



PORT OF OAKLAND

*530 Water Street
Oakland, California 94607
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Draft Minutes

Thursday, April 12, 2018

3:00 PM

Board Room – 2nd Floor

www.portofoakland.com

ROLL CALL

President Story called the Regular Meeting of April 12, 2018 to order at the hour of 1:00 p.m. and the following Commissioners were in attendance:

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

Excused: **1** - First Vice-President Ces Butner

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 LEGAL COUNSEL - ANTICIPATED LITIGATION** (Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of California Government Code Section 54956.9): **Number of Matters 2**

File ID: [125-18]

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

Property: One Market Street, Oakland, CA (Howard Terminal)

Negotiating Parties: Oakland Athletics and Port of Oakland

Agency Negotiator: Pamela Kershaw, Director of Commercial Real Estate

Under Negotiation: Price and Terms of Tenancy

File ID: [126-18]

- 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: [127-18]

OPEN SESSION/ROLL CALL

President Story reconvened the Regular Meeting of April 12, 2018 to order at the hour of 3:06 p.m.

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

Excused: 1 - First Vice-President Ces Butner

CLOSED SESSION REPORT

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

A motion made by Commissioner Yee, seconded by Second Vice-President Cluver, to approve Resolution 18-22. The motion carried by the following vote:

6 Ayes: Commissioner Colbruno, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, Second Vice-President Cluver and President Story.

1 Excused: First Vice-President Butner

Resolution 18-22: Resolution Approving and Authorizing Execution of a Settlement Agreement with Edgewater Associates, Resolving the Port of Oakland's Claims for Damages to Property Located at 8401/8407 Edgewater Drive, Oakland, California in the Amount of \$250,000.

CONSENT ITEMS

Board Secretary, Daria Edgerly, introduced the Consent Items.

A motion was made by Commissioner Yee, seconded by Commissioner Hamlin, to approve the Consent Agenda. The motion carried by the following vote:

Ayes: 6 - Commissioner Colbruno, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, Second Vice-President Cluver and President Story

Excused: 1 - First Vice-President Butner

- 2.1 Ordinance 4470**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To: (1) Amend The Lease With SSA Terminals (Oakland), LLC For An Approximately 14 Acre Parcel In The Roundhouse Area To Extend The Term Through December 31, 2018 And To Increase The Rental Rate To \$0.247 Per Square Foot Per Month On July 1, 2018; And (2) Extend The Temporary Assignment By SSA Terminals, LLC Of An Approximately 19 Acre Parcel From The Berths 60 63 Marine Terminal To SSA Terminals (Oakland), LLC At The Berths 55 59 Marine Terminal Through December 31, 2018.

File ID: [\[123-18\]](#)

This Ordinance was approved.

- 2.2 Minutes:** Approval of the Minutes of the Regular Meetings of February 22, 2018 and March 8, 2018. **(Board)**

File ID: [\[122-18\]](#)

The Minutes were approved.

3. MAJOR PROJECTS

There were no "Major Projects" on the Agenda.

4. BUDGET & FINANCE

- 4.1 Report:** Unaudited Financials for 7 Months Ended January 31, 2018. **(Finance & Admin)**

File ID: [\[011-18\]](#)

Chief Financial Officer, Sara Lee, presented Item 4.1.

This Report was received and filed.

5. STRATEGY & POLICY

- 5.1 Resolution:** Approval of the Business Terms and Conditions to be Incorporated into the Request for Proposals for Food & Beverage Concessions Opportunities at Oakland International Airport Covering 23,000± Square Feet in Sixteen Locations to be Offered in Four Packages for a Term of Almost 11 Years; These Concessions Generated \$45.5 Million in Gross Sales Revenue in Calendar Year 2017. **(Aviation)**

File ID: [\[119-18\]](#)

Aviation Director, Bryant Francis, introduced Item 5.1.

Brandon Mark, Manager of Airport Properties, presented Item 5.1.

Kevin Westlye and Sejal Babaria, addressed the Board on Item 5.1.

