



## MINUTES

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Thursday, October 25, 2018

Board Room – 2nd Floor

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### ROLL CALL

President Butner called the Regular Meeting of October 25, 2018 to order at the hour of 1:01 p.m. and the following Commissioners were in attendance:

**Present:** 6 - Commissioner Earl Hamlin, Commissioner Yui Hay Lee, Commissioner Arabella Martinez, Commissioner Joan Story, Second Vice-President Michael Colbruno and President Ces Butner

**Excused:** 1 - First Vice-President Andreas Cluver

### 1. CLOSED SESSION

President Butner convened the Board in Closed Session at 1:03 p.m. to hear the following Items:

#### 1.1 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

**Property:** 333 Maritime Street, Oakland, CA

**Negotiating Parties:** Port of Oakland and Burlington Northern Santa Fe (BNSF) Railway Company

**Agency Negotiator:** John C. Driscoll, Director of Maritime

**Under Negotiation:** Price and Terms of Tenancy

**File ID:** [335-18]

- 1.2 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:** [336-18]

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

- Executive Director
- Port Attorney
- Secretary of the Board

**File ID:** [337-18]

## **OPEN SESSION/ROLL CALL**

President Butner welcomed Commissioner Lee to the Port Commission.

President Butner called the Regular Meeting of October 25, 2018 to order in Open Session at the hour of 4:08 p.m.

## **CLOSED SESSION REPORT**

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

## **CONSENT ITEMS**

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

**Ayes:**           **5** - Commissioner Hamlin, Commissioner Martinez, Commissioner Story, Second Vice-President Colbruno and President Butner

**Excused:**       **1** - First Vice-President Cluver

**Abstain:**       **1** - Commissioner Lee

- 2.1 Ordinance 4500:** Approve a Grant of Easement to Pacific Gas and Electric Company for Access, Repair, and Maintenance of Facilities Located in a Joint Trench Along Maritime Street from 14th Street to Approximately 18th Street, To Serve the Portion of the Former Oakland Army Base Property Owned by the City of Oakland, for No Monetary Consideration. **(Maritime)**

**File ID:** [\[323-18\]](#)

**This Ordinance was introduced on first reading.**

- 2.2 Resolution 18-110:** Approve and Authorize the Executive Director to Renew or Modify Certain Employee Health and Welfare Benefit Plan Contracts for Five Years, Ending December 31, 2023, in an Amount Not to Exceed 10% Increases Over the Previous Year's Contract Rate. **(Finance & Admin)**

**File ID:** [\[322-18\]](#)

**This Resolution was approved.**

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

**Absent:**       **1** - First Vice-President Cluver

- 2.3 Resolution 18-111,** Building Permit: for Southwest Airlines for a New Storage Building Outside Terminal 2, 1 Airport Drive **(Engineering)**

**File ID:** [\[294-18\]](#)

**This Resolution was approved.**

- 2.4 Ordinance 4494,** 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute A First Amendment To The Temporary Rental Agreement With Jacobs Engineering Group, Inc. Through December 31, 2020 For Data Collection, Land Surveying, Utility Potholing, And Soil Testing In Support Of The GoPort Projects At Locations Within The Seaport.

**File ID:** [\[330-18\]](#)

**This Ordinance was approved.**

- 2.5 Ordinance 4495,** 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute A Third Supplemental To Lease With Radio Mirchi, Inc. To Extend The Term Through December 31, 2028 For A Monthly Rental Amount Of \$13,733.63, With Increases, For Premises Located On The Northerly Side Of The Bay Bridge In Oakland.

**File ID:** [\[331-18\]](#)

**This Ordinance was approved.**

- 2.6 Ordinance 4496,** 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute A Third Supplemental To Lease With AMFM Broadcasting, Inc. To Extend The Term Through December 31, 2028 For A Monthly Rental Amount Of \$13,414.65, With Increases, For Premises Located On The Northerly Side Of The Bay Bridge In Oakland.

