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Acting Executive Director

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First Vice-President

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Second Vice-President

**CESTRA BUTNER**  
Commissioner

**EARL HAMLIN**  
Commissioner

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Commissioner

**VICTOR UNO**  
Commissioner

## AGENDA

**Regular Meeting of the Board of Port Commissioners**  
**Thursday June 13, 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:** Oakland Army Base  
**Negotiating Parties:** Port of Oakland and Various Parties  
**Agency Negotiator:** Acting Director of Maritime, Jean Banker  
**Under Negotiation:** Price and Terms of Tenancy

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

**Employee Organization:** International Federation of Professional and Technical Engineers (IFPTE Local 21)

**Labor Negotiator:** Labor Advisor, Marsha Peterson

**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.*

- 2.1 Ordinance:** Approval of Space/Use Permits with Airline Services Providers Operating at Oakland International Airport (**Aviation**)
- 2.2 Ordinance & Resolution:** Approval of Memoranda of Agreement with the Transportation Security Administration for the Operation of a Lost and Abandoned Personal Property Office at Oakland International Airport (**Aviation**)
- 2.3 Resolution:** Assignment of Agreements from Business Jet Center-Oakland, L.P. to Piedmont Hawthorne Aviation, LLC doing business as Landmark Aviation at Oakland International Airport and Amendment of the Landmark Aviation Lease (**Aviation**)
- 2.4 Resolution:** Authorization for the Deputy Executive Director to Increase the Agreement with Heidrick & Struggles, Inc. for Executive Director Search Services to a maximum compensation of \$130,000 (**Administration**)
- 2.5 Ordinance:** Authorization to Enter Into An Agreement to Extend Right of Entry and Indemnity Agreement with ExxonMobil Oil Corporation through June 30, 2018 for Remediation at Berths 23 and 24 (**Environmental**)

- 2.6 **Ordinance:** Approval of a Right of Way Use Permit Agreement with AT&T Corp., for Property Located near the Bay Bridge Toll Plaza **(CRE)**
- 2.7 **Ordinance No. 4232,** 2<sup>nd</sup> Reading of an Ordinance Adopting Amendments To By-Laws And Administrative Rules Of The Board Of Port Commissioners. **(Legal)**
- 2.8 Approval of the Minutes of the Special Meeting of May 3, 2013 and the Regular Meetings of May 9, 2013 and May 23, 2013. **(Board Secretary)**

### 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:** Shore Power Update **(Maritime)**
- 3.2 **Resolution:** Budget Authorization and Related Approvals to Solicit Bids for the Construction of Outer Harbor Intermodal Terminal Support Yard, Oakland, California **(Engineering)**
- 3.3 **Resolution:** Adoption of the Disadvantaged Business Enterprise (DBE) Overall Triennial Goal and Methodology Report for Federal Fiscal Year (FFY) 2012-2015, for the Maritime Administration (MARAD), United States Department of Transportation **(SRD)**
- 3.4 **Ordinance & Resolution:** Authorization to Enter into Space Assignment Agreements with Tenants in the 800 Series Buildings on the Former Oakland Army Base and For Related Actions **(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 **Resolution:** Commercial Paper Program: Authorization to Extend the Letter of Credit with JPMorgan and Wells Fargo to June 30, 2016
- 4.2 **Report:** FY 2014 Operating and Capital Budgets Update

### 5. STRATEGY & POLICY

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

- 5.1 **Report:** Leadership Academy Presentation **(Administration)**
- 5.2 **Report:** Market Study For Business Development At The Former Oakland Army Base. **(Maritime)**

## 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:** Authorize the Executive Director to Execute an Agreement with Kelly's Truck Repair for Airport Shuttle Fleet Maintenance for Three Years Plus Two 1-Year Options, Which May be Authorized by the Executive Director **(Aviation)**
- 6.2 **Resolution:** Approve and Authorize Board President To Execute the Employment Agreement for J. Christopher Lytle as the Executive Director with the Port of Oakland **(Administration)**

## 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 **Motion:** Approval for the Executive Director, or Her Designee, to Conduct an Environmental Review Hearing for the Rolls- Royce Engine Services – Oakland, Inc. Test Cell Upgrade Project" **(Environmental)**

## 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 27, 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.