



Thursday, February 26, 2015

Board Room – 2nd Floor

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

ROLL CALL

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

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.

OPEN SESSION / ROLL CALL

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.

- 1.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** [121-15]
(Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of California Government Code Section 54956.9): **3 Matters**

1.2 **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** - (Pursuant to California Government Code Section 54956.8) [122-15]

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/Dreisbach Enterprises and Port of Oakland

AGENCY NEGOTIATOR: John Driscoll, Director of Maritime

UNDER NEGOTIATION: Price and Terms of Tenancy

1.3 **CONFERENCE WITH LABOR NEGOTIATORS** - (Pursuant to California Government Code Section 54957.6). [123-15]

EMPLOYEE ORGANIZATIONS: International Federation of Professional and Technical Engineers, Local 21 (IFPTE-Local 21); Services Employees International Union, Local 1021 (SEIU-Local 1021); Western Council of Engineers (WCE); and International Brotherhood of Electrical Workers, Local 1245 (IBEW-Local 1245)

A. The Public Hearing will begin at 3:00 p.m.

Public Hearing: Administrative Appeals on the Environmental Impact Report and Development Permit (#5016) for the Proposed Hotel at 195 Hegenberger Road (**Engineering**)

[104-15]

Attachments:

[Agenda Report](#)

[Exhibit 1-Restaurant Letter.101014..pdf](#)

[Exhibit 2-Marriott Waiver - SHS Oakland CA 12-10-2014.pdf](#)

[Exhibit 3-Decision Memo - 195 Hegenberger Road Hotel.pdf](#)

[Exhibit 4- UNITEHERE 195 Hegenberger appeal letter \(1\).pdf](#)

[Exhibit 5- Carpenters McMorgan- Application for Appeal of Permit Decision.pdf](#)

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 Ordinance No. 4321:** 2nd Reading of an Ordinance Establishing Conditions And Procedures For Bidding, Contracting And Purchasing, And Amending And Restating Ordinance 1606, As Amended And Adopting By Reference Chapter 2.12 Of The Oakland Municipal And Planning Code. [\[117-15\]](#)
Attachments: [Ordinance 4321](#)
- 2.2 Ordinance No. 4322:** 2nd Reading of an Ordinance Approving Extension Of The Main Building Lease And The Test Cell Lease With Rolls Royce Engine Services Oakland, Inc. ("RRESO") For A Term Of Five (5) Years At The Oakland International Airport, For A Monthly Rent Of \$88,000.00. [\[118-15\]](#)
Attachments: [Ordinance 4322](#)
- 2.3 Ordinance No. 4323:** 2nd Reading of an Ordinance Approving A Five-Year License And Concession Agreement With Michelle Vasey Dba "Mode Staging" For The Premises Located At 2400 Embarcadero Road, For A Monthly Rent Of \$8,171.25. [\[119-15\]](#)
Attachments: [Ordinance 4323](#)
- 2.4 Ordinance No. 4324:** 2nd Reading of an Ordinance Approving And Authorizing The Executive Director To Execute A Transfer Agreement With Pacific Gas And Electric Company ("PG&E") To Transfer Port Property Located At 205 Brush Street In Exchange For PG&E Property Located At 50 Market Street. [\[120-15\]](#)
Attachments: [Ordinance 4324](#)
- 2.5 Building Permit:** Approval of Building Permit for Host International for Tenant Improvements, 1 Airport Drive, Terminal 2 (**Engineering**) [\[047-15\]](#)
Attachments: [Building Permit](#)
- 2.6 Minutes:** Regular Meeting of January 15, 2015. [\[127-15\]](#)
Attachments: [Minutes \(Jan. 15th\)](#)
- 2.7 Minutes:** Regular Meeting of January 29, 2015. [\[128-15\]](#)
Attachments: [Minutes \(Jan. 29th\)](#)

- 2.8 **Report:** Shore Power Program Update: Shore Power Usage at Port Maritime Facilities for Calendar Year 2014 (**Maritime**) [\[109-15\]](#)

Attachments: [Shore Power 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 **Financial Report:** Comprehensive Annual Financial Report for Year Ended June 30, 2014 (**Finance and Administration Division**) [\[110-15\]](#)

Attachments: [Financial Report](#)
[Comprehensive Annual Financial Report](#)

- 4.2 **Financial Report:** Management Letter for Year Ended June 30, 2014 (**Finance and Administration Division**) [\[111-15\]](#)

Attachments: [Financial Report](#)
[Management Letter FY2014](#)

5. STRATEGY & POLICY

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

- 5.1 **Resolution:** Approval of the February 2015 Edition of the Port of Oakland Standard Contract Provisions for Public Works Contracts (**Engineering**) [\[105-15\]](#)

Attachments: [Agenda 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 **Ordinance:** to Approve Lease Supplements and Amendments with Piedmont Hawthorne Aviation, LLC d/b/a Landmark Aviation for Vacant Space at the North Field of Oakland International Airport (**Aviation**) [\[050-15\]](#)

Attachments: [Agenda Report](#)

- 6.2 **Resolution:** Authorization to Retain Wiley, Price & Radulovich LLP as the Port's Chief Negotiator for Labor Negotiations for Two Years for an Amount not to Exceed \$250,000 (**Finance & Administration Division**) [\[114-15\]](#)

Attachments: [Agenda Report](#)

- 6.3 **Resolution:** Change Order Limit Increase for the Security Fiber Optic Network Expansion And Redundancy Project (**Engineering**) [\[116-15\]](#)

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 March 12, 2015

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
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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
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.