The Board gave staff direction to work with the community to supplement the 2018 Food and Beverage Concession RFP with language for First Source Referral and Non-discrimination against applicants with history with the criminal justice system.

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

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

Excused: **1 -** First Vice-President Butner

5.2 Report: Maritime Air Quality Improvement Plan ("MAQIP") Calendar Year 2018 1st Quarter Status Report **(Engineering)**

File ID: [\[086-18\]](#)

Engineering Director, Chris Chan, introduced Item 5.2.

Environmental Programs and Planning Director, Richard Sinkoff and Catherine Mukai, Port Scientist, presented Item 5.2.

Michael Murphy and Jim Rice addressed the Board on Item 5.2.

This Report was received and filed.

6. REMAINING ACTION ITEMS

6.1 Resolution: Authorize Capital Budget of \$1,800,000 and Operating Budget of \$977,000, Waive Competitive Bidding, and Authorize the Executive Director to Enter Into Contract with COBUS for the Purchase of 3 Airfield Buses for an Amount not to Exceed \$1,600,000, and with Keith Consolidated Industries for Purchase of an Airfield Passenger Ramp for an Amount Not to Exceed \$150,000, Approve a Contract Amendment in the Amount Not to Exceed \$30,000 with Stanley Convergent Security Solutions, Inc. to Procure and Install Security Cameras, Approve a Capital Budget of \$20,000 for Port-Installed Infrastructure, Approve a Contract Amendment with SP Plus Corporation to Provide Bus Operations for an Amount Not to Exceed \$977,000 to Facilitate Airfield Ground Loading Operations at Oakland International Airport **(Aviation)**.

File ID: [\[121-18\]](#)

Aviation Director, Bryant Francis, introduced Item 6.1.

Daniel Prum, Aviation Project Manager, addressed the Board questions on Item 6.1.

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

Ayes: **5** - Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, Second Vice-President Cluver and President Story

No: **1** - Commissioner Colbruno

Excused: **1** - First Vice-President Butner

- 6.2 Resolution:** (1) Approve a Budget of \$1,100,000 for the Terminal 1 (M102) Outbound Baggage Screening Device (CT-80) Interim Placement Project. (2) Authorize a Contract Change Order to Turner Construction Company's Construction Manager at Risk Services to add the M102 CT-80 Interim Placement Project for an Amount Not to Exceed \$688,000. (3) Find that it is in the Best Interest of the Port to Waive Competitive Bidding and Authorize the Executive Director to Execute a Single Source Professional Services Agreement with MWA Architects to Provide Design Services for an Amount Not to Exceed \$200,000. (4) Authority for the Executive Director to Execute a Memorandum of Agreement (MOA) with the Transportation Security Administration (TSA). **(Aviation/Engineering)**

File ID: [\[116-18\]](#)

Engineering Director, Chris Chan, introduced Item 6.2.

Bob Andrews, Port Principal Engineer, presented Item 6.2.

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

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

Excused: **1** - First Vice-President Butner

- 6.3 Resolution:** Approval of Additional \$338,000 in Project Budget for Construction of Rental Car Center Improvements at Oakland International Airport. **(Engineering)**

File ID: [\[085-18\]](#)

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

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

Excused: **1** - First Vice-President Butner

- 6.4 Resolution:** Approve and Authorize the Executive Director to Execute an Agreement with Cypress Private Security, LP for Port of Oakland Security Operations Center Staffing Services in the Maritime Area for a Term of Approximately Three (3) Years with Two (2) One-Year Options, in an Amount Not to Exceed \$2,400,000. **(Maritime)**

File ID: [\[118-18\]](#)

Maritime Director, John Driscoll, introduced Item 6.4.

Port Facilities Security Officer, Troy Hosmer, presented Item 6.4.

