



MINUTES

Thursday, October 11, 2018

Board Room – 2nd Floor

ROLL CALL

President Butner called the Regular Meeting of October 11, 2018 to order at the hour of 8:20 a.m. and the following Commissioners were in attendance:

Second Vice-President Colbruno arrived at 8:33 a.m.

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

1. CLOSED SESSION

President Butner convened the Board in Closed Session at 8:21 a.m. to hear the following Items:

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

- Chief Audit Officer
- Assistant Secretary of the Board

File ID: [317-18]

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

Property: One Market Street, Oakland, CA (Howard Terminal)

Negotiating Parties: Oakland Athletics and Port of Oakland

Agency Negotiator: Pamela Kershaw, Director of Commercial Real Estate

Under Negotiation: Price and Terms of Tenancy

Property: All Food & Beverage Concessions Units at Oakland International Airport (approximately 29,000 SF in seventeen locations located throughout the Terminal Complex)
Negotiating Parties: Port of Oakland and Potential Awardees of the Four Food & Beverage Concessions Opportunities

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

Under Negotiation: Price and Terms of Tenancy

File ID: [318-18]

1.3 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - (Initiation of Litigation Pursuant to Paragraph (2) of Subdivision (d) of California Government Code Section 54956.9): **Number of Matter** 1

File ID: [319-18]

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

- Executive Director
- Port Attorney
- Secretary of the Board

File ID: [320-18]

OPEN SESSION/ROLL CALL

President Butner called the Regular Meeting of October 11, 2018 to order in Open Session at the hour of 4:01 p.m.

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

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 Second Vice-President Colbruno, seconded by First Vice-President Cluver, to approve the Consent Agenda. A motion was made that these files be failed by a consent vote.

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

2.1 Ordinance 4494: Authorize the Executive Director to Enter into a First Amendment to Extend the Term of a No-Cost Temporary Rental Agreement with Jacobs Engineering Group, Inc. Through December 31, 2020 for Data Collection, Land Surveying, Utility Potholing and Soil Testing at Premises Located Adjacent to and Within the-Right-Of-Way of: (1) Middle Harbor Road from Adeline Street Bridge to 7th Street; (2) Maritime Street from ~~Chungking Street~~ Vukasin Way to Middle Harbor Road; and (3) 7th Street from Caltrans Right-of-Way to Ben E. Nutter Terminal in Support of GoPort Projects. **(Engineering)**

File ID: [\[284-18\]](#)

This Ordinance was approved as amended.

- 2.2 Ordinance 4495:** Approve and Authorize the Executive Director to Execute a Third Supplemental to Lease with Radio Mirchi, Inc. for Premises Located on the Northerly Side of the Bay Bridge for a Monthly Rental Amount of \$13,733.63. **(CRE)**

File ID: [\[307-18\]](#)

This Ordinance was introduced on first reading.

- 2.3 Ordinance 4496:** Approve and Authorize the Executive Director to Execute a Third Supplemental to Lease with AMFM Broadcasting, Inc. for Premises Located on the Northerly Side of the Bay Bridge for a Monthly Rental Amount of \$13,414.65. **(CRE)**

File ID: [\[308-18\]](#)

This Ordinance was introduced on first reading.

- 2.4 Ordinance 4497:** Approve and Authorize the Executive Director to Execute a Third Supplemental to Lease with Multicultural Radio Broadcasting, Inc. for Premises Located on the Northerly Side of the Bay Bridge for a Monthly Rental Amount of \$13,913.24. **(CRE)**

File ID: [\[309-18\]](#)

This Ordinance was introduced on first reading.

- 2.5 Ordinance 4493,** 2nd Reading Of An Ordinance Approving And Ratifying The Executive Director's Execution Of A First Amendment To The Temporary Rental Agreement With The City Of Oakland Through July 31, 2019 At Berth 33 In The Seaport.

File ID: [\[316-18\]](#)

This Ordinance was approved.

