

REGULAR MINUTES OF THE BOARD OF PORT COMMISSIONERS  
OF THE  
CITY OF OAKLAND

The meeting, formal portion, was held on Tuesday, January 3, 1989, at the hour of 2:10 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Higgins presiding, due written notice having been given to members of the Board and appropriate notice provided to the public as the meeting time was advanced.

Commissioners present: Brady, Hunter, Pineda, Sweeney, Wasserman  
and President Higgins - 6

Commissioners absent: Ward Allen - 1

Also present were the Executive Director; Deputy Executive Director; Port Attorney; Chief Engineer; Assistant Chief Engineer; Chief Financial Officer; Director of Aviation; General Manager, Marine Terminals; Director of Administration; Director of Strategic and Management Planning; Director of Public Affairs; and Secretary of the Board.

Mr. Tadeusz Mankowski, Civil Engineer, received his 10-year service award.

President Higgins informed the Board that he would call for a closed session at the conclusion of the open session for the purposes of discussing:

1. Personnel matters as provided for under Government Code Section 54957.

Commissioner Wasserman, Chair of the Development Committee, reported that the committee discussed current items on their agenda and that he would present a proposed timetable for the implementation of a Masterplan for the Port properties under study.

Commissioner Hunter asked for a status report on the development issues concerning the off price retail area, the old Metropolitan Yacht Club proposal and the King Industries proposal for air cargo facilities.

Sale of Property to Napa County was the subject of a memo to the Board from the Director of Aviation, notifying the Board that the Port purchased 461 acres of land in the American Canyon area of Napa County for off-site wetland mitigation. Included in the 461 acre parcel was a 2.7 acre roadway easement granted to the American Canyon Water District in 1965 which provides access to the American Canyon County Sewage Treatment Plant and a residential development. The Napa County Board of Supervisors has offered to purchase the 2.7 acre easement parcel from the Port for \$10,000.00 and proposes to upgrade the roadway to a public street that will be maintained by the County. It was recommended that the Board approve the sale of the easement parcel to Napa County. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

Renewal of Avis Service Facility Lease was the subject of a memo to the Board from the Director of Aviation, notifying the Board that Avis currently occupies 90,616 sf of land for its service facility on the Airport. Avis currently pays a monthly rent of \$4,190.99 under a month-to-month holdover of their original fifteen year service facility agreement which expired August 31, 1985. It was recommended that the Board approve the terms of a lease extension for the site. The basic provisions of the terms include the premises of 90,616 sf of land improved with an office building, garage and parking area, for a term of ten years commencing on January 1, 1989 at a monthly rental of \$5,772.00 or \$.0637 psf. The rent would be subject to an adjustment in accordance with the percentage increase in the CPI, effective July 1, 1991 and July 1, 1996, not to exceed 5% per year. Effective January 1, 1994 the rent would be adjusted to the fair market value of the land. Avis would construct an estimated \$185,000.00 in improvements. The Port would have the right to terminate the lease upon 270 days prior written notice, or 180 days if Avis fails to bid the rental car concession or is not a successful bidder. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

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Plans and Specifications for Replacement of Emergency Power Engine-Generator Set for Commercial Passenger Terminal Complex, South Airport was the subject of a memo to the Board from the Chief Engineer, recommending their approval and authority to advertise for bids for furnishing and installing a new 1500 KW emergency engine-generator set with associated equipment at a location adjacent to the existing equipment building. It was noted that the existing 26 year old emergency power engine-generator set is not large enough to handle the additional load created when the second extension of the second floor addition to the Finger Building project is completed. The recommendation was approved on passage of Resolution No. 31110.

Approval of Change Order to Construction of Public Areas Part A, Jack London Square, in Order to Remove Hazardous Waste Materials was the subject of a memo to the Board from the Chief Engineer, recommending approval of a change order issued to C. Overaa & Company in the amount of \$169,238.00 for the removal and disposal of the unsuitable material and a six day time extension to their contract. It was noted that the materials were found in an old tank, under Water Street, which was filled with residue from previous industrial process. The recommendation was approved on passage of Resolution No. 31111.

Approval of Change Order for Installation of Blockouts for Construction of Public Areas Part A, Jack London Square was the subject of a memo to the Board from the Chief Engineer, recommending approval of a change order to C. Overaa and Company in the amount of \$19,775.00 for extra work to install blockouts for the light fixtures, and a contract time extension of seven calendar days. It was noted that the specified lighting fixtures were too wide to fit in the concrete wall and the contractor was directed to place temporary wooden blockouts in the walls to allow the project to continue while replacement fixtures were ordered. The recommendation was approved on passage of Resolution No. 31112.

Approval of Demonstration Project - Outer Harbor Sea/Rail Service

Interface was the subject of a memo to the Board from the Deputy Executive Director, notifying the Board that there have been significant developments in the methods of transporting shipping line containers in rail service as a result of the introduction of the double-stack unit container train. Most transpacific container cargoes moving east of the Rocky Mountains in rail service are now utilizing this recent technology and there is potential for further expansion in the long distance trucking market by double-stack rail service. The technology has impacted significantly on marine terminal design and has created the need for improved interface systems to accommodate sea/rail movements in large volumes. Accompanying the rail movement is the development of larger capacity container-ships requiring a port's ability to efficiently handle increased volumes of containers between ship and rail in short periods of time. The Board, in 1987, retained the firm of Vickerman-Zachary-Miller to undertake an indepth analysis of the interface capability which the Port will require over the next 20 years. At the same time, the study was to recognize what capabilities were needed to provide a high level of efficiency for the Port's container traffic moving between the marine facility and the highway/freeway system. The study concluded that two alternative systems each have significant advantages. The first, recommended by the consultant, is a major expansion of unit train loading capability in the Outer Harbor; and the second, improvements to the harbor roadway system linking the marine terminals to the existing and to be expanded railyards by providing for traffic separation between the movement of intermodal containers and other vehicular traffic moving through the harbor area. The study was critiqued by an international technical advisory team whose view was not unanimous in support of the first alternative. Therefore staff has concluded that a portion of both systems may well best fit the Port's clients' needs, and a demonstration of both approaches is necessary to test both systems in a working environment. Mr. John Vickerman of the consulting firm, presented the history

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and technological requirements in shipping terminals and railroad aspects of the container handling needs. It was recommended that the Board approve a program for the simultaneous development in the Outer Harbor of an intermodal rail facility capable of handling a full double-stack unit container train immediately adjacent to the Outer Harbor marine terminals, while also pursuing limited improvements to the harbor roadway system designed to facilitate the movement of marine containers between marine terminals and the existing railyards. The estimated costs of the demonstration projects are \$10 to 12 million which represents approximately 10% of the estimated cost of the preferred alternative as recommended by the consultants. The demonstration project will be designed to stand alone and will not require the Port to implement the ultimate development plan. It was noted that Maersk Line favors the rail facility and has asked the Port to proceed as quickly as possible with the development. Providing the improved roadway system as part of the demonstration project will be accomplished as part of the program to vacate City-owned streets and to purchase privately-owned roadways in the Port area. It was further noted that the demonstration project will be in place by 1990 so that the merits of both systems can be thoroughly tested in a working environment. After discussion, the program concept was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Consultant Services Agreement, Intermodal Interface Demonstration Project was the subject of a memo to the Board from the Chief Engineer, notifying the Board of an agreement with Vickerman-Zachery-Miller to perform a comprehensive study of intermodal competitive factors and develop a long-range intermodal interface circulation plan for the marine area to ensure that future development activities are oriented toward improving Oakland's competitive position. This report and recommendation was covered in a separate item on the Board's calendar which suggested approval of a demonstration project consisting of an intermodal

rail yard in the Outer Harbor and roadway improvements. In order to advance the demonstration project from its current conceptual stage to final construction documents, it was recommended that the Board approve the retention of the firm to provide detailed planning and preliminary engineering of the demonstration project. The amendment would include basic services to resolve demonstration project operational details, including rail access, yard operations and management issues, to examine the project's impact on existing facilities and operations and recommend mitigation measures, and to prepare a design guide for the following final design phase. The firm would also assist staff in resolving other issues requiring resolution during this phase of work, including real estate, inter-agency coordination, environmental studies and permit requirements. The compensation under both portions of the agreement would be on a time and materials basis, with maximum compensation not to exceed \$75,000.00 for the basic services portion and \$40,000.00 for the flexible services portion. The recommendation was approved on passage of Resolution No. 31119.

Plans and Specifications for Construction of Yard Improvements, Berth 26, Outer Harbor was the subject of a memo to the Board from the Chief Engineer, recommending their approval and authority to advertise for bids for the construction of approximately 56,000 sf of container yard improvements which include the construction of asphalt concrete pavement, construction of portland cement concrete transtainer runways, construction of sanitary sewers and storm drains, installation of water systems, lighting and ship's power electrical systems, and installation of new fencing and pavement marking. The improvements will be contiguous and conform to the existing Berth 25 Yard and the Berth 26 Wharf which is now under construction. The environmental document associated with the project has previously been considered by the Board. The recommendation was approved on passage of Resolution No. 31113.

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Addition of Option "A" to the Nonexclusive Preferential Assignment Agreement with Maersk Line was the subject of a memo to the Board from the Deputy Executive Director, notifying the Board of the agreement with Maersk Line which includes an option for Maersk to occupy additional area, designated as Option Area "A". The area consists of 10 acres of land with improvements, and Maersk Line has given the Port written notice of their intent to add Option Area "A" to their existing premises. Rental compensation for Option Area "A" amounts to an annual payment of \$599,978.00. Initial rental for Option Area "A" will be paid monthly in advance based on this figure, pending final computation of all costs, at which time adjustment will be made to the final rental figure. The recommendation was approved on passage of Resolution No. 31120.

Clarification of Provisions in Port of Oakland Tariff No. 2-A was the subject of a memo to the Board from the Deputy Executive Director, notifying the Board of the recent revision of the Port of Oakland Tariff No. 2-A, and based on two months of actual working experience with the new tariff, it was recommended that certain revisions be approved to correct or reflect actual usage. Revisions concern minimum charge provisions for selected non-container metal commodities; modifying selected commodity descriptions to facilitate proper rate application by the maritime industry; and changing the Classification of Trades by listing certain trade routes under the Classification of "Other Foreign." The recommendation was approved on an ordinance passed to print.

Supplemental Consultant Agreement, Restoration of Former Presidential Yacht Potomac was the subject of a memo to the Board from the Chief Engineer, notifying the Board that the Association for the Preservation of the Presidential Yacht Potomac has executed a contract with Colberg, Inc., a ship construction and repair firm in Stockton, for the structural restoration of the Potomac. The structural restoration should be complete next spring and, upon sufficient additional fund raising, it is anticipated that subsequent phases of fitting out

and finish work will provide a fully operational ship restored to its 1940 appearance. The Port has provided limited staff support for the Potomac project, including the services of Daniel T. Holdgate to oversee and administer the contract for the shipyard work and perform other technical and administrative services for the project. The Port agreement with Mr. Holdgate expired November 30, 1988, and it was recommended that his agreement be extended for 12 months with two 6-month option periods. Mr. Holdgate will be compensated at the rate of \$5,500.00 per month, plus reimbursement for job-related expenses approved by the Executive Director. The total compensation shall not exceed \$75,500.00 during the initial 12-month term nor \$37,750.00 during either 6-month extension. The recommendation was approved on passage of Resolution No. 31121.

