



Thursday, July 23, 2015

Board Room – 2nd Floor

The Public Portion Of The Meeting Will Begin At 4:30 p.m.

ROLL CALL

Commissioner Butner, Commissioner Head, Commissioner Parker, 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 - 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: [405-15]

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

CMC Food Services LLC and NNF Grewal, Inc., v. Port of Oakland, et al.; Alameda County Superior Court Case No.: RG13685134

File ID: [406-15]

- 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 (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)

Unrepresented Employees: Unit H and M

File ID: [408-15]

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

Title: Port Attorney

File ID: [409-15]

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

Property: Oakland Army Base

Negotiating Parties: Prologis, LP; California Capital & Investment Group ("CCIG"), CenterPoint Properties, Oakland Global Rail Enterprises, City of Oakland and Port of Oakland

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: Price and Terms of Tenancy and Rail Operations

Property: Berths 25-26 (Port of Oakland)

Negotiating Parties: TraPac, LLC, Ports America Outer Harbor Terminal, LLC, SSA Terminals, and Port of Oakland

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: Price and Terms of Payment

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

Property: 1195 Middle Harbor Road, Oakland (Approximately 15 acres of land currently occupied by AMPCO Truck Parking adjacent to Matson Terminal).

Negotiating Parties: Central Valley Ag Grinding and Port of Oakland

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: Price and Terms of Tenancy

File ID: [407-15]

OPEN SESSION/ROLL CALL

Commissioner Butner, Commissioner Head, Commissioner Parker, 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 Fed Ex for Reconstruction and Rehabilitation of Pavement at their Air Cargo Facility, 1 Sally Ride Way (**Engineering**)
File ID: [\[384-15\]](#)
Attachments: [Building Permit](#)
- 2.2 Building Permit:** Approval of Building Permit for Crown Castle for Equipment Upgrades at their Existing Telecommunications Facility, 107 Burma Road (**Engineering**)
File ID: [\[385-15\]](#)
Attachments: [Building Permit](#)
- 2.3 Resolution:** Extension of the Eligible List for Port Electrician from August 26, 2015 through August 26, 2016. (**Finance and Admin.**)
File ID: [\[377-15\]](#)
Attachments: [Agenda Report](#)
- 2.4 Resolution:** Extension of the Eligible List for Equipment Systems Engineer from August 27, 2015 through August 27, 2016. (**Finance and Admin.**)
File ID: [\[378-15\]](#)
Attachments: [Agenda Report](#)
- 2.5 Resolution:** Extension of the Eligible List for Port Senior Accountant from August 7, 2015 through August 7, 2016. (**Finance and Admin.**)
File ID: [\[382-15\]](#)
Attachments: [Agenda Report](#)
- 2.6 Resolution:** Extension of the Eligible List for Port Staff Accountant I from August 21, 2015 through August 21, 2016. (**Finance and Admin.**)
File ID: [\[383-15\]](#)
Attachments: [Agenda Report](#)
- 2.7 Resolution:** Cancellation of Custodian Eligible List. (**Finance and Admin.**)
File ID: [\[376-15\]](#)
Attachments: [Agenda Report](#)

- 2.8 **Ordinance:** Approval of a Property Rental Agreement with 10 Clay Street, LLC for the Property Located on Clay Street between Water Street and Embarcadero West, Oakland, California. **(CRE)**

File ID: [\[393-15\]](#)

Attachments: [Agenda Report](#)

- 2.9 **Ordinance:** Approval of a Property Rental Agreement with Yoshi's Jazz Club & Japanese Restaurant for the Premises Located at 101 Washington Street, Oakland, California. **(CRE)**

File ID: [\[394-15\]](#)

Attachments: [Agenda Report](#)

- 2.10 **Ordinance 4342,** 2nd Reading Of An Ordinance Approving A Five-Year License And Concession Agreement With J.W.P Lenders For The Premises Located At 8407 Edgewater Drive, For A Monthly Rent Of \$7,000.00.

File ID: [\[404-15\]](#)

Attachments: [Ordinance 4342](#)

- 2.11 **Ordinance:** Consent to Assignment of Space Use Permit for Retail and Duty Free Concession with WDFG North America LLC to Dufry AG **(Aviation)**

File ID: [\[375-15\]](#)

Attachments: [Agenda Report](#)

- 2.12 **Minutes:** Approval of the Minutes of the Regular Meeting of June 25, 2015. **(Board Secretary)**

File ID: [\[411-15\]](#)

Attachments: [June 25, 2015 Minutes](#)

- 2.13 **Report:** Report of Appointments, Separations and Leaves of Absence for FY 2014-15, 4th Quarter (April 1, 2015 - June 30, 2015). **(Finance and Admin.)**

File ID: [\[148-15\]](#)

Attachments: [Information 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.

- 3.1 **Report:** Major Project Update for Oakland Army Base Redevelopment **(Maritime)**

File ID: [\[389-15\]](#)

Attachments: [Report](#)

- 3.2 **Resolution:** Authorization to Increase Change Order Authority for the Design Build of the OHIT Railyard Phase 1 Project **(Maritime)**

File ID: [\[359-15\]](#)

Attachments: [Agedna Report](#)
[Exhibit A - Map](#)

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 11 months ended May 31, 2015. **(Finance and Admin.)**

File ID: [\[147-15\]](#)

Attachments: [Information Report](#)

5. STRATEGY & POLICY

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

- 5.1 **Ordinance:** Port of Oakland Environmental Ordinance. **(Port Attorney)**

File ID: [\[403-15\]](#)

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 **Resolution:** Approval of Budget and Authorization for the Executive Director to Implement 8 New Automated Passport Control Kiosks and Provide 7 Years of 2nd Level Support and Software Updates at Oakland International Airport **(Aviation)**

File ID: [\[339-15\]](#)

Attachments: [Agenda Report](#)

- 6.2 Resolution:** Authorization for the Executive Director to Execute a Supplemental Agreement with Ultra Electronic Airport Systems (Ultra) to Provide 2nd Level Support for the Multi-User Flight Information Display System (MUFIDS) and Airport Operations Database (AODB) at Oakland International Airport **(Aviation)**

File ID: [\[355-15\]](#)

Attachments: [Agenda report](#)

- 6.3 Resolution:** Authorize The Executive Director To Enter Into Agreements With Lyft, Inc. And Sidecar Technologies To Permit Transportation Network Company Services At Oakland International Airport Under A Pilot Program Basis **(Aviation)**

File ID: [\[398-15\]](#)

Attachments: [Agenda Report](#)

- 6.4 Ordinance:** Authorization to Finalize and Execute a Lease for the Development and Operation of Temperature Controlled Transload Facility **(Maritime)**

File ID: [\[391-15\]](#)

Attachments: [Agenda Report](#)

[Additional Attachments](#)

- 6.5 Ordinance:** The Enactment Of The Ordinances Amending Port Ordinance No. 867 Setting The Compensation Levels And Professional Development Benefits For Certain Employees Of The Port Department Belonging To The Service Employees International Union, Local 1021 ("SEIU"). **(Finance and Admin.)**

File ID: [\[397-15\]](#)

Attachments: [Agenda Report Summary](#)

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 September 10, 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
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.