



## MINUTES

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Thursday, October 27, 2016

Board Room – 2nd Floor

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### ROLL CALL

President Colbruno called the Regular Meeting to order at the hour of 1:03 pm and the following Commissioners were in attendance:

**Present:**       **6** - Commissioner Andreas Cluver, Commissioner Earl Hamlin, Commissioner Alan Yee, Second Vice-President Joan Story, First Vice-President Ces Butner, and President Michael Colbruno

**Excused:**       **1** - Commissioner Arabella Martinez

### 1. CLOSED SESSION

President Colbruno convened the Board in Closed Session at 1:04 pm to hear the following Items:

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

**Property:** 2 Broadway, Oakland, California

**Negotiating Parties:** Scott's Jack London Seafood, Inc. and Port of Oakland

**Agency Negotiator:** Pamela Kershaw, Director of Commercial Real Estate

**Under Negotiation:** Price and terms of payment

**Property:** Berths 25-33 and Portions of Berth 24 (Port of Oakland)

**Negotiating Parties:** TraPac, LLC; and Port of Oakland

**Agency Negotiator:** John Driscoll, Director of Maritime

**Under Negotiation:** NEPAA for Berths 25-33 (and portions of Berth 24), Price and Terms of Payments, Various Others

**Property:** Maritime Street, Oakland (Approx. 27 acres, former Oakland Army Base)

**Negotiating Parties:** CenterPoint Properties, and Port of Oakland

**Agency Negotiator:** John Driscoll, Director of Maritime

**Under Negotiation:** Price and Terms of Lease and Development

**File ID:** [315-16]

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

**Title:** Secretary of the Board, Port Attorney and Chief Audit Officer.

**File ID:** [316-16]

### OPEN SESSION/ROLL CALL

President Colbruno reconvened the Regular Meeting to order and the following Commissioners were in attendance:

**Present:** 6 - Commissioner Andreas Cluver, Commissioner Earl Hamlin, Commissioner Alan Yee, Second Vice-President Joan Story, First Vice-President Ces Butner, and President Michael Colbruno

**Excused:** 1 - Commissioner Arabella Martinez

### CLOSED SESSION REPORT

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

## 2. CONSENT ITEMS

Board Secretary, John Betterton, introduced the Consent Items.

**A motion was made by Second Vice-President Story, seconded by First Vice-President Butner, to approve the Consent Agenda. The Motion passed by the following votes:**

**Ayes:** 6 - Commissioner Cluver, Commissioner Hamlin, Commissioner Yee, Second Vice-President Story, First Vice-President Butner, and President Colbruno

**Ayes:** 6 - Commissioner Cluver, Commissioner Hamlin, Commissioner Yee, Second Vice-President Story, First Vice-President Butner, and President Colbruno

**Excused:** 1 - Commissioner Martinez

**Excused:** 1 - Commissioner Martinez

## 2.2 Resolution 16-122, Building Permit: #5107, Yard and Gate Improvements for Berths 24-26 and 30-33, TraPac, Maritime Street, Outer Harbor(Engineering)

**File ID:** [\[310-16\]](#)

**This Resolution was approved.**

- 2.3 Ordinance 4396, 2nd Reading:** Approving a Non-Exclusive Preferential Assignment Agreement With TraPac, LLC For An Expanded Marine Terminal Comprising Approximately 123 Acres Of Land And 13 Acres Of Water At Berths 24-33 With An Initial Term Of 14 Years And Fixed (Minimum) Rent Of Approximately \$7.2 Million In Contract Year 1 That Escalates To \$21.3 Million In Contract Year 14.

**File ID:** [\[318-16\]](#)

**This Ordinance was approved.**

- 2.4 Ordinance 4397, 2nd Reading:** Amending Port Ordinance No. 867 Ratifying and Setting The Compensation For Certain Port Of Oakland Non-Represented Employees In Port Employee Representation Unit H. **(Finance and Admin)**

**File ID:** [\[319-16\]](#)

**This Ordinance was approved.**

- 2.5 Minutes:** Approval of the Minutes for the Regular Meetings of September 22, 2016 and October 13, 2016.

**File ID:** [\[317-16\]](#)

**The Minutes were approved.**

- 2.6 Report:** Appointments, Separations and Leaves of Absence for FY 2016-17 1st Quarter (July 1, 2016 - September 30, 2016). **(Finance & Admin.)**

**File ID:** [\[313-16\]](#)

**This Report was received and filed.**

- 2.1 Resolution 16-121, Building Permit:** #5119, Soil Remediation for Exxon Mobile Site, Exxon Mobile, Berths 23-24, Outer Harbor **(Engineering)**

**File ID:** [\[309-16\]](#)

President Colbruno asked that item 2.1 be moved from the Consent Calendar. The Director of Engineering (Chris Chan) presented the Item.

