

**DEBORAH ALE FLINT**  
Acting Executive Director

**DANNY WAN**  
Port Attorney

**ARNEL ATIENZA**  
Port Auditor

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Secretary of the Board

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**BOARD OF PORT COMMISSIONERS**  
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**GILDA GONZALES**  
President  
**JAMES W. HEAD**  
First Vice-President  
**ALAN S. YEE**  
Second Vice-President  
**CESTRA BUTNER**  
Commissioner  
**EARL HAMLIN**  
Commissioner  
**BRYAN R. PARKER**  
Commissioner  
**VICTOR UNO**  
Commissioner

## AGENDA

**Regular Meeting of the Board of Port Commissioners**  
**Thursday May 23, 2013 – 1:00 p.m.**  
**Board Room – 2<sup>nd</sup> Floor**

### ROLL CALL

Commissioner **Butner**, Commissioner **Hamlin**, Commissioner **Parker**, Commissioner **Uno**, 2<sup>nd</sup> Vice-President **Yee**, 1<sup>st</sup> Vice President **Head** and President **Gonzales**.

### 1. CLOSED SESSION

*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 - EXISTING LITIGATION. Pursuant to Subdivision (a) of California Government Code Section 54956.9.**

*SSA Terminals, LLC and SSA Terminals (Oakland), LLC v. the City of Oakland, Acting by and Through its Board of Port Commissioners Docket No. 09-08*

**1.2 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION. Significant Exposure to Litigation Pursuant to Subdivision (b) of California Government Code Section 54956.9: 3 matters**

**1.3 CONFERENCE WITH REAL PROPERTY NEGOTIATOR - As provided under California Government Code Section 54956.8:**

**Property:** One Airport Drive, Oakland, CA  
**Negotiating Parties:** Port of Oakland and Various Parties  
**Agency Negotiator:** Acting Director of Aviation, Kristi McKenney  
**Under Negotiation:** Price and Terms of Tenancy

## 1.4 PUBLIC EMPLOYEE APPOINTMENT

**Title:** Executive Director

## 1.5 CONFERENCE WITH LABOR NEGOTIATORS – Pursuant to Subdivision (a) of California Government Code Section 54957.6:

**Unrepresented Employee:** Executive Director  
**Labor Negotiator:** Director of Human Resources, Denyce Holsey

## ROLL CALL/OPEN SESSION (Approximately 4:00 p.m.)

Commissioner **Butner**, Commissioner **Hamlin**, Commissioner **Parker**, Commissioner **Uno**, 2<sup>nd</sup> Vice-President **Yee**, 1<sup>st</sup> Vice President **Head** and President **Gonzales**.

## 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.*

## 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:** Joint City/Port Domain Awareness Center Project Status Report and Demonstration (**Maritime**)

**3.2 Ordinance:** Authorization to 1) Re-Program FY10 Department of Homeland Security/Federal Emergency Management Agency Port Security Grant Program Funding, 2) Authorize the Executive Director to Take Actions Necessary to Enter into Sub-Grantee Agreement with City of Oakland to Implement Phase 2 Joint City-Port Domain Awareness Center (**Maritime**)

## 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 9 months ended March 31, 2013

4.2 **Report:** Unaudited capital expenditure report for 9 months ended March 31, 2013

## 5. STRATEGY & POLICY

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

5.1 **Report:** Aviation Division Strategic Discussion (**Aviation**)

5.2 **Ordinance:** Adopting Amendments to By-Laws and Administrative Rules of the Board of Port Commissioners (**Legal**)

## 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:** Approval of budget and related authorizations to complete design, environmental review, and permitting for the Airport Perimeter Dike Improvement Project, Oakland International Airport (**Aviation**)

6.2 **Ordinance:** General Rate Increase of 1.7% to Port Tariff No. 2-A, effective July 1, 2013 (**Maritime**)

## 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 13, 2013 at 1:00 PM

# 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, John Betterton, at: (510) 627-1696, 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: [jbetterton@portoakland.com](mailto:jbetterton@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.

John Betterton, 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.

Daria Edgerly, Assistant Secretary of the Board  
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## Scented Products

Please refrain from wearing scented products to this meeting so attendees who experience chemical sensitivities may attend.

## **Commissioner's 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.