



## **SUPPLEMENTAL BOARD AGENDA**

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Thursday, January 23, 2020

Board Room – 2nd Floor

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***The Public Portion Of The Meeting Will Begin At 4:00 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 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): 4**

**File ID:** [071-20]

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

**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:** [072-20]

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

**Unrepresented Employee:** Unit H

**File ID:** [073-20]

**1.4 PUBLIC EMPLOYEE PERFORMANCE EVALUATION -** (Pursuant to California Government Code Section 54957):

**Title:** Executive Director, Port Attorney, Chief Audit Officer, Secretary of the Board

**File ID:** [074-20]

**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:** Consent to Assignment from Soaring Food Group, LLC to Soaring Food Group II, LLC., for Unit No. T1-FB-G9 in Terminal 1 under Space/Use Permit for Food and Beverage Concession at Oakland International Airport. **(Aviation)**

**File ID:** [\[015-20\]](#)

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

- 2.2 Ordinance:** Adoption of an Ordinance Approving a Space/Use Permit with Gitbin & Associates, Inc., doing business as Go Rentals, with Anticipated Annual Revenues of \$12,000, Operating at the North Field of Oakland International Airport. **(Aviation)**

**File ID:** [\[017-20\]](#)

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

- 2.3 Resolution:** Authorize Executive Director to Execute All Documents, including Other Transaction Agreement (OTA) and Statement of Joint Objectives (SOJO), to Participate in the Transportation Security Administration's (TSA's) Law Enforcement Officer Reimbursement Program **(Aviation)**

**File ID:** [\[065-20\]](#)

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

- 2.4 Ordinance:** Authorize the Executive Director to Execute a First Amendment to the Lease with Seafarer's Ministry of the Golden Gate to Provide for the Maintenance of a Memorial Sculpture **(Maritime)**

**File ID:** [\[030-20\]](#)

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

- 2.5 Ordinance:** Approve and Authorize the Executive Director to Execute a License and Concession Agreement with Passage Nautical Enterprises, Inc. for a Thirty-Eight (38) Month Term for the Premises Located at 544 Water Street, Oakland with an Initial Rent of \$1,538.00 per month and 4% annual increases thereafter. **(CRE)**

**File ID:** [\[068-20\]](#)

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

- 2.6 Ordinance:** Approve and Authorize the Executive Director to Execute an Amendment to Lease with GSC Logistics, Inc. ("GSC") to Expand their Premises Located at 530 Water Street, 5th Floor by an Additional Approximately 3,487 Sq.Ft., for an Additional Fixed Monthly Rent of \$12,952.53 and an additional Monthly Building Operating/Common Area Expense Reimbursement of \$230.84, and Terminate the License & Concession Agreement with GSC for Ground Floor Office Space at 516 Water Street Upon GSC's Move Into the Expanded Premises at 530 Water Street, 5th Floor. **(CRE)**

**File ID:** [\[069-20\]](#)

**Attachments:** [Agenda Report](#)  
[Ordinance Item 2.6](#)

- 2.7 Resolution:** Approval to Submit an Attestation of the Veracity of the Port's Power Source Disclosure Report and the Power Content Label to the California Energy Commission for Calendar Year 2018. **(Engineering)**

**File ID:** [\[014-20\]](#)

**Attachments:** [Agenda Report](#)  
[Resolution Item 2.7](#)

- 2.8 Ordinance 4544,** 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute An Encroachment Agreement With Union Pacific Railroad Company For The Installation Of Radio Frequency Identification Device Equipment And Train Detection Equipment Associated With The Freight Intelligent Transportation System ("FITS") Element Of The Goport Program.

