



Thursday, April 14, 2016

Board Room – 2nd Floor

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 REAL PROPERTY NEGOTIATOR - (Pursuant to California Government Code Section 54956.8)

Property: Metropolitan Golf Links, 10051 Doolittle Drive, Oakland, CA

Negotiating Parties: Oakland Golf, LLC (represented by Thomas B. Isaak of Courseco, Inc. and President of O.G.P., Inc., General Partner), Port of Oakland, City of Oakland

Agency Negotiator: Bryant L. Francis, Director of Aviation & Brandon J. Mark, Manager of Airport Properties (Port of Oakland)

Under Negotiation: Price and Terms of Tenancy

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: [85-16]

- 1.2 **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

File ID: [83-16]

- 1.3 **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** (Initiation of Litigation Pursuant to Paragraph (2) of Subdivision (d) of California Government Code Section 54956.9): **Number of Matter: 2**

File ID: [84-16]

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 **Building Permit:** Approval of Building Permit for TraPac, LLC to Install Fiber Optic Cables in the Ground at Berths 25-26, 2800 7th Street, Maritime (**Engineering**)

File ID: [\[80-16\]](#)

Attachments: [Building Permit](#)

- 2.2 **Ordinance 4368**, 2nd Reading Of An Ordinance Approving Three Temporary Right Of Entry And Construction Access Agreements With The City Of Oakland And The Affected Tenant For Installation Of Waterfront Trail Improvements On Three Port-Owned Properties Located Along The Oakland Estuary.

File ID: [\[94-16\]](#)

Attachments: [Ordinance 4368](#)

- 2.3 **Ordinance 4369**, 2nd Reading Of An Ordinance Amending Section 2.1 Of The Land Use And Development Code For The Airport Business Park As Adopted By Port Ordinance No. 4155 (As Amended).

File ID: [\[95-16\]](#)

Attachments: [Ordinance 4369](#)

- 2.4 Ordinance 4370**, 2nd Reading Of An Ordinance Approving Five Year Extension Of Space/Use Permit With Alameda County Building And Construction Trades Council, AFL-CIO At Oakland International Airport.

File ID: [\[96-16\]](#)

Attachments: [Ordinance 4370](#)

- 2.5 Ordinance 4371**, 2nd Reading Of Ordinance Approving A Conduit Installation And Use Agreement With San Leandro Dark Fiber, LLC To Install And Operate Fiber-Optic Infrastructure Utilizing Port-Owned Conduits Throughout The North Field Of The Oakland International Airport.

File ID: [\[97-16\]](#)

Attachments: [Ordinance 4371](#)

- 2.6 Minutes:** Approval of the Minutes of the Regular Meeting of March 10, 2016.

File ID: [\[92-16\]](#)

Attachments: [March 10, 2016](#)

- 2.7 Minutes:** Approval of the Minutes of the Regular Meeting of March 24, 2016.

File ID: [\[93-16\]](#)

Attachments: [March 24, 2016](#)

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.

5. STRATEGY & POLICY

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

- 5.1 Report:** Presentation from San Francisco Bar Pilots (**Maritime**)

File ID: [\[86-16\]](#)

Attachments: [Report](#)

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:** Approval of Plans, Project Manual, and Other Related Authorizations for the Maritime Security System Expansion to the Seaport Logistics Complex Project **(Maritime)**

File ID: [\[661-15\]](#)

Attachments: [Agenda Report](#)

- 6.2 Ordinance:** Authorize the Executive Director to Enter into a Lease Agreement with Sea-Logix, LLC for Warehouse, Office and Yard Space for a Period of up to Three Years with One Three-Year Option **(Maritime)**

File ID: [\[67-16\]](#)

Attachments: [Agenda Report](#)

[Sea-Logix Exhibit A](#)

- 6.3 Ordinance:** New Space Assignment Agreements with SSA Terminals (Oakland), LLC and Matson Navigation Company, Inc. for the Roundhouse Area and Howard Terminal, respectively; Reimbursement of up to \$600,000 for Site Improvements Performed by the Tenant; Permits for Certain Improvements Performed by the Tenant; Temporary Assignment of 12 acres of the Berths 60-63 Marine Terminal to SSA Terminals (Oakland), LLC; and, Adoption of the Final Initial Study/Negative Declaration for the Roundhouse Area Improvements Project. **(Maritime)**

File ID: [\[74-16\]](#)

Attachments: [Agenda Report](#)

[Exhibit A](#)

[Attachment 1](#)

- 6.4 Resolution:** Authorize the Executive Director to Approve Building Permits and Increase Contract Authority for On-Call Grading and Paving Contracts for Work Related to Operational Needs Associated with the Vacation of Outer Harbor Terminal, LLC. **(Engineering/Maritime)**

File ID: [\[81-16\]](#)

Attachments: [Agenda Report](#)

- 6.5 Resolution:** Delegating Authority to the Executive Director to enter into a Support Services Agreement and execute confirmations with the Northern California Power Agency for certain electric utility related support services to be determined by the Port on an as-needed basis **(Engineering)**

File ID: [\[73-16\]](#)

Attachments: [Agenda Report](#)

- 6.6** Approval of a First Amendment to a License & Concession Agreement with Transfer Case Express, Inc. for the Premises Located at 1285 Embarcadero Road **(CRE)**

File ID: [\[71-16\]](#)

Attachments: [Agenda Report](#)

[Exhibit A - Site Map](#)

- 6.7 Ordinance:** Approval of a Fourth Amendment to the Lease with Beverages & More, Inc. for a Sixty-Four (64) Month Extension of Term Plus Two Additional Options to Extend for the Premises Located at 525 Embarcadero West, Oakland. **(CRE)**

File ID: [\[75-16\]](#)

Attachments: [Agenda Report](#)

- 6.8 Ordinance:** Approval of an Amendment to *Temporary Rental Agreement* with HSS Inc. for a Maximum Term of Five Years for Office Space at Oakland International Airport. **(Aviation)**

File ID: [\[78-16\]](#)

Attachments: [Agenda Report](#)

- 6.9 Resolution:** Adoption of a Resolution Approving a *Third Amendment to Sublease and Operating Agreement* and a *Settlement Agreement* with Oakland Golf, LLC to Restructure the Existing *Sublease and Operating Agreement* for Metropolitan Golf Links Located Adjacent to Oakland International Airport and to Resolve Payment of Delinquent Rental. **(Aviation)**

File ID: [\[79-16\]](#)

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 28, 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>>

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