



MINUTES

Thursday, October 12, 2017

Board Room – 2nd Floor

ROLL CALL

President Story called the meeting to order at the hour of 1:03 p.m. and the following Commissioners were in attendance:

Present: **7 -** Commissioner Michael Colbruno, Commissioner Earl Hamlin, Commissioner Arabella Martinez, Commissioner Alan Yee, Second Vice-President Andreas Cluver, First Vice-President Ces Butner and President Joan Story

1. CLOSED SESSION

President Story convened the Board in Closed Session at 1:06 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 Matters 1

File ID: [308-17]

- 1.2 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -** (Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of California Government Code Section 54956.9): Number of Matters 1

File ID: [309-17]

- 1.3 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -** (Pursuant to Paragraph (1) of Subdivision (d) of California Government Code Section 54956.9): Number of Matters 1

- Wilson Kung v. Port of Oakland; WCAB Case No. ADJ10752533

File ID: [310-17]

- 1.4 CONFERENCE WITH LABOR NEGOTIATORS** (Pursuant to California Government Code Section 54956.6):

- 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

File ID: [311-17]

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

Property: 510 Embarcadero West, Oakland, CA

Negotiating Parties: Yoshi's Japanese Restaurant, Inc. and Port of Oakland

Agency Negotiator: Pamela Kershaw, Director of Commercial Real Estate

Under Negotiation: Price and Terms of Tenancy

Property: 9532 Earhart Road (Approx. 3.86 acres)

Negotiating Parties: Port of Oakland and Various Parties

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

Under Negotiation: Price and Terms of Tenancy

Property: 1 Airport Drive, Oakland, CA

Negotiating Parties: Port of Oakland and Various Parties

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

Under Negotiation: Price and Terms of Tenancy

Property: Oakland International Container Terminal (Berths 55-59) -1717 Middle Harbor Road and Matson Terminal (Berths 60-63) - 1579 Middle Harbor Road, 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: [307-17]

1.6 PUBLIC EMPLOYMENT (Pursuant to California Government Code Section 54957):

- Secretary of the Board

File ID: [312-17]

1.7 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Pursuant to California Government Code Section 54957).

- Chief Audit Officer
- Port Attorney

File ID: [313-17]

Citizens Oversight and Reporting Committee (CORC)

1) Call to Order

Co-Chair Joan Story called the meeting of the Citizens Oversight and Reporting Committee (CORC) to order at the hour of 4:08 p.m. and the following were present:

Co-Chairman Walt Jacobs of Alameda, Michelle Ingram of CLASS, Matt Poofarazaneh of CLASS, Jim Nelson of CORC & Keep Jets Over the Bay (KJOB), Margery Erickson of CORC & KJOB, Port Commissioner Michael Colbruno, Port Commissioner Earl Hamlin, Port Commissioner Arabella Martinez, Port Commissioner Alan Yee, Port Vice-President Andreas Cluver, Port Vice-President Ces Bunter and Port President Joan Story

The Committee Discussed the following Items:

2) Introduction of Members

- a) Board of Port Commissioners;
- b) Mayor Trish Herrera **Spencer**, CORC Member, City of Alameda;
- c) Walt **Jacobs**, CORC Member, City of Alameda;
- d) Michelle **Ingram**, CORC Member, CLASS;
- e) Ed **Downing**, CORC Member, CLASS;
- f) Jim **Nelson**, CORC Member, KJOB;
- g) Margery **Eriksson**, CORC Member, KJOB.

3) President Story's remarks

4) Walt Jacob's remarks on behalf of CORC

5) Presentation by CORC

- a) Issues related to implementation of NextGen technology.
- b) Concerns regarding increasing aircraft noise from north field operations.
- c) Working with the Port to develop a plan to address increasing noise.

6) Discussion

7) Open Forum (CORC)

8) Adjournment (CORC)

There being no additional business, the Committee Meeting was adjourned at the hour of 4:37 p.m.

File ID: [\[304-17\]](#)

OPEN SESSION/ROLL CALL

President Story reconvened the Regular Meeting of October 12, 2017 to order at the hour of 4:41 p.m.

Present: 7 - Commissioner Michael Colbruno, Commissioner Earl Hamlin, Commissioner Arabella Martinez, Commissioner Alan Yee, Second Vice-President Andreas Cluver, First Vice-President Ces Butner and President Joan Story

CLOSED SESSION REPORT

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

2. CONSENT ITEMS

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

Speaker: Mark Ruefenacht addressed the Board on the Consent Items.

President Story thanked Dogs4Diabetics for their collaboration with Oakland Internal Airport (OAK) on providing a Service Animal Relief Area at the airport.

