



## MINUTES

---

Thursday, November 8, 2018

Board Room – 2nd Floor

---

### ROLL CALL

President Butner called the Regular Meeting of November 8, 2018 to order at the hour of 10:30 a.m. and the following Commissioners were in attendance:

Commissioner Lee arrived at the meeting at 11:19 a.m.

**Present:** 7 - Commissioner Earl Hamlin, Commissioner Yui Hay Lee, 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 10:31 a.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

**File ID:** [343-18]

#### 1.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - (Pursuant to Paragraph (1) of Subdivision (d) of California Government Code Section 54956.9):

*City of Oakland, A Municipal Corporation, Acting by and Through Its Board of Port Commissioners v. Embarcadero Cove Enterprises, LLC; Laverne R. Wellens; Laverne R. Wellens, as Trustee of the Wellens Trust; and Does 1-50; Alameda County Superior Court Case No.: RG18926153*

**File ID:** [344-18]

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

- Chief Audit Officer

**File ID:** [345-18]

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

- Port Attorney
- Secretary of the Board

**File ID:** [346-18]

**OPEN SESSION/ROLL CALL**

President Butner called the Regular Meeting of November 8, 2018 to order in Open Session at the hour of 4:00 p.m.

**Present:** 7 - Commissioner Earl Hamlin, Commissioner Yui Hay Lee, Commissioner Arabella Martinez, Commissioner Joan Story, Second Vice-President Michael Colbruno, First Vice-President Andreas Cluver and President Ces Butner

**CLOSED SESSION REPORT**

Acting Port Attorney, Michele Heffes, reported that the Board had taken no final action in Closed Session.

**2. CONSENT ITEMS**

Vice-President Cluver pulled Item 2.1 off of Consent.

Board Secretary, Daria Edgerly, introduced the Consent Items.

**A motion was made by Second Vice-President Colbruno, seconded by Commissioner Story, to approve the Consent Items. The motion passed by the following vote:**

**Ayes:** 7 - Commissioner Hamlin, Commissioner Lee, Commissioner Martinez, Commissioner Story, Second Vice-President Colbruno, First Vice-President Cluver and President Butner

**2.2 Ordinance 4500, 2nd Reading Of An Ordinance Approving And Authorizing A Grant Of Easement To Pacific Gas And Electric Company For Access, Repair, And Maintenance Of Facilities Located In A Joint Trench Along The Eastern Side Of Maritime Street From 14th Street To Approximately 18th Street, To Provide Electricity Service To The Portion Of The Former Oakland Army Base Property Owned By The City Of Oakland, For No Monetary Consideration.**

**File ID:** [\[341-18\]](#)

**This Ordinance was approved.**

**2.3 Minutes:** Approval of the Minutes of the Regular Meeting of October 11, 2018. **(Board)**

File ID: [\[342-18\]](#)

### 3. MAJOR PROJECTS

- 2.1 Ordinance 4498**, 2nd Reading Of An Ordinance Approving 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, And Approve A Space/Use Permit For Each Of The Following Concessionaires: HFF Oak Venture, LLC, RYLO Management, LLC 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 (Cy 2020) For A Term Of Ten Years And Eleven Months Through December 31, 2029.

File ID: [\[329-18\]](#)

Board Secretary, Daria Edgerly, introduced the Item 2.1.

Wei-Ling Huber, Karen Dea, Pat Murray, Taj Tashombe, Shonda Scott, Erica Brown, Carl Chan, Dong Suh, Eduardo Roy, Carla Wytmar, Kevin Westlye, Pedro Alvarez, Dwayne Jones, Navdeer Grewal, Angela Tsay, Tanya Holland, Shelley Linderen, Chris Hillard, Amy Hillard John Martin, Jaynelle St. Jean, Jana Pastena, Chris Pastena, Rich Wood and Adriana Carranza addressed the Board on Item 2.1.

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

**Ayes:**           7 - Commissioner Hamlin, Commissioner Lee, Commissioner Martinez, Commissioner Story, Second Vice-President Colbruno, First Vice-President Cluver and President Butner

### 4. BUDGET & FINANCE

There were no Budget & Finance Items to approve.

### 5. STRATEGY & POLICY

- 5.1 Report:** Draft Seaport Air Quality 2020 and Beyond Plan- Status Report **(Engineering)**

File ID: [\[325-18\]](#)

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

Diane Heinze, Port Environmental Assessment Supervisor, presented Item 5.1.

- 5.2 Report:** Overview of Port Board Powers & Responsibilities under the Charter, and Board Member Legislative Immunity. **(Port Attorney)**

File ID: [\[340-18\]](#)

Acting Executive Director, Danny Wan, presented Item 5.2.

## **6. REMAINING ACTION ITEMS**

There were no "Remaining Action Items" on the Agenda.

## **7. UPDATES/ANNOUNCEMENTS**

President Butner and Communications Director, Mike Zampa, announced the Port attended the Cool Port Ribbon Cutting.

Communications Director, Mike Zampa, presented an Employee Recognition video featuring Colleen Liang, Port Associate Environmental Scientist.

## **8. SCHEDULING**

There were no Strategy & Policy Items to approve.

## **OPEN FORUM**

There were no Public Speakers in Open Forum.

## **ADJOURNMENT**

There being no additional business, the Meeting was adjourned at the hour of 5:34 p.m.

Approved: December 13, 2018

---

Daria Edgerly  
Secretary of the Board