



MINUTES

Thursday, September 14, 2017

Board Room – 2nd Floor

ROLL CALL

President Story called the meeting to order at the hour of 1:00 p.m. and the following Commissioners were in attendance:

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

Excused: **1** - Commissioner Earl Hamlin

1. CLOSED SESSION

President Story convened the Board in Closed Session at 1:02 p.m. to hear the following Items:

1.1 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

Property: Berths 67-68, Port of Oakland (Howard Terminal)

Negotiating Parties: Lehigh Southwest Cement Company, Pacific Maritime Association and Port of Oakland

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: Price and Terms of Lease and Development

File ID: [260-17]

1.2 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

West Oakland Environmental Indicators Project Title VI Complaint: DOT#2017-0093, EPA File Nos. 13R-17-R9 (City of Oakland) and 14R-17-R9 (Board of Port Commissioners and Port of Oakland)

File ID: [261-17]

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

Consultation with: *Eva Jakubowska, Director of Information Technology, Cybersecurity Manager*

File ID: [263-17]

1.4 CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to California Government Code Section 54956.6):

- *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*

File ID: [265-17]

1.5 PUBLIC EMPLOYMENT (Pursuant to California Government Code Section 54957):

- *Secretary of the Board*

File ID: [264-17]

OPEN SESSION/ROLL CALL

President Story reconvened the Regular Meeting of September 14, 2017 at the hour of 3:36 p.m.

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

Excused: 1 - Commissioner Earl Hamlin

CLOSED SESSION REPORT

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

The Port Attorney also reported that Commissioner Colbruno recused from the Item below due to a potential financial conflict and was not in the room and took no part in the discussion or deliberation of the item.

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

Property: Berths 67-68, Port of Oakland (Howard Terminal)

Negotiating Parties: Lehigh Southwest Cement Company, Pacific Maritime Association and Port of Oakland

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: Price and Terms of Lease and Development

2. CONSENT ITEMS

Acting Board Secretary, 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 Martinez, Commissioner Yee, Second Vice-President Cluver, First Vice-President Butner and President Story

Excused: 1 - Commissioner Hamlin

- 2.1 Ordinance 4435:** Approval and Authorization for Execution of a Sixth Supplemental Lease Agreement to Ground Lease at the North Field of Oakland International Airport with the United States of America, Department of Transportation, Federal Aviation Administration to Extend Occupancy Ten Years, and for No Monetary Consideration. **(Aviation)**

File ID: [\[237-17\]](#)

This Ordinance was approved.

- 2.2 Ordinance 4436:** Approval of a First Amendment to Lease with U.S. Customs and Border Protection for Office and Parking Space located at 700 Maritime Street, Oakland, CA (Maritime)

File ID: [\[248-17\]](#)

This Ordinance was approved.

- 2.3 Ordinance 4437:** Approval of a Lease Amendment for the Backyard Oakland LLC to Allow a One-Time Rent Payment Schedule Adjustment for Property Located at Oak Street and Embarcadero Road in Oakland (CRE)

File ID: [\[250-17\]](#)

This Ordinance was approved.

- 2.4 Ordinance 4438:** Approval of a 15-month Temporary Rental Agreement at a Monthly Rental Rate of \$6,016.31 with Pacific Gas & Electric for a Construction Staging Yard on the Premises Located at Livingston Street and Embarcadero Road (CRE)

File ID: [\[247-17\]](#)

This Ordinance was approved.

- 2.5 Resolution: 17-94 Building Permit:** Approval of Permit #5155 for Office Remodel by Southwest Airlines, Ground Level, Terminal 2 (M130) (Engineering)

File ID: [\[258-17\]](#)

This Resolution was approved.

- 2.6 Minutes:** Approval of the Minutes of the Regular Meetings of July 13, 2017 and July 27, 2017. (Board)

File ID: [\[234-17\]](#)

This Minutes was approved.

3. MAJOR PROJECTS

There were no "Major Projects" on the Agenda.

4. BUDGET & FINANCE

- 4.1 Report:** Presentation on Cybersecurity and Disaster Recovery. (Finance & Admin)

File ID: [\[024-17\]](#)

Chief Financial Officer, Sara Lee, introduced Item 4.1.

Information Technologies Director, Eva Jakubowska, presented Item 4.1.

This Report was received and filed.

- 4.2 Resolution 17-95:** Authorization to Enter into an Agreement with Applications Software Technology to Upgrade the Port's Oracle Enterprise Resource Planning System and Improve Certain Other Business Processes for a Total Amount Not-to-Exceed \$1,064,800. **(Finance & Admin)**

File ID: [\[119-17\]](#)

Chief Financial Officer, Sara Lee, introduced Item 4.2.

Information Technologies Director, Eva Jakubowska, addressed questions asked by the Board.

