



## MINUTES

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Thursday, September 12, 2019

Board Room – 2nd Floor

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### ROLL CALL

President Butner called the Regular Meeting of September 12, 2019 to order at the hour of 1:04 p.m. and the following Commissioners were in attendance:

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

### 1. CLOSED SESSION

President Butner convened the Board in Closed Session at 1:06 p.m. to hear the following Items:

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

**Property:** (1) Occupied Hangars 3 West & 4 and adjacent aircraft apron and vehicle parking, and (2) vacant/underutilized property identified as Hangars 2, 230C & 230D and adjacent aircraft apron and vehicle parking, all located on the North Field of Oakland International Airport.

**Negotiating Parties:** KaiserAir, Inc. and Port of Oakland

**Agency Negotiator:** Bryant L. Francis - Director of Aviation, Tatiana Starostina - Assistant Director of Aviation and Brandon J. Mark - Aviation Properties Manager

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

**Property:** 1 Market Street, Oakland, CA (Howard Terminal)

**Negotiating Parties:** The Oakland Athletics and Port of Oakland

**Agency Negotiator:** Pamela Kershaw, Director of Commercial Real Estate

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

**File ID:** [269-19]

#### 1.2 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 Matter 3**

**File ID:** [267-19]

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

Lakita Spencer v. Port of Oakland, et al.; Alameda County Superior Court Case No. RG18907125

**File ID:** [268-19]

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

**Title:** Executive Director , Port Attorney

**File ID:** [270-19]

**OPEN SESSION/ROLL CALL**

President Butner called the Regular Meeting of September 12, 2019 to order at the hour of 4:32 p.m. and the following Commissioners were in attendance:

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

**CLOSED SESSION REPORT**

Acting Port Attorney, Michele Heffes, reported that the Board had taken the following action in Closed Session:

**A motion made by Commissioner Colbruno, seconded by 2nd Vice-President Leslie, to approve Resolution 19-90. The motion carried by the following vote:**

**7 Ayes:** Commissioners Michael Colbruno, Commissioner Yui Hay Lee, Commissioner Arabella Martinez, Commissioner Joan Story, 2nd Vice-President Barbara Leslie, 1st Vice-President Andreas Cluver and President Ces Butner

**Resolution 19-90,** Resolution Approving And Authorizing Execution Of A Settlement Agreement And Release Of Claims In The Alameda County Superior Court Matter Lakita Spencer v. Port Of Oakland, ET AL., Case No. RG18907125, In The Amount Of \$51,263.38.

**2. CONSENT ITEMS**

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

**A motion was made by Commissioner Colbruno, seconded by Commissioner Martinez,**

**to approve the Consent Agenda. The motion carried by the following vote:**

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

- 2.1 Ordinance 4531:** Approval of an Airline Operating Agreement with Redding Aero Enterprises, Inc. to Provide Air Cargo Feeder Service for United Parcel Service, Inc., with Anticipated Annual Landing Fee Revenues of \$21,000, Operating at Oakland International Airport. **(Aviation)**

**File ID:** [\[248-19\]](#)

**This Ordinance was approved.**

- 2.2 Ordinance 4532:** Approval of a Space/Use Permit with Two Airline Services Providers - Prospect International Airport Services Corporation and Standard Aero Serv, LLC - Operating at Oakland International Airport. **(Aviation)**

**File ID:** [\[249-19\]](#)

**This Ordinance was approved.**

- 2.3 Ordinance 4533:** Approve and Authorize the Executive Director to Enter into the First Amendment to a No-Cost Temporary License Agreement with HDR Engineering, Inc., for Certain Port Lands Located Adjacent to 7th Street and Within the Right-of-Way of 7th Street Near the Intersection of 7th Street and Maritime Street, Which Would Extend the Term Through March 31, 2020, for Various Activities in Support of the 7th Street Grade Separation East Project (GoPort Program). **(Maritime/Engineering)**

**File ID:** [\[262-19\]](#)

**This Ordinance was approved.**

- 2.4 Ordinance 4530,** 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute A Lease With Shippers Transport Express, Inc. For Approximately 32 Acres Of The Seaport Logistics Complex For A Term Extending Through June 30, 2032 For An Annual Rent Ranging From Approximately \$3.4 Million To \$4.8 Million, Authorizing Payment Of Up To \$300,000 For Dust Control Reimbursement, And Authorizing Approximately \$7 Million In Capital Budget For Pavement Improvements.

