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Thursday, November 12, 2015

Board Room – 2nd Floor

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***The Public Portion Of The Meeting Will Begin At 3:30 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:** [560-15]

- 1.2 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: 2

**File ID:** [561-15]

- 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:** [563-15]

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

**Title:** Executive Director

**File ID:** [564-15]

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

**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

**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 OAB Redevelopment

**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:** Terms for Phase IA OAB Redevelopment and

**File ID:** [562-15]

## **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 Ordinance 4354, 2nd Reading of Ordinance Establishing An Interim Cost Of Service Charge And Rules & Regulations For Customers Requiring New Or Expanded Electric Service.**

**File ID:** [\[556-15\]](#)

**Attachments:** [Ordinance 4354](#)

- 2.2 Ordinance 4355**, 2nd Reading of Ordinance Approving Airline Operating Agreements With Five Airlines: ABX Air, Inc.; Air Transport International, Inc.; Boutique Air, Inc.; Compass Airlines, LLC; And Surf Airlines, Inc., All Operating At Oakland International Airport.

**File ID:** [\[557-15\]](#)

**Attachments:** [Ordinance 4355](#)

- 2.3 Ordinance 4356**, 2nd Reading of Ordinance Approving And Authorizing The Executive Director To Enter Into An Exclusive Negotiating Agreement With Paresh Patel For Property Located At 1441 1551 Embarcadero.

**File ID:** [\[558-15\]](#)

**Attachments:** [Ordinance 4356](#)

- 2.4 Ordinance 4357**, 2nd Reading of Ordinance Authorizing The Executive Director To Enter Into (i) New Space Assignment Agreements At The Former Oakland Army Base With Capital Feed And Port Transfer, Inc., Respectively, And (ii) An Amendment To The Existing Space Assignment With PCC Logistics To Add 0.6 Acres To Its Space Assigned Premises.

**File ID:** [\[559-15\]](#)

**Attachments:** [Ordinance 4357](#)

### 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:** Oakland Army Base Development - Major Project Update (**Maritime**)

**File ID:** [\[535-15\]](#)

**Attachments:** [Report](#)

### 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:** Informational Report on the Maritime and Aviation Project Labor Agreement (MAPLA) Annual Progress Report Summary (July 1, 2014 - June 30, 2015) (**SRD**)

**File ID:** [\[546-15\]](#)

**Attachments:** [Report](#)

[MAPLA Annual 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:** Exclusive Negotiating Agreement with CenterPoint Properties for Development of the Former Oakland Army Base (**Maritime**)

**File ID:** [\[536-15\]](#)

**Attachments:** [Agenda Report](#)  
[Exhibit 1](#)

- 6.2 Ordinance:** Approval of a Lease with Backyard Oakland, LLC for Property Located at Oak Street and Embarcadero Road (**CRE**)

**File ID:** [\[545-15\]](#)

**Attachments:** [Agenda Report](#)  
[Exhibit A](#)

- 6.3 Resolution:** Approval of Additional Engineering Staff to Support Priority Projects for the Maritime Division (**Engineering**)

**File ID:** [\[549-15\]](#)

**Attachments:** [Agenda Report](#)

- 6.4 Resolution:** Authorize Project Budget to Raise Four Port-Owned Cranes and Upgrade the Crane Management System of Ten Port-Owned Cranes. (**Engineering**)

**File ID:** [\[553-15\]](#)

**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*

- 8.1 Resolution:** Revising The Regular Board Meeting Schedule For Calendar Year 2015. (**Board**)

**File ID:** [\[552-15\]](#)

**Attachments:** [2015 Board Calendar](#)

- 8.2 Resolution:** Adopting The Regular Board Meeting Schedule For Calendar Year 2016.  
**(Board)**

**File ID:** [\[539-15\]](#)

**Attachments:** [2016 Board Calendar](#)

## **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 3, 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)  
<<http://www.portoakland.com>>

To receive Port Agendas and Agenda Related Materials by email, please email your request to: [jbetterton@portoakland.com](mailto: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](mailto: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.