



PORT OF OAKLAND

SUPPLEMENTAL BOARD AGENDA

Thursday, October 13, 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 25-33 and Portions of Berth 24 (Port of Oakland)

Negotiating Parties: TraPac, LLC; and Port of Oakland

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: NEPAA for Berths 25-33 (and portions of Berth 24), Price and Terms of Payments, Various Others

Property: Maritime Street, Oakland (Approx. 27 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

Property: 255 Second (Oakland) Owner

Negotiating Parties: 55 Harrison/255 Second (Oakland) Owner, LLC and Port of Oakland

Agency Negotiator: Pamela Kershaw, Director of Commercial Real Estate

Under Negotiation: Price and Terms of Payment

Property: 1407 Middle Harbor Road (Approx. 6 acres in the northwestern corner of Roundhouse Area)

Negotiating Parties: Union Pacific Railroad (Gerry Bisailon) and Port of Oakland

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: Price and Terms of Payment

File ID: [302-16]

- 1.2 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: ~~2~~ - 1**

File ID: [301-16]

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

Title: *Port Attorney
Chief Audit Officer
Secretary of the Board*

File ID: [303-16]

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:** #5120, Tenant Improvements for New Wine Bar, Vino Volo, 1 Airport Drive, Terminal 1 (**Engineering**)

File ID: [\[304-16\]](#)

Attachments: [Building Permit](#)
[Supplemental to Vino Volo Permit 5120](#)
[Resolution](#)

- 2.2 Ordinance 4394,** 2nd Reading Of An Ordinance Authorizing The Executive Director To Enter Into A First Amendment To The Temporary Right Of Entry And Construction Access Agreement With The City Of Oakland For Reconstruction Of The Embarcadero Bridge To Extend The Term To December 31, 2018 And Make Minor Modifications To The Project Description.

File ID: [\[295-16\]](#)

Attachments: [Ordinance 4394](#)

- 2.3 Ordinance 4395**, 2nd Reading Of An Ordinance Renaming Port-Owned “Chung King Street” To “Vukasin Way” To Honor Former Port Commissioner George Vukasin.

File ID: [\[296-16\]](#)

Attachments: [Ordinance 4395](#)

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 2016 Financial Highlights. **(Finance & Admin)**

File ID: [\[272-16\]](#)

Attachments: [Report](#)

5. STRATEGY & POLICY

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

- 5.1 Report:** Review and Provide Directions on Proposed Amendments to By-Laws and Administrative Rules of the Board of Port Commissioners. **(Port Attorney)**

File ID: [\[299-16\]](#)

Attachments: [Report](#)

[Revision to Bylaws](#)

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 & Resolution:** Approval of an Ordinance for a Non-Exclusive Preferential Assignment Agreement with TraPac, LLC for an Expanded Marine Terminal Comprising Approximately 123 Acres of Land and 13 Acres of Water at Berths 24-33, with an Initial Term of 14 Years and Fixed (Minimum) Rent of Approximately \$7.2 Million in Contract Year 1 that Escalates to \$21.3 Million in Contract Year 14; and Approval of a Resolution for Budget of Approximately \$9.24 Million for Improvements, Major Maintenance, and Pollution Remediation, as well as Amendments to Environmental Service Agreements with Nordhav Inc. dba Baseline Environmental Consulting and National Response Corporation for Associated Environmental Remediation in an Aggregate of \$1 million (Maritime)

File ID: [\[294-16\]](#)

Attachments: [Agenda Report](#)
[Ordinance](#)
[Resolution](#)

- 6.2 Resolution:** Budget Approval and Authorization to Amend On-Call Construction Contracts to Complete Improvements Related to Ancillary Maritime Use Development on the Former Oakland Army Base **(Maritime/Engineering)**

File ID: [\[308-16\]](#)

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

- 6.3 Ordinance:** Enactment of the Ordinances and Adoption of the Resolutions Necessary to Ratify and Set the Salaries for Port of Oakland Non-Represented Employees. **(Finance and Admin)**

File ID: [\[300-16\]](#)

Attachments: [Agenda Report](#)
[Attachment A](#)
[Ordinance](#)

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 27, 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
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.