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

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

Excused: **1 -** Commissioner Hamlin

5. STRATEGY & POLICY

- 5.1 Report:** Presentation Regarding Transportation Network Company (TNC) Operations at Oakland International Airport Under Pilot Program Permits Issued in 2015. **(Aviation)**

File ID: [\[251-17\]](#)

Aviation Director, Bryant Francis, introduced Item 5.1.

Matt Davis, Operation Manager, presented Item 5.1.

Krisiti McKenney, Assistant Aviation Director, addressed questions asked by the Board.

Speakers: Ignacio De LaFuente and Doug Bloch addressed the Board.

This Report was received and filed.

6. REMAINING ACTION ITEMS

- 6.1 Ordinance 4439:** Approval of a Space/Use Permit with Total Airport Services, LLC Operating at Oakland International Airport for a Term of Approximately Five (5) Years with an Estimated Annual Revenue of \$376,000. **(Aviation)**

File ID: [\[236-17\]](#)

Aviation Director, Bryant Francis, introduced Item 6.1.

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

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

Excused: **1** - Commissioner Hamlin

- 6.2 Resolution 17-96:** Approve a \$1,320,000 Design Budget and Authorization to Enter into a Professional Services Agreement with WSP USA, Inc. up to \$970,000 for Airport Security Technology Consulting Services at Oakland International Airport. **(Aviation)**

File ID: [\[243-17\]](#)

Aviation Director, Bryant Francis, introduced Item 6.2.

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

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

Excused: **1** - Commissioner Hamlin

- 6.3 Resolution 17-97:** Capital Equipment Budget Authorization of \$2,126,000 to Procure Equipment for Use by Aviation and Engineering Divisions; Designation of Existing Equipment as Surplus because it is either Inadequate, Obsolete or Worn-Out and Approval to Sell, Donate, or Dispose of Such Property. **(Aviation & Engineering)**

File ID: [\[244-17\]](#)

Engineering Director, Chris Chan, introduced Item 6.3.

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

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

Excused: **1** - Commissioner Hamlin

6.4

Ordinance 4440: Authorize the Executive Director to: (1) Extend the Lease with SSA Terminals (Oakland), LLC for an approximate 14-Acre Parcel in the Roundhouse Area through April 15, 2018, resulting in \$1.2 million of revenue; (2) Extend the Temporary Assignment by SSA Terminals, LLC of an Approximate 19-Acre Parcel from the Berths 60-63 Marine Terminal to SSA Terminals (Oakland), LLC at the Berths 55-59 Marine Terminal through April 15, 2018, at no

additional cost; and (3) Waive Charges in the Amount of \$67,470 Owed by Matson Navigation Company, Inc., for the Use of Howard Terminal from May 1, 2017 through June 2, 2017
(Maritime)

File ID: [\[245-17\]](#)

Maritime Director, John Driscoll, introduced Item 6.4.

A motion was made by Commissioner Colbruno, seconded by Second Vice-President Cluver, that the Ordinance be approved. The motion passed by the following vote:

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

Excused: **1** - Commissioner Hamlin

- 6.5 Resolution 17-98:** Authorize a First Supplemental Agreement with Haley & Aldrich, Inc. for Environmental Compliance Support for the Port's Annual Berth Maintenance Dredging Program to Increase Compensation by a Maximum Amount Not To Exceed \$50,000. **(Engineering)**

File ID: [\[241-17\]](#)

Engineering Director, Chris Chan, introduced Item 6.5.

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

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

Excused: **1** - Commissioner Hamlin

- 6.6 Ordinance 4441:** Approval of an Amendment to the License and Concession Agreement between the Port and United Parcel Service, Inc. to Expand Their Premises From Approximately 3.5 Acres to 6.5 Acres of Land Located at the Southwest Corner of Doolittle Drive and Swan Way, Oakland for a Monthly Rent of \$24,228.00. **(CRE)**

File ID: [\[253-17\]](#)

Commercial Real Estate Director, Pam Kershaw, introduced Item 6.6.

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

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

Excused: **1** - Commissioner Hamlin

7. UPDATES/ANNOUNCEMENTS

Commissioner Colbruno announced that our Port Attorney, Danny Wan, was named the Legacy Grand Marshal at the Oakland Pride Celebration.

Aviation Director, Bryant Francis and Keonnis Taylor, Aviation Senior Marketing & Communication Representative, presented two videos about the oakland International Airport. The first was a video celebrating 90 years at OAK. The second was a video outlining the Runway Safety Project.

8. SCHEDULING

There were no "Scheduling Items" on the Agenda.

OPEN FORUM

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

Doug Bloch addressed the Board.

ADJOURNMENT

There being no additional business, the Meeting was adjourned at the hour of 5:01 p.m.

Approved:

Daria Edgerly
Acting Secretary of the Board