



## **SUPPLEMENTAL BOARD AGENDA**

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Thursday, February 14, 2019

Board Room – 2nd Floor

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

### **ROLL CALL**

*Commissioner Lee, Commissioner Leslie, Commissioner Martinez, Commissioner Story,  
2nd Vice-President Colbruno, 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 1

**File ID:** [047-19]

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

**Property:** One Market Street, Oakland, CA (Howard Terminal)

**Negotiating Parties:** Oakland Athletics and Port of Oakland

**Agency Negotiator:** Pamela Kershaw, Director of Commercial Real Estate

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

**File ID:** [049-19]

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

**Employee Organizations:** International Federation of Professional and Technical Engineers, Local 21 (IFPTE-Local 21); Services Employees International Union, Western Council of Engineers (WCE); and International Brotherhood of Electrical Workers, Local 1245 (IBEW-Local 1245)

**File ID:** [051-19]

## OPEN SESSION/ROLL CALL

*Commissioner Lee, Commissioner Leslie, Commissioner Martinez, Commissioner Story, 2nd Vice-President Colbruno, 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 Ordinance 4511**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Enter Into An Eighth Supplemental Agreement Generating Approximately \$3.4 Million Of Average Annual Rent And Extending The Term Through December 31, 2023 And A First Amendment To The Tail Track Operating Agreement To Modify Track Infrastructure With Burlington Northern Santa Fe Railway Company For The Joint Intermodal Facility Which Will Result In A One-Time Expenditure Of \$550,000 Of Port Funds.

**File ID:** [\[044-19\]](#)

**Attachments:** [Ordinance 4511](#)

- 2.2 Minutes:** Approval of the Minutes of the Regular Meeting of January 24, 2019. **(Board)**

**File ID:** [\[050-19\]](#)

**Attachments:** [January 24, 2019 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.*

- 3.1 Resolution:** Authorize the Executive Director to Enter into a Cooperative Agreement with Alameda County Transportation Commission and Approve \$2,100,000 of Capital Funds for the Development, Construction and Operation of Thirteen (13) Demonstration Projects in the Seaport Associated with the Freight Intelligent Transportation System Program. **(Maritime)**

**File ID:** [\[040-19\]](#)

**Attachments:** [Supplemental Agenda Report](#)  
[Resolution Item 3.1](#)

#### 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:** Comprehensive Annual Financial Report for the Years Ended June 30, 2018 and 2017. **(Finance & Admin)**

**File ID:** [\[011-19\]](#)

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

- 4.2 Report:** External Auditor's Report to the Board of Port Commissioners for the Year Ended June 30, 2018. **(Finance & Admin)**

**File ID:** [\[012-19\]](#)

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

- 4.3 Report:** Single Audit, Passenger Facility Charges and Customer Facility Charges Reports for the Year Ended June 30, 2018. **(Finance & Admin)**

**File ID:** [\[013-19\]](#)

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

- 4.4 Report:** Deferred Compensation Plan Audit for Fiscal Year Ended June 30, 2018. **(Finance & Admin)**

**File ID:** [\[014-19\]](#)

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

#### 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 Execute an Agreement with ZDEVCO for Maritime Port Registry, and Truck Positioning System Management and Maintenance for a Term of One (1) Year with Two (2), 1-Year Options to Extend, in a Total Aggregated Amount Not to Exceed \$1,100,000. **(Maritime)**

**File ID:** [\[039-19\]](#)

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

- 6.2 Resolution:** Approve and Authorize the Executive Director to Enter into a Professional Service Agreement with George S. Hall, Inc. for Building Engineering and Maintenance Services for a Three (3) Year Term with Two (2) One-Year Options to Renew, for a Total Possible Term of Five (5) Years with a Starting Annual Fee of \$434,512.00 as well as (a) a Not-To-Exceed Allowance of 15% Per Contract Year for Unanticipated Repairs and Temporary Back-Up Staffing, and (b) Annual Wage and Benefit Increases Pursuant to the Applicable Collective Bargaining Agreement. **(CRE)**

**File ID:** [\[043-19\]](#)

**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 February 28, 2019.*

## 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  
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### 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.