



PORT OF OAKLAND

SUPPLEMENTAL BOARD AGENDA

Thursday, September 24, 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 - 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: [475-15]

1.2 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: [478-15]

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 Matters: **4**

File ID: [476-15]

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

Property: 1441-1551 Embarcadero Road, Oakland

Negotiating Parties: Paresh Patel and Port of Oakland

Agency Negotiator: Pamela Kershaw, Director of Commercial Real Estate

Under Negotiation: Price and Terms of Tenancy

Property: Maritime Street, Oakland (Approx. 19 acres, former Oakland Army Base)

Negotiating Parties: CenterPoint Properties and Port of Oakland

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: Price and Terms of Tenancy for Phase IA OAB Redevelopment

Property: Oakland Army Base Redevelopment

Negotiating Parties: Oakland Global Rail Enterprises (OGRE), City of Oakland and Port of Oakland

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: Terms for Phase IA OAB Redevelopment and Rail Access 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: 333 Maritime Street, Oakland, CA

Negotiating Parties: BNSF Railway and Port of Oakland

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: Lease Renewal Negotiations

File ID: [477-15]

OPEN SESSION/ROLL CALL (approximately 4:30 p.m.)

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 Resolution:** Authorization to Enter into Grant Agreement with the US Environmental Protection Agency for Container Handling Equipment Upgrades, and Authorization to Execute a Sub-grantee Agreement with TraPac, LLC, to Utilize Grant Funds to Implement Container Handling Equipment Upgrades. **(Environmental)**

File ID: [\[449-15\]](#)

Attachments: [Agenda Report](#)
[Resolution Item 2.1](#)

- 2.2 Resolution:** Cancellation of Port Senior Equipment Mechanic Eligible List. **(Finance & Admin.)**

File ID: [\[469-15\]](#)

Attachments: [Agenda Report](#)
[Resolution Item 2.2](#)

- 2.3 Resolution:** Authorization to Execute an Assignment of Lease Agreement from RD San Francisco Assets, LLC to Radio Mirchi, Inc. **(CRE)**

File ID: [\[471-15\]](#)

Attachments: [Agenda Report](#)
[Resolution Item 2.3](#)

- 2.4 Ordinance 4348,** 2nd Reading Of An Ordinance Approving License And Concession Agreement With Chantal Wilson, Dba “French Artist Club, Inc.”, For Property Located At 8407 Edgewater Drive, Suite C, Oakland, California.

File ID: [\[473-15\]](#)

Attachments: [Ordinance 4348](#)

- 2.5 Ordinance 4349**, 2nd Reading Of An Ordinance Authorizing The Executive Director To Amend Space Assignment Agreements At The Former Oakland Army Base With (I) Bridgeport Transportation, (II) Impact Transportation, (III) MDI Forest Products, (IV) Pacific Coast Container, (V) Port Transfer Inc., And (VI) United Intermodal Service.

File ID: [\[474-15\]](#)

Attachments: [Ordinance 4349](#)

- 2.6 Minutes:** Regular Meeting of July 23, 2015.

File ID: [\[481-15\]](#)

Attachments: [Minutes.pdf](#)

- 2.7 Report:** Annual Change Order Report on Construction Contracts Completed during FY 14/15 (**Engineering**)

File ID: [\[444-15\]](#)

Attachments: [Report](#)

[Attachment A](#)

[Attachment B](#)

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 Report:** Fiscal Year 2015 Financial Highlights. (**Finance & Admin.**)

File ID: [\[150-15\]](#)

Attachments: [Report](#)

[Supplemental Fiscal Year 2015 Financial Highlights](#)

- 4.2 Resolution:** Approval to Reimburse the City of Oakland for General Services and Lake Merritt Trust Services Rendered in Fiscal Year 2014-15. (**Finance & Admin**)

File ID: [\[155-15\]](#)

Attachments: [Agenda Report](#)

[Resolution Item 4.2](#)

5. STRATEGY & POLICY

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

- 5.1 **PULLED:** Resolution: Authorization for the Executive Director to Approve the Revised Maritime and Aviation Project Labor Agreement (MAPLA) (SRD)

File ID: [\[482-15\]](#)

Attachments: [Agenda Report](#)
[Resolution Item 5.1](#)

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:** Adoption of the Resolutions Necessary to Set the Terms and Conditions of Employment and Certain Benefits for Port of Oakland Employees Represented by Western Council of Engineers. **(Finance and Admin.)**

File ID: [\[433-15\]](#)

Attachments: [Agenda Report](#)
[Supplemental Attachment](#)
[Resolution Item 6.1](#)

- 6.2 **Ordinance & Resolution:** Enactment of An Ordinance to Amend Port Ordinance No. 867 to Set the Salaries and Certain Benefits for Port of Oakland Employees Represented by the Western Council of Engineers and for Non-Represented Port Employees in Port Employee Representation Unit Mand Adoption of a Resolution to Approve Certain Benefits for Non-Represented Employees in Umit M. **(Finance and Admin.)**

File ID: [\[435-15\]](#)

Attachments: [Supplemental Agenda Report](#)
[Resolution Item 6.2](#)
[Ordinance Item 6.2](#)

- 6.3 **Ordinance:** Approval for the Execution of a Long-Term Lease for the Development and Operation of Temperature Controlled Transload Facility **(Maritime)**

File ID: [\[455-15\]](#)

Attachments: [Agenda Report](#)
[CEQA Attachments](#)
[Ordinance Item 6.3](#)

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 October 8, 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
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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.