



## MINUTES

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Thursday, February 27, 2020

Board Room – 2nd Floor

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### ROLL CALL

President Butner called the Regular Meeting of February 27, 2020 to order at the hour of 1:07 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 1:09 p.m. p.m. to hear the following Items:

- 1.1 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(s): 2 (additional information provided on the Closed Session Agenda Report Item 1.1, "Potential Litigation Under California Government Code Section 54956.9 [Two (2) Matters]," attached hereto)**

**File ID:** [\[117-20\]](#)

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

**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 Payment

**File ID:** [\[108-20\]](#)

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

**Title:** Port Attorney, Chief Audit Officer, Secretary of the Board

File ID: [\[109-20\]](#)

## OPEN SESSION/ROLL CALL

President Butner called the Regular Meeting of February 27, 2020 to order in Open Session at the hour of 3:41 p.m.

**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

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

Commissioner Colbruno recognized Diane Heinze, Port Environmental Supervisor, for her 25 Years of Service with the Port and wished her luck on her retirement and the next chapter of her life.

## 2. CONSENT ITEMS

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

**A motion was made by Commissioner Story, seconded by Commissioner Colbruno, 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 Building Permit: for SSP America for Tenant Improvements, Peets at T1, 1 Airport Drive, OAK

File ID: [\[105-20\]](#)

**This Resolution was approved.**

### 2.2 Building Permit: for SSP America for Tenant Improvements, Oakland Draft House, 1 Airport Drive, OAK

File ID: [\[106-20\]](#)

**This Resolution was approved.**

### 2.3 Building Permit: for BNSF for Stormwater Improvements, 333 Maritime Street, Maritime

File ID: [\[087-20\]](#)

**This Resolution was approved.**

- 2.4 Building Permit:** for High Flying Foods for Tenant Improvements, Oaklandish, 1 Airport Drive, OAK

**File ID:** [\[085-20\]](#)

**This Resolution was approved.**

- 2.5 Building Permit:** for High Flying Foods for Tenant Improvements, Farley's, 1 Airport Drive, OAK

**File ID:** [\[103-20\]](#)

**This Resolution was approved.**

- 2.6 Building Permit:** for Soaring Food Group, LLC for Tenant Improvements, Luka's Tap Room, 1 Airport Drive, OAK

**File ID:** [\[104-20\]](#)

**This Resolution was approved.**

- 2.7 Ordinance 4552,** 2nd Reading Of An Ordinance Approving Amendments To And The Restatement Of The By-Laws And Administrative Rules Of The Board Of Port Commissioners And Repealing All Prior Versions Thereof.

**File ID:** [\[110-20\]](#)

**This Ordinance was approved.**

- 2.8 Ordinance 4553,** 2nd Reading Of An Ordinance Amending Port Of Oakland Ordinance No. 867 Ratifying And Setting The Annual Salary For The Assistant Port Attorney Job Classification Belonging To Port Employee Representation Unit H.

**File ID:** [\[111-20\]](#)

**This Ordinance was approved.**

- 2.9 Ordinance 4554,** 2nd Reading Of An Ordinance Amending Port Of Oakland Ordinance No. 867 Ratifying And Setting The Compensation For Certain Non-Represented Employees Of The Port Department Belonging To Port Employee Representation Unit H.

**File ID:** [\[112-20\]](#)

**This Ordinance was approved.**

### **3. MAJOR PROJECTS**

There were no "Major Projects" on the Agenda.

#### 4. BUDGET & FINANCE

- 4.1 **Report:** Unaudited Financials for 6 months ended December 31, 2019 including Capital Expenditure Report. **(Finance & Admin)**

File ID: [\[038-20\]](#)

Chief Financial Officer, Sara Lee, introduced Item 4.1.

Jon Cimperman, Airport Operations Landside Manager, Aviation Director, Bryant Francis, Maritime Director, John Driscoll, and Commercial Real Estate Director, Pam Kershaw, addressed the Board on 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:** Authorize the Executive Director to enter into a Professional Services Agreement with ~~HNTB Engineers, Inc.~~ [HNTB Corporation](#) in an amount not to exceed \$1,270,000, to support the Airport Geometry Study and Airport Layout Plan (ALP) Update, and Authorize the Aviation Director to Apply for and the Executive Director to Accept FFY 2020 AIP funding from the Federal Aviation Administration (FAA) for the following projects: Airport Geometry Study and Airport Layout Plan Update, Airport Pavement Management Plan, Taxiway Bravo Rehabilitation, and Taxiway Victor Rehabilitation. **(Aviation)**

File ID: [\[100-20\]](#)

Aviation Director, Bryant Francis, introduced Item 6.1.

Joan Zatopek, Aviation Planning and Development Manager, presented Item 6.1.

**A motion was made by Commissioner Colbruno, seconded by Second Vice-President Leslie, 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:** For the Installation of CenterPoint 12kV Utility Service Connection at Seaport Logistics Center Project - Authorize a Project Budget in an Amount Not-To-Exceed \$845,000; Authorize the Executive Director to Enter into a Contract with Cal Electro Inc. in an Amount Not-To-Exceed \$455,000 for the Construction of the Project; and Authorize the Executive Director to Execute Change Orders to the Extent Necessary in an Amount Not-To-Exceed \$100,000. **(Engineering/Maritime)**

File ID: [\[080-20\]](#)

Maritime Director, John Driscoll, introduced Item 6.2.

**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

## **7. UPDATES/ANNOUNCEMENTS**

This year's Black History Month celebration honored the life of Arthur Shanks, Executive Director of the Cypress Mandella Training Center. Eric Shanks, Bernida Reagan, Mike Hester, and Crystal Fletcher all shared remarks on Mr. Shanks. First-Vice President Cluver thanked staff for their presentation and reminisced on his personal relationship with Art Shanks and the legacy he leaves behind.

## **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 in memory of Art Shanks at the hour of 4:40 p.m.

Approved: March 26, 2020

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Daria Edgerly  
Secretary of the Board