



SUPPLEMENTAL BOARD AGENDA

Thursday, February 13, 2020

Board Room – 2nd Floor

The Public Portion Of The Meeting Will Begin At 5:00 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): 2**

File ID: [090-20]

- 1.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - (Pursuant to Paragraph (1) of Subdivision (d) of California Government Code Section 54956.9): **Number of Matter(s): 2**

City of Oakland, a municipal corporation, acting by and through its Board of Port Commissioners vs. Embarcadero Cove Enterprises, LLC, et al.; Alameda County Superior Court Case No.: RG18926153

Embarcadero Cove Enterprises LLC, United States Bankruptcy Court, Northern District of California Case No.: 18-42821 CN 7

File ID: [091-20]

- 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: [093-20]

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

Property: All Retail and Duty Free Units, two Wine Bar Units, and In-Terminal Advertising Locations throughout Oakland International Airport, Oakland CA

Negotiating Parties: Potential Awardees of the RFPs for Retail, Duty Free and Wine Bar Units, and In-Terminal Advertising Concessions Opportunities at OAK and Port of Oakland

Agency Negotiator: Bryant L. Francis, Director of Aviation and Brandon J. Mark, Manager of Aviation Properties

Under Negotiation: Price and Terms of Tenancy

Property: One Airport Drive, Oakland CA

Negotiating Parties: All Airlines at Oakland International Airport and Port of Oakland

Agency Negotiator: Bryant L. Francis, Director of Aviation

Under Negotiation: Price and Terms of Tenancy

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 Tenancy

Property: Property Located on Burma Road, Oakland, CA (Howard Terminal)

Negotiating Parties: Outfront Media, LLC and Port of Oakland

Agency Negotiator: Pamela Kershaw, Director of Commercial Real Estate

Under Negotiation: Price and Terms of Tenancy

File ID: [092-20]

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 TraPac LLC for Installation of OCR Portal, 2800 7th Street, Berth 30 (Engineering)
File ID: [\[082-20\]](#)
Attachments: [Permit 5273](#)
[Resolution Item 2.1](#)
- 2.2 Building Permit:** for Signature Flight Service for Roof Replacement, ~~8433~~ 7683 Earhart Road, Hangar ~~8~~ 9, OAK (Engineering)
File ID: [\[083-20\]](#)
Attachments: [Permit 5275](#)
[Resolution Item 2.2](#)
- 2.3 Building Permit:** for Hertz Corporation for Installation of Canopies at Exit Booths, 7600 Earhart Road, RAC Facility, OAK
File ID: [\[084-20\]](#)
Attachments: [Permit 5276](#)
[Resolution Item 2.3](#)
- 2.4 Building Permit:** for SSP America for Tenant Improvements, The District, 1 Airport Drive, OAK
File ID: [\[086-20\]](#)
Attachments: [Permit 5260](#)
[Resolution Item 2.4](#)
- 2.5 Ordinance 4548:** 2nd Reading Of An Ordinance Approving A Space/Use Permit With Gitbin & Associates, Inc., Doing Business As Go Rentals, With Anticipated Annual Revenues Of \$12,000 Operating At The North Field Of Oakland International Airport.
File ID: [\[094-20\]](#)
Attachments: [Ordinance 4548](#)
- 2.6 Ordinance 4549:** 2nd Reading Of An Ordinance Authorizing And Approving A First Amendment To The Lease With Seafarer's Ministry Of The Golden Gate.
File ID: [\[095-20\]](#)
Attachments: [Ordinance 4549](#)

- 2.7 Ordinance 4550:** 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute A License And Concession Agreement With Passage Nautical Enterprises, Inc. For A Thirty-Eight (38) Month Term For The Premises Located At 544 Water Street, Oakland, With An Initial Monthly Rent Of \$1,538.00 And 4% Annual Increases Thereafter.

File ID: [\[096-20\]](#)

Attachments: [Ordinance 4550](#)

- 2.8 Ordinance 4551:** 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute An Amendment To Lease With GSC Logistics, Inc. To Expand Its Premises Located At 530 Water Street, 5th Floor, By An Additional Approximately 3,487 Square Feet For An Additional Fixed Monthly Rent Of \$12,952.53 And An Additional Monthly Building Operating / Common Area Expense Reimbursement Of \$230.84, And Terminate Its License And Concession Agreement For Ground Floor Office Space At 516 Water Street.

File ID: [\[097-20\]](#)

Attachments: [Ordinance 4551](#)

- 2.9 Minutes:** Approval of the Minutes of the Regular Meeting of January 23, 2020. **(Board)**

File ID: [\[098-20\]](#)

Attachments: [January 23, 2020 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 Ordinance:** Enact the Ordinance Necessary to Amend the By-Laws and Administrative Rules of the Board of Port Commissioners (“Board”) to Establish the General Rule that Future Ordinances Become Effective Upon Their Second Reading Unless Otherwise Provided in the Ordinance. **(Port Attorney)**

File ID: [\[075-20\]](#)

Attachments: [Agenda Report](#)
[Exhibit A](#)
[Ordinance Item 5.1](#)

- 5.2 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: [\[078-20\]](#)

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

- 5.3 Report:** Consideration of a Labor Peace Rule for Certain Operational Services Agreements Executed Pursuant to a Request for Proposal. **(SRD)**

File ID: [\[079-20\]](#)

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

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:** Renewal and Amendment of Domestic and International Air Service Incentive Program Available to All Airlines Serving Oakland International Airport. **(Aviation)**

File ID: [\[063-20\]](#)

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

- 6.2 Resolution:** Approve and Authorize the Executive Director to Execute a Change Order with Silman Industries in an Amount Not-To-Exceed \$64,028 for the 31 Webster Street Siding Replacement Project **(CRE)**

File ID: [\[077-20\]](#)

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

- 6.3 Ordinance:** Enactment of an Ordinance to Amend Port Ordinance No. 867 to Set the Annual Salary for the Assistant Port Attorney Job Classification at \$285,000. **(Finance & Admin.)**

File ID: [\[089-20\]](#)

Attachments: [Agenda Report](#)
[Ordinance Item 6.3](#)

- 6.4 Ordinance:** Enactment of the Ordinance Necessary to Ratify and Set the Salary Increase and the Salaries for Certain Port of Oakland Non-Represented Employees in Port Employee Representation Unit H. **(Finance & Admin.)**

File ID: [\[088-20\]](#)

Attachments: [Agenda Report](#)
[Attachment](#)
[Ordinance Item 6.4](#)

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 February 27, 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

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
530 Water Street, Oakland, CA 94607
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.