



## **SUPPLEMENTAL BOARD AGENDA**

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Thursday, November 30, 2017

Board Room – 2nd Floor

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***The Public Portion Of The Meeting Will Begin At 3:30 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**

*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:** Parcel 15A - North Gateway, Oakland, CA

**Negotiating Parties:** City of Oakland, Custom Alloy and Scrap Sales, Inc. and Port of Oakland

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

**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:** SSA Terminals, LLC and Port of Oakland

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

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

**File ID:** [383-17]

#### **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 Matters     1**

*West Oakland Environmental Indicators Project Title VI Complaint: DOT#2017-0093, EPA File Nos. 13R-17-R9 (City of Oakland) and 14R-17-R9 (Board of Port Commissioners and Port of Oakland)*

**File ID:** [384-17]

**1.3 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:** [385-17]

**1.4 PUBLIC EMPLOYMENT** (Pursuant to California Government Code Section 54957).

- Chief Audit Officer

**File ID:** [386-17]

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

- Port Attorney
- Executive Director

**File ID:** [390-17]

**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 Ordinance:** Approval and Authorization for Execution of an Amendment to Space/Use Permit at the North Field of Oakland International Airport with Civil Air Patrol, a Federally Chartered Nonprofit Corporation, to Extend its Occupancy for Five (5) Years at a Monetary Consideration of \$1.00 Per Annum. **(Aviation)**

**File ID:** [\[351-17\]](#)

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

- 2.2 Ordinance:** Approve and Authorize Executive Director to Execute a Second Supplement to License and Concession Agreement with SFO Hotel Shuttle, Inc. for 51,770 Square Feet of Improved Real Property at the Southwest Corner Of Earhart Road and Fairchild Street at the North Field of Oakland International Airport, for an Initial Term of 4 Years at a Rental Rate of \$17,084 Per Month Plus Two 5-Year Options. **(Aviation)**

**File ID:** [\[357-17\]](#)

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

- 2.3 Ordinance:** Approve and Authorize Executive Director to Execute Amendment No. 1 to Telecommunications License Agreement with New Cingular Wireless PCS, LLC for a Site on the Rooftop Area at Hangar 3 for a Term of Five Years at an Initial License Fee of \$11,675 Per Month. **(Aviation)**

**File ID:** [\[356-17\]](#)

**Attachments:** [Agenda Report](#)  
[Ordinance Item 2.3](#)

- 2.4 Ordinance:** Approve and Authorize the Executive Director to Extend the Term of Three Temporary Right of Entry and Construction Access Agreements for Three Years for Installation of Waterfront Trail Improvements on Three Port Owned Properties Located Along the Oakland Estuary **(CRE)**

**File ID:** [\[355-17\]](#)

**Attachments:** [Agenda Report](#)  
[Attachment 1](#)  
[Attachment 2](#)  
[Ordinance Item 2.4](#)

- 2.5 Ordinance:** Authorize the Executive Director to Extend a Rent-Free Temporary Rental Agreement with O.C. Jones and Sons, Inc., Associated with the Expansion of the Berths 25-33 Marine Terminal, through June 30, 2018. **(Maritime)**

**File ID:** [\[359-17\]](#)

**Attachments:** [Agenda Report](#)  
[Ordinance Item 2.5](#)

- 2.6 Building Permit:** for Pacific Maritime Association for Modular Building Installation and Improvements at Howard Terminal, 1 Jefferson Street **(Engineering)**

**File ID:** [\[360-17\]](#)

**Attachments:** [Building Permit 5161](#)  
[Resolution Item 2.6](#)

- 2.7 Building Permit:** for SSA Terminals, LLC for Installation of New OCR Entrance Portal and Related Improvements at OICT Terminal, 1717 Middle Harbor Road **(Engineering)**

**File ID:** [\[361-17\]](#)

**Attachments:** [Building Permit 5156](#)  
[Resolution Item 2.7](#)

- 2.8 Building Permit:** for Pacific Gas and Electricity (PG&E) for Installation of New Gas Line in Earhart Road, Earhart Road between Airport Drive and Swan Way **(Engineering)**