Personnel Items contained in a memo to the Board from the Director of Administration recommended the appointment of Mary E. Davidson as Senior Account Clerk, effective January 4, 1989, at \$1,988.00 per month; Manuel Mangoba as Account Clerk, effective January 17, 1989, at \$1,821.00 per month; Brenda T. Smith, as Port Grants Administrator (Part-Time), effective January 4, 1989, at \$17.92 per hour. Also recommended was the creation of one position of Port Accounting Supervisor, for use in the Finance Department, and the accompanying class specifications. Further recommended was a military leave of absence for Noel T. Santos, Building Maintenance Engineer, for 10 working days; and a military leave of absence for Isamu Tsujimoto, Senior Engineering Assistant, for 1 working day. The recommendations were approved on passage of Resolution No. 31114 for appointments; Resolution No. 31115 for job specifications; Resolution No. 31116 for military leaves of absence; and on an ordinance passed to print for creation of position.

Travel Authorization contained in a memo to the Board from the Director of Administration recommended the travel of the Assistant Port Attorney II, John Nolan, to Washington D.C., on or about January 4, 1989, to participate in

Prehearing Conference in the Department of Transportation U.S. - Mexico All Cargo Service Proceeding; the travel of Cliff King, Supervising Transportation Planner, to Seattle, Washington, on or about January 5, 1989, to meet with the TRA Master Plan project team; the travel of the Chief Engineer and Special Assistant to the Executive Director to Alexandria, Virginia, on or about January 9, 1989, to attend the American Association of Port Authorities, Harbors and Navigation Committee; travel of the Special Assistant to the Executive Director for Trade Relations to New Orleans, Louisiana, on or about January 11, 1989, to attend the Department of Transportation Emergency Planning and Training Conference; and the travel of the Director of Aviation, to Washington, D.C., on or about January 11, 1989, to attend a Governmental Affairs meeting of the Airport Operators Council International. The recommendation was approved on passage of Resolution No. 31117.

Claim of Patty Grief was the subject of a letter to the Board from the Port Attorney, notifying the Board of a claim in the amount of \$507,000.00 for alleged personal injuries sustained as a result of an accident that occurred on November 8, 1988, at the Howard Terminal. The Port has notified the tenant, Stevedoring Services of America and their liability insurance carriers, of the claim, and as the claim is not a proper charge against the Port, it was recommended that the claim be rejected. The recommendation was approved on passage of Resolution No. 31118.

At the hour of 3:10 p.m. the Board held a public hearing on the findings of Kibel, Green Inc., a consulting firm retained by the Port to make certain evaluations of the Port's organization structure. The hearing notice was published and specific letters of participation were sent to the industry. A written transcript of the proceedings would be made available as part of the record.

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President Higgins informed the Board and assembled guests that the Board would receive comments on the findings contained in the Kibel, Green report and noted the previous studies performed, and that the Port often used outside resources to advise the Board and staff. He noted the current study by Vickerman-Zachary-Miller on the intermodal interface project, the TRA Master Plan for the Airport, the Shearson Lehman et al., Strategic Finance Plan, and finally the Kibel, Green report which is the subject of the public hearing.

Commissioner Brady, Chair of the Committee, informed the Board of the previous Pete Marwick study performed in 1986 and that the study alerted the Board to the need to review the form and function of the Port's organization to meet the growth and complexity of the Port. The Board looked to an organization which would provide for increased decentralization in decision making. Based on concerns expressed by the Executive Director and the Board, consulting firms were interviewed with the intent of reviewing the organization structure in that it would be reasonable with respect to the objectives of the Port. The Kibel, Green firm was selected, their subsequent report received and accepted in principle, with the strategic implementation of the report reserved for the Board. The public hearing was an adjunct to the concerns of the tenants after receipt of the report.

Commissioner Pineda informed the Board that she had previously abstained on the matter as she had not completed review of the full report. She stated that she is now in full opposition to adoption of the report. She did not share the alleged views of certain tenants, who were not identified, and she "seriously questioned the integrity of the report and propriety of any reorganization based on such report." She further noted that the report had no relationship to the realities of the Port's marketplace. The report did not reflect the Port's charter role to develop maritime and airport facilities to the overall benefit of the State of California which lands are held in trust by the Port. She further noted that the Port has an accepted shoreline plan for the

entire 19 miles of waterfront, which has been incorporated in the City's general plan. Within that framework there exist seven development plans that the consultant did not mention. The consultant did not address the need to protect land from unbecoming developments to the Port's primary functions. The report projects for 20 years real estate revenues at \$228 million after developing a full 184 acres although only 74 acres are unrestricted and available. If the same rate of growth, over the next 20 years, were extended, it would show \$1,990,485,000.00 for aviation, \$1,484,000,000.00 for marine terminals, and total real estate at \$361,864,000.00; and it is clear that the traditional port activities are the significant business of the Port, not real estate. She further noted that the report indicates that local real estate developers would be interested in developing Port land. However, actual practice shows that unless the deal is considerably sweetened, developers have not been anxious to develop Port property. In closing her statement, she noted that a study done for the Port of Seattle stated that Oakland's management stability provided it with a competitive edge in dealing with less experienced rivals in the west coast container trades.

Mr. Bruce Seaton, Chairman, American President Companies, urged the Board to give much more consideration to the report before adoption or implementation. He expressed concerns over the procedural aspects of the consultant's report, and the rush to implement the plan. He further noted that the Port users views were never included in the report. He questioned the need for any bifurcation of management, land use issues as described in the report, and bias of the report in emphasizing commercial real estate development rather than transportation services. He further noted other areas in the report which were inconsistent with the Port's business and community needs of Oakland. He recommended that the Board postpone any implementation of the proposed reorganization for six months "to fully develop and analyze pertinent information before any key decision is made to restructure the Port or shift business emphasis."

He further recommended that the Board clearly reaffirm to the tenants and the community that its primary business focus will continue to be transportation.

Mr. Dennis Cuneo, Vice President and Corporate Secretary, New United Motor Manufacturing, Inc. (NUMMI), appeared before the Board to note that his company accounted for a major part of the Port's imports and the Port was one of the major reasons the firm chose the Fremont, California location for their manufacturing plant. He further noted that the findings of the consultants did not reflect the experiences of NUMMI. He noted that as a major contributor to the Port's revenues they were not contacted by the consultants. He further noted that the Port has provided high quality, reliable transportation services and it appears that speculative real estate development would harm NUMMI's ability to deal with the transportation issues it requires. He concurred with Mr. Seaton in asking for a postponement on any Kibel, Green recommendation.

Mr. Ron Guerra, President of Kaiser Air, Inc., appeared before the Board to note the history of his company and the need for planning at the Airport and the need for significant funding to improve the facilities at the Airport.

Mr. Kenneth Johnson, General Manager of the Maersk Line Agency, appeared before the Board to inform the Board that the shipping industry was very concerned about the direction of the Port of Oakland and he further asked that strong consideration be given to the points that were expressed by Mr. Seaton.

Mr. John Guillery, Senior Vice President, Grubb and Ellis, appeared before the Board to note his qualifications to comment, the realities of the real estate business in today's market, and the Port's major competitors in the real estate business, and some further personal observations.

Mr. Chris Redlich, Jr., President of Marine Terminals Corporation, appeared before the Board to note that his industry's perception of the action taken by the Board to look away from its charter to further maintain commerce, would be extremely harmful to the needs of the maritime community and he asked that the Board listen to its customers before making its final decision.

Mr. Jim Ratliff, Chairman of the Oakland Airport Tenants Advisory Committee of the Oakland North Airport, appeared before the Board to inform the Board of the purposes of his organization and he presented a list of concerns relative to growth, Master Plan use, and organizational change issues which it appeared would lessen the commitment to the North Airport.

Mr. Arnold Miller, a former Port employee, appeared before the Board to note several personal observations concerning the past and present direction of the Port.

Ms. Annette Floydstrip, member of the City's Economic Development Advisory Committee and appearing as an interested citizen of Oakland, appeared before the Board to urge that the Board go slowly in their changes as the changes contemplated hold enormous economic potential for the City and its economic base. She further noted the references to the decline of the Port of San Francisco and the loss of Oakland businesses. She urged the Board to hold additional hearing to receive more input.

President Higgins thanked the participants in the hearing and asked for Board comments.

After brief discussion, Commissioner Hunter moved that the concept of a Port reorganization advisory Board be adopted comprised of Port tenants, members of the public, and members of the Board and that any implementation be postponed for a minimum of six months to allow for full public input. Commissioner Pineda seconded the motion.

At the the hour of 4:45 p.m. Commissioner Ward Allen joined the meeting.

During discussion Commissioner Brady spoke to the issue of incorrect perceptions and noted that there was "no statement ever made by a member of this Commission that indicates any intent whatsoever to diminish any attention whatsoever to the tenants of the Port." He stated that there is absolutely no

doubt that any reasonable organization can run effectively more than one activity at a time, and strongly suggested to move ahead with the plan and include representatives of the Port's tenants to act with the Board in implementation.

Commissioner Wasserman noted that the Board was making business decisions in an open forum and that the forum approach has led to a perception other than the intent of the Board. He further noted that "the maritime industry has and will continue to represent the majority of the Port's income, the majority of the Port's attention, and the majority of the Port's assets." He further stated that there were areas of the Port that needed attention and some change in the organization is necessary in order to adequately address the problems, challenge, and opportunities that the Board faces as a Port, as a business, and as a public entity. He noted that the Board's action demonstrates, clearly, that there is no intention of deviating from the historic commitment toward increasing the maritime facilities and capability of the Port. He urged no delay in implementation.

After discussion, Commissioner Hunter modified his motion to remove the six month time limit. Commissioner Pineda seconded the modification.

During further discussion dealing with the proposed tenant committee, Mr. Bruce Seaton, addressed the Board to reaffirm his point that the Board was not recognizing the concerns of the tenants of the Port.

Commissioner Wasserman introduced and moved a substitute motion that the Board appoint one or more advisory committees to assist in implementing the organization changes recommended in the Kibel, Green report as adopted in concept at the last Board meeting. Commissioner Sweeney seconded the substitute motion.

President Higgins reminded the Board of the voting procedure for secondary motions as provided for in the Board's Bylaws and Roberts Rules of Order.

The substitute motion passed on the following vote:

Ayes: Commissioners Brady, Sweeney, Ward Allen, Wasserman,  
and President Higgins - 5

No: Commissioners Hunter and Pineda - 2

The secondary motion became the pending motion which motion passed on the following vote:

Ayes: Commissioners Brady, Sweeney, Ward Allen, Wasserman,  
and President Higgins - 5

No: Commissioners Hunter and Pineda - 2

The Board recessed at the hour the hour of 5:00 p.m. and reconvened at the hour of 5:20 p.m.

The following reports were discussed and ordered filed:

Report of Port Attorney on Litigation Matters

Status of Construction Contracts in Progress  
as of December 1988.

Status of Consultant Contracts in Progress  
as of December 1988.

Summary of Cash - Port Revenue and Construction Funds  
as of December 23, 1988.

Summary of Claims Paid from Various Funds  
for the Period December 13, 1988 through December 21, 1988.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Brady, Hunter, Pineda, Sweeney,  
Ward Allen, Wasserman and President Higgins - 7

Noes: None

Absent: None

"RESOLUTION NO. 31109

OF CONDOLENCE UPON THE PASSING OF SUPERVISOR JOHN GEORGE."

"RESOLUTION NO. 31110

APPROVING PLANS AND SPECIFICATIONS FOR REPLACEMENT OF EMERGENCY POWER ENGINE-GENERATOR SET FOR COMMERCIAL PASSENGER TERMINAL COMPLEX, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA; AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 31111

APPROVING ISSUANCE OF CHANGE ORDER FOR CONTRACT FOR CONSTRUCTION OF PUBLIC AREAS, PART A, JACK LONDON SQUARE, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31112

APPROVING ISSUANCE OF CHANGE ORDER FOR CONTRACT FOR INSTALLATION OF BLOCKOUTS FOR CONSTRUCTION OF PUBLIC AREAS, PART A, JACK LONDON SQUARE, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31113

APPROVING PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF YARD IMPROVEMENTS, BERTH 26, OUTER HARBOR TERMINAL, OAKLAND, CALIFORNIA; AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 31114

CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31115

APPROVING JOB SPECIFICATION FOR THE POSITION OF PORT ACCOUNTING SUPERVISOR."

"RESOLUTION NO. 31116

GRANTING MILITARY LEAVES OF ABSENCE."

"RESOLUTION NO. 31117

CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 31118

REJECTING CLAIM OF PATTY GRIEF."

"RESOLUTION NO. 31119

REJECTING AND DETERMINING THAT AN AMENDED AGREEMENT WITH VICKERMAN-ZACHARY-MILLER FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AMENDED AGREEMENT."

"RESOLUTION NO. 31120

ESTABLISHING RENTAL FOR OPTION AREA "A" UNDER NONEXCLUSIVE PREFERENTIAL ASSIGNMENT AGREEMENT WITH MAERSK LINE PACIFIC, LTD."

"RESOLUTION NO. 31122

ACCEPTING THE RESIGNATION OF WALTER A. ABERNATHY FROM THE POSITION OF EXECUTIVE DIRECTOR, AND APPROVING AND AUTHORIZING EXECUTION OF AGREEMENT AND GENERAL RELEASE SETTING FORTH THE TERMS AND CONDITIONS OF RESIGNATION AND PROVIDING FOR HIS ASSIGNMENT AS SPECIAL ASSISTANT TO THE EXECUTIVE DIRECTOR."

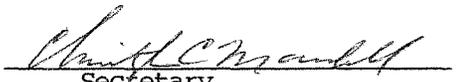
Port Ordinance No. 2847 being, "AN ORDINANCE AMENDING SECTIONS 7.021 AND 7.042 OF PORT ORDINANCE NO. 867 AND ADDING SECTION 8.0614 THERETO CREATING FOUR ADDITIONAL POSITIONS OF SENIOR ACCOUNTANT, SIX ADDITIONAL POSITIONS OF SENIOR ACCOUNT CLERK AND ONE NEW POSITION OF PORT GRANTS ADMINISTRATOR (PART-TIME)", was read a second time and passed by the following vote:

Ayes: Commissioners Brady, Hunter, Pineda, Sweeney,  
Ward Allen, Wasserman and President Higgins - 7  
Noes: None  
Absent: None

Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 ADOPTING NEW SALARY SCHEDULE NO. 91.8 AND CREATING ONE NEW POSITION OF PORT ACCOUNTING SUPERVISOR", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 CREATING ONE NEW POSITION OF SPECIAL ASSISTANT TO THE EXECUTIVE DIRECTOR, CLASS "AA", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 2833 RELATING TO CLASSIFICATION OF TRADES AND WHARFAGE RATES", were read a first time and passed to print by the following vote:

Ayes: Commissioners Brady, Hunter, Pineda, Sweeney,  
Ward Allen, Wasserman and President Higgins - 7  
Noes: None  
Absent: None

At the hour of 5:35 p.m. the Board entered into closed session as previously announced by President Higgins and reconvened in open session at the hour of 7:00 p.m. at which time the meeting was adjourned on a motion duly made and seconded.

  
Secretary

**REGULAR MINUTES OF THE BOARD OF PORT COMMISSIONERS  
OF THE  
CITY OF OAKLAND**

The meeting, formal portion, was held on Tuesday, January 17, 1989, at the hour of 4:15 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Higgins presiding, due written notice having been given to members of the Board. An informal portion was held during the period from 3:10 p.m. to 4:05 p.m. during which time the Board received a status report on the Port's new office building and a report on an air cargo handling training program.

Commissioners present: Brady, Hunter, Pineda, Sweeney, Ward Allen,  
Wasserman and President Higgins - 7

Commissioners absent: None

Also present were the Executive Director; Deputy Executive Director; Port Attorney; Chief Engineer; Assistant Chief Engineer; Director of Aviation; Director of Properties; Director of Administration; Director of Strategic and Management Planning; Director of Public Affairs; Special Assistant to the Executive Director for Trade Relations; and Secretary of the Board.

The minutes of the regular meeting of December 6, 1988 and the adjourned regular meeting of December 14, 1988 were approved as submitted and ordered filed.

President Higgins informed the Board that he would call for a closed session at the conclusion of the open session for the purposes of discussing:

1. Pending litigation as provided for under Government Code Section 54956.9 (a) involving The Port Attorney's report on litigation matters dated December 6, 1988; and
2. Pending litigation as provided for under Government Code Section 54956.9 (b) & (c).

BOARD OF PORT COMMISSIONERS  
MEETING OF **FEB 21 1989**  
APPROVED AS SUBMITTED AND CORRECTED

Commissioner Brady, Chair of the Finance and Administration Committee, reported on the current agenda of his committee which met earlier in the day.

Commissioner Sweeney, Chair of the Transportation Committee, reported on the current agenda of his committee which also met earlier in the day.

At the request of Commissioner Pineda, President Higgins called for a discussion of agenda item Operations 1, entitled "Discussion of Port's Reorganization Implementation Plans and Possible Action to Assist with Organizational Structure."

Commissioner Brady, Chair of the Committee, informed the Board that his committee has reviewed the findings of the Kibel, Green report and was prepared to make a recommendation concerning the organization implementation. He recommended first, however, that the Board reaffirm the Port's consolidated mission statement adopted on April 1, 1986, which reads as follows:

The Port of Oakland acting as an independent department of the City of Oakland shall contribute to the economic betterment of the citizens of Oakland and California by serving and aggressively developing as a domestic and global gateway for the transfer of people, cargo and information through its properties and state-of-the-art facilities.

The Port recognizes that its employees are its most important resource and key to its success. To the maximum extent possible the Port shall strengthen its management, personnel, operations and financial base for the effective delivery and control of its development.

The Port shall enhance its waterfront properties with a balance of land uses appropriate to their unique setting recognizing industrial, commercial, recreational and open space requirements and potential.

In its development programs, the Port shall strive to provide opportunities for a full spectrum of economic forces including business, employment and professional services to create high quality, revenue producing development that reflects the capabilities and composition of the community.

The Port shall clearly communicate and promote its advantages throughout its many markets to stimulate economic demand for its services and facilities.

President Higgins noted that the Board had adopted a motion to establish a resource panel to assist in the implementation of the reorganization plan and he had approached members of industry and others associated with the Port.

He recommended the following to the resource panel: Alan C. Furth to be Chair, an Oakland attorney and retired board chairman of the Southern Pacific Company, to represent transportation and real estate interest; James J. Carey, President of Matson Terminals, to represent terminal operators; W. Bruce Seaton, Chief Executive Officer of American President Companies, to represent shipping firms; Chuck Mack, President of the Teamsters Joint Council No. 7 (San Francisco Bay Area), to represent labor; Calvin Grigsby, President of Grigsby, Bradford & Company, to represent the finance community; Jerry L. Nowlin, Managing Director, Shearson, Lehman, to represent investment banking; Richard Cellarius, President, Sierra Club, to represent environmental interest; James J. Hartigan, Executive Vice President, United Airlines, to represent aviation; and an executive from one of the Port's import/export shippers to be named later. He further noted that he was prepared to immediately convene the panel upon Board approval. Commissioner Sweeney moved approval of the reaffirmation of the mission statement and approval of the resource panel. The motion was seconded and passed unanimously.

Commissioner Brady presented his plan which was composed of the following seven tasks, followed by Board members participation, suggested consultants, senior staff and advisors: 1) Overall coordination, with Kibel, Green as a consultant, with the Acting Chief Executive Officer as senior staff, with the participation of the resource panel; 2) Search for CEO, through the officers of the Board, using Pete Marwick Main Company as a consultant, with the participation of the resource panel; 3) Search for Executive Director, Port Planning and Development, through the Development Committee, using Ira W. Krinsky & Associates as a consultant, with the Acting Chief Executive Officer as senior staff; 4) Internal consolidation, Finance & Administration, through the Finance and Administration Committee, using Deloitte Haskins & Sells, Shearson Lehman Hutton, and the Wyatt Company as consultants, with the Chief Financial Officer serving as senior staff; 5) Internal consolidation, Transportation Services,

through the Transportation Committee, with the use of a consultant to be determined, with the Acting Chief Executive Officer as senior staff; 6) Dredging, through the Transportation Services Committee, using PNB as a consultant, with the Acting Chief Executive Officer as senior staff; 7) Communications Project, through the External Affairs Committee, with the use of a consultant to remain open at this point, with the Director of Public Affairs as senior staff.

After discussion with Commissioner Pineda recommending that the Kibel, Green firm not be used as a consultant, and that information on the Ira W. Krinsky & Associates firm be made available to the Board before retention of the firm, Commissioner Sweeney moved approval of Commissioner Brady's organization implementation plan components. The motion was seconded and passed on the following vote:

Ayes: Commissioners Brady, Sweeney, Ward Allen, Wasserman,  
and President Higgins - 5

Noes: Commissioners Hunter and Pineda - 2

At the hour of 4:45 p.m. Commissioner Pineda was excused from the meeting.

Plans and Specifications for Recarpeting of Building L-142, North Airport was the subject of a memo to the Board from the Chief Engineer, recommending their approval and authority to advertise for bids for the removal and disposal of the existing carpet and tack boards, and the acquisition and installment of new carpeting. The recommendation was approved on passage of Resolution No. 31135.

Award of Contract, Runway and Taxiway Signs, Striping and Lighting Modifications was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the 6 bids received and recommending award of the contract to Vellutini Corporation dba Royal Electric Company, the low bidder, at \$130,510.00. The recommendation was approved on passage of Resolution No. 31123.

Contract Completion, Construction of 12.47 KV Primary Loop Feeder System, North Airport was the subject of a memo to the Board from the Chief Engineer, recommending that the contract with Rosendin Electric, Inc. be extended 61 calendar days for inclement weather and change order work and that the contract be accepted as complete as of August 13, 1988 with a contract price of \$1,691,747.00. The recommendation was approved on passage of Resolution No. 31136.

New License Agreement and Supplemental Agreement, Sierra Academy of Aeronautics, Inc. was the subject of a memo to the Board from the Director of Aviation, notifying the Board that Sierra Academy occupies multiple buildings on the North Airport under various license agreements used as a school for flight training and aircraft mechanics. The Board has previously approved in principle a two-year license agreement covering space in Building L-825 for use as a school for aircraft mechanics and aviation sheet metal specialists, at a monthly rental of \$5,357.94 for the first year. Sierra has now requested to rent the balance of Building L-825 to accommodate the expansion of its aircraft mechanics program. It was recommended that the original two-year license agreement and a Second Supplemental Agreement to provide for additional area in Building L-825 at a new total monthly rental of \$10,973.26 be approved. The recommendation was approved on an ordinance passed to print for the two-year agreement; and on a motion by Commissioner Wasserman, seconded and passed unanimously for preparation of the supplemental agreement.

Plans and Specifications for Construction of Improvements For Public Shoreline Access, Airport Dike at Harbor Bay Parkway was the subject of a memo to the Board from the Chief Engineer, recommending their approval and authority to advertise for bids for the shoreline access at Harbor Bay Parkway, Alameda. The project consists of preparing a portion of the the airport dike for public access under terms of an agreement with BCDC. The work under the contract includes

relocating broken concrete rubble from the area to be opened to the public to other portions of the dike, placing additional slope protection rock, constructing a new security fence, and removing the existing security fence. The site is not available between April 15, 1989 and August 31, 1989 due to nesting activities of the Least Tern, and the contract provides for a break if not completed by April 14, 1989. The project is categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 31124.

East Bay Group - Lease Option Extension was the subject of a memo to the Board from the Director of Properties, notifying the Board of the option agreement with East Bay Group for the development of a hotel on Embarcadero and 16th Avenue, and that the option has been extended on numerous occasions. The developer has paid \$70,000.00 in option payments, and a \$25,000.00 lease deposit, which is non-refundable in the event the option is not exercised, and deposited \$10,000.00 with the Port as security for the completion of the tank removal process for a total of \$105,000.00. The developer has secured letters of commitment for his construction and take out loans conditioned on environmental clearances. The Port has approved the building permit application and working drawings and there is a valid BCDC permit for the project. It was recommended that the Board approve an additional two-month extension through March 31, 1989 with a non-refundable \$25,000.00 payment which will be credited as prepayment of rent if the option is exercised. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

Scott's Restaurant - Lease Amendment was the subject of a memo to the Board from the Director of Properties, recommending approval of a 13-month deferral of a portion of monies due the Port. At the request of Scott's the item was removed from the Board's agenda.

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Plans and Specifications for Construction of Signage for Jack London's Waterfront, Jack London Square was the subject of a memo to the Board from the Chief Engineer, recommending their approval and authority to advertise for bids for providing and installing informational and traffic directional signs within the Jack London Square area from Clay Street to Franklin Street and at eleven locations on adjacent streets in the City of Oakland. The project is categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 31137.

Plans and Specifications for Construction of Berthing Facilities and Land Improvements, Union Point Basin was the subject of a memo to the Board from the Chief Engineer, recommending their approval and authority to advertise for bids for the new marina. The waterside work includes construction of a facility to berth 92 small pleasure boats, with a fixed concrete walkway, a security gatehouse, gangways, a sewage pumpout and utilities. The landside work includes construction of a 59-car parking lot, restroom facilities, and public access with landscaping and viewing area. Embarcadero Cove Marina is being financed with a loan from the California Department of Boating and Waterways and they have approved the plans. The project also has the necessary government permits. The environmental document associated with the project has previously been certified by the Board. The recommendation was approved on passage of Resolution No. 31138.

Approval of Contract, Installation of Parking Revenue Control and Building Access Control Systems, Jack London Square was the subject of a memo to the Board from the Chief Engineer, notifying the Board that the Board authorized dispensing with formal bids for the parking revenue control system for Jack London Square, and that seven proposals were received for review. It was recommended that a contract for a fixed price of \$790,960.00 be executed with William D. White Co. Inc., for the work. The project includes providing new parking equipment in the underground lot, a walk-up pay station, new equipment

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in the existing surface lots of Jack London Square including the employee parking lot and new valet parking control equipment. The firm will also provide security equipment in Water Street II, the Pavilion, and the new Port office. A maintenance contract will commence after the conclusion of the installation contract at a fixed price of \$3,500.00 monthly for four years. The environmental document associated with the project has previously been certified by the Board. The recommendation was approved on passage of Resolution No. 31139.

Ratify Action for Emergency Repair of Crane X-423 and Approval to Continue with the Replacing or Modifying of the Boom Supports on Cranes X-423 and X-422 was the subject of a memo to the Board from the Chief Engineer, notifying the Board that at approximately 12:05 a.m. December 20, 1988 a major crack was discovered across two-thirds of the left waterside boom support plate on container crane X-423. The Chief Engineer determined that an emergency existed and with use of a barge crane holding up the end of the boom, it was possible to retract the boom to its stowed position taking all load off the weakened boom support plate. To get the boom retracted, the cracked boom support plate removed, and a new one designed, fabricated, and installed, it was necessary to hire Liftech Consultants, Inc. and McKay International as engineering consultants and a contractor, Rigging International. The cost of the repairs will be approximately \$200,000.00. As the design of the boom support plates for cranes X-423 and X-422 is the same, and the cranes are 18 and 19 years old, respectively, it is proposed to continue the work of replacing or modifying the design of the seven remaining boom hanger supports on the cranes utilizing the same engineering consultants and contractor that are being used for the emergency repair work. Depending upon the results of the test, the supports will be either redesigned or replaced. The cost of the work is estimated to be \$400,000.00. It was recommended that the Board ratify the action of the Chief Engineer and the proposal to replace or modify the failed crane parts of both cranes at the Seventh Street Terminal. The recommendation was approved on passage of Resolution No. 31140.

Consideration of Alternatives for Disposal of Dredged Material from Phase I, Oakland Harbor Project was the subject of a memo to the Board from the Chief Engineer, notifying the Board that staff has been pursuing a plan to use the material dredged from Phase I of the Oakland Harbor Project to reinforce the levees of Twitchell Island and Lower Jones Tract in the Delta. The schedule anticipates the distribution of a Draft Supplemental Environmental Impact Report on February 3, 1989; a public hearing on March 1, 1989; certification of a Final Supplemental Environmental Impact Report on April 4, 1989; and the approval by the Central Valley Regional Water Quality Control Board (CVRWQCB) of a waste discharge certificate on May 26, 1989. The CVRWQCB's approval of the waste discharge certificate is critical to the success of the plan and the Board should have the opportunity to assess its options which are subject to current legal proceedings and are appropriately the subject of a closed session. The information was noted and ordered filed and to be the subject of a closed session following the conclusion of the open session.

Personnel Items contained in a memo to the Board from the Director of Administration recommended the appointment of Leonard J. Wheelock as Janitor Foreperson, effective January 18, 1989, at \$2,108.00. Also recommended was the approval for the examination announcement for Port Accounting Supervisor and the accompanying class specifications; and a personal leave of absence for Henry Melendres, Port Personnel Analyst, for 20 working days through January 31, 1989. The recommendations were approved on passage of Resolution No. 31126 for appointments; Resolution No. 31127 for examination and job specifications; and Resolution No. 31128 for leave of absence.

Travel Authorization contained in a memo to the Board from the Director of Administration recommended the travel of Glen Woodman, Airport Operations Supervisor, to New Orleans, Louisiana, on or about the period January 11-15, 1989, to attend the Heliport Noise and Land Use Planning seminar; the

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travel of Manager, Marine Operations, to Seattle and Tacoma, Washington, on or about January 18, 1989, to inspect terminal facilities and operations; the travel of Director of Strategic and Management Planning to Washington, D.C., on or about the period January 22-25, 1989, to attend the annual Transportation Research Board meeting; the travel of the Executive Director to Orlando, Florida, on or about January 24, 1989 to attend a meeting of the Airport Operators' Council International; and the travel of John Aidoo, Port Principal Engineer, to Tampa, Florida, on or about the period February 5-7, 1989, to attend a seminar on Port Facilities Engineering, sponsored by the American Association of Port Authorities. The recommendation was approved on passage of Resolution No. 31125.

**Authorization to Utilize GSA Price Agreement with Herman Miller Inc.**

was the subject of a memo to the Board from the Chief Engineer, recommending approval to dispense with formal bids and authorize the purchase of Herman Miller modular office systems, in an amount estimated to be \$50,000.00 which will be used in the Finance Department. It was noted that the new furniture will be relocated to the new building. The recommendation was approved on passage of Resolution No. 31141.

**Resolution Establishing Rental for Maersk Line Pacific, Ltd on Option Area "A", Federal Maritime Commission Agreement No. 224-200087** was the subject of

a letter to the Board from the Port Attorney, notifying the Board that the Port had established the rental effective January 1989 for Option Area "A" under the Maersk Line Pacific Preferential Assignment Agreement following Maersk's exercise of its option to add the area to the assigned premises. The Federal Maritime Commission has requested a more definitive explanation of the rental for the area prior to the filing with the FMC. It was recommended that the Board approve a modifying resolution expressing that the parties agree on an effective compensation date prior to the filing so long as actual implementation of the prior compensation does not take place until after the filing. The recommendation was approved on passage of Resolution No. 31129.

The following reports were discussed and ordered filed:

Summary of Cash - Port Revenue and Construction Funds  
as of January 6, 1989.

Summary of Cash and Accounts Receivable Port Revenue  
Fund 770 for the Month of December 1988.

Accounts Receivables in Arrears as of December, 31 1988.

Delinquent Accounts Referred to Legal  
Reported as of December 31, 1988.

Summary of Claims Paid from Various Funds  
for the Period December 20, 1988 through January 9, 1989.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Brady, Hunter, Sweeney, Ward Allen,  
Wasserman and President Higgins - 6

Noes: None

Absent: Pineda - 1

"RESOLUTION NO. 31123

AWARDING CONTRACT TO VELLUTINI CORPORATION DBA ROYAL ELECTRIC COMPANY, FOR RUNWAY AND TAXIWAY SIGNS, STRIPING AND LIGHTING MODIFICATIONS, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA, A.I.P. 3-06-0170-07; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 31124

APPROVING PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF IMPROVEMENTS FOR PUBLIC SHORELINE ACCESS, AIRPORT DIKE AT HARBOR BAY PARKWAY SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 31125

CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 31126

APPOINTING LEONARD J. WHELOCK TO THE POSITION OF JANITOR FOREPERSON."

"RESOLUTION NO. 31127

APPROVING JOB SPECIFICATION AND EXAMINATION ANNOUNCEMENT FOR THE POSITION OF PORT ACCOUNTING SUPERVISOR."

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"RESOLUTION NO. 31128

RATIFYING LEAVE OF ABSENCE TO HENRY MELENDRES."

"RESOLUTION NO. 31129

AMENDING AND SUPERSEDING PORT RESOLUTION NO. 31120 ESTABLISHING RENTAL FOR OPTION AREA "A" UNDER NONEXCLUSIVE PREFERENTIAL ASSIGNMENT AGREEMENT WITH MAERSK LINE PACIFIC, LTD."

"RESOLUTION NO. 31130

COMMENDING NEPTUNE ORIENT LINES."

"RESOLUTION NO. 31131

APPOINTING WALTER A. ABERNATHY TO THE POSITION OF SPECIAL ASSISTANT TO THE EXECUTIVE DIRECTOR, CLASS "AA".

"RESOLUTION NO. 31132

ASSIGNING JAMES J. O'BRIEN AS ACTING EXECUTIVE DIRECTOR."

"RESOLUTION NO. 31133

CREATING THE TEMPORARY POSITION OF EXECUTIVE DIRECTOR, TRANSPORTATION SERVICES AND APPOINTING JAMES J. O'BRIEN TO SAID POSITION."

"RESOLUTION NO. 31134

APPOINTING JAMES J. O'BRIEN TO THE POSITION OF EXECUTIVE DIRECTOR, TRANSPORTATION SERVICES."

"RESOLUTION NO. 31135

APPROVING PLANS AND SPECIFICATIONS TO FURNISH AND INSTALL CARPET IN BUILDING L-142, NORTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 31136

ACCEPTING WORK PERFORMED BY ROSENDIN ELECTRIC, INC., AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31137

APPROVING PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF SIGNAGE FOR JACK LONDON'S WATERFRONT, JACK LONDON SQUARE, OAKLAND, CALIFORNIA; AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 31138

APPROVING PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF BERTHING FACILITIES AND LAND IMPROVEMENT, EMBARCADERO COVE MARINA, UNION POINT BASIN, OAKLAND, CALIFORNIA; AND CALLING FOR BIDS THEREFOR."

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"RESOLUTION NO. 31139

AWARDING CONTRACT FOR INSTALLATION OF PARKING REVENUE CONTROL AND BUILDING ACCESS CONTROL SYSTEMS, JACK LONDON SQUARE, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31140

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO PERFORM CERTAIN PUBLIC WORK WITHOUT COMPETITIVE BIDDING, AUTHORIZING THE PERFORMANCE THEREOF AND RATIFYING EMERGENCY REPAIRS."

"RESOLUTION NO. 31141

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO WAIVE COMPETITIVE BIDDING AND TO AUTHORIZE THE EXECUTIVE DIRECTOR TO PROCURE HERMAN MILLER MODULAR "SYSTEMS" COMPONENTS THROUGH AN EXISTING PRICING AGREEMENT WITH HERMAN MILLER, INC."

Port Ordinance No. 2848 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 CREATING ONE NEW POSITION OF SPECIAL ASSISTANT TO THE EXECUTIVE DIRECTOR, CLASS "AA", and Port Ordinance No. 2849 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 ADOPTING NEW SALARY SCHEDULE NO. 91.8 AND CREATING ONE NEW POSITION OF PORT ACCOUNTING SUPERVISOR", and Port Ordinance No. 2850 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 2833 RELATING TO CLASSIFICATION OF TRADES AND WHARFAGE RATES", were read a second time and passed by the following vote:

Ayes: Commissioners Brady, Hunter, Sweeney, Ward Allen,  
Wasserman and President Higgins - 6

Noes: None

Absent: Pineda - 1

Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING SECTIONS 5.00 and 5.011 OF PORT ORDINANCE NO. 867 RETITLING THE POSITION OF EXECUTIVE DIRECTOR TO CHIEF EXECUTIVE OFFICER AND EXECUTIVE DIRECTOR AND ESTABLISHING THE POSITION OF EXECUTIVE DIRECTOR, TRANSPORTATION SERVICES", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LEASE WITH SIERRA ACADEMY OF AERONAUTICS, INC., AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. \_\_\_\_\_ being "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LEASE WITH

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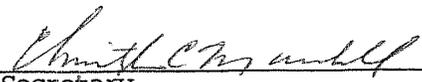
IKE S. PAIK, AN INDIVIDUAL, DOING BUSINESS UNDER THE FIRM NAME AND STYLE OF SUNSET WHOLESALE COMPANY AND DIRECTING RECORDATION THEREOF", were read a first time and passed to print by the following vote:

Ayes: Commissioners Brady, Hunter, Sweeney, Ward Allen,  
Wasserman and President Higgins - 6

Noes: None

Absent: Pineda - 1

At the hour of 5:00 p.m. the Board entered into closed session as previously announced by President Higgins and reconvened in open session at the hour of 6:25 p.m. at which time the meeting was adjourned on a motion duly made and seconded.

  
Secretary

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**REGULAR MINUTES OF THE BOARD OF PORT COMMISSIONERS  
OF THE  
CITY OF OAKLAND**

The meeting, formal portion, was held on Tuesday, February 7, 1989, at the hour of 4:15 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Higgins presiding, due written notice having been given to members of the Board. An informal portion was held during the period from 3:05 p.m. to 4:05 p.m. during which time the Board received a report on the new airline rates and charges, and a review of the Port's second quarter budget performance.

Commissioners present: Brady, Hunter, Pineda, Sweeney, Ward Allen,  
Wasserman and President Higgins - 7

Commissioners absent: None

Also present were the Acting Executive Director; Port Attorney; Assistant Port Attorney, Thomas Clark; Chief Engineer; Chief Financial Officer; Director of Administration; Director of Aviation; Director of Properties; Principal Electrical-Mechanical Engineer; Director of Public Affairs; and Secretary of the Board.

The minutes of the regular meeting of December 20, 1988 and the regular meeting of January 3, 1989 were approved as submitted and ordered filed.

Ms. Dale Hamilton, Commercial Representative III, received her 10-year service award.

President Higgins informed the Board that he would call for a closed session at the conclusion of the open session for the purpose of discussing:

1. Pending litigation involving certain items contained in the report of the Port Attorney on litigation matters dated February 7, 1989 as provided for under Government Code Section 54956.9 (a).

Commissioner Ward Allen, Chair of the External Affairs Committee, reported to the Board that her committee had met earlier in the day on an external communications program.

Commissioner Wasserman, Chair of the Development Committee, reported to the Board that his committee had met earlier in the day and intended to make certain recommendations to the Board at the meeting to be held on March 7, 1989.

Commissioner Brady, Chair of the Finance and Administration Committee, reported that his committee had met several times and would make further recommendations on the management incentive compensation program.

President Higgins informed the Board that the Resource Panel, which is a part of the reorganization program, had met once and scheduled their next meeting for February 14, 1989. He further noted that the Executive Committee has been studying the dredging issue and its relationship to the entire Bay Dredge Management Plan.

Ms. Madge Strong, representing the Coalition for a Nuclear Free Oakland, appeared before the Board to present a statement of the coalition and urge the Port to adopt the intent of the recent voter approved initiative. She noted that a list of nuclear weapons manufacturers was now available at the City and she further noted that the Port should not purchase items from the listed firms. President Higgins thanked the coalition for its appearance and noted that the Executive Committee would take the issue under its review.

Contract Completion for Reroofing of Terminal Building M-102, South Airport was the subject of a memo to the Board from the Chief Engineer, recommending that the contract with A-Plus Roofing, Inc., be extended 15 days and accepted as complete as of December 6, 1988, with a contract price of \$335,000.00. The recommendation was approved on passage of Resolution No. 31150.

Contract Completion, Construction of 12.47KV Primary Electrical Feeder System, Air Cargo Center Development, Phase 8 was the subject of a memo to the Board from the Chief Engineer, recommending that the contract with Rosendin Electric, Inc., be extended 46 days and be accepted as complete as of September 8, 1988, with a contract price of \$1,162,322.00. The recommendation was approved on passage of Resolution No. 31151.

Substitution of Carpeting Subcontractor for Second Extension of Second Floor Addition to Building M-103, South Airport was the subject of a memo to the Board from the Chief Engineer, recommending that Arntz Builders, Inc., the general contractor, substitute L & L Flooring as the listed new carpeting subcontractor, as Conklin Brothers, the original subcontractor, will not execute a contract for the work. The recommendation was approved on passage of Resolution No. 31159.

Substitution of Structural Steel and Miscellaneous Metal Subcontractor for Second Extension of Second Floor Addition to Building M-103, South Airport was the subject of a memo to the Board from the Chief Engineer, recommending that Arntz Builders, Inc., the general contractor, substitute Bambacigno Steel Company, Inc. as the listed subcontractor for new structural steel and miscellaneous metal, as Pine Iron Works, the original subcontractor, is unable to perform the work. The recommendation was approved on passage of Resolution No. 31160.

Award of Contract, Walkway Improvements, Main Parking Lot, South Airport was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the two bids received and that the apparent low bidder, Oasis Homes Construction, Inc., at \$33,000.00, had an improper bid bond. It was recommended that the contract be awarded to Valentine Corporation, the other bidder, at \$43,369.00. The recommendation was approved on passage of Resolution No. 31152.

License Agreement Renewal, Emery Air Freight was the subject of a memo to the Board from the Director of Aviation, recommending approval to renew their agreement for space at Building L-820, North Airport, used for their air cargo distribution service, at a new monthly rental of \$12,699.68. The new agreement would be for a two-year period with a second year rental adjusted in accordance with the percentage change in the Consumer Price Index - All items. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Lease Supplement - Foley & Campi was the subject of a memo to the Board from the Director of Aviation, notifying the Board that Charles Foley and Eugene Campi, joint venture developers, have a ground lease covering 36,549 sf at 9260 Earhart Road on the North Airport. The site has been improved with a building which is subleased to Space Air Supply, Inc. The lease has two five-year option periods, and Foley & Campi has notified the Port in writing of its intent to exercise the option to extend the lease for an additional five years commencing February 1, 1989. The lease provides that the rental for each option period is to be adjusted to an amount equal to 7% per annum return upon the fair market value of the land. It was recommended that the ground rental be increased to \$1,066.01 per month as provided for in the lease. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

License Agreement Renewal-Weldon's Maintenance and Repair was the subject of a memo to the Board from the Director of Aviation, recommending approval to renew his agreement for two years for space at Building L-908, North Airport, used for maintenance and export of light aircraft, at a new monthly rental of \$3,015.73. The second year rental will be adjusted in accordance with the percentage change in the Consumer Price Index - All items. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Scott's Restaurant, Lease Amendment was the subject of a memo to the Board from the Director of Properties, notifying the Board of the recent new 55-year lease beginning August 1, 1987 at a minimum monthly rental of \$13,508.00 against 4.2% of gross receipts plus a minimum monthly contribution of \$1,833.33 against .8% of gross receipts for common area maintenance and promotion. As a further condition of the lease, Scott's has completed a 5,000 sf expansion of the restaurant to provide banquet facilities and related improvements. Scott's

reports that the continued construction activity in Jack London Square has adversely impacted its ability to market the banquet facility at a level to carry the additional investment and is requesting a 13-month deferral of a portion of the monies due the Port. It was recommended that the Board approve an amendment to the lease which will provide certain monetary relief. The length of accrual would be from December 1, 1988 through December 31, 1989 with a one-year renewal if justified, in the sole opinion of the Port. Beginning January 1, 1990 Scott's would make monthly interest only payments. If Scott's attains gross monthly sales in excess of \$500,000.00, it would pay back to the Port, in that month, \$3,000.00 toward the principal plus the interest. The balance of the accrued amount would be due in full in 60 months or by December 1, 1994. A letter of credit for the term of the payback would be issued by Imperial Bank of Oakland to the Port of Oakland for the accrued amount. Scott's would pay a minimum of \$5,000.00 per month. The deferred amount would be the amount due under the existing lease terms less \$5,000.00. The interest on the accrued amount to be paid to the Port will be at prime rate as of December 1, 1988 and adjusted every six months thereafter, but not to exceed 10% or less than 8 1/2%. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

Sam Kalman, Approval of Sublease and Amendment to Use Clause was the subject of a memo to the Board from the Director of Properties, notifying the Board that Sam Kalman & Co. occupies 54,311 sf of land area located at 9th Avenue and Embarcadero under the terms of a 23-year ground lease which originally expired October 31, 1988. The lessee exercised an option to extend the lease term for an additional 7 1/2-year period. There are two additional 10-year options to extend the lease term which, if exercised, would result in a termination date of May 15, 2016. The property is improved with a 33,730 sf warehouse building, and contains 20,581 sf of vacant land. The Port has received

a request from Sam Kalman for approval to a proposed sublease with Lakeside Non-Ferrous Metals, Inc., which will use the premises for the import and export of non-ferrous metals to the Far East. The master lease with Kalman provides that the premises would be used exclusively for the importation, refinishing, sale, storage and distribution of steel and steel products. It was recommended that the lease be amended to provide for inclusion of non-ferrous metals to the use clause and that the Board approve the subtenancy of Lakeside Metals. After discussion, which included the addition of more definitive language concerning the appearance, work habits, and enforcement by Port personnel of Lakeside Metal's business activities, the recommendation was approved on a motion by Commissioner Sweeney, seconded and passed on six affirmative votes, with Commissioner Wasserman abstaining.

RAGH, Inc. (KDIA) - New Lease was the subject of a memo to the Board from the Director of Properties, notifying the Board that RAGH, Inc., occupies 6.9 acres of water and land near the Bay Bridge toll plaza used as a radio transmitter site for radio station KDIA-AM on a month-to-month basis under the holdover provisions of a previous lease. It was recommended that the Board approve a new five-year lease which would expire on January 31, 1994. The basic terms of the new lease include a monthly rental of \$1,555.00 adjusted annually on the percentage increase in the Consumer Price Index for the 12-month period immediately preceding the annual adjustment date; RAGH, Inc. would be responsible for all maintenance, including the access road, and would provide insurance conforming with the current Port requirements. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

West Coast Marine Trailers - Renewal of License Agreement was the subject of a memo to the Board from the Director of Properties, recommending approval to renew their agreement for a 12,200 sf building located on a one-acre site at 101 Hegenberger Road, used for the sale and storage of road equipment, at a new monthly rental of \$2,755.00. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Waterfront Association, Designation of Port Representative was the subject of a memo to the Board from the Director of Properties, notifying the Board of the Association and that the Bylaws of the Association state that the Board of Directors shall be composed of one representative of each of the Association's members, as appointed from time to time by the member. It was recommended that the Board appoint the Port's Acting Chief Executive Officer as the Port's representative to the Board of Directors of the Waterfront Association with authorization to designate other staff person(s) to act in the Acting Chief Executive Officer's behalf. The recommendation was approved on passage of Resolution No. 31143.

Building Permit Application, The Learner Company, 3675 Alameda Avenue was the subject of a memo to the Board from the Chief Engineer, recommending approval for the construction of a warehouse office building to be located on a parcel at 3675 Alameda Avenue, Oakland. The site is privately owned by the Learner Company and is located in the Port's jurisdictional area. The existing parcel of land is triangular in shape and covers an area of approximately seven acres and contains an existing warehouse office building, a wooden scalehouse and fronts along the Tidal Canal. The project would consist of construction of a one-story high concrete tilt-up building containing approximately 100,000 sf of area which will be divided into 10 leasable warehouse and 10 leasable office spaces. On-site improvements will include parking for 141 cars, landscaping and lighting. The estimated cost of the proposed improvements is \$1,750,000.00. In compliance with the California Environmental Quality Act, an Initial Study was conducted for the project and no significant impacts were identified. It was recommended that the Board consider the negative declaration and find that the proposed project will not have a significant adverse effect on the environment and approve the building permit. The recommendation was approved on passage of Resolution No. 31153.

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The Glass Guys, New Lease was the subject of a memo to the Board from the Director of Properties, recommending approval of a new 5-year lease with Brian J. Ahlberg, dba The Glass Guys, for a 2,776 sf portion of Port Building G-309 located at 351 Embarcadero. The remainder of the building is occupied by Golden State Diesel Marine. The initial rent would be \$1,500.00 per month adjusted on the 25th and 49th months of the lease term based on the percentage change in the Consumer Price Index. The lessee would provide a performance deposit in cash or certificate of deposit in the amount of \$4,500.00, which would be increased at the time of any increases in the monthly rent by the same percentage. The premises would be used as a retail glass replacement shop. The lessees will pay their proportionate share of the building utility costs. The lessee would make certain improvements and pay for all taxes and assessment, provide appropriate insurance and be responsible for all maintenance and repair of the space. The lessee would receive one month free rent at the commencement of the lease term and have the non-exclusive right to use the adjacent outside parking area. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Approval of Contract Time Extension and Change Order for Construction and Installation of Container Cranes at Seventh Street Public Container Terminal

was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the contract with Kocks Crane and Marine Company for the new cranes. The contract is a design and construct contract which is standard for the industry. Due to the air easement restrictions at the site, the design is especially difficult due to the very limited maximum overall height of the cranes being 132 feet with a lift height of 100 feet. The design phase of the contract has been very difficult and Kocks has submitted a request for a contract time extension of 124 days plus payment of an additional \$779,668.00 for the extra time and expense involved in designing the cranes and for the extra expense and

longer delivery period for higher grade steel. Extensive negotiations have been held with Kocks Crane to reach a settlement on their request and the Port's claims for credit for deviations from the specifications. Under a proposed settlement, Kocks would not be requested to give the Port a credit for the deviations from the specifications and the Port would grant Kocks a 90-day time extension and pay them an additional \$40,000.00. In addition, the Port would have the right to use Kock's design for constructing a fourth crane for Seventh Street Public Container Terminal provided Kocks is retained as consultants and the design is not used within three years after acceptance of the contract for the cranes. It was recommended that the Board approve the appropriate change order reflecting the settlement. The recommendation was approved on passage of Resolution No. 31161.

Exercise of Option for Purchase of Third Container Crane for Seventh Street Public Container Terminal was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the contract with Kocks Crane and Marine Company for the construction of two cranes for the Seventh Street Public Container Terminal. The contract has an option to order a third crane within one year of the date of execution of the contract which was March 8, 1988. The addition of a third new modern crane at Seventh Street Terminal that is capable of handling post panamax vessels will enhance terminal marketability and maximize the terminal's throughput capability. It was recommended that the Board approve executing the option with Kocks for the third crane with the same additive items ordered with the first two cranes for a total price of \$6,320,500.00. The recommendation was approved on passage of Resolution No. 31162.

Award of Contract for Construction of 500-Foot Pathway Along San Leandro Bay was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the six bids received and recommending award of the contract to Gallagher & Burk, Inc., the low bidder, at \$71,922.50. The recommendation was approved on passage of Resolution No. 31142.

Contract Completion, Repair of Berth 23 Wharf, Outer Harbor Terminal

was the subject of a memo to the Board from the Chief Engineer, notifying the Board that the Board had previously dispensed with formal bids for the repair of the berth which was damaged by the vessel Ocean Commander I on August 5, 1988. Informal bids were solicited and the Valentine Corporation was issued a contract. It was recommended that the Board approve a time extension of three days and accept the contract as complete as of December 1, 1988, with a contract price of \$222,816.00. The recommendation was approved on passage of Resolution No. 31163.

Building Permit Application, Union Pacific Railroad, 1717 Middle Harbor Road, Oakland Inner Harbor

was the subject of a memo to the Board from the Chief Engineer, recommending approval for the construction of a new gatehouse, compressor building and six eighty-foot high light poles. The estimated cost of the proposed work is \$412,000.00. The project is categorically exempt and an environmental impact report is not required. It was noted that Union Pacific is proposing a series of improvements to the existing yard that will result in greater capacity and flexibility. The recommendation was approved on passage of Resolution No. 31154.

Set Date for Public Hearing on Supplemental Draft Environmental Impact Report for Phase 1, Oakland Inner Harbor, Deep-Draft Navigation Improvements

was the subject of a memo to the Board from the Chief Engineer, recommending approval to set March 1, 1989 at the hour of 7:00 p.m. for the Public Hearing on the Draft Supplemental Environmental Impact Report. The Public Hearing will be held in Stockton, California. The OSEIR covers the environmental effects of disposing of the 440,000 cubic yards of Phase 1 dredged material by transporting the dredged material to two Delta Islands for use in reinforcing the levees. The recommendation was approved on passage of Resolution No. 31144.

Ordinance to Provide for the Issuance and Sale of Debt Instruments

Pursuant to Section 606(24) of the Charter of the City of Oakland was the subject of a memo to the Board from the Chief Financial Officer, notifying the Board that certain Charter changes were approved by the voters of Oakland relating to the modernization of financing techniques for the Port of Oakland. One of the changes provided for a procedural ordinance which establishes the framework for the subsequent issuance of specific series of bonds or notes by the Board. At the time of each bond issue, the Board will approve the specific interest rate and other provisions of that particular series of bonds. It was recommended that the procedural ordinance be approved. The recommendation was approved on an ordinance passed to print.

Personnel Items contained in a memo to the Board from the Director of Administration recommended the appointment of Dorothy Aboumrad as Secretary to the Deputy Executive Director, effective February 1, 1989, at \$2680.00 per month; Barbara Baker, Eric Cherry, Christa Collins, Derrick Dillard, Ignacia Heredia, Margaret Herring, Regina Hill, Shawnetta Jones, Zellunette Jones, and Lien Lam, as Youth Aide Class "D", effective February 14, 1989, at \$3.48 per hour. All are part of the Port's High School Internship program designed to develop work experience. Also recommended was the creation of one additional position of Port Accounting Supervisor and two additional positions of Information Services Technician. Additionally recommended was the termination of employment of Frank Bowers, Airport Serviceman, for cause; a maternity leave of absence for Diane A. Langill, Intermediate Typist Clerk, for 152 working days; a personal leave of absence for Marvestus Whitfield, Commercial Aircraft Fueler, for 24 working days; a personal leave of absence for Virginia F. Adams, Intermediate Typist Clerk, for 20 working days; and a personal leave of absence for Luther J. Gilbert, Jr., Semi-skilled Laborer, for 19 working days. The recommendations were approved on passage of Resolution No. 31164 for appointments; Resolution No. 31165 for termination; Resolution No. 31166 for leaves of absence; and an ordinance passed to print for creation of position.

Travel Authorization contained in a memo to the Board from the Director of Administration recommended the travel of the Director of Aviation to Washington, D.C., on or about February 16, 1989, to attend a meeting of Airport Operators Council International Chairpersons and meet with the Transportation Subcommittee of AOCI; the travel of Robert Winn, Airport Operations Supervisor, to Washington, D.C., on or about February 16, 1989, to attend a meeting of the American Association of Airport Executives/Federal Aviation Administration regarding airport security access; and the travel of the General Manager, Marine Terminals, to Wilmington, North Carolina, on or about February 22, 1989, to attend the American Association of Port Authorities U.S. Ports and National Defense Seminar. The recommendation was approved on passage of Resolution No. 31145.

Ratification of Three Year Memorandum of Understanding between the Port of Oakland and Local 790, AFL-CIO was the subject of a memo to the Board from the Director of Administration, notifying the Board that Local 790, AFL-CIO, elected to ratify the Port's proposed Memorandum of Understanding, and recommending that the Board approve the Memorandum of Understanding covering the period July, 1, 1988 through and including June 30, 1991. The recommendation was approved on passage of Resolution No. 31146.

Claim of Antonio Reinoso was the subject of a letter to the Board from the Port Attorney, notifying the Board of a claim in the amount of \$5,000.00 for alleged personal injuries resulting at the Airport. As Mr. Reinoso is employed by Elsinore Aircraft Services, Inc., an aircraft service contractor, as a cleaning supervisor and was performing his job at the time, it was recommended that the claim be rejected as it is not a proper charge against the Port. The recommendation was approved on passage of Resolution No. 31147.

The following reports were discussed and ordered filed:

Report of Port Attorney on Litigation Matters

Status of Construction Contracts in Progress  
as of January 1989.

Status of Consultant Contracts in Progress  
as of January 1989.

Summary of Cash - Port Revenue and Construction Funds  
as of January 27, 1989.

Summary of Claims Paid from Various Funds  
for the Period January 10, 1989 through January 31, 1989.

The following resolutions were introduced and passed separately by the following vote:

Ayes:	Commissioners Brady, Hunter, Pineda, Sweeney, Ward Allen, Wasserman and President Higgins - 7
Noes:	None
Absent	None

"RESOLUTION NO. 31142

AWARDING CONTRACT TO GALLAGHER & BURK, INC. FOR CONSTRUCTION OF 500-FOOT SHORELINE PATHWAY ALONG SAN LEANDRO BAY, OAKLAND, CALIFORNIA; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 31143

APPOINTING PORT REPRESENTATIVE TO BOARD OF DIRECTORS OF THE WATERFRONT ASSOCIATION."

"RESOLUTION NO. 31144

SETTING DATE FOR PUBLIC MEETING ON SUPPLEMENTAL DRAFT ENVIRONMENTAL IMPACT REPORT FOR PHASE I, OAKLAND INNER HARBOR, DEEP-DRAFT NAVIGATION IMPROVEMENTS."

"RESOLUTION NO. 31145

CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 31146

RATIFYING MEMORANDUM OF UNDERSTANDING WITH UNITED PUBLIC EMPLOYEES LOCAL 790, AFL-CIO."

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"RESOLUTION NO. 31147

REJECTING CLAIM OF ANTONIO REINOSA."

"RESOLUTION NO. 31148

AUTHORIZING EXECUTION OF LICENSE AND CONCESSION AGREEMENT WITH AVIATION ADVISORY SERVICE."

"RESOLUTION NO. 31149

AMENDING THE BY-LAWS AND ADMINISTRATIVE RULES OF THE BOARD OF PORT COMMISSIONERS RELATING TO THE DESIGNATION THEREIN OF THE CHIEF EXECUTIVE OFFICER AND EXECUTIVE DIRECTOR AND EXECUTIVE DIRECTOR, TRANSPORTATION SERVICES."

"RESOLUTION NO. 31150

ACCEPTING WORK PERFORMED BY A-PLUS ROOFING, INC., EXTENDING TIME FOR PERFORMANCE OF CONTRACT AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31151

ACCEPTING WORK PERFORMED BY ROSENDIN ELECTRIC, INC., EXTENDING TIME FOR PERFORMANCE OF CONTRACT AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31152

AWARDING CONTRACT TO VALENTINE CORPORATION, FOR MAIN PARKING LOT WALKWAY IMPROVEMENTS, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 31153

CERTIFYING REVIEW AND CONSIDERATION OF INITIAL STUDY AND NEGATIVE DECLARATION, MAKING FINDINGS RELATED THERETO, APPROVING NEGATIVE DECLARATION AND GRANTING CHARLES H. BLOOM COMPANY, INC., PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31154

GRANTING UNION PACIFIC RAILROAD PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31155

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH PEAT MARWICK MAIN & CO. FOR MANAGEMENT CONSULTING SERVICES RELATED TO THE REORGANIZATION OF THE PORT OF OAKLAND'S MANAGEMENT STRUCTURE CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31156

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH IRA W. KRINSKY AND ASSOCIATES FOR MANAGEMENT CONSULTING SERVICES RELATED TO THE REORGANIZATION OF THE PORT OF OAKLAND'S MANAGEMENT STRUCTURE CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31157

AMENDING RESOLUTION NO. 31132 RELATING TO ASSIGNMENT OF JAMES J. O'BRIEN AS ACTING CHIEF EXECUTIVE OFFICER AND EXECUTIVE DIRECTOR."

"RESOLUTION NO. 31158

GRANTING CONTAINER EXCHANGE INTERNATIONAL, INC. PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31159

CONSENTING TO SUBSTITUTING L & L FLOORING AS SUBCONTRACTOR IN PLACE OF CONKLIN BROTHERS FOR CARPETING WORK IN CONSTRUCTION OF SECOND EXTENSION OF SECOND FLOOR ADDITION TO BUILDING M-103, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31160

CONSENTING TO SUBSTITUTING BAMBACIGNO STEEL COMPANY, INC. AS SUBCONTRACTOR IN PLACE OF PINE IRON WORKS FOR STRUCTURAL STEEL AND MISCELLANEOUS METAL WORK, IN CONSTRUCTION OF SECOND EXTENSION OF SECOND FLOOR ADDITION TO BUILDING M-103, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31161

APPROVING ISSUANCE OF CHANGE ORDER, AND GRANTING TIME EXTENSION FOR CONTRACT FOR CONSTRUCTION AND INSTALLATION OF CONTAINER CRANES AT SEVENTH STREET PUBLIC CONTAINER TERMINAL, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31162

AUTHORIZING EXERCISE OF OPTION TO PURCHASE ONE ADDITIONAL CONTAINER CRANE AT SEVENTH STREET CONTAINER TERMINAL FROM KOCKS CRANE AND MARINE CO."

"RESOLUTION NO. 31163

ACCEPTING WORK PERFORMED BY VALENTINE CORPORATION, A CALIFORNIA CORPORATION, AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31164

AUTHORIZING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31165

TERMINATING APPOINTMENT OF FRANK BOWERS."

January 7, 1989

"RESOLUTION NO. 31166

CONCERNING CERTAIN LEAVES OF ABSENCE."

The following resolution was introduced and passed separately by the following vote:

Ayes: Commissioners Brady, Hunter, Pineda, Sweeney, Ward Allen  
and President Higgins - 6

Noes: None

Abstained: Commissioner Wasserman - 1

Absent: None

"RESOLUTION NO. 31168

CONSENTING TO CERTAIN USES UNDER LEASE WITH SAM KALMAN, AND CONSENTING TO SUBLEASE TO LAKESIDE NON-FERROUS METALS, INC."

The following resolution was introduced and passed separately by the following vote:

Ayes: Commissioners Brady, Sweeney, Ward Allen, Wasserman  
and President Higgins - 5

Noes: Commissioners Hunter and Pineda - 2

Absent: None

"RESOLUTION NO. 31169

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH KIBEL, GREEN INC. FOR MANAGEMENT CONSULTING SERVICES RELATED TO THE REORGANIZATION OF THE PORT OF OAKLAND'S MANAGEMENT STRUCTURE CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

Port Ordinance No. 2851 being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LEASE WITH IKE S. PAIK, AN INDIVIDUAL, DOING BUSINESS UNDER THE FIRM NAME AND STYLE OF SUNSET WHOLESALE COMPANY AND DIRECTING RECORDATION THEREOF," and Port Ordinance No. 2852 being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LEASE WITH SIERRA ACADEMY OF AERONAUTICS, INC., AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. 2853 being, "AN ORDINANCE AMENDING SECTIONS 5.00 and 5.011 OF PORT ORDINANCE NO. 867 RETITLING THE POSITION OF EXECUTIVE DIRECTOR TO CHIEF EXECUTIVE OFFICER AND EXECUTIVE DIRECTOR

AND ESTABLISHING THE POSITION OF EXECUTIVE DIRECTOR, "TRANSPORTATION SERVICES", were read a second time and passed by the following vote:

Ayes: Commissioners Brady, Hunter, Pineda, Sweeney,  
Ward Allen, Wasserman and President Higgins - 7  
Noes: None  
Absent None

Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A FIRST SUPPLEMENTAL AGREEMENT WITH SIERRA ACADEMY OF AERONAUTICS, INC., AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE ADDING SECTIONS 1.996, 1.997 AND 1.998 TO PORT ORDINANCE NO. 867 FIXING THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE PORT DEPARTMENT", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING SECTIONS 5.0196 AND 7.115 OF PORT ORDINANCE NO. 867 CREATING TWO ADDITIONAL POSITIONS OF INFORMATION SERVICES TECHNICIANS AND ONE ADDITIONAL POSITION OF PORT ACCOUNTING SUPERVISOR", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LEASE WITH AM-PM SERVICE CO. AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF DEBT INSTRUMENTS PURSUANT TO SECTION 606(24) OF THE CHARTER OF THE CITY OF OAKLAND, CALIFORNIA", were read a first time and passed to print by the following vote:

Ayes: Commissioners Brady, Hunter, Pineda, Sweeney,  
Ward Allen, Wasserman and President Higgins - 7  
Noes: None  
Absent None

At the hour of 5:00 p.m. the Board entered into closed session as previously announced by President Higgins and reconvened in open session at the hour of 5:40 p.m. at which time the following resolution was introduced and passed separately by the following vote:

February 7, 1989

Ayes: Commissioners Brady, Hunter, Pineda, Sweeney,  
Ward Allen, Wasserman and President Higgins - 7

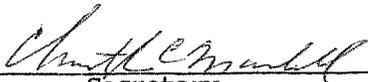
Noes: None

Absent None

"RESOLUTION NO. 31167

AUTHORIZING PORT ATTORNEY TO SETTLE PENDING INSURANCE COVERAGE  
DISPUTES."

At the hour of 5:41 p.m. the meeting was adjourned on a motion duly  
made and seconded.

  
Secretary

February 7, 1989

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**REGULAR MINUTES OF THE BOARD OF PORT COMMISSIONERS  
OF THE  
CITY OF OAKLAND**

The meeting, formal portion, was held on Tuesday, February 21, 1989, at the hour of 4:15 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Higgins presiding, due written notice having been given to members of the Board. An informal portion was held during the period from 3:00 p.m. to 4:05 p.m. during which time the Board received a report on the Semi-Annual Equal Opportunity program and the Runway Overlay project at the Airport.

Commissioners present: Brady, Hunter, Pineda, Sweeney, Ward Allen,  
Wasserman and President Higgins - 7

Commissioners absent: None

Also present were the Acting Chief Executive Officer and Executive Director, Transportation Services; Chief Engineer; Assistant Chief Engineer; Port Attorney; Assistant Port Attorney, John Nolan; Assistant Port Attorney, Thomas Clark; Director of Aviation; Director of Properties; Chief Financial Officer; Director of Strategic Planning and Management; Special Assistant to the Executive Director for Trade Relations; Director of Public Affairs; and Secretary of the Board.

The minutes of the regular meeting of January 17, 1989 were approved as submitted and ordered filed.

President Higgins informed the Board that he would call for a closed session at the conclusion of the open session for the purposes of discussing:

1. Pending litigation as provided for under Government Code Section 54956.9 (a) involving the report of the Port Attorney on litigation matters;
2. Certain pending litigation as provided for under Government Code Section 54956.9 (b) and (c); and

BOARD OF PORT COMMISSIONERS  
MEETING OF MAR 21 1989  
APPROVED AS SUBMITTED AND ORDERED FILED  
SECRETARY *W. H. C. Marshall*

3. To discuss real property negotiations with Alameda Gateway, Limited, regarding submerged lands in the Oakland Estuary, as provided for under Government Code Section 54956.8.

Commissioner Brady, Chair of the Finance and Administrative Committee, reported that his committee had met several times on appropriate compensation for Port employees and that the committee had agreed to make certain recommendations. He noted that the present plan, known as the bonus incentive plan, had good objectives and the concept is a desirable one. However, some of the specifics have raised concerns alluding to exclusiveness of the recipients, an easy to achieve bonus and an inadequate base salary process. He would recommend that the existing "bonus plan" be eliminated and replaced with a Performance/Merit Pay Program which program would be expanded to include Port management, professional and supervisory staff. The objectives of the plan are to provide specific easily achieved approaches that encompass a traditional form providing for merit pay. The basic elements of the proposed plan would include updated job descriptions with appropriate salary ranges based on competitive pay data and realistic job evaluation. The program would include an active salary administration program, increased guidelines, appraisal process and control with the additional element of performance appraisal. Commissioner Brady further noted that the plan is not original and its use is widespread in the industry, and he expected that the plan could be prepared on a fast track approach by July of 1989. Commissioner Sweeney, a member of the committee, noted that the existing program of "Management Compensation Bonus Program" failed to include most of the management group and should be eliminated. Commissioner Brady noted that he would not ask for approval of the plan at this point; however, he would ask for approval of two consultants to perform certain work which would be essential to implement the plan. The approval for the consultants was on the Board's agenda.

February 21, 1989

Commissioner Sweeney, Chair of the Transportation Committee, informed the Board that his committee had met earlier in the day and reviewed their current agenda.

President Higgins notified the Board that the Resource Panel had held another meeting and would meet again on February 28, 1989. He also noted that the Executive Committee had reviewed the status of the dredging situation and its relationship to a Bay Dredge Management Organization.

Proposed 1989 Airline Rates and Charges was the subject of a memo to the Board from the Director of Aviation, notifying the Board of the negotiations with the Airline Negotiations Committee and recommending approval to set the rates and charges for landings fees, aviation space rental and non-aviation space rental. It was expected that 100% of the field and ramp cost center and terminal cost center will be recovered. The recommended specific increases were itemized in the ordinance passed to print.

Award of Contract for Construction of Improvements for Public Shoreline Access Airport Dike at Harbor Bay Parkway, South Airport was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the nine bids received and recommending award of the contract to Dutra Construction Co., Inc., the low bidder, at \$124,350.00. The recommendation was approved on passage of Resolution No. 31171.

Award of Contract, Replacement of Emergency Power Engine-Generator Set for Commercial Passenger Terminal Complex was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the six bids received and recommending award of the contract to NBC Ventures Ltd., the low bidder, at \$429,235.00. The recommendation was approved on passage of Resolution No. 31181.

License Agreement Renewal, Marriott Corporation was the subject of a memo to the Board from the Director of Aviation, recommending approval to renew their agreement for space at Building L-870 and Building L-874, North Airport,

used in conjunction with their in-flight catering operation, at a new monthly rental of \$4,566.85. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

License Agreement Renewal, Joe Lucero Printing was the subject of a memo to the Board from the Director of Aviation, recommending approval to renew his agreement for two years for space at Building L-647, North Airport, used for the printing of airline tickets and publications at a new monthly rental of \$1,357.40. The second year's monthly rental would be increased in accordance with the percentage change in the Consumer Price Index. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Specifications to Furnish and Deliver Aviation Lighting Equipment was the subject of a memo to the Board from the Director of Administration, recommending their approval and authority to advertise for bids for the equipment. The materials to be supplied are runway lights, transformers, a constant current regulator, and other navigational aids. The equipment will be installed as part of the construction project to overlay approximately 4300 feet of Runway 11-29, which is scheduled to be performed this summer. Due to the long lead time, the equipment is being acquired prior to its installation. Mr. Robert Fields, owner of Fields and Associates, appeared before the Board to request certain changes to allow his firm to bid part of the project. The specifications were written for one supplier or contractor to supply all of the equipment so that the Port would only have one contract to administer. Mr. Fields responded that he could not competitively bid his equipment as other manufacturers made all of the equipment needed. After considerable discussion, the Manager, Purchasing Department, recommended that the specifications could be rewritten to provide for alternate bids whereby the supplier could bid all of the equipment, or just certain units of the equipment. Commissioner Hunter moved that the specifications be rewritten to provide for alternate bid proposals as recommended. The motion was seconded and passed unanimously with Resolution No. 31172 passed approving the plans and specifications and calling for bids therefor.

Oakland Portside Associates, Amendment to the Sublease for Office Space in Port Headquarters was the subject of a memo to the Board from the Director of Properties, notifying the Board of the sublease with Oakland Portside Associates for the Port to occupy floors 2, 3, 4 and 5 in the new office building now under construction in Site A of Jack London Square. Various factors, including projected growth and the recently approved reorganization plan adopted by the Board, require additional space, and it was recommended that the Port occupy the 6th floor which provides an additional 16,445 sf of space. The sublease provides that the annual rental shall be equal to the modified construction cost of a particular subleased floor times the cost of funds plus 2%. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Authorization to Conduct Exclusive Negotiations with the Developer Selected by the Environmental Protection Agency was the subject of a memo to the Board from the Director of Properties, notifying the Board that the agency is soliciting bidders for their new Central Regional Laboratory, consisting of 30,000 sf to be located in the Bay Area. The facility will probably consist of a concrete tilt-up building costing approximately \$6 million with \$2-3 million in tenant improvements. The laboratory will be a state of the art facility and the EPA wants to locate in an industrial, research or technology park that is modern in design with a campus-like atmosphere, and is directly accessible to major transportation facilities. A number of developers have expressed interest in a four-acre Port site at the intersection of Swan Way and Doolittle Drive in the Oakland Airport Business Park, and it was recommended that the Board authorize a letter of intent to any interested developer and to enter into exclusive negotiations if one of the developers is selected for final negotiations by the EPA. The EPA Solicitation for Offers requires that the bid include plans at or exceeding 20% of total design with narratives complete enough to allow evaluation of the entire system. Offers are due by March 20, 1989, and must remain open

until October 30, 1989. The Port would offer the site for the project at a rental based on 10% return on land value of \$8.00 per sf during the 20-year term of the lease. There would be three 10-year options to extend the lease which could be exercised at the then appraised value of the land at the prevailing rate of return at the time of the option. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

Boatel - Second Supplemental Lease Agreement and Approval of Assignment was the subject of a memo to the Board from the Director of Properties, notifying the Board of certain changes to the lease which occurred in November 1988. The changes delayed construction dates, the minimum rent commencement date, approved changes in the retail design configuration, accelerated the percentage rental commencement date from the 4th year to the 3rd year and approved the addition of certain easements. The lender, Wells Fargo Bank, has informed that tenant that the amount the bank is authorized to lend is less than the necessary construction budget leaving a shortfall of \$565,000.00. The lender has proposed to augment the loan to cover the shortfall providing the Port defers \$113,000.00 of its minimum annual rental for 3 years. The tenant has proposed to pay interest at the same rate as the Wells Fargo loan on the deferred rental and the tenant would then commence to make payments at the start of the 5th year. In the event the Boatel's gross income from rooms equals or exceeds the \$290,000.00 a month for 12 consecutive months, their payments on the loan would commence at the beginning of the 4th year. The entire loan would be repaid at the time the Wells Fargo loan was repaid or reworked or at the beginning of the 7th year, whichever is earlier. The lease also requires a 100% performance bond and a labor and material bond to insure lien free construction. The lessee has been unsuccessful in their attempts to secure bonds. In place of the bonds, the lessee has agreed to pledge the assets of the Boatel, Thunderbird Properties, Inc., and C. R. Gibb would personally guarantee lien-free completion of

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construction. C. R. Gibb would also guarantee the loan. The tenant has also agreed to a right-of-entry to cover a construction laydown space on Site A and give a \$25,000.00 letter of credit to the Port to cover any damages which might result. The construction dates would be changed to reflect a start of March 1, 1989 and completion on February 28, 1990. The lessee has reorganized its ownership so that the lease would be assigned from the Boatel, Inc. to C. R. