



## **PORT OF OAKLAND**

*530 Water Street  
Oakland, California 94607  
510.627.1337*

### **Minutes**

**Thursday, June 13, 2019**

**1:45 PM**

**Board Room – 2nd Floor**

Draft

**ROLL CALL**

President Butner called the Regular Meeting of June 13, 2019 to order at the hour of 1:06 p.m. and the following Commissioners were in attendance:

**Present:** 6 - Commissioner Yui Hay Lee, Commissioner Barbara Leslie, Commissioner Arabella Martinez, Commissioner Joan Story, First Vice-President Andreas Cluver and President Ces Butner

**Excused:** 1 - Second Vice-President Michael Colbruno

**1. CLOSED SESSION**

President Butner convened the Board in Closed Session at 1:07 p.m. to hear the following Items:

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

**Title:** Executive Director

**File ID:** [162-19]

**OPEN SESSION/ROLL CALL**

President Butner called the Regular Meeting of June 13, 2019 to order in Open Session at the hour of 1:55 p.m.

**Present:** 6 - Commissioner Yui Hay Lee, Commissioner Barbara Leslie, Commissioner Arabella Martinez, Commissioner Joan Story, First Vice-President Andreas Cluver and President Ces Butner

**Excused:** 1 - Second Vice-President Michael Colbruno

**CLOSED SESSION REPORT**

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

**2. CONSENT ITEMS**

Secretary of the Board, Daria Edgerly, introduced the Consent Items.

**A motion was made by Commissioner Story, seconded by First Vice-President Cluver, to approve the Consent Agenda. The motion carried by the following vote:**

**Ayes:** 6 - Commissioner Lee, Commissioner Leslie, Commissioner Martinez, Commissioner Story, First Vice-President Cluver and President Butner

**Excused:** 1 - Second Vice-President Colbruno

- 2.1 Ordinance 4521:** Approve and Authorize Executive Director to Execute a Second Amendment to Extend the Term Through July 31, 2020, and Modify Other Terms of a Temporary Rental Agreement with the City of Oakland for Police Officer Staff Training at a Portion of the Berth 33 Backlands. **(Maritime)**

**File ID:** [\[149-19\]](#)

**This Ordinance was approved.**

- 2.2 Ordinance 4522:** Approve an Assignment of a License and Concession Agreement with Alta Supply, Inc. to Cresco Labs Inc. for the Premises Located at 424 Pendleton Way, Oakland, and Approve and Authorize the Executive Director to Amend the License and Concession Agreement to Include a \$2,000 Administrative Fee. **(CRE)**

**File ID:** [\[154-19\]](#)

**This Ordinance was approved.**

- 2.3 Resolution 19-38:** Authorization for the Executive Director to Execute Third Supplemental Agreements with AECOM Technical Services Inc., Mott McDonald, LLC, Transystems Corporation, and WSP USA, Inc. to Extend their Contract Terms for On-Call Engineering Design Services to December 31, 2019 in order to Complete Ongoing Projects. **(Engineering)**

**File ID:** [\[134-19\]](#)

**This Resolution was approved.**

- 2.4 Resolution 19-39:** Designating Property as Inadequate, Obsolete or Worn-out, and Approving and Authorizing Disposition of Such Property. **(Finance & Admin)**

**File ID:** [\[130-19\]](#)

**This Resolution was approved.**

- 2.5 Resolution 19-40:** Repealing Resolution No. 96084; Re-establishing Standing City-Port Liaison Committee and Approving Appointments of President Butner, Commissioner Leslie and, and Commissioner Cluver to the City-Port Liaison Committee **(Port Attorney)**

**File ID:** [\[155-19\]](#)

**This Resolution was approved.**

- 2.6 Minutes:** Approval of the Minutes of the Regular Meeting of March 28, 2019, The Special Meeting of April 2, 2019 and the Regular Meeting of April 25, 2019. **(Board)**

**File ID:** [\[163-19\]](#)

The Minutes were approved.

### 3. MAJOR PROJECTS

There were no "Major Projects" on the Agenda.

### 4. BUDGET & FINANCE

There were no Budget & Finance Items to approve.

### 5. STRATEGY & POLICY

#### 5.1 Resolution 19-41: Approve "Seaport Air Quality 2020 and Beyond Plan - The Pathway to Zero Emissions" (Engineering)

File ID: [\[156-19\]](#)

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

Greg Nudd, David Wooley, Roman Berenshteyn, Michelle Ghafar and John Berge addressed the Board on Item 5.1.

