



MINUTES

Thursday, December 14, 2017

Board Room – 2nd Floor

ROLL CALL

President Story called the meeting to order at the hour of 1:04 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 1:07 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**

West Oakland Environmental Indicators Project Title VI Complaint: DOT#2017-0093, EPA File Nos. 13R-17-R9 (City of Oakland) and 14R-17-R9 (Board of Port Commissioners and Port of Oakland)

File ID: [409-17]

1.2 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: [410-17]

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

- Executive Director

File ID: [411-17]

1.4 PUBLIC EMPLOYMENT (Pursuant to California Government Code Section 54957).

- Chief Audit Officer

File ID: [412-17]

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

Property: Hangars 2, 230C & 230D

Negotiating Parties: KaiserAir, Inc. and Port of Oakland

Agency Negotiator: Bryant Francis, Director of Aviation & Brandon J. Mark, Manager of Airport Properties

Under Negotiation: Price and Terms of Tenancy

Property: All Food & Beverage Concession Units at Oakland International Airport (approx. 21,000 sf in sixteen locations)

Negotiating Parties: Port-contracted consultant SI Partners, Inc. (represented by Susan C. Schooley and O.B. Schooley) and Port of Oakland

Agency Negotiator: Bryant Francis, Director of Aviation & Brandon J. Mark, Manager of Airport Properties

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: SSA Terminals, LLC, SSA Terminals (Oakland), LLC and Port of Oakland

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: Price and Terms of Lease

Property: Berth 34 and Berths 35-38, Port of Oakland

Negotiating Parties: Everport Terminal Services, Inc. and Port of Oakland

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: Price and Terms of Lease

File ID: [408-17]

OPEN SESSION/ROLL CALL

President Story reconvened the Regular Meeting of December 14, 2017 to order at the hour of 3:31 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 the following action in Closed Session at a previous meeting held on October 12, 2017:

A motion was made by Vice-President Butner, seconded by Vice-President Cluver, to approve Resolution 17-104. 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

Resolution 17-104: Resolution Approving and Authorizing Execution of a Settlement Agreement with Clear Channel Outdoor, Inc. D/B/A Clear Channel Airports in the Amount of \$50,000 with Respect to Claims for Unpaid Percentage Fees and Associated Delinquency Fees.

CONSENT ITEMS

Board Secretary, Daria Edgerly, introduced the Consent Items.

A motion was made by Commissioner Colbruno, seconded by Second Vice-President Cluver, 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 Ordinance 4459:** Authorize the Executive Director to Enter into a First Amendment to a 1999 Grant of Easement Agreement with the San Francisco Bay Area Rapid Transit District for 8,390 square feet within the Berths 25-33 Marine Terminal at No Cost (\$0). **(Maritime)**

File ID: [\[395-17\]](#)

- 2.2 Ordinance 4460:** Approval of an Amendment to an Existing License and Concession Agreement with California Generator Service Corporation to Expand Their Premises to Include 7719 Oakport Street, Increase the Term of the Agreement and Increase the Monthly Rent by \$4,125.00 **(CRE)**

File ID: [\[394-17\]](#)

This Ordinance was introduced on first reading.

- 2.3 Resolution 17-125:** Authorize the Executive Director to Extend the Contract for Security Services at Middle Harbor Shoreline Park (MHSP) with ABC Security Services, Inc. through July 1, 2018 for approximately \$90,000. **(SRD)**

File ID: [\[392-17\]](#)

This Resolution was approved.

- 2.4 Resolution 17-126**, Building Permit: for Southwest Airlines for Tenant Improvement for their In-Flight/Quiet Area, 1 Airport Drive, Terminal 1, Lower Level, Building # M103 **(Engineering)**

File ID: [\[397-17\]](#)

This Resolution was approved.

- 2.6 Ordinance 4451**, 2nd Reading Of An Ordinance Approving Amendment To Space/Use Permit With Civil Air Patrol To Extend The Term By Five Years At A Monetary Consideration Of \$1.00 Per Annum For Premises At North Field At Oakland International Airport.