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 Colbruno, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, Second Vice-President Cluver and President Story

Excused: **1 -** First Vice-President Butner

- 6.5 Resolution:** Delegate Authority to Approve Plans and Project Manual to the Director of Engineering and Authorize the Executive Director to Enter into a Contract with Oliver de Silva, Inc. dba Gallagher & Burk, Inc. in the amount of \$557,965 for the Howard Terminal Pavement Repair FY18 Project. **(Engineering)**

File ID: [\[113-18\]](#)

Engineering Director, Chris Chan, introduced Item 6.5.

Port Supervising Engineer, Thanh Vuong, presented Item 6.5.

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 Colbruno, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, Second Vice-President Cluver and President Story

Excused: **1 -** First Vice-President Butner

- 6.6 Resolution:** Delegate Authority to Approve Plans and Project Manual to the Director of Engineering and Authorize the Executive Director to Enter into a Contract with Oliver De Silva Inc. dba Gallagher & Burk, Inc. in the amount of \$379,355 for the Berths 35-38 Pavement Replacement, Oakland, California Project. **(Engineering)**

File ID: [\[112-18\]](#)

Engineering Director, Chris Chan, introduced Item 6.6.

Port Supervising Engineer, Thanh Vuong, presented Item 6.6.

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 Colbruno, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, Second Vice-President Cluver and President Story

Excused: 1 - First Vice-President Butner

- 6.7 Resolution:** Approve Project Budget of \$994,000; Delegate Authority to Approve Plans and Project Manual to the Director of Engineering; and Authorize the Executive Director to Enter into a Contract with O.C. Jones & Sons, Inc. in the amount of \$ 673,034.50 for the Roundhouse Pavement Reconstruction FY18 Project. **(Engineering)**

File ID: [\[114-18\]](#)

Engineering Director, Chris Chan, introduced Item 6.7.

Port Supervising Engineer, Thanh Vuong, presented Item 6.7.

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 Colbruno, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, Second Vice-President Cluver and President Story

Excused: 1 - First Vice-President Butner

- 6.8 Ordinance:** Approve and Authorize the Executive Director to Execute a Second Amendment to Lease for the Premises Located at 530 Water Street, 5th Floor, and Execute a New License and Concession Agreement for Premises Located at 516 Water Street, Oakland, both for a Term of Approximately Five (5) Years, with GSC Logistics, Inc., for a Monthly Rent of \$32,090.00. **(CRE)**

File ID: [\[120-18\]](#)

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

A motion was made by Commissioner Colbruno, seconded by Second Vice-President Cluver, that the Ordinance be introduced on first reading. The motion carried by the following vote:

Ayes: 6 - Commissioner Colbruno, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, Second Vice-President Cluver and President Story

Excused: 1 - First Vice-President Butner

- 6.9 Ordinance:** Approve and Authorize the Execution of a Lease with the East Bay Regional Parks District for a Term of 33 Years for an Initial Monthly Rental Amount of \$2,300 for Property Located at 1441-1551 Embarcadero Road, Oakland **(CRE)**

File ID: [\[117-18\]](#)

Commercial Real Estate Director, Pam Kershaw, introduced Item 6.9.

A motion was made by Commissioner Martinez, seconded by Commissioner Yee, that the Ordinance be introduced on first reading. The motion carried by the following vote:

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

Excused: **1** - First Vice-President Butner

7. UPDATES/ANNOUNCEMENTS

Communications Director, Mike Zampa, presented the Employee Appreciation Video honoring employees years of service.

Social Responsibility Director, Amy Tharpe, announced Port of Oakland Day at Children's Fairyland.

Director of Aviation, Bryant L. Francis, announced the first American Flight from Dallas Fort Worth to Oakland last week; the launch of Norwegian's Paris service; the arrival of a new carrier Contour Airline flying to Crescent City and today the airport celebrated the 10 year anniversary of Hawaiian Airline at Oakland Airport.

Commissioner Colbruno wished our Former Board Secretary, John Betterton, Happy Birthday. He also announced a positive article on the Port of Oakland in Seaport Magazine.

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 5:11 p.m.

Approved:

Daria Edgerly
Secretary of the Board