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

**Ayes:** 6 - Commissioner Lee, Commissioner Leslie, Commissioner Martinez, Commissioner Story, First Vice-President Cluver and President Butner

**Excused:** 1 - Second Vice-President Colbruno

### 6. REMAINING ACTION ITEMS

#### 6.1 Ordinance 4523: Adoption of an Ordinance to [Amend Port Ordinance 4430 to Adjust Certain North Field Rates and to](#) Authorize a Four-Year Extension of Multiple Agreements with General Aviation Tenants at the North Field and Anticipated FY2019-20 Revenue of \$502,680. (Aviation)

File ID: [\[150-19\]](#)

Assistant Aviation Director, Kristi McKenney, introduced Item 6.1.

Brandon Mark, Aviation Properties Manager, presented Item 6.1.

**A motion was made by Commissioner Martinez, seconded by Commissioner Story, that the Ordinance be approved. The motion carried by the following vote:**

**Ayes:** 6 - Commissioner Lee, Commissioner Leslie, Commissioner Martinez, Commissioner Story, First Vice-President Cluver and President Butner

**Excused:** 1 - Second Vice-President Colbruno

- 6.2 Ordinance 4524:** Adoption of an Ordinance Approving: (i) a First Amendment to a Space/Use Permit with Swissport Fueling, Inc., Currently Generating Approximately \$432,000 in Annual Revenue, to Extend the Outside Expiration Date from June 30, 2019 to June 30, 2023; and, (ii) a Space/Use Permit with Eastern Aviation Fuels, Inc. dba Titan Aviation Fuels, with anticipated annual revenues of \$52,000, Operating at Oakland International Airport. **(Aviation)**

**File ID:** [\[145-19\]](#)

Assistant Aviation Director, Kristi McKenney, introduced Item 6.2.

Brandon Mark, Aviation Properties Manager, presented Item 6.2.

**A motion was made by Commissioner Leslie, seconded by Commissioner Martinez, that the Ordinance be approved. The motion carried by the following vote:**

**Ayes:** 6 - Commissioner Lee, Commissioner Leslie, Commissioner Martinez, Commissioner Story, First Vice-President Cluver and President Butner

**Excused:** 1 - Second Vice-President Colbruno

- 6.3 Resolution 19-42:** (1) Approve a Budget of \$3,477,000 for Design and Construction of the Terminal Flooring Replacement Project; (2) Authorize the Executive Director to Execute a Change Order with Turner Construction for Construction Manager at Risk (CM@R) Construction Services for a Guaranteed Maximum Price of \$2,904,000 for the Terminal Flooring Replacement Project. **(Aviation/Engineering)**

**File ID:** [\[147-19\]](#)

Assistant Aviation Director, Kristi McKenney, introduced Item 6.3.

Commissioner Lee recused himself from Item 6.3 due to a potential financial conflict and was not in the room and took no part in the discussion or deliberation of the item.

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

**Ayes:** 5 - Commissioner Leslie, Commissioner Martinez, Commissioner Story, First Vice-President Cluver and President Butner

**Excused:** 1 - Second Vice-President Colbruno

**Recused:** 1 - Commissioner Lee

- 6.4 Resolution 19-43:** Approve a Project Design Budget expenditure of \$830,000 for Demolition Design Services for the former Oakland Maintenance Center (OMC) and Other Abandoned Structures at the North Field **(Aviation/Engineering)**

File ID: [\[148-19\]](#)

Assistant Aviation Director, Kristi McKenney, introduced Item 6.4.

Acting Engineering Director, Robert Andrews, addressed the Board's questions on Item 6.4.

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

**Ayes:** 5 - Commissioner Leslie, Commissioner Martinez, Commissioner Story, First Vice-President Cluver and President Butner

**No:** 1 - Commissioner Lee

**Excused:** 1 - Second Vice-President Colbruno

**6.5 Resolution 19-44:** Approval of the Draft Port Share Plan for the Jack London Improvement District for Fiscal Year 2019 in the amount of \$168,571.80 **(CRE)**

File ID: [\[133-19\]](#)

Commercial Real Estate Director, Pam Kershaw, introduced Item 6.5.

Savlan Hauser addressed the Board on Item 6.5.

