



MINUTES

Thursday, June 22, 2017

Board Room – 2nd Floor

ROLL CALL

President Colbruno called the Regular Meeting of June 22, 2017 to order at the hour of 1:03 p.m. and the following Commissioners were in attendance:

Present: 5 - 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

1. CLOSED SESSION

President Colbruno convened the Board in Closed Session at 1:04 p.m. 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

File ID: [179-17]

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

Employee Organization: *Service Employees International Union, Local 21 ("SEIU" or "Local 1021"); International Federation of Professional and Technical Engineers, Local 21 ("IFPTE" or "Local 21"); International Brotherhood of Electrical Workers, Local 1245 ("IBEW" or "Local 1245"); and Western Council of Engineers ("WCE")*

File ID: [180-17]

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

Title: Secretary of the Board

File ID: [181-17]

OPEN SESSION/ROLL CALL

President Colbruno reconvened the Regular Meeting of June 22, 2017 to order at the hour of 2:36 p.m. and the following Commissioners were in attendance:

Present: 5 - 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

Board Secretary, John Betterton, introduced the Consent Items.

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

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

Excused: 1 - Commissioner Hamlin

- 2.1 Resolution 17-48:** Consent to Change in Control in Ownership of Taste, Inc. Operating as Vino Volo and Assignment of a Space/Use Permit for Specialty Retail/Wine Bar Concession in Terminals 1 and 2 at Oakland International Airport, from the Current Shareholders to Hojeij Branded Foods, LLC **(Aviation)**

File ID: [\[169-17\]](#)

This Resolution was approved.

- 2.2 Ordinance 4428:** Approval of Amendment No. 1 to Space/Use Permit with Technical Education Services, Inc. d/b/a the Aviation Institute of Maintenance to Extend Occupancy One Year and Increase Rent **(Aviation)**

File ID: [\[168-17\]](#)

This Ordinance was approved.

- 2.3 Ordinance 4429:** Approval of an Amendment No. 1 to a Temporary Rental Agreement with Auto Plus Towing, LLC for a One (1) Month Extension of Term for the Premises Located at Swan Way and Doolittle Drive, Oakland. **(CRE)**

File ID: [\[166-17\]](#)

This Ordinance was approved.

- 2.4 Ordinance 4425,** 2nd Reading Of An Ordinance Approving Amendment No. 1 To Space/Use Permit For Self Service Luggage Cart Concession With Smarte Carte, Inc. At Oakland International Airport.

File ID: [\[182-17\]](#)

This Ordinance was approved.

- 2.5 Ordinance 4426,** 2nd Reading Of An Ordinance Authorizing The Executive Director To Extend The Term Of The Temporary Rental Agreement With Seafarer's Ministry Of The Golden Gate For Six (6) Months In The Maritime Area.

File ID: [\[183-17\]](#)

This Ordinance was approved.

- 2.6 Ordinance 4427,** 2nd Reading Of An Ordinance Approving Amendment No. 1 To Space/Use Permit With Boingo Wireless, Inc. To Provide Wireless Internet Access At Oakland International Airport.

File ID: [\[184-17\]](#)

This Ordinance was approved.

- 2.7 Minutes:** Approval of the Minutes of the Regular Meeting of November 10, 2016. **(Board)**

File ID: [\[175-17\]](#)

The Minutes were approved.

3. MAJOR PROJECTS

There were no "Major Projects" on the Agenda.

4. BUDGET & FINANCE

4.1 Report: Unaudited Financials for 10 months ended April 30, 2017. **(Finance & Admin)**

File ID: [\[416-16\]](#)

Chief Financial Officer, Sara Lee, introduced Item 4.1.

This Report was received and filed.

4.2 Resolution 17-49: Approval of the Annual Operating and Capital Budgets for Fiscal Year Ending June 30, 2018. **(Finance & Admin)**

File ID: [\[415-16\]](#)

Chief Financial Officer, Sara Lee, introduced Item 4.2.

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

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

Excused: **1** - Commissioner Hamlin

4.3 Resolution 17-50: Authority to Place the Port of Oakland's Contractor's Pollution Liability Insurance Policy Arranged and Paid Through Prime Insurance Brokers Described Herein in an Amount Not to Exceed \$240,000. **(Finance & Admin)**

File ID: [\[078-17\]](#)

Chief Financial Officer, Sara Lee, introduced Item 4.3.

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

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

Excused: **1** - Commissioner Hamlin

5. STRATEGY & POLICY

There were no Strategy & Policy Items to approve.

6. REMAINING ACTION ITEMS

- 6.1 Ordinance 4430:** Approval of Proposed Fiscal Year 2017-18 Airline Landing Fee Rates and Terminal Space Rental Rates and Fees and Amendment and Restatement of Port Ordinance No. 3634. **(Aviation)**

File ID: [\[164-17\]](#)

Aviation Director, Bryant Francis, introduced Item 6.1.

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

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

Excused: 1 - Commissioner Hamlin

- 6.2 Resolution 17-51:** Authorize Construction Budgets and the Director of Engineering to Approve Plans and Project Manuals, and Award Contracts for Construction of Two Roof Replacement Projects in the South Field (M-130 Roof and M-911 Roof). **(Aviation)**

File ID: [\[165-17\]](#)

Aviation Director, Bryant Francis, introduced Item 6.1.

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

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

Excused: 1 - Commissioner Hamlin

- 6.3 Ordinance 4431:** Approval of 7th Supplemental Agreement with BNSF Railway Company at the Joint Intermodal Terminal to Reduce the Acreage of the Leasehold by 2.4 acres **(Maritime)**

File ID: [\[171-17\]](#)

Maritime Director, John Driscoll, introduced Item 6.3.

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

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

Absent: 1 - Commissioner Hamlin

- 6.4 Ordinance 4432:** Authorize the Executive Director to Enter Into Leases with Pacific Layberthing South, LLC, at Berths 20/21 and Pacific Layberthing North, LLC at Berth 22, Each for a Term of Five Years **(Maritime)**

File ID: [\[170-17\]](#)

Maritime Director, John Driscoll, introduced Item 6.4.

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

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

Excused: 1 - Commissioner Hamlin

- 6.5 Resolution 17-52:** Approval of an Exclusive Negotiating Agreement with East Bay Regional Parks District for Property Located at 1441-1551 Embarcadero Road, Oakland **(CRE)**

File ID: [\[167-17\]](#)

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

Liz Musbach addressed the Board.

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

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

Excused: 1 - Commissioner Hamlin

- 6.6 Resolution 17-53:** Authorization to Establish Fiscal Year 2017-18 Outside Counsel and Consultant Retention Agreements with Selected Law Firms and Consultants and Related Actions. **(Legal)**

File ID: [\[173-17\]](#)

Port Attorney, Danny Wan, introduced Item 6.6.

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

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

Excused: 1 - Commissioner Hamlin

7. UPDATES/ANNOUNCEMENTS

Social Responsibility Director, Amy Tharpe, announced the Port hosted an Aviation Day for students in Oakland Public Schools.

8. SCHEDULING

There were no "Scheduling Items" on the Agenda.

OPEN FORUM

Former President of the Board, Gilda Gonzales, addressed the Board in Open Forum.

ADJOURNMENT

There being no additional business, the Meeting was adjourned at the hour of 3:39 p.m.

Approved: July 13, 2017

John Betterton
Secretary of the Board