



SUPPLEMENTAL BOARD AGENDA

Thursday, October 24, 2019

Board Room – 2nd Floor

The Public Portion Of The Meeting Will Begin At 4:30 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 (8:30 a.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: Intersection of Maritime Street and 14th Street, Oakland, CA

Negotiating Parties: CenterPoint-Oakland Development I LLC and Port of Oakland

Agency Negotiator: John Driscoll, Director of Maritime

Under Negotiation: Price and Terms of Tenancy

Property: Rail yard located directly east of Maritime Street, parallel to I-880, on the former Oakland Army Base property owned by the Port, Oakland, CA

Negotiating Parties: West Oakland Pacific Railroad LLC and Port of Oakland

Agency Negotiator: John Driscoll, Director of Maritime

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: [319-19]

- 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 Matters: 2**
File ID: [318-19]
- 1.3 **PUBLIC EMPLOYEE APPOINTMENT** - (Pursuant to California Government Code Section 54957)
Title: Executive Director and Port Attorney
File ID: [320-19]

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:** Consent to Change in Control in Ownership of Fox Rent A Car, Inc. and Assignment of a Space/Use Permit for Non-Exclusive Rental Car Concession and a License and Concession Agreement at Oakland International Airport, from the Current Shareholders of Fox Rent A Car, Inc. to Europcar Mobility Group **(Aviation)**

File ID: [\[315-19\]](#)

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

- 2.2 **Minutes:** Approval of the Minutes of the Regular Meeting of September 26, 2019. **(Board)**

File ID: [\[317-19\]](#)

Attachments: [September 26, 2019 Minutes](#)

- 2.3 **Report:** Report of Appointments, Separations and Leaves of Absence for FY 2019-20, 1st Quarter (July 1, 2019 - September 30, 2019). **(Finance & Admin)**

File ID: [\[299-19\]](#)

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.

- 3.1 Resolution:** For the Joint Traffic Management Center/Emergency Operation Center Project and the Freight Intelligent Transportation System (“FITS”) Program: Approve Additional Project Budget in an Amount Not-To-Exceed \$3,337,503 for the FITS Program; Authorize the Executive Director to Execute a Contract with CB2 Builders Inc. in an Amount Not-To-Exceed \$2,806,603.13; and Authorize the Executive Director to Execute Change Orders to the Extent Necessary in an Amount Not-To-Exceed \$421,000. **(Engineering/Maritime)**

File ID: [\[282-19\]](#)

Attachments: [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.

5. STRATEGY & POLICY

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

- 5.1 Report:** Information Report from the City of Oakland on the Downtown Oakland Specific Plan (City of Oakland)

File ID: [\[314-19\]](#)

Attachments: [Report](#)

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:** Adopt an Ordinance to Amend Port Ordinance No. 2610, as Amended, To Establish Employee Tenant Parking Rates January 1, 2020 through December 31, 2023 at Oakland International Airport. **(Aviation)**

File ID: [\[316-19\]](#)

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

- 6.2 Resolution:** Approve a Construction Budget of \$7,185,000 for Taxiway C Emergency Pavement Repair for a Total Project Budget of \$7,851,000; Authorize the Executive Director to Modify the Expenditure Limit of the Selected On-Call Paving and Grading Contractor in the Estimated Amount of \$6,700,000 and Extend the Contract Term to June 30, 2020 for the Sole Purpose of Performing the Taxiway C Emergency Pavement Repair.

(Engineering/Aviation)

File ID: [\[302-19\]](#)

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

- 6.3 Ordinance:** Authorization to Extend Space Assignment Agreements That Have Been in Effect for More Than One Year as of October 24, 2019 and Authorization to Extend Space Assignment Agreements That Are Likely To Be in Effect for More Than One Year as of December 31, 2019 Resulting in Annual Revenue of Approximately \$8.6 Million **(Maritime)**

File ID: [\[300-19\]](#)

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

- 6.4 Ordinance:** Authorize the Executive Director to approve the Second Amendment to the Temporary Rental Agreement with West Oakland Pacific Railroad, LLC, to Provide Interim Switching Services at the Port's OHIT Phase 1 Yard, for an Initial Term of One Year through December 31, 2020, with One, 1-Year Option to Extend; Fixed Compensation of \$5,350 per Calendar Year Quarter; and Variable Compensation of \$133.75 per Rail Car in Excess of the Breakpoint. **(Maritime)**

File ID: [\[313-19\]](#)

Attachments: [Agenda Report](#)
[Ordinance Item 6.4](#)

- 6.5 Resolution:** For the Demolition and Removal of Port of Oakland Cranes X402, X403, and X404 At Berths 20 And 21 Project: Approve a Project Budget in an Amount Not-to Exceed \$800,000; Authorize the Executive Director to Enter into a Contract with Resource Environmental, Inc. in an Amount Not-to-Exceed \$490,000; and Authorize the Executive Director to Execute Change Orders to the Extent Necessary in an Amount Not-To-Exceed \$150,000. **(Engineering/Maritime)**

File ID: [\[281-19\]](#)

Attachments: [Agenda Report](#)
[Resolution Item 6.5](#)

- 6.6 Resolution:** For the 800 Series Building Pavement Reconstruction Project: (i) Approve a Project Budget in an Amount Not-To-Exceed \$1,220,000.00; (ii) Authorize the Executive Director to Enter Into a Contract with O.C. Jones & Sons, Inc. in an Amount Not-To-Exceed \$675,930.00; and (iv) Authorize the Executive Director to Execute Change Orders to the Extent Necessary in an Amount Not-to-Exceed \$135,000.00. **(Engineering/Maritime)**

File ID: [\[301-19\]](#)

Attachments: [Agenda Report](#)
[Resolution Item 6.6](#)

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

- 8.1 Resolution:** Adopting the Regular Board Meeting Schedule for Calendar Year 2020.
(Board)

File ID: [\[321-19\]](#)

Attachments: [2020 Board Calendar](#)
[Resolution Item 8.1](#)

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 November 21, 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

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
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(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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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.