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

**Ayes:** 6 - Commissioner Lee, Commissioner Leslie, Commissioner Martinez, Commissioner Story, First Vice-President Cluver and President Butner

**Excused:** 1 - Second Vice-President Colbruno

**6.6 Ordinance 4523:** Approve and Authorize a 4% Increase Each Year for the Next Three Years to the Target Rental Rates for Short-Term Rental Agreements and the Holdover Rental Rates for Certain Existing Property Rental Agreements within the Commercial Real Estate Division Portfolio **(CRE)**

File ID: [\[153-19\]](#)

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

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

**Ayes:** 6 - Commissioner Lee, Commissioner Leslie, Commissioner Martinez, Commissioner Story, First Vice-President Cluver and President Butner

**Excused:** 1 - Second Vice-President Colbruno

- 6.7 Resolution 19-45:** Approve the Port of Oakland Sanitary Sewer System Condition Assessment Plan and Delegate Authority to the Executive Director to Approve Future Amendments to the Condition Assessment Plan **(Engineering)**

File ID: [\[135-19\]](#)

Acting Engineering Director, Robert Andrews, introduced Item 6.7.

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

**Ayes:** 6 - Commissioner Lee, Commissioner Leslie, Commissioner Martinez, Commissioner Story, First Vice-President Cluver and President Butner

**Excused:** 1 - Second Vice-President Colbruno

- 6.8 Resolution 19-46:** Approve a Project Budget of \$510,000; Delegate Authority to Approve the Plans and Project Manual to the Director of Engineering; Authorize the Executive Director to Enter into a Contract with SDV Services, Inc. for an Amount Not-to-Exceed \$375,000 for the Crane Safety Ladder Installation Project. **(Engineering)**

File ID: [\[136-19\]](#)

Acting Engineering Director, Robert Andrews, introduced Item 6.8.

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

**Ayes:** 6 - Commissioner Lee, Commissioner Leslie, Commissioner Martinez, Commissioner Story, First Vice-President Cluver and President Butner

**Excused:** 1 - Second Vice-President Colbruno

- 6.9 Resolution 19-47:** Authorization for the Executive Director to Execute a First Supplemental Agreement with Kimley-Horn and Associates, Inc. to Extend the Contract Term to December 31, 2022 and Increase the Total Contract Amount to a Total Not-To -Exceed Amount of \$390,000 for Professional Consulting Services to Support the Freight Intelligent Transportation Systems Projects. **(Engineering)**

File ID: [\[137-19\]](#)

Acting Engineering Director, Robert Andrews, introduced Item 6.9.

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

**Ayes:** 6 - Commissioner Lee, Commissioner Leslie, Commissioner Martinez, Commissioner Story, First Vice-President Cluver and President Butner

**Excused:** 1 - Second Vice-President Colbruno

**6.10 Resolution 19-48:** Approve and Authorize the Executive Director to Execute an Agreement with Cypress Private Security, LP for Maritime Security Patrol Services for a Term of Two Years with Two, 1-Year Options to Extend, in an Amount Not to Exceed \$1,100,000. **(Maritime)**

**File ID:** [\[152-19\]](#)

Maritime Director, John Driscoll, introduced Item 6.10.

Troy Hosmer, Port Facilities Security Officer, presented Item 6.10

Carl Cunningham and Alejandro Chavez of Cypress Private Security, addressed the Board's questions.

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

**Ayes:** 6 - Commissioner Lee, Commissioner Leslie, Commissioner Martinez, Commissioner Story, First Vice-President Cluver and President Butner

**Excused:** 1 - Second Vice-President Colbruno

**6.11 Resolution:** Approve and Authorize the Executive Director to Execute an Agreement with Admiral Security Services, Inc. for Security Services at Middle Harbor Shoreline Park (MHSP) for a Term of One Year with Two, 1-Year Options in an Amount Not to Exceed \$660,000. **(SRD)**

**File ID:** [\[129-19\]](#)

Social Responsibility Director, Amy Tharpe, introduced Item 6.11.

Ramona Dixon, Port Assistant Management Analyst, presented Item 6.11.

**This matter was moved to subsequent meeting.**

## 7. UPDATES/ANNOUNCEMENTS

Communications Director, Mike Zampa, presented the 2020 & Beyond Video highlighting the Air Quality Plan.

## 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 3:41 p.m.

Approved:

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Daria Edgerly  
Secretary of the Board

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