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Thursday, March 24, 2016

Board Room – 2nd Floor

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***The Public Portion Of The Meeting Will Begin At 3:00 p.m.***

**ROLL CALL**

*Commissioner Butner, Commissioner Cluver, Commissioner Martinez, Commissioner Story, 2nd Vice-President Colbruno, 1st Vice President Yee and President Hamlin.*

**1. CLOSED SESSION (1:00 p.m.)**

*Closed Session discussions and materials may not be disclosed to a person not entitled to receive it, unless the Board authorizes disclosure of that confidential information.*

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

*Outer Harbor Terminal, LLC: U.S. Bankruptcy Court, District of Delaware; Bankruptcy Petition No.: 16-10283-LSS*

*Milrene Raspberry v. Port of Oakland; WCAB No. ADJ7521359*

*Chi Ping Wang v. Port of Oakland; WCAB No. ADJ10017150*

**File ID:** [61-16]

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

**Property:** Berths 25-26 (Port of Oakland)

**Negotiating Parties:** TraPac, LLC; Outer Harbor Terminal, LLC (formerly known as Ports America Outer Harbor Terminal, LLC); HHH Oakland, Inc.; Terminal Investment Limited SA; and Port of Oakland

**Agency Negotiator:** John Driscoll, Director of Maritime

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

**Property:** Oakland Army Base Redevelopment Project

**Negotiating Parties:** Port of Oakland, Union Pacific Railroad

**Agency Negotiator:** John Driscoll, Director of Maritime

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

**File ID:** [62-16]

**OPEN SESSION/ROLL CALL**

*Commissioner Butner, Commissioner Cluver, Commissioner Martinez, Commissioner Story, 2nd Vice-President Colbruno, 1st Vice President Yee and President Hamlin.*

**CLOSED SESSION REPORT**

*The Port Attorney or Board Secretary will report on any final actions taken in Closed Session.*

**2. CONSENT ITEMS**

*Action by the Board under "Consent Items" means that all matters listed below have been summarized and will be adopted by one motion and appropriate vote. Consent Items may be removed for further discussion by the Board at the request of any member of the Board.*

- 2.1 Resolution:** Authorizing Executive Director to Enter into Purchasing Agreements to Procure Fuel and Diesel (**Engineering**)

**File ID:** [\[16-16\]](#)

**Attachments:** [Agenda Report](#)  
[Exhibit A](#)

- 2.2 Ordinance:** Approval of Three Temporary Right of Entry and Construction Access Agreements for Installation of Waterfront Trail Improvements on Three Port Owned Properties Located Along the Oakland Estuary (**CRE**)

**File ID:** [\[57-16\]](#)

**Attachments:** [Agenda Report](#)  
[Attachment](#)

- 2.3 ORDINANCE & RESOLUTION:** Enactment of an Ordinance to Effectuate A Change in the Land Use Designation for a 6.5 Acre Property Located at Swan Way and Doolittle Drive in the Airport Business Park and Adoption of a Resolution to File a Notice of Determination as the Responsible Agency under the California Environmental Quality Act: (**Engineering**)

**File ID:** [\[58-16\]](#)

**Attachments:** [Agenda Report](#)  
[Exhibit A](#)  
[Exhibit B](#)  
[Exhibit C](#)  
[Exhibit D](#)  
[Exhibit E](#)

- 2.4 Building Permit:** Approval of Building Permit for Piedmont Hawthorne Aviation to Replace Existing Signs with "Signature Flight Support" Signs at Hangars 5 and 6 and the Executive Terminal, 8433 Earhart Road, North Field, Aviation (**Engineering**)

**File ID:** [\[59-16\]](#)

**Attachments:** [Building Permit](#)

- 2.5 Building Permit:** Approval of Building Permit for SSA Terminals to Repair Existing AC Pavement at the Roundhouse Property, 1407 Middle Harbor Road, Maritime (**Engineering**)

**File ID:** [\[60-16\]](#)

**Attachments:** [Building Permit](#)

- 2.6 Ordinance 4365,** 2nd Reading Of An Ordinance Amending Section 2.06 Of Port Ordinance No. 867 Ratifying And Setting The Compensation Of Certain Employees Of The Port Department Belonging To International Brotherhood Of Electrical Workers, Local 1245 And Amending Section 1.191 Providing Professional Development Benefits For Certain Officers And Employees.

**File ID:** [\[64-16\]](#)

**Attachments:** [Ordinance 4365](#)

- 2.7 Ordinance 4366,** 2nd Reading Of An Ordinance Amending Port Ordinance No. 867 Ratifying And Setting The Compensation For Certain Non-Represented Employees At The Port Of Oakland.

**File ID:** [\[65-16\]](#)

**Attachments:** [Ordinance 4366](#)

- 2.8 Ordinance 4367,** 2nd Reading Of An Ordinance Amending Port Ordinance No. 3044 (As Amended) To Provide Monthly Parking Benefits At The Washington Street Garage For All Non-Represented Employees.

