



Thursday, November 29, 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 (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: Rail yard located directly east of Maritime Street, parallel to I-880, on the former Oakland Army Base property owned by the Port, Oakland, CA

Negotiating Parties: West Oakland Pacific Railroad LLC and Port of Oakland

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: Price and Terms of Tenancy

File ID: [363-18]

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

Wilson Kung v. Port of Oakland; WCAB Case No. ADJ10752533

File ID: [364-18]

1.3 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 Matters 3**

File ID: [365-18]

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

- Secretary of the Board

File ID: [366-18]

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:** Approval to Extend the Temporary Rental Agreement with the City of Oakland for Emergency Vehicle Access Related to the Reconstruction of the Embarcadero Bridge **(Maritime)**

File ID: [\[338-18\]](#)

Attachments: [Agenda Report](#)

- 2.2 Ordinance:** Authorize the Executive Director to approve the First Amendment to the Temporary Rental Agreement with West Oakland Pacific Railroad, LLC, to Provide Interim Switching services at the Port's OHIT Phase 1 Yard, for an Initial Term of Six Months through June 30, 2019, with Two, 3-Month Options to Extend; Fixed Compensation of \$5,000 per Calendar Year Quarter; and Variable Compensation of \$125 per Rail Car in Excess of the Breakpoint. **(Maritime)**

File ID: [\[348-18\]](#)

Attachments: [Agenda Report](#)

- 2.3 Ordinance:** Approve and Authorize the Executive Director to Execute a First Amendment to a Temporary Rental Agreement with JLS Oakland Apartments, LLC for Premises Located at the Corner of Embarcadero West and Webster Street for a Monthly Rental Amount of \$1,530.00 and to Extend the Term Through December 31, 2019. **(CRE)**

File ID: [\[350-18\]](#)

Attachments: [Agenda Report](#)

- 2.4 Ordinance:** Approval of an Extension of a Temporary Rental Agreement with Pacific Gas & Electric Company Through October 31, 2019 for Construction Staging on the Premises Located at Livingston Street and Embarcadero Road at a Monthly Rental Rate of \$6,153 (CRE)

File ID: [\[351-18\]](#)

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

- 2.5 Minutes:** Approval of the Minutes of the Regular Meeting of October 25, 2018. **(Board)**

File ID: [\[362-18\]](#)

Attachments: [October 25, 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.

- 3.1 Report:** Board Input on the Selection Process and Evaluation Criteria for Airport Contract Security Guard Services Request for Proposal (RFP) **(Aviation)**

File ID: [\[339-18\]](#)

Attachments: [Report](#)

- 3.2 Ordinance:** Authorize the Executive Director to Enter into a No-Cost Temporary License Agreement with Alameda County Transportation Commission and Its Selected Contractors from June 1, 2019 through December 31, 2021, with an Option to Extend for an Additional Six Months, for Construction Activities at the Seaport Associated with the Freight Intelligent Transportation System Program. **(Maritime)**

File ID: [\[349-18\]](#)

Attachments: [Agenda Report](#)

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:** Amendment to Domestic and International Air Service Incentive Program Available to All Airlines Serving Oakland International Airport Who Have Executed an *Airline Operating Agreement* with the Port. **(Aviation)**
- File ID:** [\[254-18\]](#)
- Attachments:** [Agenda Report](#)
- 6.2 Ordinance:** Approval of Port Staff's Recommended Awardee for the Request for Proposals for Wireless Fidelity Communication and Internet (Wi-Fi) Services at Oakland International Airport; Specifically, Approve a Space/Use Permit for Boingo Wireless, Inc. for Total Projected Rental Revenue of \$17,500 in the First Full Year of Operations (Calendar Year 2019) For a Term of Five Years Through December 31, 2023. **(Aviation)**
- File ID:** [\[354-18\]](#)
- Attachments:** [Agenda Report](#)
- 6.3 Resolution:** Authorize a Fiscal Year 2019 Capital Equipment Budget of \$5,667,040 to Procure Equipment for Use by the Airport and Seaport; Designate Existing Equipment as Surplus because it is Either Inadequate, Obsolete or Worn-Out and Approve to Sell, Donate, or Dispose of Such Property; Authorize the Executive Director to Procure the Equipment Totaling \$5,667,040 and Award Items over \$250,000 to the Lowest Responsive, Responsible Bidder; and Authorize Single-Source Purchase of Specific Items. **(Aviation/Engineering)**
- File ID:** [\[227-18\]](#)
- Attachments:** [Agenda Report](#)
- 6.4 Ordinance:** Authorization to Extend Space Assignment Agreements That Have Been in Effect for More Than One Year as of November 29, 2018; Authorization to Extend Space Assignment Agreements That Are Likely To Be in Effect for More Than One Year as of December 31, 2018; Ratification of a Lighting/Utility Assessment Applicable to Certain Existing Space Assignment Agreements in the Roundhouse Property and the Outer Harbor Terminal; and Approval of Such Lighting/Utility Assessment on an Interim Basis for Certain Existing and Future Space Assignment Agreements in the Maritime Area; All Resulting in Annual Revenue of Approximately \$13.7 Million **(Maritime)**
- File ID:** [\[347-18\]](#)
- Attachments:** [Agenda Report](#)
- 6.5 Resolution:** Adoption of a Resolution to Appoint Ms. Rebecca Haggerty as the Chief Audit Officer at an Annual Salary of \$195,000 per year. **(Finance & Admin)**
- File ID:** [\[360-18\]](#)
- 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

- 8.1 Resolution:** Adopting the Regular Board Meeting Schedule for Calendar Year 2019.
(Board)

File ID: [\[355-18\]](#)

Attachments: [2019 Board Calendar](#)

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 December 13, 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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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.