



SUPPLEMENTAL BOARD AGENDA

Thursday, October 12, 2017

Board Room – 2nd Floor

The Public Portion Of The Meeting Will Begin At 4:00 p.m.

ROLL CALL

Commissioner Colbruno, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, 2nd Vice-President Cluver, 1st Vice President Butner and President Story.

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 Matters 1

File ID: [308-17]

- 1.2 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - (Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of California Government Code Section 54956.9): Number of Matters 1

File ID: [309-17]

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

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

File ID: [310-17]

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

- International Federation of Professional and Technical Engineers, Local 21; Service Employees International Union, Local 1021; Western Council of Engineers; International Brotherhood of Electrical Workers, Local 1245

File ID: [311-17]

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

Property: 510 Embarcadero West, Oakland, CA

Negotiating Parties: Yoshi's Japanese Restaurant, Inc. and Port of Oakland

Agency Negotiator: Pamela Kershaw, Director of Commercial Real Estate

Under Negotiation: Price and Terms of Tenancy

Property: 9532 Earhart Road (Approx. 3.86 acres)

Negotiating Parties: Port of Oakland and Various Parties

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

Under Negotiation: Price and Terms of Tenancy

Property: 1 Airport Drive, Oakland, CA

Negotiating Parties: Port of Oakland and Various Parties

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

Under Negotiation: Price and Terms of Tenancy

Property: Oakland International Container Terminal (Berths 55-59) -1717 Middle Harbor Road and Matson Terminal (Berths 60-63) - 1579 Middle Harbor Road, Port of Oakland

Negotiating Parties: Port of Oakland and SSA Terminals, LLC

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: Price and Terms of Tenancy

File ID: [307-17]

1.6 PUBLIC EMPLOYMENT (Pursuant to California Government Code Section 54957):

- Secretary of the Board

File ID: [312-17]

1.7 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Pursuant to California Government Code Section 54957).

- Chief Audit Officer
- Port Attorney

File ID: [313-17]

Citizens Oversight and Reporting Committee (CORC)

- 1) Call to Order
 - 2) Introduction of Members
 - a) Board of Port Commissioners;
 - b) Mayor Trish Herrera **Spencer**, CORC Member, City of Alameda;
 - c) Walt **Jacobs**, CORC Member, City of Alameda;
 - d) Michelle **Ingram**, CORC Member, CLASS;
 - e) Ed **Downing**, CORC Member, CLASS;
 - f) Jim **Nelson**, CORC Member, KJOB;
 - g) Margery **Eriksson**, CORC Member, KJOB.
 - 3) President Story's remarks
 - 4) Walt Jacob's remarks on behalf of CORC
 - 5) Presentation by CORC
 - a) Issues related to implementation of NextGen technology.
 - b) Concerns regarding increasing aircraft noise from north field operations.
 - c) Working with the Port to develop a plan to address increasing noise.
 - 6) Discussion
 - 7) Open Forum (CORC)
 - 8) Adjournment (CORC)
- File ID:** [\[304-17\]](#)

OPEN SESSION/ROLL CALL

Commissioner Colbruno, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, 2nd Vice-President Cluver, 1st Vice President Butner and President Story.

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:** Authorize a Construction Budget of \$499,000 and Award Construction Contract to Bay Construction, Inc., for the amount of \$310,000 for Construction of a Service Animal Relief Area, Terminal 2, South Field, at the Oakland International Airport. **(Aviation)**

File ID: [\[275-17\]](#)

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

- 2.2 Ordinance:** Approval of a Ten-Year License and Concession Agreement for a Monthly Rental Rate of \$5,871 with T-Mobile West, LLC for a Telecommunications Facility Located at 101 Washington Street **(CRE)**

File ID: [\[302-17\]](#)

Attachments: [Agenda Report](#)
[Exhibit A](#)
[Ordinance Item 2.2](#)

- 2.3 Ordinance 4442,** 2nd Reading Of An Ordinance Approving The First Supplemental Agreement With TraPac, LLC For The Berths 25-33 Marine Terminal, To Modify Compensation, Capital Improvement Obligations, And Other Terms, Resulting In Minimum Annual Rent Of Approximately \$17.6 Million. **(Board)**

File ID: [\[305-17\]](#)

Attachments: [Ordinance 4442](#)

- 2.4 Ordinance 4443**, 2nd Reading Of An Ordinance Amending Port Ordinance No. 867 To Add Subsection 5.1051 And To Create The Workforce Development Manager Classification And Assign The Classification To Existing Salary Grade 543.7. **(Board)**

File ID: [\[306-17\]](#)

Attachments: [Ordinance 4443](#)

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:** Fiscal Year 2017 Financial Highlights. **(Finance & Admin)**

File ID: [\[297-17\]](#)

Attachments: [Report](#)

5. STRATEGY & POLICY

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

- 5.1 Ordinance:** Amending and Restating Rules and Regulations for Oakland International Airport, Including Amendments to Transportation Network Company ("TNC") Provisions and Ground Transportation Fees, To Be Effective January 1, 2018, and Extending TNC Commercial Ground Transportation Non-Exclusive Operating Permits with Rasier-CA, LLC (dba Uber), Lyft, Inc., and Tickengo, Inc. (dba Wingz) Through December 31, 2017. **(Aviation)**

File ID: [\[279-17\]](#)

Attachments: [Agenda Report](#)
[Exhibit A](#)
[Exhibit B](#)
[Public Comment Uber Letter](#)
[Ordinance Item 5.1](#)

- 5.2 Report:** Food & Beverage Concession Opportunities at Oakland International Airport, and Update for the Board and the Status of the Request for Proposals **(Aviation)**

File ID: [\[303-17\]](#)

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 Ordinance:** Adoption of an Ordinance Approving Amendment No. 2 To Space/Use Permit for Non-Exclusive In-Terminal Advertising Concession with Clear Channel Outdoor dba Clear Channel Airports To Correct and Resolve Rental Calculation Issues Identified by the Office of Audit Services; There Will Be No Change in Compensation for Advertising Located Throughout the Terminal Complex. **(Aviation)**

File ID: [\[299-17\]](#)

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

- 6.2 Resolution:** Approve a \$194,000 Design Budget for Security Exit Improvements at Terminal 2 Near the Bag Claim Exit, Oakland International Airport **(Aviation)**

File ID: [\[293-17\]](#)

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

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 October 26, 2017.

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, John Betterton, at: (510) 627-1696, 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: jbetterton@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.

John Betterton, Secretary of the Board
530 Water Street, Oakland, CA 94607
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(510) 627-1696

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.

Daria Edgerly, Assistant Secretary of the Board
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Scented Products

Commissioner's 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