



# **PORT OF OAKLAND**

*530 Water Street  
Oakland, California 94607  
510.627.1337*

## **Minutes**

**Thursday, January 25, 2018**

**4:00 PM**

**Board Room – 2nd Floor**

[www.portofoakland.com](http://www.portofoakland.com)

**ROLL CALL**

President Story called the Regular Meeting of January 25, 2018 to order at the hour of 1:03 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 (1:00 p.m.)**

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

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

**Property:** One Airport Drive, Oakland, CA

**Negotiating Parties:** Southwest Airlines and Port of Oakland

**Agency Negotiator:** Bryant L. Francis, C.M., Director of Aviation

**Under Negotiation:** Price and Terms of Tenancy

**Property:** Oakland International Container Terminal (Berths 55-59) 1717 Middle Harbor Road and Matson Terminal (Berths 60-63) 1579 Middle Harbor Road - Port of Oakland

**Negotiating Parties:** SSA Terminals, LLC and Port of Oakland

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

**Under Negotiation:** Price and Terms of Tenancy

**Property:** 333 Maritime Street, Oakland, CA

**Negotiating Parties:** BNSF Railway Co. and Port of Oakland

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

**Under Negotiation:** Price and Terms of Tenancy

**Property:** Parcel just northwest of Maritime Street/17th Street

**Negotiating Parties:** GAWFCO Enterprises, Inc. and Port of Oakland

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

**Under Negotiation:** Price and Terms of Tenancy

**File ID:** [042-18]

**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 Matters    **1****

**File ID:** [043-18]

**1.3 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:** [044-18]

**OPEN SESSION/ROLL CALL**

President Story reconvened the Regular Meeting of January 25, 2018 to order at the hour of 4:00 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 the following action in Closed Session:

**A motion was made by Vice-President Cluver, seconded by Vice-President Butner, to approve Resolution 18-01. 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

**Resolution 18-01:** Resolution Approving and Authorizing Entering Into Settlement Agreement with Rosemary Chang, Administrative Trustee of the Edgar M. Buttner Trust, Resolving Port Claims for Damages to Property at 7717 and 7719-7723 Oakport Street, Oakland, California.

**CONSENT ITEMS**

Board Secretary, Daria Edgerly, introduced the Consent Items.

**A motion was made by Commissioner Yee, seconded by First Vice-President Butner, to approve the Consent Agenda. A motion was made that these files be approved by a consent 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 4459**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director Enter Into A First Amendment To The 1999 Grant Of Easement Agreement With The Bay Area Rapid Transit District By Berth 30 To Allow For The Installation, Maintenance, And Operation Of An Emergency Generator.

**File ID:** [\[039-18\]](#)

**This Ordinance was approved.**

- 2.2 Ordinance 4460**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Amend The License And Concession Agreement With California Generator Service Corporation To Expand Into 7719 Oakport Street, Oakland, California And To Increase Monthly Rent By \$4,125.00.

**File ID:** [\[040-18\]](#)

**This Ordinance was approved.**

- 2.3 Ordinance 4461**, 2nd Reading Of An Ordinance Authorizing And Approving The Extension Of Space Assignment Agreements That Have Been In Effect For More Than One Year As Of December 14, 2017, The Extension Of Certain Space Assignment Agreements That Are Likely To Be In Effect For More Than One Year As Of December 31, 2018, And The Waiver Of The Three-Month Security Deposit Requirement For Certain Tenants.

**File ID:** [\[041-18\]](#)

**This Ordinance was approved.**

- 2.4 Minutes:** Approval of the Minutes of the Regular Meetings of November 30, 2017, December 14, 2017 and the Special Meeting of January 8, 2018. **(Board)**

**File ID:** [\[001-18\]](#)

**The Minutes were approved.**

- 2.5 Report:** Report of Appointments, Separations and Leaves of Absence for FY 2017-18, 2nd Quarter (October 1, 2017 - December 31, 2017). **(Finance & Admin)**

**File ID:** [\[004-18\]](#)

**This Report was received and filed.**

### **3. MAJOR PROJECTS**

**3.1 Report:** Update on GoPort Program in Partnership with Alameda County Transportation Commission **(Engineering/Maritime)**

**File ID:** [\[017-18\]](#)

Engineering Director, Chris Chan, introduced Item 3.1.

Imee Osantowski, Port Principal Engineer, and Trinity Nguyen of Alameda CTC, presented Item 3.1.

**This Report was received and filed.**

**3.2 Resolution 18-02:** Authorize the Executive Director to: 1) Accept Federal FY17 Department of Homeland Security/Federal Emergency Management Agency Port Security Grant Program Funding in the Amount of \$1,824,201, 2) Take Certain Actions Necessary to Implement the Approved Security Projects Including Approval of Capital Budget of \$727,500, and 3) Enter into a Memorandum of Understanding and/or Reimbursement Agreement with the Alameda County Transportation Commission to Fund Certain Elements of the Approved Security Projects **(Maritime/Engineering)**

**File ID:** [\[035-18\]](#)

Maritime Director, John Driscoll, introduced Item 3.2.

Troy Hosmer, Port Facilities Security Officer, presented Item 3.2.

