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Thursday, May 4, 2017

Board Room – 2nd Floor

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## ***Special Meeting***

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

### **ROLL CALL**

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

### **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 REAL PROPERTY NEGOTIATOR - (Pursuant to California Government Code Section 54956.8)**

**Property:** Maritime Street, Oakland (Approx. 27 acres, former Oakland Army Base)

**Negotiating Parties:** CenterPoint Properties, and Port of Oakland

**Agency Negotiator:** John Driscoll, Director of Maritime

**Under Negotiation:** Price and Terms of Lease and Development

**File ID:** [114-17]

#### **1.2 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 Complaint*

**File ID:** [117-17]

**1.3 CONFERENCE WITH LABOR NEGOTIATORS** - (Pursuant to California Government Code Section 54957.6)

**Employee Organization:** *Service Employees International Union, Local 21 (“SEIU” or “Local 1021”); International Federation of Professional and Technical Engineers, Local 21 (“IFPTE” or “Local 21”); International Brotherhood of Electrical Workers, Local 1245 (“IBEW” or “Local 1245”); and Western Council of Engineers (“WCE”)*

*and*

**Unrepresented Employee:** *Units H & M*

**File ID:** [118-17]

**OPEN SESSION/ROLL CALL**

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

**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 Ordinance:** Approval of a Third Supplemental Agreement with DASL, LLC for the Premises Located at the Cost Plus Parking lot (corner of 2nd and Clay Streets) **(CRE)**

**File ID:** [\[097-17\]](#)

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

[Exhibit A](#)

[Ordinance Item 2.1](#)

**2.2 Ordinance 4411,** 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Enter Into An Antenna Site License Agreement With GSC Logistics, Inc., For Approximately Two Square Feet Of Rooftop Space At 530 Water Street.

**File ID:** [\[099-17\]](#)

**Attachments:** [Ordinance 4411](#)

- 2.3 Ordinance 4412**, 2nd Reading Of An Ordinance Approving Lease Amendment No. 8 To The U.S. Government Lease For Real Property With The United States Of America, General Services Administration, On Behalf Of The Transportation Security Administration And Amendment No. 1 To Memorandum Of Understanding/Agreement With The Transportation Security Administration At Oakland International Airport.

**File ID:** [\[100-17\]](#)

**Attachments:** [Ordinance 4412](#)

- 2.4 Minutes:** Approval of the Minutes of the Regular Board Meetings of March 23, 2017 and April 13, 2017. **(Board)**

**File ID:** [\[120-17\]](#)

**Attachments:** [March 23, 2017 Minutes](#)

[April 13, 2017 Minutes](#)

- 2.5 Report:** Report of Appointments, Separations and Leaves of Absence for FY 2016-17, 3rd Quarter (January 1, 2017 - March 31, 2017). **(Finance & Admin)**

**File ID:** [\[409-16\]](#)

**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 Resolution:** Authority to Renew Port of Oakland Insurance Policies Arranged and Paid Through Prime Insurance Brokers Described Herein in an Amount Not to Exceed \$3,980,000. **(Finance & Admin)**

**File ID:** [\[408-16\]](#)

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

[Exhibit A](#)

[Resolution Item 4.1](#)

- 4.2 Resolution:** Authorization to Substitute the Expiring Letter of Credit Supporting the Port's Commercial Paper Program, Amend the Commercial Paper Indentures, and Waive Formal Competition. **(Finance & Admin.)**

**File ID:** [\[064-17\]](#)

**Attachments:** [Agenda Report](#)  
[Fee Letter Agreement](#)  
[Reimbursement Agreement](#)  
[Offering Memorandum](#)  
[Indenture Amendment ABC](#)  
[Indenture Amendment DEF](#)  
[Resolution Item 4.2](#)

## 5. STRATEGY & POLICY

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

- 5.1 Report:** Update of Sustainability Policy Implementation Procedures **(Engineering)**

**File ID:** [\[073-17\]](#)

**Attachments:** [Report](#)  
[Sustainability Checklist April 2017](#)

- 5.2 Resolution:** Adoption of a Labor Peace Rule for Airport Concession Tenancy Agreements. **(Aviation)**

**File ID:** [\[076-17\]](#)

**Attachments:** [Agenda Report](#)  
[Labor Peace Rules for Airport Concession](#)  
[Resolution Item 5.2](#)

## 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:** Approval of Budget and Authorization for the Executive Director to Enter into an Agreement with Magnetic Ticket & Label Corporation to Provide Airline Boarding Pass and Baggage Tags for a Period of Three Years Not To Exceed \$300,000 with Two, One Year Options Not to Exceed \$100,000 Each **(Aviation)**

**File ID:** [\[083-17\]](#)

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

- 6.2 Resolution:** Authorization for the Executive Director to enter into a Memorandum of Agreement (MOA) with the US Customs and Border Protection (CBP) for reimbursement of IT equipment and connectivity costs at the International Arrival Building (IAB), and 5-year expense budget for \$282,000, Oakland International Airport (OAK). **(Aviation)**

**File ID:** [\[089-17\]](#)

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

- 6.3 Resolution:** Approval of a Professional Services Agreement with Harris Miller Miller & Hanson Inc. to Provide Airspace Consulting Services to the Airport's Noise Abatement and Environmental Affairs Office for Five Years, Fiscal Year 2017/2018 through 2021/2022, for an Amount Not to Exceed \$250,000. **(Aviation)**

