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Thursday, July 25, 2019

Board Room – 2nd Floor

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

## ROLL CALL

*Commissioner Colbruno, Commissioner Lee, Commissioner Martinez, Commissioner Story, 2nd Vice-President Leslie, 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 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 Title VI Complaint: DOT#2017-0093, EPA; File Nos. 13R-17-R9 (City of Oakland) and 14R-17-R9 (Board of Port Commissioners and Port of Oakland)*

**File ID:** [230-19]

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

*Lakita Spencer v. Port of Oakland, et al.; Alameda County Superior Court Case No. RG18907125*

*Service Employees International Union, Local 1021 v. Port of Oakland*

**File ID:** [231-19]

- 1.3 CONFERENCE WITH REAL PROPERTY NEGOTIATOR** - (Pursuant to California Government Code Section 54956.8)

**Property:** One Airport Drive, Oakland CA

**Negotiating Parties:** Southwest Airlines and Port of Oakland

**Agency Negotiator:** Bryant L. Francis, Director of Aviation

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

**File ID:** [232-19]

**1.4 CONFERENCE WITH LABOR NEGOTIATORS** (Pursuant to California Government Code Section 54956.6):

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

**File ID:** [233-19]

**1.5 PUBLIC EMPLOYEE APPOINTMENT-** (Pursuant to California Government Code Section 54957)

**Title:** Executive Director and Port Attorney

**File ID:** [234-19]

**OPEN SESSION/ROLL CALL**

*Commissioner Colbruno, Commissioner Lee, Commissioner Martinez, Commissioner Story, 2nd Vice-President Leslie, 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 Resolution:** Approve and Authorize the Executive Director to Waive Formal Competitive Procurement Procedures and Enter into a Supplemental Agreement with Granicus, Inc. to Extend the Subscription for Granicus Board Meeting Management Products for Two Years in an Amount Not to Exceed \$90,000. **(Board/Finance & Administration)**

**File ID:** [\[218-19\]](#)

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

- 2.2 Ordinance 4528,** 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Enter Into A Temporary License Agreement With California College Of The Arts For Installation And Maintenance Of The Buoyant Ecologies Float Lab In The Middle Harbor Enhancement Area For One Year With Two, One Year Options For No Fee.

**File ID:** [\[228-19\]](#)

**Attachments:** [Ordinance 4528](#)

- 2.3 Report:** Report of Appointments, Separations and Leaves of Absence for FY 2018-19, 4th Quarter (April 1, 2019 - June 30, 2019). **(Finance & Admin)**

**File ID:** [\[188-19\]](#)

**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.*

- 3.1 Report:** Update to Food & Beverage Concession Program Redevelopment at Oakland International Airport **(Aviation)**

**File ID:** [\[219-19\]](#)

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

### 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 11 months ended May 31, 2019. **(Finance & Admin)**

**File ID:** [\[187-19\]](#)

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

### 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:** Approve and Authorize the Executive Director to Execute a Professional Services Agreement with Harris Miller Miller & Hanson Inc. to Provide Aviation Noise Consulting Services to the Airport's Noise Abatement and Environmental Affairs Office for Five Years, Fiscal Year 2020 through 2024, for an Amount Not to Exceed \$1,150,000. **(Aviation)**

**File ID:** [\[126-19\]](#)

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

- 6.2 Resolution:** Authorization To Enter Into Contract with an Advertising Agency, Circa Now, LLC, for a Term of Two Years with One, 1-Year Option to Extend, in an Amount Not to Exceed \$450,000. **(Aviation)**

**File ID:** [\[225-19\]](#)

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

- 6.3 Resolution:** Approval of a \$140,000 Design Budget for the Aircraft Rescue and Fire Fighting Wash Rack Rehabilitation Project and Authorization for the Executive Director to Execute a Second Supplemental Agreement (Year 2) with West Yost Associates, Inc. for an Additional \$354,000 for Consultant Services for the Aircraft Rescue and Fire Fighting Wash Rack Rehabilitation Project and FY2020 Airport Sanitary Sewer Condition Assessment Plan. **(Engineering/Aviation)**

**File ID:** [\[207-19\]](#)

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

- 6.4 Resolution:** For the Moving Walkway Removal and Restoration Project: (1) Approve Additional Project Budget of \$685,000 for a Not-To-Exceed Total Project Budget of \$5,720,000 and (2) Authorize the Executive Director to Execute a Change Order with Turner Construction Company, Inc. for Construction Manager at Risk (CM@R) Construction Services for an Amount Not to Exceed \$610,000. **(Engineering/Aviation)**

**File ID:** [\[217-19\]](#)

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

- 6.5 Ordinance:** Approve and Authorize the Executive Director to Execute a Lease with Shippers Transport Express, Inc. for Approximately 32 Acres of the Seaport Logistics Complex for a Term Extending Through June 30, 2032, Resulting in Annual Rent Ranging From Approximately \$3.4 Million to \$4.8 Million; Authorize up to \$300,000 for Dust Control Reimbursement; and Authorize Approximately \$7.0 Million for Certain Pavement Improvements **(Maritime)**

**File ID:** [\[222-19\]](#)

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

- 6.6 Resolution:** Authorization Approving Consent to Assignment of Maritime Security Patrol Services Contract and Port Security Operations Center Staffing Contract from Cypress Private Security, LP to Allied Universal Security Services. **(Maritime)**

**File ID:** [\[220-19\]](#)

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

- 6.7 Resolution:** Adoption of a Resolution to Approve and Authorize the Board President to Execute a Retirement and Advisory Services Agreement with J. Christopher Lytle; to Certify that Mr. Lytle has Specialized Skills Needed in Performing Work of a Limited Duration to fill a Critically Needed Position; to Certify that Mr. Lytle's Services Shall be Limited to 960 hours for the 2019-20 Fiscal Year and that No Other Benefit, Incentive or Other Compensation has been Provided in Addition to His Hourly Pay Rate; and, to Certify that Mr. Lytle's Hourly Rate will be \$193.21 (**Executive Office**)

**File ID:** [\[235-19\]](#)

**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*

## 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 September 12, 2019.*

## 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  
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### Language & Interpretive Services

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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.