**File ID:** [\[63-16\]](#)

**Attachments:** [Ordinance 4367](#)

- 2.9 Ordinance:** Approval to Extend for Five (5) Years the Space/Use Permit with the Alameda County Building and Construction Trades Council, AFL-CIO, for Access to Oakland International Airport. (**Aviation**)

**File ID:** [\[25-16\]](#)

**Attachments:** [Agenda Report](#)

### 3. MAJOR PROJECTS

*This segment of the meeting is reserved for action and discussions regarding the status of Major Projects and issues of special importance.*

#### 4. BUDGET & FINANCE

*This segment of the meeting is reserved for action or discussion regarding the status of Budget and Finance issues.*

- 4.1 **Report:** Unaudited Financials for 7 months ended January 31, 2016. **(Finance & Admin)**

**File ID:** [\[616-15\]](#)

**Attachments:** [Financial Report](#)

- 4.2 **Report:** FY 2017 Operating and Capital Budget Update #1. **(Finance & Admin)**

**File ID:** [\[617-15\]](#)

**Attachments:** [Report](#)

#### 5. STRATEGY & POLICY

*This segment of the meeting is reserved for action or discussion on Strategy and Policy Issues.*

#### 6. REMAINING ACTION ITEMS

*Remaining Action Items are items not previously addressed in this Agenda that may require staff presentation and/or discussion and information prior to action by the Board.*

- 6.1 **Resolution:** Authorization to Enter into a Supplemental Agreement with 2Plus2 Partners to Maintain Existing Websites Until New Websites Are Launched. **(Finance & Admin)**

**File ID:** [\[23-16\]](#)

**Attachments:** [Agenda Report](#)

- 6.2 **Ordinance:** Approval of a Conduit Installation and Use Agreement with San Leandro Dark Fiber to Install and Operate Fiber-Optic Infrastructure Utilizing Port-Owned Conduits throughout the North Field of Oakland International Airport **(Aviation)**

**File ID:** [\[31-16\]](#)

**Attachments:** [Agenda Report](#)

- 6.3 **Resolution:** Budget Approval for Boiler Retrofits to Comply with NOx Emission Limits, Oakland International Airport, Terminal 2 **(Aviation)**

**File ID:** [\[48-16\]](#)

**Attachments:** [Agenda Report](#)

- 6.4 Resolution:** Port Consent to Conveyance of the Controlling Ownership Interests of Piedmont Hawthorne Aviation LLC, a Delaware limited liability company, d/b/a Landmark Aviation (a tenant at Oakland International Airport), to Signature Flight Support Acquisition Co, LLC, an affiliate of BBA Aviation PLC, a public company. **(Aviation)**

**File ID:** [\[52-16\]](#)

**Attachments:** [Agenda Report](#)

## 7. UPDATES/ANNOUNCEMENTS

*The President, Members of the Board and the Executive Director will report on noteworthy events occurring since the last Board Meeting.*

## 8. SCHEDULING

*This segment of the meeting is reserved for scheduling items for future Agendas and/or scheduling Special Meetings*

## OPEN FORUM

*The Board will receive public comment on non-agenda items during this time. Please fill out a speaker card and present it to the Secretary of the Board.*

## ADJOURNMENT

*The next Regular Meeting of the Board will be held on April 14, 2016*

## PUBLIC PARTICIPATION

### To Speak on an Agenda Item

You may speak on any item appearing on the Agenda. Please fill out a Speaker's Card and give it to the Board Secretary **before the start of the meeting** or immediately after conclusion of Closed Session. Cards received after the start of the meeting will be treated as a single request to speak in Open Forum. All speakers will be allotted a minimum of one minute.

### To Receive Agendas & Related Materials

Should you have questions or concerns regarding this Agenda, or wish to review any of the Agenda Related Materials, please contact the Board Secretary, John Betterton, at: (510) 627-1696, or visit our web page at: [www.portoakland.com](http://www.portoakland.com)  
<<http://www.portoakland.com>>

To receive Port Agendas and Agenda Related Materials by email, please email your request to: [jbetterton@portoakland.com](mailto:jbetterton@portoakland.com)

### Disability Related Modifications

Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, may submit a written request, electronic request, or telephone request [via the California Relay Service (telephone) for the hearing impaired at (800) 735-2922], to the Secretary of the Board **no later than five working days** prior to the scheduled meeting date.

John Betterton, Secretary of the Board  
530 Water Street, Oakland, CA 94607  
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(510) 627-1696

### Language & Interpretive Services

As a grantee of federal aid grant funds from the US Department of Transportation, the Port is responsible for ensuring equal access to its programs, services, and benefits. To request bilingual interpreters or materials in alternate formats, please contact the Assistant Secretary of the Board no later than five working days prior to the scheduled meeting date.

Daria Edgerly, Assistant Secretary of the Board  
530 Water Street, Oakland, CA 94607  
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(510) 627-1337

### Scented Products

Please refrain from wearing scented products to this meeting so attendees who experience chemical sensitivities may attend

## **Commissioner's Statement of Intention**

We are a governing Board whose authority lies with the entirety of the Board.

We govern in accordance with our fiduciary duty to the Port of Oakland.

We conduct ourselves with clarity and transparency, grounded in the principles of integrity, trust and respect.

We reach our decisions through candid, open and deliberative debate and hold both staff and ourselves accountable for implementing them.