



PORT OF OAKLAND

SUPPLEMENTAL BOARD AGENDA

Thursday, May 28, 2020

Board Room – 2nd Floor

The Public Portion Of The Meeting Will Begin At 4:30 p.m.

COVID-19 PUBLIC PARTICIPATION

You may request to make a public comment by “raising your hand” through Zoom’s video conference or phone feature, as described below. Requests will be received only during the designated times in which to receive such requests and only for eligible Agenda items. Public comments will be subject to the appropriate time limit.

To comment by Zoom video conference, click the “Raise Your Hand” button to request to speak when Public Comment is being taken on the eligible Agenda item. You will then be unmuted, during your turn, and allowed to make public comments. After the allotted time, you will then be re-muted. Instructions on how to “Raise Your Hand” is available at: <https://support.zoom.us/hc/en-us/articles/205566129> - Raise-Hand-In-Webinar.

*To comment by phone, please call on one of the phone numbers listed below. You will be prompted to “Raise Your Hand” by pressing “*9” to request to speak when Public Comment is being taken on the eligible Agenda Item. You will then be unmuted, during your turn, and allowed to make public comments. After the allotted time, you will then be re-muted. Instructions of how to raise your hand by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663> - Joining-a-meeting-by-phone.*

Here is the link to register to participate in the meeting:

<https://portoakland.zoom.us/j/95179471369>

To join the meeting by Telephone:

US: +1 669 900 9128 or +1 346 248 7799 or +1 253 215 8782 or +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 951 7947 1369

If asked for a participant ID or code, press #. Instructions on how to join a meeting by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663> - Joining-a-meeting-by-phone.

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): 2 (additional information provided on the Closed Session Report Item 1.1, "Potential Litigation Under California Government Code Section 54956.9 [Two (2) Matters]," attached hereto)**

File ID: [\[187-20\]](#)

Attachments: [Report](#)
 [Exhibits](#)

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

Property: Terminal Complex and Related Support Buildings at the South Field located at #1 Airport Drive and Southwest Airlines' Vehicle Maintenance Facility at the North Field, all located at Oakland International Airport

Negotiating Parties: Port of Oakland and Signatory Passenger and Air Cargo Airlines; and Retail, Food & Beverage, Wine Bar, Lounge, Advertising and Rental Car Concessionaires at Oakland International Airport

Agency Negotiator: Bryant L. Francis, Director of Aviation & Brandon J. Mark, Manager of Aviation Properties

Under Negotiation: Price and Terms of Payment

Property: Various Properties Located Throughout Commercial Real Estate Division, including Jack London Square, the Brooklyn Basin Area, the Embarcadero Road Corridor, the Oakland Airport Business Park, and the Bay Bridge Landing Area

Negotiating Parties: Port of Oakland and Various CRE Tenants within Hospitality, Restaurant, Advertising, Utilities, Industrial/Warehouse, and Office Industries

Agency Negotiator: Pamela Kershaw, Director of Commercial Real Estate

Under Negotiation: Price and Terms of Payment

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 Payment

Property: Outer Harbor Terminal Berths 22-24 and Howard Terminal Berths 67-68
Negotiating Parties: Port of Oakland, Pacific Layberthing South, LLC and Leidos, Inc.
Agency Negotiator: Chief Wharfinger, Eric Napralla
Under Negotiation: Price and Terms of Tenancy

File ID: [\[188-20\]](#)

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

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: [\[189-20\]](#)

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 Ordinance 4558, 2nd Reading Of An Ordinance Amending Port Of Oakland Ordinances No. 867 Ratifying And Setting The Annual Salary For The Secretary Of The Board At \$185,000 Retroactive To The First Day Of The Pay Period Containing January 1, 2020.

File ID: [\[190-20\]](#)

Attachments: [Ordinance 4558](#)

2.2 Minutes: Approval of the Minutes of the Regular Meeting of April 23, 2020. **(Board)**

File ID: [\[191-20\]](#)

Attachments: [April 23, 2020 Minutes](#)

2.3 Report: Awards of Public Works and Professional Services Contracts by the Executive Director for the Period from January 2020 through March 2020. **(Engineering)**

File ID: [\[172-20\]](#)

Attachments: [Report](#)

- 2.4 Report:** Actions Taken by the Executive Director under Authority Granted by the Board of Port Commissioners per Resolution 20-30 (**Executive Office**)

File ID: [\[192-20\]](#)

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.

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 a Fourth Supplemental Agreement with Oakland Fire Services Administration to extend the existing Memorandum of Understanding (MOU) for Aircraft Rescue and Fire Fighting one (1) year through June 30, 2021. (**Aviation**)

File ID: [\[171-20\]](#)

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

- 6.2 Ordinance:** Approval of Various Amendments to Tariff No. 2-A, Effective July 1, 2020, to (a) clarify and establish certain non-containerized cargo wharfage rates; (b) eliminate monthly dockage rates and rules; (c) make revisions to rules and rates for the Port-owned Truck Parking/Container Depot facilities; (d) establish payment responsibility and fees for security guards; (e) establish a utility connection fee; (f) expand the discretion to deny applications for events at the Middle Harbor Shoreline Park; and (g) make various other administrative updates (**Maritime**)

File ID: [\[173-20\]](#)

Attachments: [Agenda Report](#)
[Attachments A-G](#)
[Ordinance 6.2](#)

- 6.3 Resolution:** Authorize the Executive Director to Execute a Feasibility Cost Sharing Agreement with the U.S. Army Corps of Engineers and Approve a Budget of \$1,500,000 for the Oakland Harbor Turning Basins Widening Feasibility Study. **(Maritime)**

File ID: [\[184-20\]](#)

Attachments: [Agenda Report](#)
 [Attachments A-B](#)
 [Resolution 6.3](#)

- 6.4 Resolution:** For the Ben E. Nutter Terminal Pavement Maintenance Project (i) Approve a Project Budget in an Amount Not-To-Exceed \$2,195,560; (ii) Authorize the Executive Director to Enter Into a Contract with Oliver de Silva dba Gallagher & Burk, Inc. in an Amount Not-To-Exceed \$1,667,875; and (iii) Authorize the Executive Director to Execute Contract Change Orders to the Extent Necessary in an Amount Not-to-Exceed \$333,575. **(Engineering/Maritime)**

File ID: [\[174-20\]](#)

Attachments: [Agenda Report](#)
 [Resolution 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 June 11, 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

To receive Port Agendas and Agenda Related Materials by email, please email your request to: 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
(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 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.