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Thursday, July 13, 2017

Board Room – 2nd Floor

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***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:** 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:** Oakland International Container Terminal (Berths 55-56 and Berths 57-59) and Matson Terminal (Berths 60-63) - Port of Oakland

**Negotiating Parties:** SSA Terminals (Oakland), LLC; SSA Terminals, LLC and Port of Oakland

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

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

**Property:** Berths 25-33, Port of Oakland

**Negotiating Parties:** TraPac, LLC and Port of Oakland

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

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

**File ID:** [199-17]

#### 1.2 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - (Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of California Government Code Section 54956.9): Number of Matter 1

- West Oakland Environmental Indicators Project Complaint

**File ID:** [200-17]

- 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 Matters 2

**File ID:** [201-17]

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

**Title:** Secretary of the Board

**File ID:** [211-17]

## 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 4428**, 2nd Reading Of An Ordinance Approving Amendment No. 1 To Space/Use Permit With Technical Education Services, Inc. D/B/A The Aviation Institute Of Maintenance To Extend The Term To April 30, 2018 And Increase Rent At Oakland International Airport.

**File ID:** [\[205-17\]](#)

**Attachments:** [Ordinance 4428](#)

- 2.2 Ordinance 4429**, 2nd Reading Of An Ordinance Approving And Authorizing A One-Month Extension To Temporary Rental Agreement With Auto Plus Towing, LLC For 3 Acres Of Land Located At Swan Way And Doolittle Drive, Oakland.

**File ID:** [\[206-17\]](#)

**Attachments:** [Ordinance 4429](#)

- 2.3 Ordinance 4430**, 2nd Reading Of An Ordinance Establishing Charges For Use Of Facilities And The Provision Of Aviation Fuel At Metropolitan Oakland International Airport, Providing Certain Regulations In Connection Therewith And Repealing Port Ordinance No. 3634.

**File ID:** [\[207-17\]](#)

**Attachments:** [Ordinance 4430](#)

- 2.4 Ordinance 4431**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Enter Into A Seventh Supplemental Agreement With Burlington Northern Santa Fe Railway Company For The Joint Intermodal Facility.

**File ID:** [\[208-17\]](#)

**Attachments:** [Ordinance 4431](#)

- 2.5 Ordinance 4432**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Enter Into A 5-Year Lease Agreements With Pacific Layberthing North, LLC And Pacific Layberthing South, LLC At Berths 20 Through 22 In The Maritime Area.

**File ID:** [\[210-17\]](#)

**Attachments:** [Ordinance 4432](#)

- 2.6 Minutes:** Approval of the Minutes of the Regular Meetings of June 8, 2017 and June 22, 2017. **(Board)**

**File ID:** [\[198-17\]](#)

**Attachments:** [June 8, 2017 Minutes](#)

[June 22, 2017 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.*

### 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 for the Executive Director to Enter into an Agreement with ServiceTec International, Inc. to Provide Onsite Support of Aviation Special Systems at the Oakland International Airport for a Period of Five Years, with two, One-Year Options, for a total amount not to exceed \$8,350,316.**(Aviation)**

**File ID:** [\[174-17\]](#)

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

- 6.2 Resolution:** Authorization to Award Public Works Contract and Related Actions, Retrofit of Bollards and Fenders at Berths 25 and 26 Project (**Engineering/Maritime**)

**File ID:** [\[152-17\]](#)

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

- 6.3 Ordinance:** Approve and Authorize the Executive Director to Execute a License and Concession Agreement with Alta Supply, Inc. for Property Located at 424 Pendleton Way for a Term of Three (3) Years, with One Two (2)-Year Option (**CRE**)

**File ID:** [\[189-17\]](#)

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

- 6.4 Ordinance:** Enactment of the Ordinance Necessary to Ratify and Set the Salaries, Salary Increases, and Management Leave for Certain Port of Oakland Non-Represented Employees in Port Employee Representation Unit H. (**Finance & Admin.**)

**File ID:** [\[195-17\]](#)

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

[Attachment](#)

- 6.5 Resolution:** Authorization to Increase the Total Retention Amount for Nixon Peabody LLP as Special Counsel for Power Supply Advice in the Seaport Area by an Additional \$41,000 for Fiscal Year 2016-17. (**Port Attorney**)

**File ID:** [\[196-17\]](#)

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

## 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*

## 9. ELECTION OF OFFICERS

*The President, First Vice President and Second Vice President shall be elected by majority vote of the Board from among members of the Board at the first meeting held in the month of July in each year.*

- 9.1 Resolution:** Election of Officers (**Board**)

**File ID:** [\[197-17\]](#)

**Attachments:** [Election of Officers](#)

**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 July 27, 2017.*

## 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.