



Thursday, July 30, 2015

Board Room – 2nd Floor

***President Hamlin has called a Special Meeting of the Board for
Thursday, July 30, 2015 at 1:00 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): **1 Matter:**

File ID: [414-15]

- 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 Gary Rutland v. Port of Oakland, WCAB No.
ADJ9526763*

File ID: [415-15]

- 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: [417-15]

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

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

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

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: Price and Terms of Payment

File ID: [416-15]

OPEN SESSION/ROLL CALL (Approximately 3:00)

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 Ordinance: Enactment of an Ordinance to Amend Port Ordinance No. 867 to Reassign the Classification of Legal Secretary I from Salary Grade 5 to Salary Schedule 78.
(Finance and Administration)

File ID: [\[419-15\]](#)

Attachments: [Agenda Report](#)

- 2.2 Ordinance 4344:** 2nd Reading of an Ordinance Approving a Property Rental Agreement with Yoshi's Jazz Club & Japanese Restaurant for the Premises Located at 101 Washington Street, Oakland, California. **(CRE)**

File ID: [\[429-15\]](#)

Attachments: [Ordinance 4344.docx](#)

- 2.3 Ordinance 4345:** 2nd Reading of an Ordinance Approving a Port of Oakland Environmental Ordinance. **(Port Attorney)**

File ID: [\[422-15\]](#)

Attachments: [Ordinance 4345](#)

- 2.4 Ordinance 4346:** 2nd Reading of an Ordinance Amending Section 2.01 Of Port Ordinance No. 867 Ratifying And Setting The Compensation Of Certain Employees Of The Port Department Represented By Service Employees International Union, Local 1021 And Amending Section 1.191 Providing Professional Development Benefits For Certain Officers And Employees. **(Finance and Admin.)**

File ID: [\[423-15\]](#)

Attachments: [Ordinance 4346](#)

- 2.5 Minutes:** Approval of the Minutes of the Special Meeting of July 2, 2015 and the Regular Meeting of July 9, 2015. **(Board Secretary)**

File ID: [\[426-15\]](#)

Attachments: [July 9, 2015 Minutes](#)

[July 2, 2015 Special Meeting Minutes](#)

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:** Maritime Branding **(Maritime).**

File ID: [\[413-15\]](#)

Attachments: [Agenda Report](#)

- 5.2 Report:** Policy Enhancements to the Port of Oakland Non-Discrimination and Small and Local Business Utilization (**SRD**)

File ID: [\[424-15\]](#)

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

File ID: [\[425-15\]](#)

Attachments: [Agenda Report](#)

- 6.2 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: [Summary Sheet](#)

[Port Response to CLASS Comments](#)

[CLASS Letter re FedEx Pavement Project](#)

[Draft Resolution](#)

- 6.3 Resolution:** Delegation of Authority to the Executive Director to Perform the Duties within The Cap-And-Trade Program Through December 31, 2020 (**Engineering**)

File ID: [\[412-15\]](#)

Attachments: [Agenda Report](#)

- 6.4 Resolution:** Adoption of a Resolution Necessary to Set the Terms and Conditions of Employment and Certain Benefits for Port of Oakland Employees Represented by Service Employees International Union, Local 1021. (**Finance & Admin.**)

File ID: [\[418-15\]](#)

Attachments: [Agenda Report](#)

[Redlined Successor MOU](#)

- 6.5 Ordinance No. 4343:** 2nd Reading of an Ordinance Approving 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: [\[420-15\]](#)

Attachments: [Ordinance 4343](#)

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

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.