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

Ayes: 7 - Commissioner Colbruno, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, Second Vice-President Cluver, First Vice-President Butner and President Story

- 2.1 Resolution 17-106:** Authorize a Construction Budget of \$499,000 and Award Construction Contract to Bay Construction, Inc., for the amount of \$310,000 for Construction of a Service Animal Relief Area, Terminal 2, South Field, at the Oakland International Airport. **(Aviation)**

File ID: [\[275-17\]](#)

This Resolution was approved.

- 2.2 Ordinance 4444:** Approval of a Ten-Year License and Concession Agreement for a Monthly Rental Rate of \$5,871 with T-Mobile West, LLC for a Telecommunications Facility Located at 101 Washington Street **(CRE)**

File ID: [\[302-17\]](#)

This matter was introduced on first reading.

- 2.3 Ordinance 4442,** 2nd Reading Of An Ordinance Approving The First Supplemental Agreement With TraPac, LLC For The Berths 25-33 Marine Terminal, To Modify Compensation, Capital

Improvement Obligations, And Other Terms, Resulting In Minimum Annual Rent Of Approximately \$17.6 Million. **(Board)**

File ID: [\[305-17\]](#)

This Ordinance was approved.

- 2.4 Ordinance 4443**, 2nd Reading Of An Ordinance Amending Port Ordinance No. 867 To Add Subsection 5.1051 And To Create The Workforce Development Manager Classification And Assign The Classification To Existing Salary Grade 543.7. **(Board)**

File ID: [\[306-17\]](#)

This Ordinance was approved.

3. MAJOR PROJECTS

There were no "Major Projects" on the Agenda.

4. BUDGET & FINANCE

- 4.1 Report:** Fiscal Year 2017 Financial Highlights. **(Finance & Admin)**

File ID: [\[297-17\]](#)

Chief Financial Officer, Sara Lee, presented Item 4.1.

This matter was received and filed.

5. STRATEGY & POLICY

- 5.1 Ordinance 4445:** Amending and Restating Rules and Regulations for Oakland International Airport, Including Amendments to Transportation Network Company ("TNC") Provisions and Ground Transportation Fees, To Be Effective January 1, 2018, and Extending TNC Commercial Ground Transportation Non-Exclusive Operating Permits with Rasier-CA, LLC (dba Uber), Lyft, Inc., and Tickengo, Inc. (dba Wingz) Through December 31, 2017. **(Aviation)**

File ID: [\[279-17\]](#)

Aviation Director, Bryant Francis, introduced Item 5.1.

Airport Operations Manager, Matt Davis, presented Item 5.1.

Speakers: Jim Gray, Stephen Hartley, Morgan Jackson and Ignacio De LaFuente addressed the Board.

A motion was made by Second Vice-President Cluver, seconded by Commissioner

Colbruno, that the Ordinance be approved as amended. The motion carried by the following vote:

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

5.2 Report: Food & Beverage Concession Opportunities at Oakland International Airport, and Update for the Board and the Status of the Request for Proposals **(Aviation)**

File ID: [\[303-17\]](#)

Aviation Director, Bryant Francis, introduced Item 5.2.

Manager of Airport Properties, Brandon Mark, presented Item 5.2.

President Story left the meeting at the hour of 6:25 p.m.

Vice-President Butner Chaired the meeting in her absence.

This Report was received and filed.

6. REMAINING ACTION ITEMS

6.1 Ordinance 4446: Adoption of an Ordinance Approving Amendment No. 2 To Space/Use Permit for Non-Exclusive In-Terminal Advertising Concession with Clear Channel Outdoor dba Clear Channel Airports To Correct and Resolve Rental Calculation Issues Identified by the Office of Audit Services; There Will Be No Change in Compensation for Advertising Located Throughout the Terminal Complex. **(Aviation)**

File ID: [\[299-17\]](#)

A motion was made by Second Vice-President Cluver, seconded by Commissioner Hamlin, that the Ordinance be introduced on first reading. The motion carried by the following vote:

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

Excused: **1** - President Story

6.2 Resolution 17-107: Approve a \$194,000 Design Budget for Security Exit Improvements at Terminal 2 Near the Bag Claim Exit, Oakland International Airport **(Aviation)**

File ID: [\[293-17\]](#)

Aviation Director, Bryant Francis, introduced Item 6.2.

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

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

Excused: **1 -** President Story

7. UPDATES/ANNOUNCEMENTS

Commissioner Colbruno reported on the Port of Rotterdam visit to the Port of Oakland.

Social Responsibility Director, Amy Tharpe, reported on the Community Workshop held in West Oakland on Wednesday, October 11, 2017.

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 6:35 p.m.

Approved: October 26, 2017

Daria Edgerly
Acting Secretary of the Board