



## **SUPPLEMENTAL BOARD AGENDA**

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Thursday, November 21, 2019

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 Lee, Commissioner Martinez, Commissioner Story, 2nd Vice-President Leslie, 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 REAL PROPERTY NEGOTIATOR - (Pursuant to California Government Code Section 54956.8)**

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

**Negotiating Parties:** Southwest Airlines and Port of Oakland

**Agency Negotiator:** Bryant, Francis, Director of Aviation

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

**Property:** Berths 20, 21, and 22 areas located at the Port of Oakland - 1599 Maritime Street, Oakland, CA

**Negotiating Parties:** Eagle Rock Aggregates, Inc. and Port of Oakland

**Agency Negotiator:** John Driscoll, Director of Maritime & Eric Napralla, Chief Wharfinger

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

**Property:** Available Dock Space at Berth 34, Oakland, CA

**Negotiating Parties:** Seaspan Ferries Corporation and Port of Oakland

**Agency Negotiator:** John Driscoll, Director of Maritime & Eric Napralla, Chief Wharfinger

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

**Property:** 1 Market Street, Oakland, CA (Howard Terminal)

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

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

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

**File ID:** [349-19]

- 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(s): 2**

**File ID:** [348-19]

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

**Title:** Port Attorney

**File ID:** [350-19]

## OPEN SESSION/ROLL CALL

*Commissioner Colbruno, Commissioner Lee, Commissioner Martinez, Commissioner Story, 2nd Vice-President Leslie, 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 Resolution:** Authorization to Execute an Extension Agreement with the San Francisco Bay Area Rapid Transit District (BART) to Provide As-Needed BART Bus Bridge Service for a Term up to December 31, 2024. **(Aviation)**

**File ID:** [\[340-19\]](#)

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

- 2.2 Ordinance:** Authorize the Executive Director to Approve a No-Cost Temporary License Agreement with the San Francisco Bar Pilots for Vehicle Parking and Vessel Access at Berth 34 for a Term of Three Years **(Maritime)**

**File ID:** [\[330-19\]](#)

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

- 2.3 Minutes:** Approval of the Minutes of the Regular Meetings of October 10, 2019 and October 24, 2019. **(Board)**

**File ID:** [\[322-19\]](#)

**Attachments:** [October 10, 2019 Minutes](#)  
[October 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:** Approve and Authorize the Executive Director to Execute a Memorandum of Understanding with Alameda County Transportation Commission and the City of Oakland to Define Roles, Responsibilities, and Authorities Associated with the 7th Street Grade Separation East Project (GoPort Program). **(Maritime/Engineering)**

**File ID:** [\[337-19\]](#)

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

- 3.2 Ordinance:** Approve and Authorize the Executive Director to Enter into a No-Cost Temporary License Agreement with Alameda County Transportation Commission for Certain Port Lands Located Along 7th Street Near the Intersection of 7th Street and Maritime Street, Providing for Various Activities in Support of Constructing the 7th Street Grade Separation East Project through December 31, 2024. **(Maritime/Engineering)**

**File ID:** [\[336-19\]](#)

**Attachments:** [Agenda Report](#)  
[Ordinance Item 3.2](#)

- 3.3 Report:** Update on Turning Basins Expansion Study **(Maritime)**

**File ID:** [\[335-19\]](#)

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

### 4. BUDGET & FINANCE

*This segment of the meeting is reserved for action or discussion regarding the status of Budget and Finance issues.*

### 5. STRATEGY & POLICY

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

- 5.1 **Ordinance:** Adopt Amendments to the By-Laws and Administrative Rules of the Board of Port Commissioners (**Port Attorney**).

File ID: [\[296-19\]](#)

Attachments: [Agenda Report](#)  
[Ordinance Item 5.1](#)

## 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 a \$1,336,000 Design Budget for Pavement Rehabilitation Projects at the Oakland International Airport, and Authorize the Executive Director to Execute a Second Supplemental Agreement (Year 2) with Orion Engineers and Associates for an Additional \$1,424,000 for Design Consultant Services for Airport Drive/Bessie Coleman Drive, Taxiway Bravo, Taxiway Victor, and Taxiway Romeo (Eastern) Pavement Rehabilitation Projects. (**Engineering/Aviation**)

File ID: [\[291-19\]](#)

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

- 6.2 **Resolution:** (1) Authorize the Executive Director to Enter into the Mitigation Agreement with East Bay Regional Park District for Two (2) Years as Mitigation for Impacts Associated with the Airport Perimeter Dike Improvements Project in the Amount of \$78,750. (**Engineering & Aviation**)

File ID: [\[325-19\]](#)

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

- 6.3 **Resolution:** Authorize a Fiscal Year 2020 Capital Equipment Budget of \$6,481,045 to Procure Equipment for Use by Aviation Division and Harbor Facilities Department; Designate Existing Equipment as Surplus because it is Either Inadequate, Obsolete or Worn-Out and Approve to Sell, Donate, or Dispose of Such Property; and Authorize the Executive Director to Procure the Equipment for a Not-to-Exceed Amount of \$6,481,045. (**Aviation/Engineering**)

File ID: [\[329-19\]](#)

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

- 6.4 Resolution:** Authorization to Execute an Agreement with the City of Oakland for Reformation and Maintenance Costs Related to Community Facilities District No. 2015-1, for an Amount Not to Exceed \$369,015 For Certain Costs For Fiscal Years 2018-19 and 2019-20. **(Maritime)**

**File ID:** [\[338-19\]](#)

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

- 6.5 Ordinance:** Approve and Authorize the Executive Director to Execute a Lease with United Food Solutions for the Premises Located at 31 Webster Street and 38 Webster Street, Oakland, for a Ten (10) Year Term with One (1) Option to Extend for an Additional Six (6) Years for a Minimum Rental Amount of \$1,260,876 over Ten (10) Years. **(CRE)**

**File ID:** [\[339-19\]](#)

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

## **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 12, 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  
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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.