**File ID:** [\[265-19\]](#)

**This Ordinance was approved.**

- 2.5 Minutes:** Approval of the Minutes of the Regular Meetings of June 13, 2019, June 27, 2019, July 11, 2019 and the Special Meeting of July 2, 2019. **(Board)**

**File ID:** [\[263-19\]](#)

**The Minutes were approved.**

## UPDATES/ANNOUNCEMENTS

Aviation Director, Bryant Francis, introduced BART Director, Robert Raburn.

Robert Raburn, BART Director, presented the Board with a Resolution from the Board of Directors of the San Francisco Bay Area Rapid Transit District commending the Port of Oakland for partnering with the District to encourage ridership on BART for trips to and from Oakland International Airport.

### 3. MAJOR PROJECTS

#### 3.1 **Report:** Major Project Update of the Airport Perimeter Dike (APD) Project. **(Aviation)**

**File ID:** [\[254-19\]](#)

Aviation Director, Bryant Francis, introduced Item 3.1.

Joan Zatopek, Aviation Planning and Development Manager, presented Item 3.1.

**This Report was received and filed.**

#### 3.2 **Resolution 19-91:** For the Airport Perimeter Dike Improvements (Phase 1B) Project: Approve a Project Budget of \$26,521,825, Authorize the Director of Engineering to Approve Plans and Project Manual, Authorize the Executive Director to Enter into a Contract with O.C. Jones & Sons, Inc. for an Amount of \$13,472,607, Authorize the Executive Director to Execute Contract Change Orders to the Extent Necessary in an Amount Not-to-Exceed \$1,348,000, Authorize the Executive Director to Execute a Seventh Supplemental Agreement with URS Corporation/AECOM for an additional \$55,000 for Engineering Design and Construction Support Services, and Authorize the Executive Director to Enter into a Professional Services Agreement with Vali Cooper & Associates, Inc. for Construction Management Services for a cost not to exceed \$2,100,000. **(Engineering/Aviation)**

**File ID:** [\[246-19\]](#)

Aviation Director, Bryant Francis, introduced Item 3.2.

Joan Zatopek, Aviation Planning and Development Manager, and Kristi McKenney, Assistant Director of Aviation addressed the Boards' questions.

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

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

#### 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 19-92:** Authorize \$210,000 in Capital Budget to Implement a Digital Display Content Management System (CMS) at the Oakland International Airport and Approve and Authorize the Executive Director to Execute Agreements with Infax, Inc. to License and Implement the CMS at a Cost Not to Exceed \$210,000 and Provide 5 Years of 3rd Level Support for the CMS at a Cost Not to Exceed \$190,000 **(Aviation)**

**File ID:** [\[237-19\]](#)

Aviation Director, Bryant Francis, introduced Item 6.1.

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

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

- 6.2 Resolution 19-93:** Update on the Emergency Repair of Taxiway B near the Intersection of Taxilane S, and Taxiway C near the Intersection of Taxiway B; Ratification and Approval of the Declaration of Emergency from the Executive Director; Request to Approve a Budget of \$2,220,000 for Emergency Repair of Taxiway B and a Budget of \$666,000 for Design of the Repair of Taxiway C; Authorization for the Executive Director to Enter Into a Supplemental Agreement Amount Not to Exceed \$757,000 with Orion Engineers and Associates for Design of the Emergency Repairs of Taxiway B and Taxiway C, Oakland International Airport and Authorization to Utilize One of the On-Call Paving and Grading Contractors to Perform the Repairs. **(Engineering/Aviation)**

**File ID:** [\[252-19\]](#)

Aviation Director, Bryant Francis, introduced Item 6.2.

Kristi McKenney, Assistant Director of Aviation, and Acting Director of Engineering, Rob Andrews, presented Item 6.2.

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

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

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

**7. UPDATES/ANNOUNCEMENTS**

Chief Financial Officer, Sara Lee, announced the Port hired new Financial Planning Manager, Chia-Jung Yang.

Chia-Jung Yang, Financial Planning Manager, introduced himself to the Board.

Social Responsibility Director, Amy Tharpe, announced the Coastal Cleanup and the Float Lab ribbon cutting on September 21, 2019 at Middle Harbor Shoreline Park.

Communications Director, Mike Zampa, presented a video announcing the Eat Real Festival in Jack London Square the weekend of September 20, 2019.

**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 5:34 p.m.

Approved: October 10, 2019

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Daria Edgerly  
Secretary of the Board