**File ID:** [\[362-17\]](#)

**Attachments:** [Building Permit 5163](#)  
[Resolution Item 2.8](#)

- 2.9 Ordinance 4448,** 2nd Reading Of An Ordinance: 1) Approving A Ground Lease Agreement With Centerpoint-Oakland Development I, LLC For Design, Construction, Finance, Operation, And Maintenance Of A Transload And Distribution Facility On Approximately 27 Acres On The Former Oakland Army Base With A Term Of 66 Years And Initial Fixed Rent Of Approximately \$1.3 Million Per Year; 2) Making Findings And Determinations Pursuant To The California Environmental Quality Act; 3) Approving A Budget Of \$1 Million For Certain Utility-Related Expenditures; And 4) Approving The Operations Jobs Policy For Inclusion In The Ground Lease Agreement As An Exhibit.

**File ID:** [\[387-17\]](#)

**Attachments:** [Ordinance 4448](#)

- 2.10 Ordinance 4449,** 2nd Reading Of An Ordinance Authorizing The Executive Director To Execute Two-Year Extensions Of Space Assignment Agreements At The Former Oakland Army Base With (I) Impact Transportation, (III) Pacific Coast Container, And (III) Port Transfer, Inc.

**File ID:** [\[388-17\]](#)

**Attachments:** [Ordinance 4449](#)

- 2.11 Ordinance 4450**, 2nd Reading Of An Ordinance Approving A 10% Increase To Target Rental Rates For Short Term Rental Agreements And A 4% Increase To Holdover Rental Rates For Certain Existing Property Rental Agreements Within The Commercial Real Estate Division Portfolio.

File ID: [\[389-17\]](#)

Attachments: [Ordinance 4450](#)

- 2.12 Informational Report:** Annual Change Order Report on Construction Contracts Completed during FY 16/17 **(Engineering)**

File ID: [\[314-17\]](#)

Attachments: [Report](#)

[Attachment A](#)

[Attachment B](#)

### 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:** Unaudited Financials for 3 months ended September 30, 2017 including Capital Expenditure Report. **(Finance & Admin)**

File ID: [\[423-16\]](#)

Attachments: [Report](#)

### 5. STRATEGY & POLICY

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

- 5.1 Informational Report** on the Maritime and Aviation Project Labor Agreement (MAPLA) Annual Progress Report Summary (July 1, 2016 - June 30, 2017) **(SRD)**

File ID: [\[335-17\]](#)

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:** Approval of an Airline Operating Agreement with Delux Public Charter, LLC doing business as JetSuiteX Operating at Oakland International Airport generating approximately \$176,000 in Annual Aviation-Related Revenue. **(Aviation)**

**File ID:** [\[352-17\]](#)

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

- 6.2 Ordinance:** Approval and Authorization for Execution of an Amendment to Lease with DHL Express (USA), Inc. at the North Field of Oakland International Airport, to Extend its Occupancy of a Warehouse, Land and Apron for Five (5) Additional Years at an Initial Rental of \$43,848 Per Month. **(Aviation)**

**File ID:** [\[353-17\]](#)

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

- 6.3 Ordinance:** Authorize the Executive Director to: 1) Extend a No-Cost Temporary Rental Agreement with the Seafarer's Ministry of the Golden Gate for a 0.2-Acre Parcel of Land located at 4001 7th Street, Oakland, through March 31, 2018; and 2) Enter into a No-Cost Lease with Seafarer's Ministry of the Golden Gate for a Term of Five Years with One, Five-Year Option to Extend, for the Same 0.2-Acre Parcel of Land **(Maritime)**

**File ID:** [\[329-17\]](#)

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

- 6.4 Resolution:** Authorize the Executive Director to Extend the Term of the Truck Parking Management Agreement for Truck Parking Services on Port Property with ABM Industry Groups, LLC, doing business as ABM Parking Services (formerly known as AMPCO System Parking Inc.) from August 21, 2017 through July 31, 2018 for an Amount Not to Exceed \$4.0 million **(Maritime)**

**File ID:** [\[363-17\]](#)

**Attachments:** [Agenda Report](#)  
[Resolution 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 December 14, 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, 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 Assistant Secretary of the Board no later than five working days prior to the scheduled meeting date.

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[dedgerly@portoakland.com](mailto:dedgerly@portoakland.com)  
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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.