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AGENDA

Regular Meeting of the Board of Port Commissioners
Thursday September 12, 2013 – 1:00 p.m.
Board Room – 2nd Floor

ROLL CALL

Commissioner **Colbruno**, Commissioner **Head**, Commissioner **Parker**, Commissioner **Uno**, 2nd Vice-President **Hamlin**, 1st Vice President **Yee** and President **Butner**.

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.

Jaimen Dominquez v. Port of Oakland; Workers' Compensation Appeals Board No.: ADJ8160875

Deborah Boykin-Price v. Port of Oakland; Workers' Compensation Appeals Board No.: ADJ8378315

CMC Food Services LLC and NNF Grewal, Inc., v. Port of Oakland, et al.; Alameda County Superior Court Case No.: RG13685134

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

Property: Howard Terminal/Berths 60-63
Negotiating Parties: Port of Oakland and SSA Terminals
Agency Negotiator: Executive Director, Chris Lytle and Acting Director of Maritime, Jean Banker
Under Negotiation: Price and Terms of Lease

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

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

1.4 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: Executive Director

1.5 THREAT TO PUBLIC SERVICES OR FACILITIES

Consultation with: Port Facilities Security Officer

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

Commissioner **Colbruno**, Commissioner **Head**, Commissioner **Parker**, Commissioner **Uno**, 2nd Vice-President **Hamlin**, 1st Vice President **Yee** 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: First Reading Of An Ordinance Approving An Airline Operating Agreement With Eighteen Airlines, And An Annex "A" Space/Use Permit With Nine Of Those Airlines, Serving Oakland International Airport (**Aviation**)

2.2 Resolution: Consultant Contract Authorization To Perform Engineering Services To Update And Upgrade The Airport Pavement Management System (APMS) Oakland International Airport (OAK). (**Aviation**)

- 2.3 **Ordinance:** Approval Of A First Amendment To Telecommunications License Agreement With MetroPCS California, LLC Dba Metro PCS At Oakland International Airport **(Aviation)**
- 2.4 **Ordinance:** Approval Of An Amendment To The License And Concession Agreement With The Association For The Preservation Of The Presidential Yacht Potomac To Extend The Term For An Additional Three Years **(CRE)**
- 2.5 **Ordinance:** First Reading Of An Ordinance Granting Pacific Gas And Electric (PG&E) One (1) New Easement For Utility Pole Along 14th Street, Oakland, CA **(Engineering)**
- 2.6 **Resolution:** Authorization For The Executive Director To Enter Into A One Year Supplemental Agreement With 2Plus2 Partners For Website Maintenance And Consulting Services **(IT)**
- 2.7 **Ordinance No. 4246,** 2nd Reading Of An Ordinance Amending Ordinance No. 4079 To Modify Definitions And Increase Off-Airport Rental Car Company Customer Facility Charge.
- 2.8 **Ordinance No. 4247,** 2nd Reading Of An Ordinance Amending Port Ordinance No. 867 To Create A New Classification Of Aviation Information Technology Manager.
- 2.9 **Minutes:** Approval Of The Minutes For The Regular Meetings Of July 11, 2013, July 25, 2013 And The Special Meeting Of July 18, 2013. **(Board Secretary)**
- 2.10 **Report:** Annual Change Order Report On Construction Contracts Completed During FY 12/13 **(Engineering)**

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 **Ordinance:** Authorize Amendments To Land Use And Term For A Space Assignment With The City Of Oakland On 5 Acres Of Land At The Former Oakland Army Base **(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:** Funding Plan For Passenger Facility Charge (PFC) – Eligible Projects

5. STRATEGY & POLICY

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

- 5.1 **Report:** Government Affairs And Advocacy Update (**External Affairs**)
- 5.2 **Report:** Establishment Of A Community Investment Program, Overview & Recommendations (**External Affairs**)
- 5.3 **Report:** Information Technology Division Board Update (**IT**)

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:** Authorization For The Executive Director To Enter Into An Other Transaction Agreement (OTA) With The Transportation Security Administration (TSA) For Construction Services Relating To Checked Baggage Screening Recapitalization. (**Aviation**)
- 6.2 **Resolution:** Resolution Authorizing Executive Director To Enter Into A Professional Services Agreement With A Consultant Selected From A Formal Competitive Bidding Process For Implementation Of The Maritime Domain Awareness Enhancement Project (**Maritime**)
- 6.3 **Resolution:** Authorization For The Deputy Executive Director To Negotiate And Execute A Supplemental Agreement With Heidrick And Struggles, Inc. For Executive Director Search Services. (**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

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 September 26, 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.portofoakland.com

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

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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.