



MINUTES

Thursday, November 30, 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 1:05 p.m. to hear the following Items:

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

Property: Parcel 15A - North Gateway, Oakland, CA

Negotiating Parties: City of Oakland, Custom Alloy and Scrap Sales, Inc. and Port of Oakland

Agency Negotiator: John Driscoll, Director of Maritime

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 and Port of Oakland

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: Price and Terms of Tenancy

File ID: [383-17]

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 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: [384-17]

1.3 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: [385-17]

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

- Chief Audit Officer

File ID: [386-17]

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

- Port Attorney
- Executive Director

File ID: [390-17]

OPEN SESSION/ROLL CALL

President Story reconvened the Regular Meeting of November 30, 2017 to order at the hour of 3:43 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.

CONSENT ITEMS

Board Secretary, Daria Edgerly, introduced the Consent Items.

A motion was made by Commissioner Colbruno, seconded by Commissioner Yee, 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 4451:** Approval and Authorization for Execution of an Amendment to Space/Use Permit at the North Field of Oakland International Airport with Civil Air Patrol, a Federally Chartered Nonprofit Corporation, to Extend its Occupancy for Five (5) Years at a Monetary Consideration of \$1.00 Per Annum. **(Aviation)**

File ID: [\[351-17\]](#)

This Ordinance was introduced on first reading.

- 2.2 Ordinance 4452:** Approve and Authorize Executive Director to Execute a Second Supplement to License and Concession Agreement with SFO Hotel Shuttle, Inc. for 51,770 Square Feet of Improved Real Property at the Southwest Corner Of Earhart Road and Fairchild Street at the North Field of Oakland International Airport, for an Initial Term of 4 Years at a Rental Rate of \$17,084 Per Month Plus Two 5-Year Options. **(Aviation)**

File ID: [\[357-17\]](#)

This Ordinance was introduced on first reading.

- 2.3 Ordinance 4453:** Approve and Authorize Executive Director to Execute Amendment No. 1 to Telecommunications License Agreement with New Cingular Wireless PCS, LLC for a Site on the Rooftop Area at Hangar 3 for a Term of Five Years at an Initial License Fee of \$11,675 Per Month. **(Aviation)**

File ID: [\[356-17\]](#)

This Ordinance was introduced on first reading.

- 2.4 Ordinance 4454:** Approve and Authorize the Executive Director to Extend the Term of Three Temporary Right of Entry and Construction Access Agreements for Three Years for Installation of Waterfront Trail Improvements on Three Port Owned Properties Located Along the Oakland Estuary **(CRE)**

File ID: [\[355-17\]](#)

This Ordinance was introduced on first reading.

- 2.5 Ordinance 4455:** Authorize the Executive Director to Extend a Rent-Free Temporary Rental Agreement with O.C. Jones and Sons, Inc., Associated with the Expansion of the Berths 25-33 Marine Terminal, through June 30, 2018. **(Maritime)**

File ID: [\[359-17\]](#)

This Ordinance was introduced on first reading.

- 2.6 Resolution 17-121**, Building Permit: for Pacific Maritime Association for Modular Building Installation and Improvements at Howard Terminal, 1 Jefferson Street **(Engineering)**

File ID: [\[360-17\]](#)

This Resolution was approved.

- 2.7 Resolution 17-122**, Building Permit: for SSA Terminals, LLC for Installation of New OCR Entrance Portal and Related Improvements at OICT Terminal, 1717 Middle Harbor Road **(Engineering)**

File ID: [\[361-17\]](#)

This Resolution was approved.

- 2.8 Resolution 17-123**, Building Permit: for Pacific Gas and Electricity (PG&E) for Installation of New Gas Line in Earhart Road, Earhart Road between Airport Drive and Swan Way **(Engineering)**

File ID: [\[362-17\]](#)

This Resolution was approved.

- 2.10 Ordinance 4449**, 2nd Reading Of An Ordinance Authorizing The Executive Director To Execute Two-Year Extensions Of Space Assignment Agreements At The Former Oakland Army Base With (I) Impact Transportation, (II) Pacific Coast Container, And (III) Port Transfer, Inc.

File ID: [\[388-17\]](#)

This Ordinance was approved.

- 2.11 Ordinance 4450**, 2nd Reading Of An Ordinance Approving A 10% Increase To Target Rental Rates For Short Term Rental Agreements And A 4% Increase To Holdover Rental Rates For Certain Existing Property Rental Agreements Within The Commercial Real Estate Division Portfolio.

File ID: [\[389-17\]](#)

This Ordinance was approved.

- 2.12 Informational Report:** Annual Change Order Report on Construction Contracts Completed during FY 16/17 **(Engineering)**

File ID: [\[314-17\]](#)

This Report was received and filed.

