

**OMAR BENJAMIN**  
Executive Director

**DAVID L. ALEXANDER**  
Port Attorney

**ARNEL ATIENZA**  
Port Auditor

**JOHN T. BETTERTON**  
Secretary of the Board

**PORT OF OAKLAND**  
**BOARD OF PORT COMMISSIONERS**  
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**VICTOR UNO**  
President

**JAMES W. HEAD**  
First Vice-President

**MARGARET GORDON**  
Second Vice-President

**PAMELA CALLOWAY**  
Commissioner

**GILDA GONZALES**  
Commissioner

**KENNETH KATZOFF**  
Commissioner

**MICHAEL LIGHTY**  
Commissioner

## AGENDA

### Special Executive Committee

Tuesday, June 22, 2010 - 1:00 p.m.

6<sup>th</sup> Floor – Room 619

530 Water Street – Oakland, CA 94607

### ROLL CALL

President **Uno**  
1<sup>st</sup> Vice President **Head**  
2<sup>nd</sup> Vice-President **Gordon**

### CLOSED SESSION (1:00 p.m.)

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION.** Pursuant to subdivision (a) of Section 54956.9.

*Total Terminals International, LLC v. City of Oakland Acting by and Through its Board of Port Commissioners; Alameda County Superior Court Case No. RG 06269294*

*Kheven LaGrone v. City of Oakland, Port of Oakland, City of Oakland Civil Service Board; Alameda County Superior Court Case No.: RG 09477713*

- B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION.** Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: 11 matter(s)

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

**Property:** Former Oakland Army Base and Adjacent Properties  
**Negotiating Parties:** Port of Oakland, AMB Properties and California Capital Group  
**Agency Negotiator:** Director of Maritime, James Kwon  
**Under Negotiation:** Price and Terms of Payment

**Property:** Berths 20-24 Outer Harbor Terminal Facilities  
**Negotiating Parties:** Port of Oakland and Ports America Outer Harbor Terminals  
**Agency Negotiator:** Director of Maritime, James Kwon  
**Under Negotiation:** Price and Terms of Payment

**Property:** Berths 25-26  
**Negotiating Parties:** Port of Oakland and International Transportation Service, Inc., (ITS)  
**Agency Negotiator:** Director of Maritime, James Kwon  
**Under Negotiation:** Price and Terms of Payment

**Property:** Berths 30-33  
**Negotiating Parties:** Port of Oakland and TransPacific Container Service (TraPac)  
**Agency Negotiator:** Director of Maritime, James Kwon  
**Under Negotiation:** Price and Terms of Payment

**Property:** Berths 33-37  
**Negotiating Parties:** Port of Oakland and Evergreen Marine Corporation (Taiwan), Ltd  
**Agency Negotiator:** Director of Maritime, James Kwon  
**Under Negotiation:** Price and Terms of Payment

**Property:** Berths 55-59  
**Negotiating Parties:** Port of Oakland and Total Terminals, Inc, LLC (TTI)  
**Agency Negotiator:** Director of Maritime, James Kwon  
**Under Negotiation:** Price and Terms of Payment

**Property:** Berths: 57-59  
**Negotiating Parties:** Port of Oakland and SSA Terminals, LLC (SSAT)  
**Agency Negotiator:** Director of Maritime, James Kwon  
**Under Negotiation:** Price and Terms of Payment

**Property:** Berths 60-63  
**Negotiating Parties:** Port of Oakland and Eagle Marine Services (APL Terminal)  
**Agency Negotiator:** Director of Maritime, James Kwon  
**Under Negotiation:** Price and Terms of Payment

**Property:** Berths 67-68  
**Negotiating Parties:** Port of Oakland and SSA Terminals, LLC (SSAT) (Howard Terminal)  
**Agency Negotiator:** Director of Maritime, James Kwon  
**Under Negotiation:** Price and Terms of Payment

**D. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**

**E. Conference With Labor Relations Advisor Pursuant to Subdivision (f) of Section 54957.6**

Employee Organizations: Western Council of Engineers (WCE) and International Federation of Professional and Technical Engineers, Local 21 Letter of Understandings; Western Council Engineers (WEC) 2 year contract.

