



Thursday, November 8, 2018

Board Room – 2nd Floor

The Public Portion Of The Meeting Will Begin At 4:00 p.m.

ROLL CALL

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

1. CLOSED SESSION (10:30 a.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

File ID: [343-18]

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

City of Oakland, A Municipal Corporation, Acting by and Through Its Board of Port Commissioners v. Embarcadero Cove Enterprises, LLC; Laverne R. Wellens; Laverne R. Wellens, as Trustee of the Wellens Trust; and Does 1-50; Alameda County Superior Court Case No.: RG18926153

File ID: [344-18]

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

- Chief Audit Officer

File ID: [345-18]

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

- Port Attorney
- Secretary of the Board

File ID: [346-18]

OPEN SESSION/ROLL CALL

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

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 4498**, 2nd Reading Of An Ordinance Approving The Evaluation Committees' Recommended Awardees For The Request For Proposals For Four Separate Food & Beverage Concession Opportunities At Oakland International Airport Covering Seventeen Units Totaling 27,400± Square Feet In Terminals 1 And 2, And Approve A Space/Use Permit For Each Of The Following Concessionaires: HFF Oak Venture, LLC, RYLO Management, LLC Soaring Food Group, LLC And SSP America Oak, LLC For Total Projected Rental Revenue Of \$6.9 Million In The First Full Year Of Operations (Cy 2020) For A Term Of Ten Years And Eleven Months Through December 31, 2029.

File ID: [\[329-18\]](#)

Attachments: [Ordinance 4498](#)

- 2.2 Ordinance 4500**, 2nd Reading Of An Ordinance Approving And Authorizing A Grant Of Easement To Pacific Gas And Electric Company For Access, Repair, And Maintenance Of Facilities Located In A Joint Trench Along The Eastern Side Of Maritime Street From 14th Street To Approximately 18th Street, To Provide Electricity Service To The Portion Of The Former Oakland Army Base Property Owned By The City Of Oakland, For No Monetary Consideration.

File ID: [\[341-18\]](#)

Attachments: [Ordinance 4500](#)

- 2.3 **Minutes:** Approval of the Minutes of the Regular Meeting of October 11, 2018. **(Board)**

File ID: [\[342-18\]](#)

Attachments: [October 11, 2018 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.

- 5.1 **Report:** Draft Seaport Air Quality 2020 and Beyond Plan- Status Report **(Engineering)**

File ID: [\[325-18\]](#)

Attachments: [Report](#)

- 5.2 **Report:** Overview of Port Board Powers & Responsibilities under the Charter, and Board Member Legislative Immunity. **(Port Attorney)**

File ID: [\[340-18\]](#)

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.

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 November 29, 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

To receive Port Agendas and Agenda Related Materials by email, please email your request to: 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
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(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.