**File ID:** [\[332-18\]](#)

**This Ordinance was approved.**

- 2.7 Ordinance 4497,** 2nd Reading Of An Ordinance Approving And Authorizing The Executive

Director To Execute A Third Supplemental To Lease With Multicultural Radio Broadcasting, Inc. To Extend The Term Through December 31, 2028 For A Monthly Rental Amount Of \$13,913.24, With Increases, For Premises Located On The Northerly Side Of The Bay Bridge In Oakland.

**File ID:** [\[333-18\]](#)

**This Ordinance was approved.**

- 2.8 Ordinance 4499**, 2nd Reading Of An Ordinance Amending Port Of Oakland ("Port") Ordinance No. 867 Ratifying And Setting The Compensation For Certain Nonrepresented Employees Of The Port Department Belonging To Port Employee Representation Unit H; And, Ratifying And Approving The Authority Of The Executive Director And The Port Attorney To Award Additional Compensation Of Up To Four Percent Annually To Individual Unit H Employees Consistent With The Merit Pay Criteria Set Forth In Administrative Policy And Procedure 432 (Annual Compensation Adjustments For Employees In Unit H).

**File ID:** [\[334-18\]](#)

**This Ordinance was approved.**

- 2.9 Minutes:** Approval of the Minutes of the Regular Meeting of September 27, 2018. **(Board)**

**File ID:** [\[327-18\]](#)

**The Minutes were approved.**

- 2.10 Report:** Report of Appointments, Separations and Leaves of Absence for FY 2018-19, 1st Quarter (July 1, 2018 - September 30, 2018). **(Finance & Admin)**

**File ID:** [\[245-18\]](#)

**This Report was received and filed.**

### **3. MAJOR PROJECTS**

There were no "Major Projects" on the Agenda.

### **4. BUDGET & FINANCE**

- 4.1 Report:** Fiscal Year 2018 Financial Highlights. **(Finance & Admin)**

**File ID:** [\[242-18\]](#)

Chief Financial Officer, Sara Lee, presented Item 4.1.

**This Report was received and filed.**

### **5. STRATEGY & POLICY**

**5.1 Report: 2017 Seaport Air Emissions Inventory Summary (Engineering)**

**File ID:** [\[310-18\]](#)

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

Catherine Mukai, Port Assoc. Envir Planner/Scientist, presented Item 5.1

**This Report was received and filed.**

**6. REMAINING ACTION ITEMS****6.1 Resolution 18-112:** Authorize the Executive Director to: Accept Federal FY18 Department of Homeland Security/Federal Emergency Management Agency Port Security Grant Program Funding in the Amount of \$1,350,000 **(Maritime)**

**File ID:** [\[324-18\]](#)

Delphine Prevost, Maritime Manager, introduced Item 6.1.

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

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

**Absent:**       **1 -** First Vice-President Cluver

**6.2 Resolution 18-113:** Authorization to Enter into a Professional Services Agreement with Orion Engineers and Associates for a five-year term and an initial contract amount not to exceed \$1,200,000 for Engineering Design Services and Approval of a \$2,190,000 Design Budget for Pavement Rehabilitation at Oakland International Airport. **(Engineering/Aviation)**

**File ID:** [\[270-18\]](#)

Engineering Director, Chris Chan, introduced Item 6.2.

**A motion was made by Commissioner Story, seconded by Commissioner Hamlin, that the Resolution be approved. The motion carried by the following vote:**

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

**Absent:**       **1 -** First Vice-President Cluver

**7. UPDATES/ANNOUNCEMENTS**

Communications Director, Mike Zampa, announced the most popular links visited on the Port's Website & Port 360.

Communications Director, Mike Zampa, presented Meet Port Employee video featuring Rolanda Rogers, Aviation Administrative Analyst

## **8. SCHEDULING**

There were no "Scheduling Items" on the Agenda.

## **OPEN FORUM**

There were no Public Speakers in Open Forum.

## **ADJOURNMENT**

President Butner re-convened the Board in Closed Session at 5:08 p.m. to hear the following Items:

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

- Port Attorney

There being no additional business, the Meeting was adjourned at the hour of 5:31 p.m.

Approved: November 29, 2018

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Daria Edgerly  
Secretary of the Board