**OPEN SESSION**

## REPORT ON CLOSED SESSION

*The Port Attorney or Board Secretary will report on any final actions taken in Closed Session.*

## REVIEW OF BOARD AGENDA

Review of June 22, 2010 Agenda for the Regular Meeting of the Board of Port Commissioners. **To view a PDF of the Agenda and Related Materials please visit our website @ [http://portofoakland.com/portnyou/cale\\_boar\\_01.asp](http://portofoakland.com/portnyou/cale_boar_01.asp)**

## 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

## **PUBLIC PARTICIPATION**

### **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  
530 Water Street, Oakland, CA 94607  
[jbetterton@portoakland.com](mailto:jbetterton@portoakland.com)  
(510) 627-1696

### **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 Director of Social Responsibility **no later than five working days** prior to the scheduled meeting date.

Diann Castleberry, Director of Social Responsibility  
530 Water Street, Oakland, CA 94607  
[dcastleberry@portoakland.com](mailto:dcastleberry@portoakland.com)  
(510) 627-1302

### **Scented Products**

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

### **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.

### **Agenda & 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](http://www.portofoakland.com)

To receive Port Agendas and Agenda Related Materials by email, please email your request to [jbetterton@portoakland.com](mailto:jbetterton@portoakland.com)

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## AGENDA

### Special Meeting of the Board of Port Commissioners

Tuesday June 22, 2010 – 2:00 p. m.

Board Room – 2<sup>nd</sup> Floor

#### ROLL CALL

Commissioner **Calloway**, Commissioner, **Gonzales**, 2<sup>nd</sup> Vice-President **Gordon**, 1<sup>st</sup> Vice President **Head**, Commissioner **Katzoff**, Commissioner **Lighty**, and President **Uno**.

#### CLOSED SESSION (2:00 – 4:00 p.m. approximately)

1. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION.** Pursuant to subdivision (a) of Section 54956.9.

*Total Terminals International, LLC v. City of Oakland Acting by and Through its Board of Port Commissioners; Alameda County Superior Court Case No. RG 06269294*

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**4. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**

**5. Conference With Labor Relations Advisor Pursuant to Subdivision (f) of Section 54957.6**

Employee Organizations: Western Council of Engineers (WCE) and International Federation of Professional and Technical Engineers, Local 21 Letter of Understandings; Western Council Engineers (WEC) 2 year contract.

## **ROLL CALL (4:00 p.m. approximately)**

Commissioner **Calloway**, Commissioner, **Gonzales**, 2<sup>nd</sup> Vice-President **Gordon**, 1<sup>st</sup> Vice-President **Head**, Commissioner **Katzoff**, Commissioner **Lighty**, and President **Uno**.

## **CLOSED SESSION REPORT**

*The Port Attorney or Board Secretary will report on any final actions taken in Closed Session.*

## **PRESIDENT'S REPORT**

*The President will report on noteworthy events occurring since the last Board Meeting.*

## **EXECUTIVE DIRECTOR'S REPORT**

*The Executive Director will report on noteworthy events occurring since the last Board Meeting.*

## **AVIATION**

### **May 24<sup>th</sup> Aviation Committee Report**

- A-1** Resolution to Modify Formula for Adjustment of Minimum Annual Guaranties for Airport Concession Tenants with Rent Structure Where Rent is Greater of a Specified Percentage of Gross Receipts or a Minimum Annual Guaranty.
- A-2** Ratification of a *Space/Use Permit* with PASSUR Aerospace, Inc. to install, operate, and maintain, a secondary radar system at the airport with no fiscal consideration
- A-3** Agreement with City of Oakland for Storage of Emergency Response Equipment By the Oakland Fire Department with a Monthly Rental of \$978.90
- A-4** Agreement with ground Handler to Perform Services for Volaris Airlines
- A-5** Remediation (Clean up) of Former Alaska Airlines, Inc. ("Alaska") Hangar 6 area, North Field, Oakland International Airport

## **COMMERCIAL REAL ESTATE**

### **June 9<sup>th</sup> Commercial Real Estate Committee Report**

- C-1** Approval of an Amendment to the Ferry Service Agreement with the City of Alameda

