



PORT OF OAKLAND

*530 Water Street
Oakland, California 94607
510.627.1337*

Minutes

Thursday, March 25, 2021

5:00 PM

Board Room – 2nd Floor

ROLL CALL

President Cluver called the Regular Meeting of March 25, 2021 to order at the hour of 1:03 p.m. and the following Commissioners participated remotely:

Commissioner Butner joined the meeting at 1:37 p.m.

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

Excused: 1 - Second Vice-President Yui Hay Lee

1. CLOSED SESSION

President Cluver 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: Outer Harbor Terminal Berths 20-22

Negotiating Parties: Eagle Rock Aggregates, Inc. and the Port of Oakland

Agency Negotiator: Bryan Brandes, Director of Maritime and Eric Napralla, Chief Wharfinger

Under Negotiation: Price and Terms of Payment

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

Negotiating Parties: The Oakland Athletics and the Port of Oakland

Agency Negotiator: Pamela Kershaw, Director of Commercial Real Estate

Under Negotiation: Price and Terms of Payment

Property: Vicinity of 7th Street, generally between Maritime Street to the west and Interstate 880 to the east, Oakland, CA

Negotiating Parties: Union Pacific Railroad (UP), Alameda County Transportation Commission (ACTC), and Port of Oakland

Agency Negotiator: Bryan Brandes, Maritime Director

Under Negotiation: Price and Terms of Payment

Property: 1 Sally Ride Way at Oakland International Airport; 75+ Acres identified as the FedEx Metroplex

Negotiating Parties: Federal Express Corporation and the Port of Oakland

Agency Negotiator: Bryant L. Francis, Director of Aviation and Brandon J. Mark, Manager of Aviation Properties

Under Negotiation: Price and Terms of Payment

File ID: [\[094-21\]](#)

- 1.2 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 [two (2) Matters]," attached hereto)**

File ID: [\[093-21\]](#)

- 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: [\[095-21\]](#)

OPEN SESSION/ROLL CALL

President Cluver called the Regular Meeting of March 25, 2021 to order in Open Session at the hour of 5:05 p.m.

First Vice-President Leslie joined the meeting at 5:13 p.m.

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

Excused: 1 - Second Vice-President Yui Hay Lee

CLOSED SESSION REPORT

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

Commissioner Michael Colbruno recused himself from Item 1.1 due to a potential financial conflict and was not on the call and took no part in the discussion or deliberation of the item.

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

Property: Outer Harbor Terminal Berths 20-22

Negotiating Parties: Eagle Rock Aggregates, Inc. and the Port of Oakland

Agency Negotiator: Bryan Brandes, Director of Maritime and Eric Napralla, Chief Wharfinger

Under Negotiation: Price and Terms of Payment

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: 5 - Commissioner Butner, Commissioner Colbruno, Commissioner Martinez, Commissioner Story and President Cluver

Excused: 2 - Second Vice-President Lee and First Vice-President Leslie

- 2.1 Resolution 21-10:** (1) Authorize the Executive Director to Execute a Professional Services Agreement with Envirosuite, Inc., to Support the Airport Noise and Operations Monitoring System (ANOMSTM) at Oakland International Airport for a Term of Five Years, Plus Up to Five One-Year Extensions, in an Amount Not to Exceed \$4,896,000 (Total for Ten Years); and (2) Waive Formal Competitive Procurement Requirements. **(Aviation)**

File ID: [\[080-21\]](#)

This Resolution was approved.

- 2.2 Resolution 21-11:** Authorization for the Executive Director to Apply for and Accept Grant Awards from the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) for Federal Fiscal Year (FFY) 2021 for the following projects: 1) Procurement of Replacement Aircraft Rescue and Fire Fighting (ARFF) Vehicle #2 and 2) Taxiway B (Phase 2 & 3) Rehabilitation. **(Aviation)**

File ID: [\[082-21\]](#)

This Resolution was approved.

- 2.3 Resolution 21-12:** Authorize the Executive Director to Enter into a Contract with O.C. Jones and Sons, Inc in an Amount Not to Exceed \$9,326,552 for Construction of Taxiway B (Phase 2 & 3) Pavement Rehabilitation Project; Authorize the Executive Director to Execute Contract Change Orders to the Extent Necessary in an Amount Not to Exceed \$1,600,000; and Authorize the Executive Director to Waive Competition and Enter Into an Contract with ADB Safegate Americas, LLC to Furnish Airfield Electrical Equipment in an Amount Not to Exceed \$400,000 in Support of Taxiway B (Phase 2 & 3) Pavement Rehabilitation Construction. **(Engineering/Aviation).**

File ID: [\[078-21\]](#)

This Resolution was approved.