**File ID:** [\[059-20\]](#)

**Attachments:** [Ordinance 4544](#)

- 2.9 Ordinance 4545,** 2nd Reading Of An Approving An Amendment To Space/Use Permit With Each Of The Four Food And Beverage Concessionaires - HFF Oak Venture, LLC; Rylo Management, LLC; Soaring Food Group, LLC; And SSP America Oak, LLC - To Increase The Employee Benefits Fee, Extend The Term By Three Months To March 31, 2030, Add Approximately 1,636 Square Feet To SSP America Oak, LLC's Assigned Space At An Initial Monthly Rent Of \$9,648, Augment Methods For Establishing The Square Footage Of Each Unit, Formally Incorporate Two Units Into The Definition Of Assigned Space For HFF Oak Venture, LLC And SSP America Oak, LLC, Confirm Commencement Date For Payments Into The Marketing And Mid-Term Refurbishment Funds, Extend The Rent Commencement Dates On A Unit-By-Unit Basis, Authorize The Director Of Aviation To Approve Reimbursement Through Rent Credits For Certain Port Of Oakland-Required Improvements To Be Constructed By Concessionaires In An Amount Not To Exceed \$100,000 Per Unit, Require Each Concessionaire To Develop A Detailed Facility And Equipment Maintenance Plan, Waive The Prohibition Of Installing Game And Automated Vending Machines, Require Each Concessionaire To Develop, Produce And Deliver To The Port A Detailed Quarterly Business Report, And Restrict The Use Of TSA Prohibited Items In SSP America Oak, LLC's Peet's Coffee Near Gates 26 And 27 (Unit No. T2-Fb-G27).

**File ID:** [\[060-20\]](#)

**Attachments:** [Ordinance 4545](#)

- 2.10 Ordinance 4546,** 2nd Reading Of An Ordinance Approving An Access License Agreement With The City Of San Leandro For \$500,000 In Consideration, And An Assignment Of Easement With Harbor Bay Isle Associates For No Monetary Consideration.

**File ID:** [\[061-20\]](#)

**Attachments:** [Ordinance 4546](#)

- 2.11 Ordinance 4547**, 2nd Reading Of An Ordinance Amending Port Ordinance No. 867 To Create The New Classification Of Chief Operating Officer.

File ID: [\[062-20\]](#)

Attachments: [Ordinance 4547](#)

- 2.12 Minutes:** Approval of the Minutes of the Regular Meetings of November 21, 2019, December 12, 2019 and the Special Meeting of December 4, 2019. **(Board)**

File ID: [\[066-20\]](#)

Attachments: [November 21, 2019 Minutes](#)

[December 12, 2019 Minutes](#)

[December 4, 2019 Minutes](#)

- 2.13 Report:** Report of Appointments, Separations and Leaves of Absence for FY 2019-20, 2nd Quarter (October 1, 2019 - December 31, 2019). **(Finance & Admin)**

File ID: [\[033-20\]](#)

Attachments: [Report](#)

- 2.14 Report:** Comprehensive Annual Financial Report for Years Ended June 30, 2019 and 2018. **(Finance & Admin)**

File ID: [\[034-20\]](#)

Attachments: [Report](#)

[Attachment](#)

### 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 5 months ended November 30, 2019. **(Finance & Admin)**

File ID: [\[031-20\]](#)

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:** (1) Authorize \$335,000 in Capital Budget to Implement an Airport Mapping and Interactive Wayfinding (MAP) and Future Purchase of 20 Interactive Kiosks and Associated Computer Hardware at the Oakland International Airport and (2) Authorize the Executive Director to Execute Agreements with Art of Context, Inc. to License to Implement the MAP at a Cost Not to Exceed \$135,000 and Provide 7 Years of Software Licensing and 3rd Level Support for the MAP at a Cost Not to Exceed \$75,000 **(Aviation)**

**File ID:** [\[028-20\]](#)

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

- 6.2 Resolution:** (1) Authorize a Budget of \$1,082,000 for the Gate 9A Passenger Boarding Bridge Replacement Project and (2) Authorize Executive Director to Dispense with Standard Bidding Procedures and Enter into a Sole Source Agreement with JBT AeroTech for a Not-to-Exceed Amount of \$1,064,000. **(Aviation)**

**File ID:** [\[064-20\]](#)

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

- 6.3 Resolution:** For the Electric Truck Charging Stations (ZANZEFF Grant) Project - Authorize the Executive Director to Enter into a Contract with Bockmon & Woody Electric Co., Inc. in an Amount Not-To-Exceed \$972,000; and Authorization to Dispense with Standard Bidding Procedures and Authorize the Executive Director to Award a Procurement Contract in an Amount Not-To-Exceed \$200,000 with Transportation Power, Inc. for 10 Charging Units. **(Engineering/Maritime)**

**File ID:** [\[012-20\]](#)

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

## 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 Februaray 13, 2020.*

## 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.