



PORT OF OAKLAND

SUPPLEMENTAL BOARD AGENDA

Thursday, September 8, 2016

Board Room – 2nd Floor

The Public Portion Of The Meeting Will Begin At 3:30 p.m.

ROLL CALL

Commissioner Cluver, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, 2nd Vice-President Story, 1st Vice President Butner and President Colbruno.

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; Outer Harbor Terminal, LLC (formerly known as 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: 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 Lease and Development

File ID: [267-16]

1.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Pursuant to Paragraph (1) of Subdivision (d) of California Government Code Section 54956.9):

Tonya Bealey v. Port of Oakland; Alameda County Superior Court Case No. RG14744527

Vortex Marine Construction, Inc. v. City of Oakland et al.; Alameda County Superior Court Case Nos. RG15765403 (lead) & RG15773495 (consolidated))

City of Oakland et al. v Oakland Port Scale, LLC; Alameda County Superior Court Case No. RG16823870

File ID: [265-16]

- 1.3 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** (Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of California Government Code Section 54956.9): **Number of Matter: 1**

File ID: [266-16]

- 1.4 CONFERENCE WITH LABOR NEGOTIATORS** - (Pursuant to California Government Code Section 54957.6)

Unrepresented Employee: *Unit H*

File ID: [268-16]

- 1.5 ~~PULLED: PUBLIC EMPLOYEE PERFORMANCE EVALUATION~~** (Pursuant to California Government Code Section ~~54957.6~~)

~~Title: Chief Audit Officer~~

~~File ID: [269-16]~~

OPEN SESSION/ROLL CALL

Commissioner Cluver, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, 2nd Vice-President Story, 1st Vice President Butner and President Colbruno.

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 Building Permit: #5115, Relocation of Self-Service Ticket Kiosk, American Airlines, 1 Airport Drive, Terminal 1 (Engineering)**

File ID: [\[262-16\]](#)

Attachments: [Building Permit 5115](#)
 [Resolution Item 2.1](#)

- 2.2 Building Permit: #5116, Installation of Signs at North Airport Buildings, Signature Flight Services, Earhart Road (Engineering)**

File ID: [\[263-16\]](#)

Attachments: [Building Permit 5116](#)
 [Resolution Item 2.2](#)

- 2.3 Building Permit: #5117, Installation of Self-Service Ticket Kiosks, Southwest Airlines, 1 Airport Drive, Terminal 2 (Engineering)**

File ID: [\[264-16\]](#)

Attachments: [Building Permit 5117](#)
 [Resolution Item 2.3](#)

- 2.4 Ordinance 4389, 2nd Reading Of An Ordinance Approving Amendment No. 3 To Space/Use Permit For Specialty Retail/Wine Bar Concession With Taste Inc. DbA VINO Volo To Incorporate Space E-4 And To Extend The Term Of The Agreement Through May 31, 2021.**

File ID: [\[259-16\]](#)

Attachments: [Ordinance 4389](#)

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.

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:** Approval of a Third Supplemental Agreement to Right of Way Use Permit Agreement (Offshore) and Termination of Prior Onshore Agreements and Lease with Shell Oil Company Covering a Pipeline Right of Way and Land Adjacent to Oakland International Airport (17.273+- Acres plus 1,020+- Square Feet) with an Initial Annual Rental of \$24,000 Plus a One-Time Payment of \$100,000. **(Aviation)**

File ID: [\[225-16\]](#)

Attachments: [Agenda Report](#)
[Ordinance Item 6.1](#)

- 6.2 Ordinance:** First Reading of an Ordinance Approving an *Amendment to Airline Operating Agreement* with Twenty-Three Airlines, and an Amendment to Space/Use Permit with Ten of Those Airlines, Serving Oakland International Airport. **(Aviation)**

File ID: [\[250-16\]](#)

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

- 6.3 Ordinance:** Approval of an Increase to the Target Rental Rates as Described in Exhibit C and a 3% Increase to Holdover Rental Rates for Applicable Properties within the Commercial Real Estate Division Portfolio **(CRE)**

File ID: [\[256-16\]](#)

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

- 6.4 Ordinance:** Enactment of An Ordinance to Amend Section 10.3 of Port Ordinance No. 867 to Reassign the Human Resources Manager Classification from Salary Grade 883F to Salary Grade 567. **(Finance & Admin.)**

File ID: [\[247-16\]](#)

Attachments: [Supplemental Agenda Report](#)
[Ordinance Item 6.4](#)

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 22, 2016.

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.