



PORT OF OAKLAND

SUPPLEMENTAL BOARD AGENDA

Thursday, October 8, 2015

Board Room – 2nd Floor

The Public Portion Of The Meeting Will Begin At 3:00 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 - 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: [503-15]

- 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: 3**

File ID: [504-15]

- 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: [506-15]

1.4 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, SSA Terminals, 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 Phase IA OAB Redevelopment and Rail Access Operations

File ID: [505-15]

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 Resolution: Amendment to Domestic and International Passenger Air Service Marketing Incentive Programs (**Aviation**)

File ID: [\[387-15\]](#)

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

- 2.2 Building Permit:** Approval of Building Permit for Everport Terminal Services Inc. (ETS) for Upgrades to the Site Technology Systems, 5190 7th Street, Ben Nutter Terminal, Maritime (**Engineering**)
File ID: [\[472-15\]](#)
Attachments: [Building Permit](#)
[Resolution Item 2.2](#)
- 2.3 Building Permit:** Approval of Building Permit for Chevron for Maintenance and Repair of Existing Ramp Paving at Hangar 10, 7799 Earhart Road, North Field, Aviation (**Engineering**)
File ID: [\[487-15\]](#)
Attachments: [Building Permit](#)
[Resolution Item 2.3](#)
- 2.4 Ordinance No 4350,** 2nd Reading Of An Ordinance Amending Port Ordinance No. 867 Ratifying And Setting The Compensation For Certain Employees Of The Port Department Represented By Western Council Of Engineers And For Certain Non-Represented Employees Of The Port Department Belonging To Port Employee Representation Unit M, And Amending Port Ordinance No. 867 Providing Professional Development Benefits For Certain Officers And Employees.
File ID: [\[499-15\]](#)
Attachments: [Ordinance 4350](#)
- 2.5 Ordinance No 4351,** 2nd Reading Of An Ordinance Authorizing And Approving A Lease With A Maximum Term Not To Exceed 66 Years With Cool Port Oakland, LLC For Approximately 23 Acres Within The Maritime Area.
File ID: [\[501-15\]](#)
Attachments: [Ordinance 4351](#)
- 2.6 Minutes:** Regular Meeting of September 24, 2015.
File ID: [\[502-15\]](#)
Attachments: [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 **PULLED:** ~~Report on the Non-Discrimination and Small Local Business Utilization Policy (SRD)~~

File ID: [\[480-15\]](#)

Attachments: [Report](#)
[Consultant's 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 **PULLED:** ~~Ordinance: Extension and transfer of Space Assignment Agreement from Industrial Railways Company to Capital Feed and Port Transfer Inc. on the former Oakland Army Base, including approximately \$1.4 million in site and building improvements (Maritime)~~

File ID: [\[491-15\]](#)

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

- 6.2 **Ordinance:** 7th Supplemental Agreement with BNSF Railway Company for the Joint Intermodal Terminal (**Maritime**).

File ID: [\[291-15\]](#)

Attachments: [Agenda Report](#)
[Exhibit 1](#)
[Ordinance Item 6.2](#)

- 6.3 Ordinance.** Adoption of an Ordinance Authorizing Execution of a *Space/Use Permit* with MAG US Lounge Management LLC for Construction, Maintenance and Operation of a Common Use Airport Lounge (**Aviation**)

File ID: [\[388-15\]](#)

Attachments: [Agenda Report](#)
[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 22, 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
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.