



MINUTES

Thursday, January 26, 2017

Board Room – 2nd Floor

ROLL CALL

President Colbruno called the Regular Meeting of January 26, 2017 to order at 1:15 p.m. to hear the following Items:

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

Excused: **1** - Commissioner Earl Hamlin

1. CLOSED SESSION

President Colbruno convened the Board in Closed Session at 1:14 pm to hear the following Items:

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

Property: Maritime Street, Oakland (Approx. 27 acres, former Oakland Army Base)

Negotiating Parties: CenterPoint Properties, and Port of Oakland

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: Price and Terms of Lease and Development

Property: Howard Terminal and Berths 20-24, Port of Oakland

Negotiating Parties: Oakland A's and Port of Oakland

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: Price and Terms of Payment; Howard Terminal and Berths 20-24

Property: Berths 55-63, Roundhouse, Port of Oakland

Negotiating Parties: Port of Oakland and SSA Terminals, LLC

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: Price and Terms of Tenancy

File ID: [007-17]

1.2 CONFERENCE WITH LABOR NEGOTIATORS - (Pursuant to California Government Code Section 54957.6)

Unrepresented Employee: Port Attorney, Chief Audit Officer, Secretary of the Board, Executive Director

File ID: [008-17]

OPEN SESSION/ROLL CALL

President Colbruno called the meeting to order at the hour of 1:14 p.m. and the following Commissioners were in attendance:

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

Excused: 1 - Commissioner Earl Hamlin

CLOSED SESSION REPORT

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

2. CONSENT AGENDA

A motion was made by Commissioner Butner, seconded by Commissioner Martinez, to approve the Consent Agenda.

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

Absent: 1 - Commissioner Hamlin

2.1 Resolution 16-01: Approval of a Request for Port Consent to Change of Indirect Ownership of an Existing Fiberoptics Cable **(CRE)**

File ID: [\[437-16\]](#)

This Ordinance was approved.

2.2 Ordinance 4403, 2nd Reading Of An Ordinance Authorizing The Executive Director To Extend The Term Of A Temporary Rental Agreement With The City Of Oakland For Emergency Vehicle Access Related To The Reconstruction Of The Embarcadero Bridge.

File ID: [\[001-17\]](#)

This Ordinance was approved.

- 2.3 Ordinance 4404**, 2nd Reading Of An Ordinance Approving And Adopting The Revised Port Of Oakland Personnel Rules And Procedures And Repealing Ordinance No. 2199 And All Subsequent Amendments Thereto.

File ID: [\[002-17\]](#)

This Ordinance was approved.

- 2.4 Ordinance 4405**, 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 15, 2016 And Authorization To Extend Certain Space Assignment Agreements That Are Likely To Be In Effect For More Than One Year As Of December 2017.

File ID: [\[003-17\]](#)

This Ordinance was approved.

- 2.5 Minutes:** Approval of the Minutes of the Regular Meeting of October 27, 2016 and the Special Meeting of December 15, 2016.

File ID: [\[010-17\]](#)

The Minutes were approved.

- 2.6 PULLED:** ~~Report: Report of Appointments, Separations and Leaves of Absence for FY 2016-17 2nd Quarter (October 1, 2016 – December 31, 2016) and Outline of Disciplinary Process. (Finance & Admin.)~~

File ID: [\[383-16\]](#)

This Report was pulled.

3. MAJOR PROJECTS

- 3.1 Resolution 16-02:** Authorization to Apply for and Accept Federal Airport Improvement Program (AIP) Grant Funding, Approve Plans and Project Manual, Advertise and Solicit Bids, and Extend Bids for up to 180 Days to Construct the Runway 12-30 Rehabilitation Project, Oakland International Airport. **(Aviation)**

File ID: [\[431-16\]](#)

Aviation Director, Bryant Francis, introduced Item 3.1.

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

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

Absent: **1 -** Commissioner Hamlin

4. BUDGET & FINANCE

4.1 Report: Unaudited Financials for 5 months ended November 30, 2016. **(Finance & Admin)**

File ID: [\[382-16\]](#)

Chief Financial Officer, Sara Lee, reported on Item 4.1.

This Report was received and filed.

4.2 Report: Bond Refunding Opportunities. **(Finance & Admin)**

File ID: [\[381-16\]](#)

Chief Financial Officer, Sara Lee, reported on Item 4.2.

This Report was received and filed.

4.3 Resolution 16-03: Approval of the Retention of Orrick, Herrington & Sutcliffe LLP as Bond Counsel in Connection with the Possible 2017 Bond Refunding Transaction. **(Port Attorney)**

File ID: [\[427-16\]](#)

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

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

Absent: 1 - Commissioner Hamlin

4.4 Report: Port Debt Policy. **(Finance & Admin)**

File ID: [\[390-16\]](#)

Chief Financial Officer, Sara Lee, reported on Item 4.4.

This Report was received and filed.

5. STRATEGY & POLICY

There were no Strategy and policy Items on the Agenda.

6. REMAINING ACTION ITEMS

- 6.1** Authorization for the Executive Director to Enter into an Agreement with Elation Systems, Inc. for the Web-Based Labor Compliance/Workforce Tracking System and Living Wage Compliance System **(SRD)**

File ID: [\[432-16\]](#)

Andrea Lowe and Cleminatu Fields addressed the Board.

A motion was made by Commissioner Yee, seconded by Commissioner Martinez, that the Resolution be passed. The motion failed by the following vote:

Ayes: 3 - Commissioner Martinez, Second Vice-President Story, and Commissioner Yee

No: 3 - First Vice-President Butner, Commissioner Cluver, and President Colbruno

Excused: 1 - Commissioner Hamlin

- 6.1.a A Motion to bring back Item 6.1 with a matrix outlining the differences between each proposal and reducing the initial term to 1 year.

A motion was made by Commissioner Cluver, seconded by First Vice-President Butner, that the Substitute Motion be approved. The motion carried by the following vote:

Ayes: 5 - First Vice-President Butner, Commissioner Cluver, Commissioner Martinez, President Colbruno, and Commissioner Yee

No: 1 - Second Vice-President Story

Excused: 1 - Commissioner Hamlin

- 6.2 Ordinance:** Approval of a Wireless Telecommunications Lease Agreement with Sprint Spectrum LP for approximately 1,200 square feet of Land for a Term of Ten (10) Years. **(CRE)**

File ID: [\[438-16\]](#)

An Alternate Motion was made by Commissioner Martinez, seconded by Commissioner Story to extend the current lease for 90 days and to study further the rent assessment and design issues. The Motion passed by the following vote:

7. UPDATES/ANNOUNCEMENTS

President Colbruno reported on a thank you note and photo from the Vukasin Family and on his visit to the new Escape Lounge in the Oakland International Airport - Terminal 1.

Mike Zampa reported on the State of the Port event, a recent article in the Journal of Commerce and the Port's new website.

Maritime Director, John Driscoll, reported on the Port Efficiency Task Force.

Port Commercial Real Estate Director, Pam Kershaw, reported on Restaurant Week and A's Fan Day.

8. SCHEDULING**OPEN FORUM**

There were no speakers in Open Forum.

ADJOURNMENT

There being no additional business, the Meeting was adjourned at the hour of 5:32 pm.

February 23, 2017

John Betterton
Secretary of the Board