

J. CHRISTOPHER LYTLE
Executive Director

DANNY WAN
Port Attorney

ARNEL ATIENZA
Port Auditor

JOHN T. BETTERTON
Secretary of the Board

PORT OF OAKLAND
BOARD OF PORT COMMISSIONERS
530 Water Street • Oakland, California 94607
(510) 627-1696(w) • (510) 839-5104(f) • TDD/TTY 711

E-Mail: board@portoakland.com
Website: www.portoakland.com

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AGENDA

Regular Meeting of the Board of Port Commissioners

November 13, 2014 – 1:00 p.m.

Board Room – 2nd Floor

ROLL CALL

Commissioner **Colbruno**, Commissioner **Head**, Commissioner **Parker**, Commissioner **Uno**, 2nd Vice-President **Hamlin**, 1st Vice President **Butner** and President **Yee**.

1. CLOSED SESSION

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 – ANTICIPATED LITIGATION (Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of California Government Code Section 54956.9): **1 Matter**

1.2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS – (Pursuant to California Government Code Section 54956.8)

Property: One Market Street, Oakland, CA
Negotiating Parties: Oakland Waterfront Ballpark and Port of Oakland
Agency Negotiator: Pamela Kershaw, Director of Commercial Real Estate
Under Negotiation: Price and Terms of Tenancy

Property: Oak Street at Embarcadero, Oakland, CA
Negotiating Parties: Backyard Oakland LLC and Port of Oakland
Agency Negotiator: Pamela Kershaw, Director of Commercial Real Estate
Under Negotiation: Price and Terms of Tenancy

Property: Oakland Army Base
Negotiating Parties: Prologis, LP; CCIG Oakland Global, LLC; Oakland Global Rail Enterprises, LLC and Port of Oakland
Agency Negotiator: John Driscoll, Director of Maritime
Under Negotiation: Price and Terms of Tenancy

Property: Berths 25-26 (Port of Oakland)
Negotiating Parties: Ports America Outer Harbor Terminal, LLC and Port of Oakland
Agency Negotiator: John Driscoll, Director of Maritime
Under Negotiation: Price and Terms of Tenancy

Property: 555 Maritime Street, Oakland (*Approximately 38 acres of land currently occupied by Shippers Transport Express that is adjacent to the Port-owned rail terminal operated by Burlington Northern Santa Fe in the Port's Maritime area*).
Negotiating Parties: Lineage Logistics and Port of Oakland
Agency Negotiator: John Driscoll, Director of Maritime
Under Negotiation: Price and Terms of Tenancy

1.3 THREATE TO PUBLIC SERVICES OR FACILITIES – (Pursuant to California Government Code Section 54957)

Consultation with: Michael O'Brien
Port Facilities Security Officer

ROLL CALL/OPEN SESSION (Approximately 3:30 p.m.)

Commissioner **Colbruno**, Commissioner **Head**, Commissioner **Parker**, Commissioner **Uno**, 2nd Vice-President **Hamlin**, 1st Vice President **Butner** and President **Yee**.

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:** Authorization to Execute a Cooperative Policing Agreement with the San Francisco Bay Area Rapid Transit District (BART) and the Alameda County Sheriff's Office (ACSO) regarding the on-Airport portion of the BART Oakland Airport Extension (**Aviation**)

