



MINUTES

Thursday, September 24, 2020

Board Room – 2nd Floor

ROLL CALL

President Cluver called the Regular Meeting of September 24, 2020 to order at the hour of 1:03 p.m. and the following Commissioners participated remotely:

Commissioner Butner joined the meeting at 1:34 p.m.

Commissioner Butner left the meeting at the hour of 3:00 p.m.

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

1. CLOSED SESSION

President Cluver convened the Board in Closed Session at 1:05 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, "Potential Litigation Under California Government Code Section 54956.9 [one (1) Matter],"** attached hereto)

File ID: [\[279-20\]](#)

- 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

Property: Various Properties Located in the Vicinity of Broadway at Water Street, Oakland, CA (commonly referred to as Jack London Square)

Negotiating Parties: Jack London Square (Oakland) Operator, LLC and Port of Oakland

Agency Negotiator: Pamela Kershaw, Director of Commercial Real Estate
Under Negotiation: Price and Terms of Payment

File ID: [\[280-20\]](#)

1.3 CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to California Government Code Section 54957.6):

Employee Organizations: International Federation of Professional and Technical Engineers, Local 21; Service Employees International Union, Local 1021; Western Council of Engineers; International Brotherhood of Electrical Workers, Local 1245 And Unrepresented Employees: Port Employee Units H/M

File ID: [\[281-20\]](#)

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

Title: Port Attorney

File ID: [\[283-20\]](#)

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

Title: Chief Audit Officer

File ID: [\[282-20\]](#)

OPEN SESSION/ROLL CALL

President Cluver called the Regular Meeting of September 24, 2020 to order at the hour of 3:42 p.m. and the following Commissioners participated remotely:

Commissioner Butner joined the meeting at 3:55 p.m.

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

CLOSED SESSION REPORT

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

2. CONSENT ITEMS

There were no Consent Items to approve.

3. MAJOR PROJECTS

There were no "Major Projects" on the Agenda.

4. BUDGET & FINANCE

4.1 **Report:** Fiscal Year 2020 Financial Highlights. **(Finance & Admin)**

File ID: [\[053-20\]](#)

Acting Chief Financial Officer, Julie Lam, introduced Item 4.1.

Executive Director, Danny Wan, addressed the Board on Item 4.1.

Government Affairs Director, Matt Davis and Aviation Director, Bryant Francis, addressed the Board's questions 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 **Ordinance:** Approve Other Transaction Agreement HSTS01-15-H-CKP050 Modification Number P00006 with the United States of America, Acting Through the Transportation Security Administration, Eliminating Monthly Payment of \$9,678.90 to the Port of Oakland for Janitorial Services in the Transportation Security Administration Security Checkpoints at Oakland International Airport. **(Aviation)**

File ID: [\[273-20\]](#)

Aviation Director, Bryant Francis, introduced Item 6.1.

Brandon Mark, Aviation Properties Manager, presented Item 6.1.

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

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

6.2 **Resolution:** Authorization to Enter into a Professional Services Agreement with WSP, Inc. to provide planning and design services for the replacement of Substations SS-1 and SS-2 and the rehabilitation of portions of the power distribution network infrastructure at the Oakland International Airport for a contract amount not to exceed \$1,160,000. **(Engineering/Aviation)**

File ID: [\[027-20\]](#)

Aviation Director, Bryant Francis, introduced Item 6.2.

Commissioner Arabella Martinez recused herself from Item 6.2 due to potential financial interest and was not in the meeting and took no part in the discussion or deliberation of the item.

Joan Zatopek, Aviation Planning and Development Manager, presented 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: 6 - Commissioner Butner, Commissioner Colbruno, Commissioner Story, Second Vice-President Lee, First Vice-President Leslie and President Cluver

Recused: 1 - Commissioner Martinez

- 6.3 Resolution:** Authorize the Executive Director to Enter into a Contract with Valentine Corporation in the Amount of \$1,529,369 for the Lift Stations AP12E and AP15E Rehabilitation Project; Authorize the Executive Director to Execute Contract Change Orders to the Extent Necessary in an Amount Not-to-Exceed \$306,000; and Authorize the Executive Director to Execute a Supplemental Agreement with Schaaf & Wheeler to Extend the Contract Term for Design Support Services During Construction. **(Engineering/Aviation)**

File ID: [\[262-20\]](#)

Aviation Director, Bryant Francis, introduced Item 6.3.

Joan Zatopek, Aviation Planning and Development Manager, presented Item 6.3.

Chief Operating Officer, Kristi McKenney, addressed the Board's question on Item 6.3.

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

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

- 6.4 Resolution:** Authorize the Executive Director to Enter into a Professional Services Agreement with RS&H California, Inc. to Provide Environmental Planning Services for New Terminal Development at Oakland International Airport in the Amount not to Exceed \$4,603,083 **(Chief Operating Officer/Aviation)**

File ID: [\[274-20\]](#)

Aviation Director, Bryant Francis, introduced Item 6.4.

Colleen Liang, Port Environmental Supervisor, addressed the Board's questions on Item 6.4.

Social Responsibility Director, Amy Tharpe and Chief Operating Officer, Kristi McKenney, addressed the Board on Item 6.4.

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

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

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

- 6.5 Resolution:** Approve and Authorize the Executive Director to Enter into a Supplemental Agreement with Ciniva LLC for Website Hosting and Maintenance for One Year with Two 1-Year Extension Options in an Amount Not to Exceed \$280,500. **(Information Technology)**

File ID: [\[263-20\]](#)

Director of Information Technology, Kyle Mobley, introduced Item 6.5.

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 Butner, Commissioner Colbruno, Commissioner Martinez, Commissioner Story, Second Vice-President Lee, First Vice-President Leslie and President Cluver

7. UPDATES/ANNOUNCEMENTS

Social Responsibility Director, Amy Tharpe, announced the City/Port Oakland Army Base (OAB) Public Engagement Meeting and asked that Commissioners attend the virtual meeting.

President Cluver announced the 54th Annual Parade of Flags United Nations Virtual Flag Raising and encouraged fellow Commissioners and Port staff to attend the virtual event.

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 4:55 p.m.

Approved: November 19, 2020

Daria Edgerly
Secretary of the Board