



PORT OF OAKLAND

SUPPLEMENTAL BOARD AGENDA

Thursday, October 22, 2015

Board Room – 2nd Floor

The Public Portion Of The Meeting Will Begin At 4:00 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 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

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

Negotiating Parties: CentrePoint Properties and Port of Oakland

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: Terms for Phase IA OAB Redevelopment

File ID: [29-15]

- 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

Edward Norfleet, Jr. v. Port of Oakland; WCAB Nos. ADJ 8918744, ADJ8172545, ADJ 8918733

File ID: [527-15]

- 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: 3

File ID: [528-15]

- 1.4 THREAT TO PUBLIC SERVICES OR FACILITIES** - (Pursuant to California Government Code Section 54957).

Consultation with: Michael O'Brien, Port Facilities Security Officer

File ID: [530-15]

- 1.5 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: [531-15]

- 1.6 Public Employee Performance Evaluation:** (Pursuant to California Government Code Section 54957)

Title: Executive Director

File ID: [533-15]

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:** Consent to Assignment of Airline Operating Agreement and its Annex "A" Space/Use Permit from US Airways, Inc. to American Airlines, Inc. Covering the Right to Operate and Occupy Space at Oakland International Airport **(Aviation)**

File ID: [\[497-15\]](#)

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

- 2.2 Resolution:** Authorize the Executive Director to Renew Certain Employee Health and Welfare Benefit Plan Contracts. **(Finance and Admin.)**

File ID: [\[507-15\]](#)

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

- 2.3 Resolution:** Cancellation of Port Staff Accountant I Eligible List. **(Finance & Admin.)**

File ID: [\[508-15\]](#)

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

- 2.4 Resolution:** Cancellation of the Airport Terminal Services Supervisor Eligible List. **(Finance & Admin.)**

File ID: [\[510-15\]](#)

Attachments: [Agenda Report](#)
[Resolution Item 2.4](#)

- 2.5 Building Permit:** Approval of Building Permit for HMS Host (Silver Dragon Cafe) Storage Room Addition at OAK Terminal 1, 1 Airport Drive, Aviation (**Engineering**)

File ID: [\[519-15\]](#)

Attachments: [Building Permit](#)
[Resolution Item 2.5](#)

- 2.6 Ordinance 4352:** 2nd Reading OF An Ordinance Approving And Authorizing The Executive Director To Execute The Seventh Supplemental Agreement With BNSF Railway Company To Continue To Operate At The Joint Intermodal Terminal Through December 31, 2019 With One Option To Extend For An Additional Five Years.

File ID: [\[522-15\]](#)

Attachments: [Ordinance 4352](#)

- 2.7 Ordinance 4353:** 2nd Reading OF An Ordinance Approving Space/Use Permit With MAG US Lounge Management LLC To Construct, Maintain And Operate A Common Use Airport Lounge At Oakland International Airport.

File ID: [\[523-15\]](#)

Attachments: [Ordinance 4353](#)

- 2.8 Minutes:** Special Meeting of September 28, 2015.

File ID: [\[509-15\]](#)

Attachments: [Minutes](#)

- 2.9 Report:** Report of Appointments, Separations and Leaves of Absence for FY 2015-16 1st Quarter (July 1, 2015 - September 30, 2015). (**Finance & Admin.**)

File ID: [\[157-15\]](#)

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.

