



MINUTES

Thursday, February 28, 2019

Board Room – 2nd Floor

ROLL CALL

President Butner called the Regular Meeting of February 28, 2019 to order at the hour of 1:03 p.m. and the following Commissioners were in attendance:

2nd Vice-President Colbruno participated in Closed Session by telephone from Pueblo Bonito Los Cabos Blanco, 23410 Cabo San Lucas, Mexico.

Present: 7 - Commissioner Yui Hay Lee, Commissioner Barbara Leslie, 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 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: One Airport Drive, Oakland, CA

Negotiating Parties: Southwest Airlines and Port of Oakland

Agency Negotiator: Bryant Francis, Director of Aviation

Under Negotiation: Price and Terms of Tenancy

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: [058-19]

1.2 CONFERENCE WITH LABOR NEGOTIATOR - (Pursuant to California Government Code Section 54957.6):

Unrepresented Employee: Unit H

File ID: [059-19]

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

Title: Acting Chief Audit Officer

File ID: [060-19]

OPEN SESSION/ROLL CALL

President Butner called the Regular Meeting of February 28, 2019 to order in Open Session at the hour of 4:15 p.m.

Present: **6** - Commissioner Yui Hay Lee, Commissioner Barbara Leslie, Commissioner Arabella Martinez, Commissioner Joan Story, First Vice-President Andreas Cluver and President Ces Butner

Excused: **1** - Second Vice-President Michael Colbruno

CLOSED SESSION REPORT

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

2. CONSENT ITEMS

Secretary of the Board, Daria Edgerly, introduced the Consent Items.

A motion was made by Commissioner Martinez, seconded by Commissioner Story, to approve the Consent Agenda. The motion carried by the following vote:

Ayes: **6** - Commissioner Lee, Commissioner Leslie, Commissioner Martinez, Commissioner Story, First Vice-President Cluver and President Butner

Excused: **1** - Second Vice-President Colbruno

2.1 Resolution: Authorization Approving Consent to Assignment of Contract and Rights from Golden Gate Petroleum to Diesel Direct West Incorporated. **(Engineering)**

File ID: [\[033-19\]](#)

This Resolution was approved.

2.2 Building Permit: for TSA for Modifications of CT Scanners, 1 Airport Drive, Terminal 1, OAK **(Engineering)**

File ID: [\[055-19\]](#)

This matter was approved.

2.3 REPORT: Executive Director Awards of Public Works and Professional Services Contracts for

the Period from October 2018 through December 2018. **(Engineering)**

File ID: [\[046-19\]](#)

This Report was received and filed.

3. MAJOR PROJECTS

- 3.1 **Resolution:** Approval of an Additional \$1,840,000 to the Project Budget for Costs Associated with the Raising of Cranes XC14, 15, 16 and 17 at the Oakland International Container Terminal, for a Total Budget of \$16,640,000. **(Maritime/Engineering)**

File ID: [\[057-19\]](#)

Maritime Director, John Driscoll, introduced Item 3.1.

Delphine Prevost, Maritime Manager, presented Item 3.1.

This Resolution was moved to subsequent meeting.

4. BUDGET & FINANCE

- 4.1 **Report:** Unaudited Financials for 6 months ended December 31, 2018 including Capital Expenditure Report. **(Finance & Admin)**

File ID: [\[015-19\]](#)

Chief Financial Officer, Sara Lee, introduced Item 4.1.

This Report was received and filed.

5. STRATEGY & POLICY

There were no Strategy & Policy Items to approve.

6. REMAINING ACTION ITEMS

- 6.1 **Resolution:** (1) Approve Construction Budget of \$4,335,000 for the Moving Walkway Removal and Restoration Project, for a Project Total Cost Not to Exceed \$5,035,000; (2) Authorize the Executive Director to Execute a Change Order with Turner Construction for Construction Manager at Risk (CM@R) Construction Services with a Guaranteed Maximum Price (GMP) Not to Exceed \$3,475,000. **(Aviation) / (Engineering)**

File ID: [\[052-19\]](#)

Aviation Director, Bryant Francis, introduced Item 6.1.

A motion was made by First Vice-President Cluver, seconded by Commissioner Leslie,

that the Resolution be approved. The motion carried by the following vote:

Ayes: 6 - Commissioner Lee, Commissioner Leslie, Commissioner Martinez,
Commissioner Story, First Vice-President Cluver and President Butner

Excused: 1 - Second Vice-President Colbruno

- 6.2 Resolution:** (1) Approve a Budget for Design and Pre-construction Services of \$560,000 and (2) Authorize the Executive Director to Execute a Change Order with Turner Construction Company for Construction Manager at Risk (CM@R) Pre-construction Services at a Cost Not to Exceed \$250,000 for Terminal 2 Baggage Claim Security Exit. **(Aviation/Engineering)**

File ID: [\[053-19\]](#)

Aviation Director, Bryant Francis, introduced Item 6.2.

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

Ayes: 6 - Commissioner Lee, Commissioner Leslie, Commissioner Martinez,
Commissioner Story, First Vice-President Cluver and President Butner

Excused: 1 - Second Vice-President Colbruno

- 6.3 Ordinance:** Enactment of the Ordinance Necessary to Ratify and Adjust the Salaries for Certain Port of Oakland Non-Represented Employees in Port Employee Representation Unit H. **(Finance & Admin)**

File ID: [\[056-19\]](#)

Human Resources Director, Michael Mitchell, introduced Item 6.3.

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

Ayes: 6 - Commissioner Lee, Commissioner Leslie, Commissioner Martinez,
Commissioner Story, First Vice-President Cluver and President Butner

Excused: 1 - Second Vice-President Colbruno

7. UPDATES/ANNOUNCEMENTS

Aviation Director, Bryant Francis, and Keonnis Taylor, Aviation Sr. Marketing Rep, announced the Oakland International Airport won the Marketing Award at the Routes Conference.

Social Responsibility Director, Amy Tharpe, introduced Jake Sloan who presented the Port of Oakland's 2019 Black History Month Presentation. The presentation featured Willie Long and the Mare Island Original 21ers.

8. SCHEDULING

There were no "Scheduling Items" on the Agenda.

OPEN FORUM

The following members of the Public addressed the Board in Open Forum:

Dave Kaval, Taj Tashombe, Kurt Libby, Dennis Defeeitas, Art Shanks, Carl Chan, Kenny Au-Yeung, Rick da Silva, Veronica Rivera, Paul Cobb, JJ Jenkins, Dylín Redling, James Spencer, Richard Kennedy, Michael DiSanto, Andrew Reed, Alex Karwoski, Keith Britton, and Jason Wu addressed the Board.

ADJOURNMENT

President Butner adjourned the Board into a Second Closed Session at 5:36 p.m. to hear the following Items:

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

2nd Vice-President Colbruno joined the Second Closed Session by telephone from Pueblo Bonito Los Cabos Blanco, 23410 Cabo San Lucas, Mexico at the hour of 5:47 p.m.

There being no additional business, the Meeting was adjourned in Honor of Fred Pecker at the hour of 6:45 p.m.

Approved: April 25, 2019

Daria Edgerly
Secretary of the Board