- 2.2 **Resolution:** Approval of a Letter Agreement with the San Francisco Bay Area Rapid Transit District (BART) to Extend AirBART Bus Shuttle Service **(Aviation)**
- 2.3 **Resolution:** Authorization to Execute a Letter of Agreement with the Transportation Security Administration (TSA) for Installation, Maintenance, and Operation of TSA Security Checkpoint Duress Alarms **(Aviation)**
- 2.4 **Resolution:** Building Permit Application: Landmark Aviation, Reconstruction of ramp pavement adjacent to Hangar 5, 8517 Earhart Road, Hangar 5 Apron **(Engineering)**
- 2.5 **Resolution:** Building Permit Application: Landmark Aviation, Installation of a new light pole, approximately 17 feet high, at the Gate 17 vehicle entrance near Hangar 9.,7683 Earhart Road, Gate 17 (at Hangar 9). **(Engineering)**
- 2.6 **Ordinance 4308:** 2nd Reading of An Ordinance Approving Amendment No. 1 To Space/Use Permit – Public Pay Telephone Concession With Jaroth, Inc. Doing Business As Pacific Telemanagement Services For Public Pay Telephone Concession Privileges At Oakland International Airport.
- 2.7 **Ordinance 4309:** 2nd Reading of An Ordinance Authorizing The Executive Director To Negotiate And Execute Amendments To The Current Existing Agreements And Other Related Documents With SSA Terminals, LLC And Its Affiliates For The Use And Occupancy Of The Berths 55-56 And Berths 57-59 Marine Terminals Related To Compensation, Term And Certain Equipment.
- 2.8 **Minutes:** Approval of the Minutes of the Regular Meetings of [September 11, 2014](#), [September 25, 2014](#), [October 9, 2014](#) and [October 23, 2014](#). **(Board Secretary)**

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.

- 3.1 **Report:** OAB Major Project Update **(Maritime)**
- 3.2 **Ordinance:** Amend and Extend Two Leases Between the City of Oakland and the Port for Parcels of Land at the Former Oakland Army Base through December 31, 2019 **(Maritime)**

4. BUDGET & FINANCE

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

- 4.1 **Resolution:** Authorization to Extend Macias Gini & O'Connell LLP Existing Contract for Professional Accounting and Auditing Services for One (1) Year

5. STRATEGY & POLICY

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

- 5.1 Resolution:** Adoption of the Airport Concession Disadvantaged Business Enterprise Overall Three-Year Goal and Methodology Report for Federal Fiscal Years 2015-2017 for Non-Car Rental Concessions, to the Federal Aviation Administration, United States Department of Transportation **(SRD)**

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:** Acceptance of FY14 Department of Homeland Security/Federal Emergency Management Agency Port Security Grant Program Funding and Authorization for the Executive Director to Implement the Approved Security Projects **(Maritime)**
- 6.2 Ordinance:** An Ordinance Adopting and Rules and Regulations to Meet the Requirements of the Municipal General Permit for the Prevention of Pollution in Urban Runoff **(Environmental)**
- 6.3 Resolution:** Budget Approval and Other Authorizations to Perform the Air Cargo AOA Security Fencing Project at the M 106/M 112 Buildings, South Field, OAK **(Aviation)**
- 6.4 Resolution:** Adoption of a Resolution to Approve Amendment No. 1 to the Space/Use Permit with Host International, Inc. to Remove Certain Premises from the Assigned Space, and to Incorporate the Provisions of the Tripartite Settlement Agreement, as Approved by Resolution No. 14-84 **(Aviation)**
- 6.5 Ordinance:** First Reading of an Ordinance Approving a Space/Use Permit for Non-exclusive Retail and Duty Free Concession Privileges with World Duty Free Group North America, and Delegation of Authority to the Executive Director to Approve Modifications to Midterm Refurbishment Requirement. **(Aviation)**
- 6.6 Resolution:** Adoption of a Resolution to Approve Amendments to the Space/Use Permits of Andale Management Group, Inc.; Gotham Foods Two LLC; Silver Dragon Café LLC; Taste, Inc.; and, Youth Employment Partnership, to Modify Certain Economic Terms, including Space Rental Rates and Premises for Concession Storage Space. **(Aviation)**
- 6.7 Resolution:** Authorization to Execute a Second Supplemental Agreement with ABC Security Services, Inc. to Extend Airport Contract Security Guard Services Agreement **(Aviation)**
- 6.8 Resolution:** Authorization to Establish for Fiscal Year 2014-15 Contract Purchase Agreements with Selected Suppliers that are Anticipated to Exceed \$50,000 in Aggregate Purchases, and Related Actions **(Finance & Admin)**

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

- 8.1 Resolution:** Resolution Adopting A Schedule For Regular Meetings Of The Board Of Port Commissioners For The Calendar Year 2015 **(Board)**

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 December 11, 2014.

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

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
dedgerly@portoakland.com
(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.