**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

#### **4. BUDGET & FINANCE**

**4.1 Report:** External Auditor's Report to the Board of Port Commissioners for the Year Ended June 30, 2017. **(Finance & Admin)**

**File ID:** [\[006-18\]](#)

Chief Financial Officer, Sara Lee, presented Items 3.1 and 3.2.

**This Report was received and filed.**

- 4.2 Report:** Comprehensive Annual Financial Report for the Years Ended June 30, 2017 and 2016. (Finance & Admin)

File ID: [\[005-18\]](#)

**This Report was received and filed.**

- 4.3 Report:** Unaudited Financials for 5 months ended November 30, 2017. (Finance & Admin)

File ID: [\[003-18\]](#)

Chief Financial Officer, Sara Lee, presented Item 3.3.

**This Report was received and filed.**

## **5. STRATEGY & POLICY**

- 5.1 Report:** Port Sustainability Policy and Update of Procedures (Engineering)

File ID: [\[023-18\]](#)

Environmental Programs and Planning Director, Richard Sinkoff, introduced Item 5.1.

Colleen Liang, Port Associate Environmental Scientist, presented Item 5.1.

**This Report was received and filed.**

## **6. REMAINING ACTION ITEMS**

- 6.1 Resolution 18-03:** Authorization to Extend the Exclusive Negotiating Agreement with GAWFCO Enterprises Inc., for the Development and Lease of a Fuel Station and Drayage Truck Services Center (Maritime)

File ID: [\[034-18\]](#)

Maritime Director, John Driscoll, introduced Item 6.1.

**A motion was made by Commissioner Colbruno, 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

- 6.2 Resolution 18-04:** Authorize the Executive Director to Execute an Agreement with Stanley Convergent Security Solutions, Inc., for Port Maritime Security System Maintenance for up to Five (5) Years in an Amount Not to Exceed \$1,959,951 **(Maritime)**

**File ID:** [\[033-18\]](#)

Maritime Director, John Driscoll, introduced Item 6.2.

Troy Hosmer, Port Facilities Security Officer, presented Item 6.2.

**A motion was made by First Vice-President Butner, seconded by Commissioner Yee, 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 18-05:** Approval of a Second Supplemental Agreement with Consolidated Engineering Laboratories for On-call Structural Inspection and Material Testing Services for an Additional \$600,000 in Contract Authority and Increasing the Contract to a Maximum Not to Exceed Amount of \$1,300,000 **(Engineering)**

**File ID:** [\[020-18\]](#)

Engineering Director, Chris Chan, introduced Item 6.3.

**A motion was made by Commissioner Martinez, 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

- 6.4 Resolution 18-06:** Approve a Fourth Supplemental Agreement with Liftech Consultants, Inc. for On-call Crane-Related Structural Engineering Services Including Urgent and Emergency Work for Port Container Cranes at Berths 25/26 and Berths 55-59 in the amount of \$800,000 for a Maximum Not-to-Exceed Contract Amount of \$2,000,000. **(Engineering)**

**File ID:** [\[019-18\]](#)

Engineering Director, Chris Chan, introduced Item 6.4.

**A motion was made by Second Vice-President Cluver, seconded by Commissioner Yee, 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

- 6.5 Resolution 18-07:** Approve Project Budget of \$771,000; Delegate Authority to Approve Plans and Project Manual to the Director of Engineering; and Authorize the Executive Director to Enter into a Contract with Vortex Marine Construction, Inc. in the amount of \$387,200 for the Replacement of Fender Systems At Berth 25 Outer Harbor Oakland, California Project. **(Engineering)**

**File ID:** [\[022-18\]](#)

Engineering Director, Chris Chan, introduced Item 6.5.

**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

- 6.6 Resolution 18-08:** Authorization to Award Procurement Contract for New Electrical Switchgear at Substation SS-C-48 in the Amount of \$533,687 **(Engineering)**

**File ID:** [\[018-18\]](#)

Engineering Director, Chris Chan, introduced Item 6.6.

**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

- 6.7 Resolution 18-09:** Delegation of Authority to the Executive Director to Execute Local Resource Adequacy Capacity Purchase Agreements with the City of Santa Clara (dba Silicon Valley Power) in an Amount Not-to-Exceed \$458,000 for Calendar Years 2018, 2019 and 2020 **(Engineering)**

**File ID:** [\[015-18\]](#)

Engineering Director, Chris Chan, introduced Item 6.7.

**A motion was made by Commissioner Colbruno, seconded by Commissioner Yee, 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

**6.8 Ordinance 4462:** Approval of a Five (5) Year License & Concession Agreement with Oakland Athletic Rowing Society for a Monthly Rental Rate of \$1,849 for the Premises Located at the Livingston Street Pier **(CRE)**

**File ID:** [\[038-18\]](#)

Commercial Real Estate Director, Pam Kershaw, introduced Item 6.8.

**A motion was made by Commissioner Colbruno, seconded by First Vice-President Butner, that the Ordinance be introduced on first reading. 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**

There were no Updates or Announcements.

**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 4:56 p.m.

Approved:

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Daria Edgerly  
Secretary of the Board