File ID: [\[400-17\]](#)

This Ordinance was approved.

- 2.7 Ordinance 4452**, 2nd Reading Of An Ordinance Approving Second Supplement To License And Concession Agreement With SFO Hotel Shuttle, Inc. For An Initial Term Of Four Years At A Rental Of \$17,084.10 Per Month, Plus Two Five-Year Options, For 51,770 Square Feet Of Improved Real Property At The North Field At Oakland International Airport.

File ID: [\[401-17\]](#)

This Ordinance was approved.

- 2.8 Ordinance 4453**, 2nd Reading Of An Ordinance Approving Amendment No. 1 To Telecommunications License Agreement With New Cingular Wireless Pcs, LLC To Extend The Term By Five Years At An Initial License Fee Of \$11,675 Per Month For A Site On The Rooftop Area At Hangar 3 At Oakland International Airport.

File ID: [\[402-17\]](#)

This Ordinance was approved.

- 2.9 Ordinance 4454**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Extend The Term Of Three Temporary Right Of Entry And Construction Access Agreements For Three Years With The City Of Oakland And The Affected Tenants For Installation Of Waterfront Trail Improvements On Three Port-Owned Properties Located Along The Oakland Estuary.

File ID: [\[403-17\]](#)

This Ordinance was approved.

- 2.10 Ordinance 4455**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Enter Into A Third Amendment To Temporary Rental Agreement With O.C. Jones And Sons, Inc. To Extend The Term Through June 30, 2018 For Approximately 6 Acres Of Vacant Land By 7th Street And Old Navy Road, Oakland, California.

File ID: [\[404-17\]](#)

This Ordinance was approved.

- 2.11 Ordinance 4456**, 2nd Reading Of An Ordinance Approving Airline Operating Agreement With Delux Public Charter, LLC Doing Business As JETSUITEX, Operating At Oakland International Airport.

File ID: [\[405-17\]](#)

This Ordinance was approved.

- 2.12 Ordinance 4458**, 2nd Reading Of An Ordinance Authorizing The Executive Director To (1) Extend The Term Of A No-Cost Temporary Rental Agreement With Seafarer's Ministry Of The Golden Gate Through March 31, 2018 And (2) Enter Into A No-Cost Lease With Seafarer's Ministry Of The Golden Gate For A 0.2 Acre Parcel Of Land In The Maritime Area For A Term Of Five Years With One Five-Year Extension Option.

File ID: [\[407-17\]](#)

This Ordinance was approved.

- 2.13 Minutes:** Approval of the Minutes of the Regular Board meetings of October 26, 2017 and November 9, 2017.

File ID: [\[396-17\]](#)

The Minutes were approved.

3. MAJOR PROJECTS

There were no "Major Projects" on the Agenda.

4. BUDGET & FINANCE

There were no Budget & Finance Items to approve.

5. STRATEGY & POLICY

5.1 Report: Maritime Air Quality Improvement Plan ("MAQIP") Status Report (Engineering)

File ID: [\[295-17\]](#)

Environmental Programs and Planning Director, Richard Sinkoff, presented Item 5.1.

Roman Berenshteyn and Andy Garcia addressed the Board on Item 5.1.

This Report was received and filed.

5.2 Resolution 17-128: Authorize the Executive Director to Enter into a Contract with Mason Tillman Associates, Ltd. to Conduct a Race and Gender Disparity Study for an Amount Not to Exceed \$350,000, and Authorize an Increase in FY 2017-18 Budget of \$175,000. (SRD)

File ID: [\[382-17\]](#)

Social Responsibility Director, Amy Tharpe, introduced Item 5.2.

A motion was made by Second Vice-President Cluver, seconded by First Vice-President Butner, that the Resolution be approved. 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

6. REMAINING ACTION ITEMS**6.1 Resolution 17-129: Approval to Execute an Agreement for Three Years With up to Two One-Year Options with LAZ Parking California LLC for Airport Public Parking Management and Operations, for an Amount Not to Exceed \$25,960,069. (Aviation)**

File ID: [\[366-17\]](#)

Aviation Director, Bryant Francis, introduced Item 6.1.