- 2.4 Resolution 21-13:** Authorize the Executive Director to Enter into a Contract with Schembri Construction Co., Inc. in the Amount of \$5,879,443 for the Construction of the Landside Security Camera Project at the Main Public Parking Lot at Oakland International Airport (Project); Authorize the Executive Director to Execute Contract Change Orders to the Extent Necessary in an Amount Not-to-Exceed \$1,200,000; Authorize the Executive Director to Execute a

Supplemental Agreement with WSP, Inc. in an Amount Not-to-Exceed \$100,000 for Construction Support Design Services; and Authorize the Executive Director to Award the IT Network Hardware Equipment Package to NetXperts Inc. for \$424,245.23. **(Engineering/Aviation)**

File ID: [\[096-21\]](#)

This Resolution was approved.

- 2.5 Resolution 21-14:** Approve and Authorize the Executive Director to Execute Documents to Amend the Port of Oakland IRC Section 125 Flexible Spending Plan administered by PayFlex Systems USA, Inc. to Conform with the CARES Act. **(Finance & Admin)**

File ID: [\[083-21\]](#)

This Resolution was approved.

- 2.6 Minutes:** Approval of the Minutes of the Regular Meeting of February 25, 2021 and the Special Meeting of March 4, 2021.

File ID: [\[091-21\]](#)

The Minutes were approved.

- 2.7 Report:** Awards of Public Works and Professional Services Contracts by the Executive Director for the Period from April 2020 through January 2021. **(Engineering)**

File ID: [\[088-21\]](#)

This Report was received and filed.

3. MAJOR PROJECTS

There were no "Major Projects" on the Agenda.

4. BUDGET & FINANCE

- 4.1 Report:** FY 2022 Operating and Capital Budget Update #1, including Unaudited Financials for 7 Months Ended January 31, 2021. **(Finance & Admin)**

File ID: [\[047-21\]](#)

Chief Financial Officer, Julie Lam, introduced Item 4.1.

Executive Director, Danny Wan, addressed the Board on Item 4.1.

This Report was received and filed.

5. STRATEGY & POLICY

There were no Strategy & Policy Items to approve.

6. REMAINING ACTION ITEMS

- 6.1 ~~**PULLED Ordinance**~~ ~~**Resolution:**~~ Approve a First Port of Call (FPOC) Incentive Program for Calendar Year 2021, Providing for an Incentive in the Amount of \$100,000 per FPOC Service and Incremental Annualized Revenue of Approximately \$4.4 Million per PFOC Service (Maritime)

File ID: [\[065-21\]](#)

This matter was pulled.

- 6.2 **Resolution 21-15:** Authorize the Increase in Compensation in the amount of \$3,000,000 for a Total Contract Amount Not to Exceed \$12,000,000 for The Dutra Group for the Maintenance Dredging and Furnishing Pile Driver Crew For Repairs to Docks and Waterfront Facilities For Port of Oakland For the Period Commencing July 1, 2019 and Ending June 30, 2020, 2021, or 2022 Contract. **(Engineering/Maritime)**

File ID: [\[086-21\]](#)

Chief Operating Officer, Kristi McKenney, introduced Item 6.2.

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

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

Excused: 1 - Second Vice-President Lee

- 6.3 **Ordinance 4594:** Enactment of the Ordinance Necessary to Create the New Classification of Safety and Business Continuity Officer. **(Finance & Admin)**

File ID: [\[087-21\]](#)

Human Resources Director, Michael Mitchell, introduced Item 6.3.

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

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

Excused: 1 - Second Vice-President Lee

7. UPDATES/ANNOUNCEMENTS

There were no "Updates or Announcements" on the Agenda.

8. SCHEDULING

There were no "Scheduling Items" on the Agenda.

OPEN FORUM

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

Edie Brown, Millie Cleveland, Jo'Ell Thompson, Jesus Garcia, and Adrian Marshall

ADJOURNMENT

There being no additional business, the Meeting was adjourned at the hour of 6:18 p.m.

Approved:

Daria Edgerly
Secretary of the Board

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