, LLC to MRG Oakland, LLC;~~ (3) ~~Execute Amendments to the Space/Use Permits with MRG Oakland, LLC, HG OAK Retail Concessionaire JV and Paradies Lagardere @ OAK, LLC to Extend the Expiration Date from June 30, 2033 to February 28, 2035 for approximately \$2,630,530 in Anticipated Revenues and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. (Aviation)~~**

File ID: [\[319-23\]](#)

This Ordinance was pulled.

6.2 Resolution: Approve and Authorize the Executive Director to Execute a First Supplemental Agreement to the Professional Services Agreement with, Allied Universal to: (1) Amend the Scope of Work to Provide Additional Security Services and (2) Increase the Maximum Compensation by \$250,000 for a Total Not to Exceed of \$7,150,000, and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act . **(Aviation)**

File ID: [\[315-23\]](#)

Interim Aviation Director, Craig Simon, introduced Item 6.2.

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

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

Excused: 1 - First Vice-President Lee

7. UPDATES/ANNOUNCEMENTS

Chief Operating Officer, Kristi McKenney, introduced the new Director of Engineering, Emilia Sanchez.

Executive Director, Danny Wan, announced that the Port was awarded the Overall Communications Excellence and the Environmental Award of Distinction by the American Association of Port Authorities.

President Leslie and Second Vice-President Cluver reported out their trip to the 2023 World Routes Conference in Istanbul, Türkiye.

Chief Public Engagement Officer, Matt Davis, announced that Acting Government Affairs Manager, Diego Gonzalez, was recently recognized by Council Member Treva Reid during Oakland's Hispanic Heritage Month.

8. SCHEDULING

There were no "Scheduling Items" on the Agenda.

OPEN FORUM

There were no Public Speakers in Open Forum.

ADJOURNMENT

There being no additional business, the Meeting was adjourned at the hour of 5:32 p.m.

Approved:

Daria Edgerly
Secretary of the Board

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