



## SUPPLEMENTAL BOARD AGENDA

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Thursday, September 26, 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 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 3**

**File ID:** [286-19]

- 1.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - (Pursuant to Paragraph (1) of Subdivision (d) of California Government Code Section 54956.9):

*David Archuleta v Port of Oakland: WCAB Case No. ADJ12201286 Department of Industrial Relations, Division of Occupational Safety and Health, Inspection No. 1395454*

**File ID:** [287-19]

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

**Property:** Access to approximately 1,800 linear feet of the Airport Perimeter Dike within the City of San Leandro

**Negotiating Parties:** City of San Leandro and Port of Oakland

**Agency Negotiator:** Bryant L. Francis - Director of Aviation

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

**File ID:** [288-19]

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

**Title:** Executive Director, Port Attorney

**File ID:** [289-19]

**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 Ordinance:** Approval of a Second Amendment to Lease with Cool Port Oakland DRE, LLC, for the Development and Operations of a Temperature Controlled Logistics Facility to Modify Land Boundaries, Tenant Access and Other Terms **(Maritime)**

**File ID:** [\[273-19\]](#)

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

**2.2 Ordinance:** Approve a Fourth Amendment to the Agreement for Purchase and Sale and Ground Lease of Real Property and Escrow Instructions to Establish a Standard Form Assignment and Assumption Agreement for the Transfer of Privately Owned Parcels Located within the Oak to Ninth District Project site. **(CRE)**

**File ID:** [\[271-19\]](#)

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

- 2.3 Ordinance 4531**, 2nd Reading Of An Ordinance Approving Airline Operating Agreement With Redding Aero Enterprises, Inc. Operating At Oakland International Airport For A Term Expiring On September 30, 2021, With Annual Landing Fee Revenue Estimated At \$21,000.

**File ID:** [\[283-19\]](#)

**Attachments:** [Ordinance 4531](#)

- 2.4 Ordinance 4532**, 2nd Reading Of An Ordinance Approving Two Space/Use Permits With Two Airline Services Providers - Prospect International Airport Services Corporation And Standard Aero Serv, LLC - Each For Terms Expiring June 30, 2023, For Aggregate Estimated Annual Revenue Of \$303,000 (Total For Both), Operating At Oakland International Airport.

**File ID:** [\[284-19\]](#)

**Attachments:** [Ordinance 4532](#)

- 2.5 Ordinance 4533**, 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute A First Amendment To The Temporary License Agreement With HDR Engineering, Inc. For Certain Port Of Oakland Lands Located Adjacent To 7th Street And Within The Right Of Way Of 7th Street And Maritime Street To Extend The Term Through March 31, 2020, For Various Activities In Support Of The 7th Street Grade Separation Projects.

**File ID:** [\[285-19\]](#)

**Attachments:** [Ordinance 4533](#)

### 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 Report:** Update on GoPort Program: Freight Intelligent Transportation System and 7th Street Grade Separation Projects. **(Maritime)**

**File ID:** [\[274-19\]](#)

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

- 3.2 Resolution:** Approval of Removal of Radio Frequency Device Reader Project from Department of Homeland Security Federal Emergency Management Agency Grant and Related Actions for the Freight Intelligent Transportation System Project (GoPort Program). **(Maritime)**

**File ID:** [\[275-19\]](#)

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

#### 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:** Fiscal Year 2019 Financial Highlights. **(Finance & Admin)**

**File ID:** [\[200-19\]](#)

**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 Ordinance:** Adopt an Ordinance to Amend Port Ordinance No. 2610, as Amended, To Establish Employee Tenant Parking Rates January 1, 2020 through December 31, 2028<sup>3</sup> and Delegating Authority to the Director of Aviation to increase Employee Tenant Parking Rates within Certain Parameters at Oakland International Airport. **(Aviation)**

**File ID:** [\[277-19\]](#)

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

**6.2 Resolution:** Authorization to Enter into a Professional Services Agreement with Wood Rodgers, Inc. to update the Airport's Stormwater Management Implementation Plan and Assess Tidal Flooding Vulnerability at the North Field for a contract amount not to exceed \$1,100,000. **(Engineering/Aviation)**

**File ID:** [\[251-19\]](#)

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

- 6.3 Ordinance:** Approve and Authorize the Executive Director to Enter into a Lease Amendment with Sea-Logix, LLC for Approximately 5.5 Acres of Combined Warehouse, Office and Yard Space for a Term Extending Through June 30, 2024, Resulting in Total Rent of \$4.3 Million with One Five-Year Option Resulting in Additional Rent of Approximately \$6.0 Million **(Maritime)**

**File ID:** [\[276-19\]](#)

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

- 6.4 Resolution:** (i) Approve a Budget for Design in an Amount Not-To-Exceed \$500,000 and (ii) Authorize a Third Supplemental Agreement with WRECO for the On-Call Water and Wastewater Engineering Services Contract to Extend the Contract Term By One Year to October 20, 2021 for the Design of the Sewer Pipeline Rehabilitation Project at the Ben E. Nutter Terminal. **(Engineering/Maritime)**

**File ID:** [\[256-19\]](#)

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

- 6.5 Resolution:** Approve a Budget for Design in an Amount Not-To-Exceed \$525,000 for the Sewer Lift Station Rehabilitation at Berths 57-59 (D01P, D02P, D03P) Project, Utilizing Design Engineering Consultant Mott MacDonald Group, Inc. **(Engineering/Maritime)**

**File ID:** [\[258-19\]](#)

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

- 6.6 Resolution:** For the Jack London Square Improvements: Parking Access and Revenue Control System (PARCS) Upgrade Project: i) Approve a Project Budget Not-To-Exceed \$2,162,677; Authorize the Executive Director to Award a Professional Services Agreement to SKIDATA in an Amount Not-To-Exceed \$1,807,677 for the Design, and Installation of the Project; Authorize the Executive Director to Execute Change Orders to the Extent Necessary in an Amount Not-To-Exceed \$180,000; and Authorize the Executive Director to Enter into a Six Year Contract for Maintenance, Extended Parts Warranty and Rapid Response for an Amount Not-To-Exceed \$450,000 Spread Over Six Years. **(Engineering/CRE)**

**File ID:** [\[259-19\]](#)

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

- 6.7 Resolution:** Adoption of a Resolution Necessary to Appoint Danny Wan as the Interim Executive Director Effective October 1, 2019 at an Annual Salary of \$365,000 Plus Benefits. **(Finance & Admin.)**

File ID: [\[293-19\]](#)

Attachments: [Agenda Report](#)  
[Resolution Item 6.7](#)

- 6.8 Resolution:** Adoption of a Resolution Necessary to Appoint Michele Heffes as the Interim Port Attorney Effective October 1, 2019 at an Annual Salary of \$323,655 Plus Benefits. **(Finance & Admin.)**

File ID: [\[292-19\]](#)

Attachments: [Agenda Report](#)  
[Resolution Item 6.8](#)

- 6.9 Resolution:** Supporting the Raising of the United Nations Flag on the United Nations Flag Pole at Jack London Square and Commending the United Nations Association - USA, East Bay Chapter. **(Board)**

File ID: [\[278-19\]](#)

Attachments: [Resolution](#)  
[Resolution Item 6.9](#)

## 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 October 10, 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.