**File ID:** [\[095-17\]](#)

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

- 6.4 Resolution:** Approval of a Professional Services Agreement with Landrum & Brown, Incorporated to Provide Aviation-Related Acoustical and Emissions Consulting Services to the Oakland Airport/Community Noise Management Forum for Three (3) Years, with Two (2) Possible One-Year Optional Extensions, for an Amount Not to Exceed \$250,000. **(Aviation)**

**File ID:** [\[096-17\]](#)

**Attachments:** [Agenda Report](#)  
[Resolution Item 6.4](#)

- 6.5 Resolution:** Approval and authorization for the Executive Director to: (i) amend the contract with Telos Identity Management Solutions, LLC (TelosID) for Designated Aviation Channeling (DAC) services at the Oakland International Airport (OAK); and (ii) enter into a Memorandum of Understanding (MOU) with the Transportation Security Administration (TSA) for Participation in the TSA FBI Records of Arrests and Prosecutions (RAP) Back Program at OAK **(Aviation)**

**File ID:** [\[105-17\]](#)

**Attachments:** [Agenda Report](#)  
[Resolution Item 6.5](#)

- 6.6 Resolution:** Authorization for the Executive Director to execute a Supplemental Agreement with Oakland Fire Services Administration to extend the existing Memorandum of Understanding for Aircraft Rescue and Fire Fighting two (2) years through Fiscal Year 2019. **(Aviation)**

**File ID:** [\[108-17\]](#)

**Attachments:** [Agenda Report](#)  
[ARFF MOU Second Supplement](#)  
[Resolution Item 6.6](#)

- 6.7 Ordinance:** Various Amendments to Tariff 2-A Effective July 1, 2017, Including Space Assignment Rates, Delinquency Terms and Charges, Security Deposits, Hazardous Materials and Related Environmental Matters, Shore Power Usage, and Staffing **(Maritime)**

**File ID:** [\[102-17\]](#)

**Attachments:** [Agenda Report](#)  
[Attachment A](#)  
[Ordinance Item 6.7](#)

- 6.8 Ordinance:** Approval of Space Assignment Agreement with TraPac, LLC for Land at Berth 24, with Modifications to Certain Standard Terms and for a Period Exceeding 12 Months **(Maritime)**

**File ID:** [\[104-17\]](#)

**Attachments:** [Agenda Report](#)  
[Ordinance Item 6.8](#)

- 6.9 Ordinance:** Approval and Authorization the Executive Director to Execute a Lease Amendment with Yoshi's Japanese Restaurant, Inc. ("Yoshi's") for Property Located at 510 Embarcadero West for a Term of Approximately Ten (10) Years and Approval of Two License Agreements with Yoshi's for a Parking Stall and Rooftop Antenna in the Washington Street Garage located at 101 Washington Street **(CRE)**

**File ID:** [\[087-17\]](#)

**Attachments:** [Agenda Report](#)  
[Ordinance Item 6.9](#)

- 6.10 Ordinance:** Approval of the Fourth Amendment to the Jack London Square Operating Agreement. **(CRE)**

**File ID:** [\[086-17\]](#)

**Attachments:** [Agenda Report](#)  
[Ordinance Item 6.10](#)

- 6.11 Ordinance:** Approval of a Wireless Telecommunications Lease Agreement with Sprint Spectrum LP for approximately 1,200 square feet of Land for a Term of Ten (10) Years. **(CRE)**

**File ID:** [\[088-17\]](#)

**Attachments:** [Agenda Report](#)  
[Exhibits Sprint](#)  
[Ordinance Item 6.11](#)

- 6.12 Ordinance:** Approval of a License and Concession Agreement with California Generator Service Corporation for a Five (5) Year and One (1) Month Term for (i) Approximately 4,800 Square Feet of Building Space and 9,000 Square Feet of Yard Area Located at 7723 Oakport Street, Oakland, which will expand to include an additional 3,750 Square Feet of Building Space located at 7721 Oakport Street on June 1, 2018, and (ii) Provide an Additional 3,960 Square Feet of Yard Area at 7717 Oakport Street, Oakland, on a Month-to-Month Basis. **(CRE)**

**File ID:** [\[101-17\]](#)

**Attachments:** [Agenda Report](#)  
[Ordinance Item 6.12](#)

- 6.13 Resolution:** Approval of the Draft Port Share Plan for the Jack London Improvement District for Fiscal Year 2017 **(CRE)**

**File ID:** [\[091-17\]](#)

**Attachments:** [Agenda Report](#)  
[Attachment](#)  
[Resolution Item 6.13](#)

- 6.14 Resolution:** Authorization to Retain Wiley, Price & Radulovich LLP as the Port's Chief Negotiator for Labor Negotiations for Two Years for an Amount not to Exceed \$250,000. **(Finance & Admin)**

**File ID:** [\[090-17\]](#)

**Attachments:** [Agenda Report](#)  
[Resolution Item 6.14](#)

## 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*

- 8.1 The Regular Meeting of May 11, 2017 is Cancelled.

**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**

*A Special Meeting of the Board will be held on May 18, 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)  
<<http://www.portoakland.com>>

To receive Port Agendas and Agenda Related Materials by email, please email your request to: [jbetterton@portoakland.com](mailto: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  
[jbetterton@portoakland.com](mailto:jbetterton@portoakland.com)  
(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  
530 Water Street, Oakland, CA 94607  
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(510) 627-1337

### Scented Products

Please refrain from wearing scented products to this meeting so attendees who experience chemical sensitivities may attend

## **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 deliberative debate and hold both staff and ourselves accountable for implementing them.