



## PORT OF OAKLAND

### SUPPLEMENTAL BOARD AGENDA

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Thursday, April 26, 2018

Board Room – 2nd Floor

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***The Public Portion Of The Meeting Will Begin At 3:00 p.m.***

#### ROLL CALL

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

#### 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:** One Market Street, Oakland, CA (Howard Terminal)

**Negotiating Parties:** Oakland Athletics and Port of Oakland

**Agency Negotiator:** Pamela Kershaw, Director of Commercial Real Estate

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

**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 Tenancy

**File ID:** [141-18]

##### 1.2 CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to California Government Code Section 54956.6):

- International Federation of Professional and Technical Engineers, Local 21; Service Employees International Union, Local 1021; Western Council of Engineers; International Brotherhood of Electrical Workers, Local 1245

**File ID:** [142-18]

**1.3 PUBLIC EMPLOYMENT - (Pursuant to California Government Code Section 54957)**

- Chief Audit Officer

**File ID:** [143-18]

**OPEN SESSION/ROLL CALL**

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

**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:** Approval to Amend *Space/Use Permits* with Food & Beverage Concessionaires Andalé Management Group, Inc.; Gotham Foods Two, LLC; and, Host International, Inc. to (i) Extend the Term of Each Permit by Eight (8) Months, (ii) Allow the Tenant Infrastructure Fee Surcharge to Expire, and (iii) Increase the Benefits Fee from 2% on Each Sales Transaction to 3% on Each Sales Transaction; These Three Concessionaires Are Expected to Generate Approximately \$3.5 Million in Rental Revenue During the Extended Term. **(Aviation)**

**File ID:** [\[133-18\]](#)

**Attachments:** [Agenda Report](#)  
[Ordinance Item 2.1](#)

- 2.2 Resolution:** Approval of the Assignment and Transfer of the Solar Energy Supply and License Agreement Between the Port of Oakland and SunEdison, LLC to SunE H3 Holdings, LLC and Authorizing the Executive Director to Execute the Amendment to the Agreement To Reflect Such Transfer. **(Engineering)**

**File ID:** [\[088-18\]](#)

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

- 2.3 Ordinance 4471**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute With GSC Logistics, Inc. A Second Amendment To Lease For 7,777 Square Feet Of Premises Located At 530 Water Street, 5th Floor, Oakland, (Including A License For 5 Square Feet Of Rooftop Space) And A New License And Concession Agreement For 1,918 Square Feet Of Premises Located At 516 Water Street, Oakland, Both For A Term Of Approximately Five (5) Years And A Combined Monthly Rent Of \$32,090.00.  
**File ID:** [\[139-18\]](#)  
**Attachments:** [Ordinance 4471](#)
- 2.4 Ordinance 4472**, 2nd Reading OF An Ordinance Approving And Authorizing The Executive Director To Enter Into A Thirty-Three Year Term (With Two Options To Extend) Ground Lease With The East Bay Regional Park District For An Initial Monthly Rent Of \$2,300 For Approximately 1.44 Acres Of Unimproved Lands At 1441-1551 Embarcadero Road, Oakland, California.  
**File ID:** [\[140-18\]](#)  
**Attachments:** [Ordinance 4472](#)
- 2.5 Minutes:** Approval of the Minutes of the Regular Meeting of March 22, 2018. **(Board)**  
**File ID:** [\[130-18\]](#)  
**Attachments:** [March 22, 2018 Minutes](#)
- 2.6 Report:** Report of Appointments, Separations and Leaves of Absence for FY 2017-18, 3rd Quarter (January 1, 2018 - March 31, 2018). **(Finance & Admin)**  
**File ID:** [\[013-18\]](#)  
**Attachments:** [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.*

- 4.1 Resolution:** Authority to Renew Port of Oakland Insurance Policies Arranged and Paid Through Prime Insurance Brokers Described Herein in an Amount Not to Exceed \$4,150,000. **(Finance & Admin)**

**File ID:** [\[012-18\]](#)

**Attachments:** [Agenda Report](#)  
[Attachment](#)  
[Resolution Item 4.1](#)

## 5. STRATEGY & POLICY

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

- 5.1 Resolution:** Approving Supplemental Terms And Conditions For The 2018 Food And Beverage Concession Opportunities Request For Proposals Relating To First Referral Source And Non Discrimination Against Applicants With History With Criminal Justice System In The Employment Of Concession Employees **(SRD)**

**File ID:** [\[138-18\]](#)

**Attachments:** [Supplemental Agenda Report](#)  
[Resolution Item 5.1](#)

- 5.2 Ordinance:** Ordinance Adopting By Reference Oakland Municipal Code Sections 13.08.590 through 13.08.620 With Modifications and Requiring Port Tenants to Comply with Such Modified Municipal Code Regulations Regarding Private Sewer Laterals. **(Engineering/Legal)**

**File ID:** [\[075-18\]](#)

**Attachments:** [Supplemental Agenda Report](#)  
[Ordinance 5.2](#)

## 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:** Budget Authorization of \$490,000 for the Design of Capital Improvements for Airport 12 Ejector Station and Airport 15 Ejector Station Rehabilitation; Budget Authorization of \$433,000 and Authorization for the Director of Engineering to Approve Plans and Project Manual for the Design and Construction of Capital Improvements for Terminal 1 Restroom Sewer Line Repair, Oakland International Airport **(Aviation)**

**File ID:** [\[128-18\]](#)

**Attachments:** [Agenda Report](#)  
[Resolution Item 6.1](#)

- 6.2 Resolution:** Approve and Authorize the Executive Director to Execute an Exclusive Negotiating Agreement with Athletics Investment Group LLC, dba the Oakland Athletics, a California Limited Liability Company, for a Term of One Year for a Deposit Amount of \$100,000 for Property Located at 1 Market Street, Oakland **(CRE)**

**File ID:** [\[132-18\]](#)

**Attachments:** [Agenda Report](#)  
[Attachment A](#)  
[Attachment B](#)  
[Resolution Item 6.2](#)

- 6.3 Resolution:** Approve and Authorize the Executive Director to Execute an Agreement with Davillier-Sloan, Inc. for Maritime and Aviation Project Labor Agreement Consulting Services for a Term of Three (3) Years with Two (2) One-Year Options, in a Total Amount Not to Exceed \$1,177,000 **(SRD)**

**File ID:** [\[134-18\]](#)

**Attachments:** [Agenda Report](#)  
[Resolution Item 6.3](#)

## 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 May 10, 2018.*

## 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, Daria Edgerly, at: (510) 627-1337, 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: [dedgerly@portoakland.com](mailto:dedgerly@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.

Daria Edgerly, Secretary of the Board  
530 Water Street, Oakland, CA 94607  
[dedgerly@portoakland.com](mailto:dedgerly@portoakland.com)  
(510) 627-1337

### 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.

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## **Commissioners' 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.