- 2.9 Ordinance 4448**, 2nd Reading Of An Ordinance: 1) Approving A Ground Lease Agreement With Centerpoint-Oakland Development I, LLC For Design, Construction, Finance, Operation, And Maintenance Of A Transload And Distribution Facility On Approximately 27 Acres On The Former Oakland Army Base With A Term Of 66 Years And Initial Fixed Rent Of Approximately \$1.3 Million Per Year; 2) Making Findings And Determinations Pursuant To The California Environmental Quality Act; 3) Approving A Budget Of \$1 Million For Certain Utility-Related Expenditures; And 4) Approving The Operations Jobs Policy For Inclusion In The Ground Lease Agreement As An Exhibit.

File ID: [\[387-17\]](#)

Item 2.9 was moved from the Consent Calendar.

Board Secretary, Daria Edgerly, introduced Item 2.9.

The following members of the Public addressed the Board on Item 2.9: Alison Kirk of BAAQMD and Michael Murphy of Center Point Properties.

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

3. MAJOR PROJECTS

There were no "Major Projects" on the Agenda.

4. BUDGET & FINANCE

- 4.1 Report:** Unaudited Financials for 3 months ended September 30, 2017 including Capital Expenditure Report. **(Finance & Admin)**

File ID: [\[423-16\]](#)

Chief Financial Officer, Sara Lee, introduced Item 4.1.

This Report was received and filed.

5. STRATEGY & POLICY

- 5.1 Informational Report** on the Maritime and Aviation Project Labor Agreement (MAPLA) Annual Progress Report Summary (July 1, 2016 - June 30, 2017) **(SRD)**

File ID: [\[335-17\]](#)

Social Responsibility Director, Amy Tharpe, introduced Item 5.1.

Jake Sloan, MAPLA Consultant, presented Item 5.1.

This Report was received and filed.

6. REMAINING ACTION ITEMS

- 6.1 Ordinance 4456:** Approval of an Airline Operating Agreement with Delux Public Charter, LLC doing business as JetSuiteX Operating at Oakland International Airport generating approximately \$176,000 in Annual Aviation-Related Revenue. **(Aviation)**

File ID: [\[352-17\]](#)

Aviation Director, Bryant Francis, introduced Item 6.1.

A motion was made by Commissioner Colbruno, seconded by Commissioner Martinez, that the Ordinance be introduced on first reading. 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 Ordinance 4457:** Approval and Authorization for Execution of an Amendment to Lease with DHL Express (USA), Inc. at the North Field of Oakland International Airport, to Extend its Occupancy of a Warehouse, Land and Apron for Five (5) Additional Years at an Initial Rental of \$43,848 Per Month. **(Aviation)**

File ID: [\[353-17\]](#)

Aviation Director, Bryant Francis, introduced Item 6.2.

A motion was made by Commissioner Yee, 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

Recused: 1 - President Story

- 6.3 Ordinance 4458:** Authorize the Executive Director to: 1) Extend a No-Cost Temporary Rental Agreement with the Seafarer's Ministry of the Golden Gate for a 0.2-Acre Parcel of Land located at 4001 7th Street, Oakland, through March 31, 2018; and 2) Enter into a No-Cost Lease with Seafarer's Ministry of the Golden Gate for a Term of Five Years with One, Five-Year Option to Extend, for the Same 0.2-Acre Parcel of Land **(Maritime)**

File ID: [\[329-17\]](#)

Maritime Director, John Driscoll, introduced Item 6.3.

Eric Napralla, Senior Maritime Project Administrator, presented Item 6.3.

John Classen and Margaret Reasoner of the Seafarer's Ministry addressed the Board.

A motion was made by Commissioner Martinez, seconded by Commissioner Hamlin, that the Ordinance be introduced on first reading. 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 Resolution 17-124:** Authorize the Executive Director to Extend the Term of the Truck Parking Management Agreement for Truck Parking Services on Port Property with ABM Industry Groups, LLC, doing business as ABM Parking Services (formerly known as AMPCO System Parking Inc.) from August 21, 2017 through July 31, 2018 for an Amount Not to Exceed \$4.0 million **(Maritime)**

File ID: [\[363-17\]](#)

Maritime Director, John Driscoll, introduced Item 6.4.

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

7. UPDATES/ANNOUNCEMENTS

Director of Communications, Mike Zampa, and Robert Bernardo, Media/Public Relations Manager announced the Seaport Logistics Site.

Director of Commercial Real Estate, Pamela Kershaw, announced the Annual Tree Lighting in Jack London Square (JLS).

Director of Aviation Bryant Francis announced American Airlines new service from Oakland International Airport (OAK) to Dallas/Fort Worth International Airport (DFW).

Director of Environmental Programs & Planning announced the Truck Management Community meeting.

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 4:56 p.m.

Approved: January 25, 2018.

Daria Edgerly
Secretary of the Board