- 2.6 Minutes:** Approval of the Minutes of the Regular Meeting of September 13, 2018. **(Board)**

File ID: [\[321-18\]](#)

The Minutes were approved.

3. MAJOR PROJECTS

- 3.1 Ordinance 4498:** Approve the Evaluation Committees' Recommended Awardees for the Request for Proposals for Four Separate Food & Beverage Concession Opportunities at Oakland International Airport Covering Seventeen Units Totaling 27,400± Square Feet in Terminals 1 and 2; Specifically, Approve a Space/Use Permit for Each of the Following Concessionaires: HFF OAK Venture, LLC; Rylo Management; Soaring Food Group, LLC; and,

SSP America OAK, LLC for Total Projected Rental Revenue of \$6.9 Million in the First Full Year of Operations (Calendar Year 2020) For a Term of Ten Years and Eleven Months Through December 31, 2029; Report on Any Protests Received. **(Aviation)**

File ID: [\[306-18\]](#)

Aviation Director, Bryant Francis, introduced Item 3.1.

Brandon Mark, Manager of Airport Properties, presented Item 3.1.

Sejal Babaria, Wei-Ling Hube, Gina Graziano, Joseph Cook, Pat Murray, Kevin Westlye, Carla Wytmar, Eduardo Roy, Rafael Aguirre, Michelle Reynolds, Octavio Diaz, Brian Wood, Melanie Shelby and Ignacio De LaFuente addressed the Board on Item 3.1.

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

Ayes: 5 - Commissioner Hamlin, Commissioner Story, Second Vice-President Colbruno, First Vice-President Cluver and President Butner

Abstain: 1 - Commissioner Martinez

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 Resolution 18-107:** Authorization to Enter into a Professional Services Agreement with West Yost Associates for a five-year term and an initial contract amount not to exceed \$1,225,000 for Design Services and Approval of a \$2,005,000 Design Budget for Lift Stations AP06P and AP08P; and Earhart Road and Airport Drive Sanitary Sewer Pipeline Rehabilitation.
(Engineering/Aviation)

File ID: [\[237-18\]](#)

Engineering Director, Chris Chan, introduced Item 6.1.

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

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

- 6.2 Ordinance 4499:** Enactment of the Ordinance Necessary to Ratify and Set the Salaries and Salary Increases for Port of Oakland Non-Represented Employees in Port Employee Representation Unit H. **(Finance & Admin)**

File ID: [\[311-18\]](#)

Human Resources Director, Michael Mitchell, introduced Item 6.2.

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

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

- 6.3 Resolution 18-108:** Adoption of a Resolution Necessary to Appoint Danny Wan as the Acting Executive Director Effective October 19, 2018 Through December 31, 2018, or Upon Return of the Executive Director, whichever is Earlier, and to Provide Temporary Supplemental Compensation of Six Percent for the Duration of the Temporary Appointment. **(Finance & Admin)**

File ID: [\[313-18\]](#)

Human Resources Director, Michael Mitchell, introduced Item 6.3.

A motion was made by Second Vice-President Colbruno, seconded by Commissioner Martinez, that the Resolution be approved as amended. The motion carried by the following vote:

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

- 6.4 Resolution 18-109:** Adoption of a Resolution Necessary to Appoint Michele Heffes as the Acting Port Attorney Effective October 19, 2018 through December 31, 2018, or Upon Return of the Port Attorney, whichever is Earlier, and to Provide Temporary Supplemental Compensation of Six Percent for the Duration of the Temporary Appointment. **(Finance & Admin)**

File ID: [\[314-18\]](#)

Human Resources Director, Michael Mitchell, introduced Item 6.4.

A motion was made by Second Vice-President Colbruno, seconded by First Vice-President Cluver, that the Resolution be approved as amended. The motion carried by the following vote:

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

7. UPDATES/ANNOUNCEMENTS

First Vice-President Cluver announced the Port's participation in the 52nd Un Flag Raising Ceremony.

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 5:29 p.m.

Approved: November 8, 2018

Daria Edgerly
Secretary of the Board