



MINUTES

Thursday, February 22, 2018

Board Room – 2nd Floor

ROLL CALL

President Story called the Regular Meeting of February 22, 2018 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 1:04 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 2**

File ID: [080-18]

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

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

Negotiating Parties: Port-Contracted Consultant - SI Partners, Inc. (represented by Susan C. Schooley & O.B. Schooley)

Agency Negotiator: Bryant L. Francis, C.M., Director of Aviation and Brandon J. Mark, Aviation Properties Manager

Under Negotiation: Price and Terms of Tenancy

File ID: [081-18]

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: [082-18]

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

Title: Executive Director

File ID: [083-18]

Commissioner Hamlin left the meeting at the hour of 3:00 p.m.

OPEN SESSION/ROLL CALL

President Story reconvened the Regular Meeting of February 22, 2018 to order at the hour of 3:03 p.m.

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

Excused: **1** - Commissioner Earl Hamlin

CLOSED SESSION REPORT

Port Attorney, Danny Wan, reported that the Board had taken the following action in Closed Session:

A motion made by Commissioner Martinez, seconded by Commissioner Cluver, to approve Resolution 18-14. The motion carried by the following vote:

7ayes: Commissioner Colbruno, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, 2nd Vice-President Cluver, First Vice-President Butner and President Story

Resolution 18-14, Resolution Approving and Authorizing Execution of a Settlement Agreement and Mutual Release with Respect to the Oak to Ninth Parcels with Zurich American Insurance Company, New Hampshire Insurance Company, North Star Reinsurance Corporation, and St. Paul Fire and Marine Insurance Company in the Amount of \$6,200,000.

Glen Myers and Sajel Babaria addressed the Board on Item 1.2.

Consent Items

Board Secretary, Daria Edgerly, introduced the Consent Items.

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

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

Excused: **1 -** Commissioner Hamlin

- 2.1 Ordinance 4464:** Approval of Amendment No. 3 to the Lease with I Scream Scoops, LLC, for a Third Extended Term of Five (5) Years at a Rental Rate of \$3,462.00 per month, for the Premises located at 505 Embarcadero West, Oakland. **(CRE)**

File ID: [\[063-18\]](#)

This Ordinance was introduced on first reading.

- 2.2 Resolution 18-15:** Approval of the Assignment of Ground Lease Interest of Embarcadero Business Park, LLC from Mr. Ted Eden to Theodore A. Eden, Trustee, Eden Family Revocable Trust UTD for Property Located at 1900-2000 Embarcadero Road **(CRE)**

File ID: [\[070-18\]](#)

This Resolution was approved.

- 2.3 Ordinance 4463**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute A Fifth Amendment To The Lease With Yoshi's Japanese Restaurant, Inc. For Property Located At 510 Embarcadero West, Oakland, And To Amend Various Rental Compensation Terms.

File ID: [\[079-18\]](#)

This Ordinance was approved.

- 2.4 Resolution 18-16**, Building Permit: for FedEx for Electrical System Upgrades Serving Aircraft Gates, 1 Sally Ride Way **(Engineering)**

File ID: [\[050-18\]](#)

This Resolution was approved.

- 2.5 Minutes:** Approval of the Minutes of the Regular meeting of January 25, 2018. **(Board)**

File ID: [\[078-18\]](#)

This Minutes was 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

There were no Strategy & Policy Items to approve.

6. REMAINING ACTION ITEMS

- 6.1 Ordinance 4465:** Authorization to Amend Port Ordinance No. 4079 to Extend Authority for the Port of Oakland to Collect Customer Facility Charges, not to Exceed \$10 Per Contract from On-Airport and Off-Airport Rental Car Companies at Oakland International Airport for Four Additional Years from January 1, 2019 to December 31, 2022. **(Aviation)**

File ID: [\[057-18\]](#)

Aviation Director, Bryant Francis, introduced Item 6.1.

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

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

Excused: **1** - Commissioner Hamlin

- 6.2 Resolution 18-17:** Approve and Authorize the Executive Director to Execute Parking Management Agreements with Douglas Parking, LLC for Self-Parking Services and with Valet Hospitality Services - Jack London Square, LLC for Valet Parking Services for Various Port-Owned Parking Facilities in Jack London Square for a Term of Three (3) Years with Two (2) One-Year Options, for an Amount Not to Exceed \$10,438,861. **(CRE)**

File ID: [\[077-18\]](#)

Commercial Real Estate Director, Pam Kershaw, introduced Item 6.2.

Paul Chacon addressed the Board on Item 6.2.

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

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

Absent: **1** - Commissioner Hamlin

7. UPDATES/ANNOUNCEMENTS

Social Responsibility Director, Amy Tharpe, in honor of Black History Month presented a tribute to long time West Oakland Resident Mrs. Ellen Wyrick-Parkinson.

Communications Director, Mike Zampa, introduced the winners of the contest to name the Port's Intranet Janet Jackson & Joshua Polston. The new name of the Port's Intranet is Port 360.

Environmental Programs and Planning Director, Richard Sinkoff, announced the Air Quality Task Force meeting taking place February 9, 2018.

8. SCHEDULING

There were no "Scheduling Items" on the Agenda.

OPEN FORUM

There were no Public Speakers in Open Forum.

ADJOURNMENT

President Story reconvened the Board in Closed Session at 3:33 p.m. to hear the following Items:

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

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

Negotiating Parties: Prospective Food & Beverage Lessee

Agency Negotiator: Bryant L. Francis, C.M., Director of Aviation and Brandon J. Mark, Aviation Properties Manager

Under Negotiation: Price and Terms of Tenancy

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

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

Title: Chief Audit Officer

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

There being no additional business, the Meeting was adjourned at the hour of 4:51p.m.

Approved: April 12, 2018

Daria Edgerly
Secretary of the Board