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

**Ayes:**           **6** - Commissioner Cluver, Commissioner Hamlin, Commissioner Yee, Second Vice-President Story, First Vice-President Butner, and President Colbruno

**Excused:**       **1** - Commissioner Martinez

### 3. MAJOR PROJECTS

There were no "Major Projects" on the Agenda.

### 4. BUDGET & FINANCE

There were no "Budget & Finance" Items on the Agenda.

### 5. STRATEGY & POLICY

#### 5.1 Report: 2015 Seaport Emissions Inventory Results (**Environmental**)

File ID: [\[307-16\]](#)

The Port Associate Environmental Scientist (Tim Leong) gave the report.

**This Report was received and filed.**

#### 5.2 Resolution 16-123: Adoption of the Disadvantaged Business Enterprise Overall Triennial Goal and Methodology Report for Fiscal Year 2017-2019, to the Federal Aviation Administration, United States Department of Transportation (**SRD**)

File ID: [\[311-16\]](#)

The Social Responsibility Supervisor (Amy Tharpe) introduced Item 5.2.

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

**Ayes:**           6 - Commissioner Cluver, Commissioner Hamlin, Commissioner Yee, Second Vice-President Story, First Vice-President Butner, and President Colbruno

**Excused:**      1 - Commissioner Martinez

### 6. REMAINING ACTION ITEMS

#### 6.1 Ordinance 4398: Authorize the Executive Director to Enter into a Lease Agreement with U.S. Customs and Border Protection for Office and Parking Space for a Period of up to One Year with Six, One-Year Options to Extend (Maritime)

File ID: [\[255-16\]](#)

The Maritime Director (John Driscoll) called on the Senior Maritime Projects Administrator (Eric Napralla) to introduce Item 6.1.

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

**Ayes:** 6 - Commissioner Cluver, Commissioner Hamlin, Commissioner Yee, Second Vice-President Story, First Vice-President Butner, and President Colbruno

**Excused:** 1 - Commissioner Martinez

**6.2 Resolution 16-124:** Authorization to dispense with standard bidding procedures and negotiate final terms for the purchase of up to two Aircraft Rescue and Fire Fighting (ARFF) vehicles, OAK (Aviation)

**File ID:** [\[293-16\]](#)

The Director of Aviation (Bryan Francis) called on Aviation Planning and Development Manager (Joan Zatopec) to present the item.

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

**Ayes:** 6 - Commissioner Cluver, Commissioner Hamlin, Commissioner Yee, Second Vice-President Story, First Vice-President Butner, and President Colbruno

**Excused:** 1 - Commissioner Martinez

**6.3 Resolution 16-125:** Additional Capital Budget Authorization of \$380,000 and Other Related Actions for the Rehabilitation of Sanitary Sewer Lift Station #1, Oakland International Airport (Engineering)

**File ID:** [\[305-16\]](#)

Engineering Director (Chris Chan) introduced Item 6.3.

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

**Ayes:** 6 - Commissioner Cluver, Commissioner Hamlin, Commissioner Yee, Second Vice-President Story, First Vice-President Butner, and President Colbruno

**Excused:** 1 - Commissioner Martinez

**6.4 Resolution 16-126:** Authorization to Approve Change Orders and Other Related Actions for the North Field Runway Safety Area (NFRSA) Project, Oakland International Airport (Engineering)

**File ID:** [\[306-16\]](#)

Engineering Director (Chris Chan) introduced Item 6.4.

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

**Ayes:** 6 - Commissioner Cluver, Commissioner Hamlin, Commissioner Yee, Second Vice-President Story, First Vice-President Butner, and President Colbruno

**Excused:** 1 - Commissioner Martinez

**7. UPDATES/ANNOUNCEMENTS**

President Colbruno reported on a conference he attended at the Port of Rotterdam, Netherlands.

The Director of Communications (Mike Zampa) reported on the Air Quality press conference held by the Port.

**8. SCHEDULING**

There were no Scheduling Items on the Agenda.

**OPEN FORUM**

Justin King, David Brazil, Fred Pecker, Augustin Ramirez, Anthony Jenkins, BK Woodson, Ray Kidd, Beth Avery, DeMario Williams, Amelia Bunch, Amara Nwosu, Askari Amin, Bruce Miller, Jenny Linn, Manuel LaFontaine, Ken Chambers and Jack Bryson addressed the Board in Open Forum.

**ADJOURNMENT**

There being no additional business, the Meeting was adjourned at the hour of 4:44 pm.

January 26, 2017

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John Betterton  
Secretary of the Board