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Thursday, March 12, 2020

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 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(s): 1 (additional information provided on the Closed Session Agenda Report Item 1.1, "Potential Litigation Under California Government Code Section 54956.9 [One (1) Matter],"** attached hereto)

**File ID:** [\[121-20\]](#)

**Attachments:** [Closed Session Report](#)  
[Exhibits](#)

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

**Property:** 1 Market Street, Oakland, CA (Howard Terminal)

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

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

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

**File ID:** [\[122-20\]](#)

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

**Title:** Port Attorney, Chief Audit Officer, Secretary of the Board

**File ID:** [\[123-20\]](#)

## 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 Building Permit:** for SSP America for Tenant Improvements, Peet's T1 Pre-Security, 1 Airport Drive, OAK

**File ID:** [\[118-20\]](#)

**Attachments:** [Permit 5267](#)

- 2.2 Report:** Information Report: Commissioner's Travel Expenses for CY 2019. **(Finance & Admin)**

**File ID:** [\[039-20\]](#)

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

- 2.3 REPORT:** Awards of On-Call Public Works and On-Call Professional Services Contracts by the Executive Director for the Period from October 2019 through December 2019. **(Engineering)**

**File ID:** [\[055-20\]](#)

**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 Report: Port Pension Plan. (Finance & Admin)**File ID: [\[099-20\]](#)

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

**5. STRATEGY & POLICY**

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

**5.1 Report: Discussion of Proposed Action to Amend and Restate the Code of Conduct for Members of the Board of Port Commissioners in Resolution No. 01397 to Address Social Media Issues. (Port Attorney)**File ID: [\[120-20\]](#)

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

**5.2 Report: Strategic Plan and Master Plan Process and Ad Hoc Committee Reports. (Executive Office)**File ID: [\[124-20\]](#)

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 March 26, 2020.*

## 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  
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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.