



## PORT OF OAKLAND

### SUPPLEMENTAL BOARD AGENDA

---

Thursday, May 25, 2023

Board Room – 2nd Floor

---

***The Public Portion Of The Meeting Will Begin At 3:00 p.m.***

#### Public Participation

*To Speak on an Agenda Item via Teleconference*

*To participate via teleconference please click the link below.*

*To comment by Zoom video conference, click the "Raise Your Hand" button to request to speak when Public Comment is being taken on the eligible Agenda item. During your turn, you will be unmuted to make public comment, and re-muted after the allotted time. All speakers will be allotted a minimum of one minute.*

*To comment by phone, please call on one of the phone numbers listed below. You will be prompted to "Raise Your Hand" by pressing "\*9" to request to speak when Public Comment is being taken on the eligible Agenda Item. During your turn, you will be unmuted to make public comment, and re-muted after the allotted time. Please unmute yourself by pressing \*6.*

<https://portoakland.zoomgov.com/j/1612963033>

*To join by Telephone:*

*US: US: +1 669 254 5252 or +1 669 216 1590 or +1 415 449 4000*

*Webinar ID: 161 296 3033*

*To Speak on an Agenda Item In-person*

*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 the conclusion of Closed Session. You may submit a Speaker Card for Open Forum any time prior to Open Forum. All speakers will be allotted a minimum of one minute.*

**ROLL CALL**

*Commissioner Cluver, Commissioner Colbruno, Commissioner Martinez, Commissioner Story, Second Vice-President Butner, First Vice-President Lee and President Leslie.*

**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 - EXISTING LITIGATION -** (Pursuant to Paragraph (1) of Subdivision (d) of California Government Code Section 54956.9): **Number of Matter(s): 1:**

East Oakland Stadium Alliance, Pacific Merchant Shipping Association, Harbor Trucking Association, California Trucking Association, Schnitzer Steel Industries, Inc., and International Longshore and Warehouse Union v. City of Oakland, etc., et al., Alameda County Superior Court Case No. 22CV009325, California Court of Appeal (First District, Division Four) Case No. A166221

**File ID:** [\[197-23\]](#)

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

**Property:** 1 Oakland Airport Drive, CA

**Negotiating Parties:** OAK Airline Tenants and the Port of Oakland

**Agency Negotiator:** Colleen Liang, Acting Director of EP&P and Craig Simon, Acting Director of Aviation

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

**File ID:** [\[198-23\]](#)

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

**Title:** Chief Audit Officer

**File ID:** [\[199-23\]](#)

**OPEN SESSION/ROLL CALL**

*Commissioner Cluver, Commissioner Colbruno, Commissioner Martinez, Commissioner Story, Second Vice-President Butner, First Vice-President Lee and President Leslie.*

**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 Re-certify the Port of Oakland’s Updated Sewer System Management Plan, Including Spill Emergency Response Plan and Other Program Elements Therein, and Delegate Authority to the Executive Director to Make the Associated Necessary Administrative and Procedural Changes **(Engineering)**

**File ID:** [\[165-23\]](#)

**Attachments:** [Agenda Report](#)  
[Attachment](#)  
[Resolution Item 2.1](#)

- 2.2 Ordinance 4703,** 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute A Five-Year Term Extension Of Multiple Agreements With Airport Tenants And Service Providers Operating At Oakland International Airport.

**File ID:** [\[189-23\]](#)

**Attachments:** [Ordinance 4703](#)

- 2.3 Ordinance 4704,** 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute A First Amendment To The License And Concession Agreement With Hanwen Investment Inc, Dba Dragon Gate Oakland, For The Premises Located At 1 Franklin Street, Oakland, To Adjust The Rent Payment Schedule And Extend The Term By Two Months, And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.