## **MARITIME**

### **May 20<sup>th</sup> & June 17<sup>th</sup> Maritime Committee Report**

- M-1** Authorization for Executive Director to Grant an Easement and to Issue a Building Permit to Pacific Gas and Electric ("PG&E") for the Decommissioning of Substation P located on the West End of Burma Road
- M-2** Authorization to Waive Standard Bidding Procedures and Extend Agreement with Halcrow, Inc. for Strategic Security Planning Services
- M-3** Authorization to Reject all Bids Received for Maintenance Dredging and Furnishing Pile Driver Crew Repairs to Docks and Waterfront Facilities for Port of Oakland for the Period Commencing July 1, 2010 and Ending June 30, 2011, 2012, or 2013, and Authorization for the Executive Director to Negotiate up to Three Contracts with Qualified Contractors to Perform the Work in the Aggregate Amount of \$5,000,000 as a Three-Year Maximum

## **OPERATIONS**

### **ADMINISTRATION**

#### **May 25<sup>th</sup> Administration Committee Report**

- O-1** Dissolution of Standing Committees; Adoption of Board Schedule Through 2010 and Adoption of New "Order of Business" for Board Meetings.
- O-2** Approval by Ordinance of Rules for Public Participation at Meetings of the Board of Port Commissioners and Standing Committees
- O-3** Maritime and Aviation Project Labor Agreement (MAPLA) Adoption of Five (5) Year Extension and Authorization to solicit a Request for Proposal (RFP)/Request for Qualifications (RFQ) for MAPLA Administrative Services Contract

### **AUDIT BUDGET & FINANCE**

#### **June 10<sup>th</sup> Audit Budget & Finance Committee Report**

- O-4** Waiver of Standard Bidding and Authorization for the Executive Director to Enter into an Agreement to Purchase and Implement ERP Policy Automation Software Licenses
- O-5** Commercial Paper Program: Authorization to Substitute the Letter of Credit and Related Actions

## SUMMARY ITEMS

*Action by the Board under "Summary Items" means that all matters listed below have been summarized, and are considered to be perfunctory in nature, and will be adopted by one motion and appropriate vote. Summary Items may be removed from the summary for discussion at the pleasure of the Board.*

### BUILDING PERMITS

- S-1 Verizon Wireless;** 1 Airport Drive, Terminal 1 & 2, Tenant improvements to upgrade wireless equipment throughout the Terminals and to relocate the equipment from the lower level of Building M103 to a new shelter outside the building adjacent to Gate 3. The new equipment building will be approximately 22 feet by 8 feet. Related electrical and work is also included. This project has been determined to be exempt from the requirements of the California Environmental Quality Act pursuant to Section 15302 and 15303.
- S-2 Total Terminals International (TTI);** 2505 Middle Harbor Road, Installation of approximately 140 electrical outlets for refrigerated containers in existing container storage areas. These will displace existing chassis stored containers, and will not change the capacity of the terminal. Electrical power will be connected with above ground conduits to an existing transformer, which has adequate power to serve the new outlets. This project has been determined to be exempt from requirements of the California Environmental Quality Act pursuant to Section 15301.
- S-3 Transportation Services Administration (TSA);** 1 Airport Drive. Terminal 1 & 2, Upgrades to checkpoint screening equipment in Terminals 1 and 2, including full body imaging equipment. Work includes installation of new equipment and rearranging of screening lanes. Related electrical and work is also included. This project has been determined to be exempt from the requirements of the California Environmental Quality Act pursuant to Section 15302 and 15303.
- S-4 AT&T Wireless;** 8517 Earhart Road, Hanger 3, Upgrades to existing unmanned telecommunication facility at Hanger 3. Work will include installation of six new antennas, removal of three existing antennas, installation of a new cabinet and concrete pad at the existing ground-level equipment area, and related data cable and electrical work. This project has been determined to be exempt from the requirements of the California Environmental Quality Act pursuant to Section 15302 and 15303.

### Informational Reports

- S-5** Update On Legislative Advocacy, Funding Status And Process For Reporting.
- S-6** Executive Director Award of Contract for Performing Emergency Spill Response and Handling Hazardous and Contaminated Materials at Port of Oakland Maritime and Aviation Construction Sites for the Period Commencing July 1, 2010 and Ending June 30, 2011, 2012, or 2013, in an Annual Amount Not to Exceed \$500,000.00.

**S-7** Executive Director Award of Contract for Demolition and Removal of Port of Oakland Cranes x402, x403, and x402 at berths 20 and 21 and x426 at Berths 35 and 37, Outer Harbor, Oakland, California, in the Amount of \$375,000.00

**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 July 6, 2010 at 2:00 p.m. in the Board Room.*