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:** Information Report on the Port's Energy Risk Management & Procurement Program **(Engineering)**
File ID: [\[485-15\]](#)
Attachments: [Agenda Report](#)
[Port of Oakland Risk Management Procurement Program](#)
- 5.2 REPORT:** Information Report On The Port's Current And Future Renewable Energy Purchasing Plan And The Plan To Use A Portion Of The Port's Electric Utility Greenhouse Gas Auction Revenues To Mitigate Renewable Energy Related Rate Impacts On The Port's Retail Electric Ratepayers. **(Engineering)**
File ID: [\[488-15\]](#)
Attachments: [Agenda Report](#)
- 5.3 Ordinance:** Establishing Interim Cost of Service fees for Electric Service in the Maritime Area **(Engineering)**
File ID: [\[515-15\]](#)
Attachments: [Agenda Report](#)
[Ordinance Item 5.3](#)
- 5.4 Resolution:** ~~Ratification and Approval~~ Authorization ~~of~~ for the Executive Director to Finalize and Execute the Revised Maritime and Aviation Project Labor Agreement (MAPLA) and Authorization for the Executive Director to Execute the Revised MAPLA and to Make Corrections, Modifications or Edits to the Revised MAPLA (SRD)
File ID: [\[532-15\]](#)
Attachments: [Agenda Report](#)
[Resolution Item 5.4](#)
[Maritime and Aviation Project Labor Agreement \(MAPLA\)](#)

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 to issue a Request for Qualifications for Construction Manager at Risk Services and Related Authorizations Regarding the Upgrades to the International Arrivals Building, South Field, OAK. **(Aviation)**
File ID: [\[149-15\]](#)
Attachments: [Agenda Report](#)
[Resolution Item 6.1](#)

- 6.2 Resolution:** Authorize The Executive Director To Enter Into An Agreement With Tickengo (Dba Wingz) To Permit Transportation Network Company Services At Oakland International Airport Under A Pilot Program Basis **(Aviation)**

File ID: [\[521-15\]](#)

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

- 6.3 Ordinance:** Approval of the Airline Operating Agreement with Five Airlines: ABX Air, Inc.; Air Transport International, Inc.; Boutique Air, Inc.; Compass Airlines, LLC; and Surf Air, Inc., All Operating at Oakland International Airport. **(Aviation)**

File ID: [\[496-15\]](#)

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

- 6.4 Resolution:** Approval of a Capital Budget to Procure Hardware, Licensing, Cable Professional Services to Deploy a Replacement for the Nortel Phone System at Oakland International Airport **(Aviation)**

File ID: [\[470-15\]](#)

Attachments: [Agenda Report](#)
[Resolution Item 6.4](#)

- 6.5 Ordinance:** Approval of an Exclusive Negotiating Agreement with Paresh Patel for Property Located at 1441-1551 Embarcadero **(CRE)**

File ID: [\[484-15\]](#)

Attachments: [Agenda Report](#)
[Exhibit A and B](#)
[Ordinance Item 6.5](#)

- 6.6 Resolution:** Authorization to Execute a Third Supplemental Agreement with Kimley Horn and Associates for Design and Construction Management Services and Other Actions for the North Field Runway Safety Area (NFRSA) Project, Oakland International Airport (OAK) **(Engineering)**

File ID: [\[486-15\]](#)

Attachments: [Agenda Report](#)
[Resolution Item 6.6\(1\)](#)
[Resolution Item 6.6\(2\)](#)

- 6.7 Resolution:** Authorizing the Executive Director to Terminate the Existing Oakland Army Base Utility Joint Venture Program and Enter into Agreements with the City to Provide Temporary Utility Services to the City and Its Tenants in the Oakland Army Base. **(Engineering)**

File ID: [\[489-15\]](#)

Attachments: [Agenda Report](#)
[Resolution Item 6.7](#)

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

File ID: [\[490-15\]](#)

Attachments: [Agenda Report](#)
[Resolution Item 6.8](#)

- 6.9 Ordinance:** Authorize the Executive Director to enter into new Space Assignment Agreements with Capital Feed and Port Transfer, Inc. for a period of up to three years; amend the existing Space Assignment with PCC Logistics to add land area; approve up to \$1.17 million in site and building improvements to be performed by the tenants and paid for by the Port via rent credits; and approve permits for these improvements. **(Maritime)**

File ID: [\[517-15\]](#)

Attachments: [Agenda Report](#)
[Exhibit A](#)
[Exhibit B](#)
[Ordinance Item 6.9](#)

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 November 12, 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
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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.