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Thursday, December 1, 2016

Board Room – 2nd Floor

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## ***Special Board Meeting***

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

### **ROLL CALL**

*Commissioner Cluver, Comissioner 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:** 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:** Berths 25-33, 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, Price Terms of Payment & Various Others

**Property:** Howard Terminal

**Negotiating Parties:** Oakland A's and Port of Oakland

**Agency Negotiator:** John Driscoll, Director of Maritime

**Under Negotiation:** Price and Terms of Tenancy

**File ID:** [372-16]

#### **1.2 PUBLIC EMPLOYEE PEROFRMANCE EVALUATION - (Pursuant to California Government Code Section 54957)**

**Title:** Executive Director, Port Attorney, Chief Audit Officer and Secretary of the Board

**File ID:** [371-16]

## 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 Ordinance 4399**, 2nd Reading Of An Ordinance Adopting Amendments To The By-Laws And Administrative Rules Of The Board Of Port Commissioners.

**File ID:** [\[364-16\]](#)

**Attachments:** [Ordinance 4399](#)  
[Ordinance - Revision to Bylaws](#)

- 2.2 Ordinance 4400**, 2nd Reading Of An Ordinance Approving Amendment No. 1 To Space/Use Permit With MAG US Lounge Management LLC To (I) Add Storage And Support Space, (II) Extend The Term For An Additional Three Years, And (III) To Modify The Latest Opening Date To May 1, 2017.

**File ID:** [\[365-16\]](#)

**Attachments:** [Ordinance 4400](#)

- 2.3 Ordinance 4401**, 2nd Reading Of An Ordinance Authorizing And Approving Lease Amendments With Cool Port Oakland, LLC, GSC Logistics And Unicold Corporation For The Cool Port Project.

**File ID:** [\[366-16\]](#)

**Attachments:** [Ordinance 4401](#)

## 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:** Unaudited Financials for 3 months ended September 30, 2016 including Capital Expenditure Report. **(Finance & Admin)**

**File ID:** [\[342-16\]](#)

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

- 4.2 Resolution:** Authorization to Renew the Port of Oakland Pollution Liability Insurance Arranged and Paid Through a Prime Insurance Broker for a 5-Year Term and in an Amount Not to Exceed \$1,500,000. **(Finance & Admin)**

**File ID:** [\[54-16\]](#)

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

[Resolution](#)

- 4.3 Resolution:** Authorization to Renew the Expiring Port of Oakland Professional Liability Insurance Program/Owner Protective Professional Indemnity (“PLIP/OPPI”) with an Owner Protective Professional Indemnity (“OPPI”) Only Program, Arranged and Paid Through a Prime Insurance Broker for a Five-Year Term and in an Amount Not to Exceed \$1,000,000. **(Finance & Admin)**

**File ID:** [\[113-16\]](#)

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

[Resolution](#)

## 5. STRATEGY & POLICY

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

- 5.1 Report:** Maritime and Aviation Project Labor Agreement (MAPLA) Annual Progress Report Summary (July 1, 2015 - June 30, 2016) **(SRD)**

**File ID:** [\[312-16\]](#)

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

[Attachment](#)

- 5.2 Report:** Ground Transportation Hold Lots **(Aviation)**

**File ID:** [\[369-16\]](#)

**Attachments:** [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 Resolution:** Authorization to Execute Contracts Greater than \$250k and up to \$1.6 million in aggregate for the Procurement of Supplies Related to Wharf Improvements at Berths 25 and 26 Operated by TraPac, LLC **(Engineering/Maritime)**

**File ID:** [\[335-16\]](#)

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

- 6.2 Resolution:** Budget Authorization and Other Related Approvals to Establish a Reimbursable Agreement with the Federal Aviation Administration (FAA) for Support Services Related to the Runway 12-30 Rehabilitation Project, South Field, OAK for an Amount of \$211,000. **(Aviation)**

**File ID:** [\[336-16\]](#)

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

- 6.3 Ordinance:** Approval of an Airline Operating Agreement and an Annex "A" Space/Use Permit with British Airways PLC Operating at Oakland International Airport. **(Aviation)**

**File ID:** [\[337-16\]](#)

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

- 6.4 Resolution:** Budget Authorization for the Design of Capital Improvements of the Lift Station 2 Rehabilitation Project **(Aviation)**

**File ID:** [\[338-16\]](#)

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

- 6.5 Resolution:** Authorization to Approve Plans and Project Manual to Construct the Transportation Security Administration (TSA) Recapitalization Project. **(Aviation)**

**File ID:** [\[339-16\]](#)

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

- 6.6 Resolution:** Approval to Amend Passenger Facility Charge (PFC) Application #17 to Federal Aviation Administration (FAA) in the amount of \$105,270,242 **(Aviation)**

**File ID:** [\[363-16\]](#)

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

**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 has been canceled. The Board will hold a Special Meeting on December 15th.*

## 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  
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(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](mailto: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.