



MINUTES

Thursday, December 15, 2016

Board Room – 2nd Floor

Special Meeting

ROLL CALL

President Colbruno called the Special Meeting to order at the hour of 1:01 pm and the following Commissioners were in attendance:

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

1. CLOSED SESSION

President Colbruno convened the Board in Closed Session at 1:03 pm to hear the following Items:

- 1.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** (Initiation of Litigation Pursuant to Paragraph (2) of Subdivision (d) of California Government Code Section 54956.9):
Number of Matter: 1

Threatened Enforcement Act re: Scott's Pavilion

File ID: [385-16]

- 1.2 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** (Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of California Government Code Section 54956.9):
Number of Matter: 1

File ID: [386-16]

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

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: [387-16]

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

Title: Port Attorney, Chief Audit Officer, Secretary of the Board, Executive Director

File ID: [388-16]

OPEN SESSION/ROLL CALL

President Colbruno called the Special Meeting to order at the hour of 3:03 pm and the following Commissioners were in attendance:

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

CLOSED SESSION REPORT

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

A motion was made by President Colbruno, seconded by Commissioner Hamlin, to approve Resolution 16-140. The Motion carried by the following vote:

Ayes: 7 - Commissioner Cluver, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, 2nd Vice-President Story, 1st Vice President Butner and President Colbruno.

Resolution 16-140, Resolution Authorizing The Port Attorney To Initiate Administrative Proceedings Relating To A Matter Noticed As Anticipated Litigation.

7.1 "Vukasin Way" Presentation In Honor of Former Port Commissioner George Vukasin.

File ID: [\[340-16\]](#)

President Colbruno asked to take Item 7.1 out of order. He welcomed the family of the late George Vukasin (Sonja Halvorsen Vukasin - wife, Kristina Brouhard - daughter and George Vukasin Jr. - son) to accept a replica of the street sign that marks the new "George Vukasin Way" which had recently been renamed to honor the former Port Commissioner.

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 carried by the following vote:

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

- 2.1 Ordinance:** Approval to Extend the Temporary Rental Agreement with the City of Oakland for Emergency Vehicle Access Related to the Reconstruction of the Embarcadero Bridge.

File ID: [\[359-16\]](#)

This Ordinance was approved for a Second Reading.

- 2.2** Approval of an Agreement of Ground Lessor for Embarcadero Business Park LLC for Purposes of Securing a Leasehold Interest Loan **(CRE)**

File ID: [\[373-16\]](#)

This Resolution was approved.

- 2.3 Ordinance 4402,** 2nd Reading Of An Ordinance Approving Airline Operating Agreement And Annex "A" Space/Use Permit With British Airways Plc Operating At Oakland International Airport.

File ID: [\[384-16\]](#)

This Ordinance was approved.

- 2.4 Minutes:** Approval of the Minutes of the December 1, 2016 Special Board Meeting. **(Board)**

File ID: [\[389-16\]](#)

These Minutes were approved.

3. MAJOR PROJECTS

- 3.1 Resolution:** Budget Approval and Authorization to Enter into a Procurement Contract for Electrical Equipment for the Runway 12-30 Rehabilitation Project, OAK **(Aviation)**

File ID: [\[374-16\]](#)

Aviation Director, Bryant Francis, introduced 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: 7 - Commissioner Cluver, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, Second Vice-President Story, First Vice-President Butner, and President Colbruno

4. BUDGET & FINANCE

- 4.1 Resolution:** Authorization to Renew the Expiring Owner Controlled Insurance Program (“OCIP”) Arranged and Paid Through a Prime Insurance Broker for a Three-Year Term and in an Amount Not to Exceed \$5,500,000 Plus Collateral Posting of \$899,300 (subject to audit adjustment) and Related Actions. **(Finance & Admin)**

File ID: [\[361-16\]](#)

Chief Financial Officer (Sara Lee) and Port Risk Manager (Josh Schultz) introduced Item 4.1.

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

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

5. STRATEGY & POLICY

- 5.1 Ordinance:** Enactment of the Ordinance Necessary to Adopt the Revised Port Personnel Rules. **(Finance & Admin)**

File ID: [\[378-16\]](#)

Director of Human Resources and Corporate Administrative Services (Christopher Boucher) introduced Item 5.1.

A motion was made by Commissioner Yee, seconded by Commissioner Cluver, that the Ordinance be approved. The motion carried by the following vote:

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

- 5.2 Resolution:** Restatement and Update of Policy for Awarding Concession and Customer Service Privileges in the Terminal Complex at Oakland International Airport. **(Aviation)**

File ID: [\[379-16\]](#)

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

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

5.3 REPORT: Fiscal Year 2016-17 Airport Concessions Update. (Aviation)**File ID:** [\[380-16\]](#)

The Manager of Airport Properties (Brandon Mark) gave the report.

This Report was received and filed.

5.4 Report: Informational Report on Maritime Electric Strategic Assessment (Engineering)**File ID:** [\[367-16\]](#)

Engineering Director (Chris Chan) and Manager of Utilities Administration (Nicholas Procos) introduced Item 5.4.

This Report was received and filed.

5.5 Report: Annual Change Order Report on Construction Contracts Completed during FY 15/16 (Engineering)**File ID:** [\[362-16\]](#)

Engineering Director (Chris Chan) gave the Report.

This Report was received and filed.

6. REMAINING ACTION ITEMS**6.1 Ordinance: Extension of Space Assignment Agreements that have been in effect for more than one year as of December 15, 2016, Authorization to Extend Space Assignment Agreements that are likely to be in effect for more than one year as of December 31, 2017 and Waive the Three Month Security Deposit Requirement for Three Tenants. (Maritime)****File ID:** [\[370-16\]](#)

The Maritime Director (John Driscoll) introduced Item 6.1.

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

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

6.2 Resolution: Budget Approval and Related Authorizations for Construction of Rental Car Center Improvements, Oakland International Airport **(Aviation)**

File ID: [\[376-16\]](#)

The Aviation Director (Bryant Francis) introduced Item 6.2.

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

6.3 Resolution: Budget Authorization for Design of a Service Animal Relief Area in the Terminal Building. **(Aviation)**

File ID: [\[377-16\]](#)

The Aviation Director (Bryant Francis) 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: 7 - Commissioner Cluver, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, Second Vice-President Story, First Vice-President Butner, and President Colbruno

7. UPDATES/ANNOUNCEMENTS

The Social Responsibility Director (Amy Tharpe) announced a class called "Learn Your Winter Birds" to be given by the Park Naturalist at Middle Harbor Shoreline Park.

The Commercial Real Estate Director (Pam Kershaw) reported on the success of the Jack London Square Tree Lighting Ceremony.

The Executive Director (Chris Lytle) reported on a joint visit, to Omaha, by the Port and the Alameda County Transportation Commission to address 12 UP Senior Railroad Staff regarding the 7th St grade separation and other rail issues.

8. SCHEDULING

There were no Scheduling Items on the Agenda.

OPEN FORUM

Jahmese Meyers addressed the Board in Open Forum.

ADJOURNMENT

There being no additional business, the Special Meeting was adjourned at the hour of 4:58 pm. in memory of American Astronaut, Senator John Glenn.

January 26, 2017

John Betterton
Secretary of the Board