A motion was made by Commissioner Yee, seconded by Second Vice-President Cluver, that the Resolution be approved. 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

- 6.2 Resolution 17-130:** Approval to Execute an Agreement for Three Years With up to Two One-Year Options with SP+ Transportation, an Operating Division of SP Plus Corporation, for Airport Shuttle Bus, Ground Transportation and Curbside Management Services, for an Amount Not to Exceed \$29,834,767. **(Aviation)**

File ID: [\[399-17\]](#)

Aviation Director, Bryant Francis, introduced Item 6.2.

A motion was made by Commissioner Yee, seconded by Second Vice-President Cluver, that the Resolution be approved. 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

- 6.3 Resolution 17-131:** Approve \$945,000 Design Budget for Southfield Pavement Improvements and Airfield Signage Replacement Projects, and Authorization to Apply for and Accept Grant Awards from the Federal Aviation Administration (FAA) for the Following Projects: Southfield Pavement Improvements, Airfield Signage Replacement, Airfield Geometric Study and Airport Layout Plan Update, Oakland International Airport. **(Aviation)**

File ID: [\[381-17\]](#)

Aviation Director, Bryant Francis, introduced Item 6.3.

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

- 6.4 Ordinance 4461:** Authorization to Extend Space Assignment Agreements that have been in effect for more than one year as of December 14, 2017; Authorization to Extend Space Assignment Agreements that are likely to be in effect for more than one year as of December 31, 2018; and Waiver of the Three-Month Security Deposit Requirement for Three Tenants. **(Maritime)**

File ID: [\[393-17\]](#)

Maritime Director, John Driscoll, introduced Item 6.4.

A motion was made by Commissioner Colbruno, seconded by Commissioner Yee, that the Ordinance be approved. 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

- 6.5 Resolution 17-132:** Adoption of a Resolution Necessary to Appoint Katherine Buckley as the Acting Chief Audit Officer and to Provide Temporary Supplemental Compensation of Six Percent. **(Finance & Admin)**

File ID: [\[413-17\]](#)

Human Resources Director, Christopher Boucher, introduced Item 6.5.

Katherine Buckley, Acting Chief Audit Officer, addressed the Board on Item 6.5.

A motion was made by Commissioner Colbruno, seconded by First Vice-President Butner, that the Resolution be approved. 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

- 6.6 Ordinance 4457,** 2nd Reading Of An Ordinance Approving Amendment To Lease With DHL Express (USA), Inc. To Extend The Term For Five Years At An Initial Rental Of \$43,848 Per Month For Premises At North Field At Oakland International Airport.

File ID: [\[406-17\]](#)

Board Secretary, Daria Edgerly, introduced Item 6.6.

A motion was made by Commissioner Yee, seconded by Second Vice-President Cluver, that the Ordinance 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

Recused: **1 -** President Story

- 2.5 Resolution 17-127,** Building Permit: for DHL for Improvements to their Sort Building and Demolition of the Airside Annex, 7201 Earhart Road, Building # L812 **(Engineering)**

File ID: [\[398-17\]](#)

Item 2.5 was moved from the Consent Calendar.

Board Secretary, Daria Edgerly, introduced Item 2.5.

A motion was made by Commissioner Colbruno, seconded by Commissioner Yee, 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

Recused: **1 -** President Story

7. UPDATES/ANNOUNCEMENTS

President Story and Director of Aviation, Bryant Francis, announced the success of the Open House for the new International Arrivals Building at Oakland International Airport (OAK).

Director of Communications, Mike Zampa, presented a video featuring Executive Director, Chris Lytle, wishing everyone Happy Holidays.

There was a moment of silence in memory of Mayor Edwin Lee.

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 in honor of San Francisco Mayor Edwin Lee at the hour of 4:51 p.m.

Approved: January 25, 2018

Daria Edgerly
Secretary of the Board