**File ID:** [\[190-23\]](#)

**Attachments:** [Ordinance 4704](#)

- 2.4 Ordinance 4705,** 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute A License And Concession Agreement With Moussa Group LLC For The Premises Located At 7717 Oakport Street, Oakland, For A Term Of Seven (7) Years, For An Initial Monthly Rent Of \$7,669.00, And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.

**File ID:** [\[191-23\]](#)

**Attachments:** [Ordinance 4705](#)

- 2.5 Ordinance 4706**, 2nd Reading Of An Ordinance Approving Oakland International Airport Hangar/Ramp Space Agreements With Multiple General Aviation Tenants, For Terms Commencing On Various Dates And Expiring June 30, 2026, With Anticipated Annual Revenues Of \$8,538.00 For FY 2023, Operating At The North Field Of Oakland International Airport.

**File ID:** [\[192-23\]](#)

**Attachments:** [Ordinance 4706](#)

- 2.6 Ordinance 4707**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute A Space/Use Permit With SP Plus Oak RCC Joint Venture For Use Of 51,770 Square Feet Of Partially Paved Land To Support Rental Car Shuttle Bus Storage And Operations At Oakland International Airport For A Term Expiring On December 31, 2027, And Finding That The Proposed Action Is Exempt Under The California Environmental Quality Act.

**File ID:** [\[193-23\]](#)

**Attachments:** [Ordinance 4707](#)

- 2.7 Report:** Management Letter for Year Ended June 30, 2022. **(Finance & Admin)**

**File ID:** [\[094-23\]](#)

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

[Attachment](#)

### 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 Resolution:** Approve the Extension of the Letters of Credit Supporting the Port's Commercial Paper Program for Three and One-Half Years at an Annual Fee of Approximately \$840,000; Authorize the Executive Director and Chief Financial Officer to Amend the Reimbursement Agreements and Fee Agreements with Bank of America National Association; and Execute Supporting Documents. **(Finance & Admin)**

**File ID:** [\[181-23\]](#)

**Attachments:** [Agenda Report](#)  
[Attachment 1A](#)  
[Attachment 1B](#)  
[Attachment B](#)  
[Resolution Item 4.1](#)

## 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 Award Public Works Contracts with: Silman Industries and Plant Construction Company, L.P. for On-Call General Building Contractor Services in the aggregate amount of \$5,000,000 and Gallagher & Burk Inc., McGuire and Hester, O.C. Jones & Sons, Inc., Teichert Construction, and Buhler Engineering, for On-Call Paving, Grading and General Contractor Services in the Aggregate Amount of \$14,000,000 for the Period Commencing July 1, 2023 and Ending June 30, 2024, 2025, or 2026. **(Engineering)**

**File ID:** [\[177-23\]](#)

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

- 6.2 Resolution:** Approve and Authorize the Executive Director to Enter into an Agreement with Davillier-Sloan, Inc. for Construction Workforce Development and Labor Compliance Consulting Services for Projects Covered by the Maritime and Aviation Project Labor Agreement, for a Term of Five (5) Years with Two (2) One-Year Options to Extend, in a Total Amount Not to Exceed \$3,380,608 **(SRD)**

**File ID:** [\[182-23\]](#)

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

- 6.3 Resolution and Ordinance:** Adoption of a Resolution to Approve the Terms and Conditions of Employment and Certain Benefits as Set Forth in the Memorandum of Understanding between the Port of Oakland and Service Employees International Union, Local 1021 for the period July 1, 2022 through September 30, 2025 (“successor MOU”) and Enactment of An Ordinance to Amend Port Ordinance No. 867 to Set the Salaries and Certain Benefits as set forth in the successor MOU. **(Finance & Admin)**

**File ID:** [\[188-23\]](#)

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

## 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.*

## ADJOURNMENT

*The next Regular Meeting of the Board will be held on June 8, 2023.*

## 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  
[dedgerly@portoakland.com](mailto: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 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](mailto:dedgerly@portoakland.com)  
(510) 627-1337

## **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.