



## **PORT OF OAKLAND**

*530 Water Street  
Oakland, California 94607  
510.627.1337*

### **Minutes**

**Thursday, November 19, 2020**

**2:00 PM**

**Board Room – 2nd Floor**

Draft

## ROLL CALL

President Cluver called the Regular Meeting of November 19, 2020 to order at the hour of 1:03 p.m. and the following Commissioners participated remotely:

Commissioner Butner joined the meeting at 1:38 p.m.

**Present:** 7 - Commissioner Ces Butner, Commissioner Michael Colbruno, Commissioner Arabella Martinez, Commissioner Joan Story, Second Vice-President Yui Hay Lee, First Vice-President Barbara Leslie and President Andreas Cluver

## 1. CLOSED SESSION

President Cluver convened the Board in Closed Session at 1:04 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 Matter(s): 2 (additional information provided on the Closed Session Agenda Report, "Potential Litigation Under California Government Code Section 54956.9 [one (1) Matters],"** attached hereto)

**File ID:** [\[348-20\]](#)

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

**Property:** 1 Market Street, Oakland, CA (Howard Terminal)

**Negotiating Parties:** The Oakland Athletics and Port of Oakland

**Agency Negotiator:** Pamela Kershaw, Director of Commercial Real Estate

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

**File ID:** [\[349-20\]](#)

- 1.3 CONFERENCE WITH LABOR NEGOTIATORS** (Pursuant to California Government Code Section 54957.6):

Employee Organizations: 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 And Unrepresented Employees: Port Employee Units H/M

**File ID:** [\[350-20\]](#)

## OPEN SESSION/ROLL CALL

President Cluver called the Regular Meeting of November 19, 2020 to order in Open Session at the hour of 2:11 p.m.

**Present:** 7 - Commissioner Ces Butner, Commissioner Michael Colbruno, Commissioner Arabella Martinez, Commissioner Joan Story, Second Vice-President Yui Hay Lee, First Vice-President Barbara Leslie and President Andreas Cluver

## CLOSED SESSION REPORT

Port Attorney, Michele Heffes, 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 Colbruno, seconded by Commissioner Butner, to approve the Consent Agenda. The motion carried by the following vote:**

**Ayes:** 7 - Commissioner Butner, Commissioner Colbruno, Commissioner Martinez, Commissioner Story, Second Vice-President Lee, First Vice-President Leslie and President Cluver

- 2.1 Ordinance 4578**, 2nd Reading of An Ordinance Approving And Authorizing The Executive Director To Execute A First Amendment To The Lease With Shippers Transport Express, Inc. To Reduce The Lease Premises To Approximately 27 Acres, Modify Lease Provisions Related To Pavement Construction, Resulting In Average Annual Rent Of Approximately \$4.2 Million Through June 30, 2032, And Additional Operating Expense Of Up To \$150,000 For Fiscal Years 2020-2021 And 2021-2022 For Dust Control Reimbursement.

**File ID:** [\[351-20\]](#)

**This Ordinance was approved.**

- 2.2 Minutes:** Approval of the Minutes of the Regular Meetings of September 24, 2020, October 8, 2020 and October 22, 2020. **(Board)**

**File ID:** [\[347-20\]](#)

**The Minutes were approved.**

## 3. MAJOR PROJECTS

There were no "Major Projects" on the Agenda.

## 4. BUDGET & FINANCE

- 4.1 **Resolution:** Approval to Reimburse the City of Oakland for General Services and Lake Merritt Trust Services Rendered in Fiscal Year 2019-20. **(Finance & Admin)**

File ID: [\[009-20\]](#)

Acting Chief Financial Officer, Julie Lam, introduced Item 4.1.

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

**Ayes:** 7 - Commissioner Butner, Commissioner Colbruno, Commissioner Martinez, Commissioner Story, Second Vice-President Lee, First Vice-President Leslie and President Cluver

## 5. STRATEGY & POLICY

- 5.1 **Ordinance:** Amending and Restating Rules and Regulations for Oakland International Airport, to Be Effective January 1, 2021. **(Aviation)**

File ID: [\[344-20\]](#)

Aviation Director, Bryant Francis, introduced Item 5.1.

Jon Cimperman, Airport Operations Manager, presented Item 5.1.

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

**Ayes:** 7 - Commissioner Butner, Commissioner Colbruno, Commissioner Martinez, Commissioner Story, Second Vice-President Lee, First Vice-President Leslie and President Cluver

## 6. REMAINING ACTION ITEMS

- 6.1 **Ordinance:** Authorization to Extend Space Assignment Agreements That Have Been in Effect for More Than One Year as of November 19, 2020, and Space Assignment Agreements That Are Likely To Be in Effect for More Than One Year as of December 31, 2020, Through December 31, 2021 Resulting in Annual Revenue of Approximately \$13.9 Million **(Maritime)**

File ID: [\[307-20\]](#)

Maritime Director, Bryan Brandes, introduced Item 6.1.

Delphine Prevost, Admin/Finance Manager, addressed the Board on Item 6.1.

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

**Ayes:** 7 - Commissioner Butner, Commissioner Colbruno, Commissioner Martinez, Commissioner Story, Second Vice-President Lee, First Vice-President Leslie and President Cluver

**6.2 Resolution:** Authorize the Executive Director to Enter into a Contract with Innovative Construction Solutions in an Amount Not-To-Exceed \$1,309,300 for the Former Oakland Army Base RMP 167B Remediation Project and Authorize the Executive Director to Execute Contract Change Orders to the Extent Necessary in an Amount Not-to-Exceed \$327,325. **(Engineering/Maritime)**

**File ID:** [\[331-20\]](#)

Chief Operating Officer, Kristi McKenney, introduced Item 6.2.

Social Responsibility Director, Amy Tharpe, addressed the Board on Item 6.2.

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

**Ayes:** 7 - Commissioner Butner, Commissioner Colbruno, Commissioner Martinez, Commissioner Story, Second Vice-President Lee, First Vice-President Leslie and President Cluver

**6.3 Resolution:** Authorize the Executive Director to Enter into a Contract with Resource Environmental, Inc. in an Amount Not-To-Exceed \$898,000 for the Demolition and Removal of Port of Oakland Cranes XC10, XC11, XC12 at Berths 55 and 56, and Crane X437 at Berth 37 and Authorize the Executive Director to Execute Contract Change Orders to the Extent Necessary in an Amount Not-to-Exceed \$100,000. **(Engineering/Maritime)**

**File ID:** [\[330-20\]](#)

Chief Operating Officer, Kristi McKenney, introduced Item 6.3.

Social Responsibility Director, Amy Tharpe, addressed the Board on Item 6.3.

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

**Ayes:** 7 - Commissioner Butner, Commissioner Colbruno, Commissioner Martinez, Commissioner Story, Second Vice-President Lee, First Vice-President Leslie and President Cluver

**7. UPDATES/ANNOUNCEMENTS**

Director of Aviation, Bryant Francis, announced that October flight traffic was up 13% compared to September. Director Francis also announced Southwest Airlines' inaugural flight from Oakland International Airport to Palm Springs and how thrilled he was to have this new direct route from OAK. Director Francis also announced that Frontier Airlines will begin flights from OAK beginning in early 2021.

Social Responsibility Director, Amy Tharpe, announced the Port's recent community engagement virtual meeting regarding terminal expansion at Oakland International Airport. Director Tharpe described the virtual meeting as successful and very informative. She also thanked Commissioners Leslie, Lee, and Story for attending.

**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 2:50 p.m.

Approved:

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Daria Edgerly  
Secretary of the Board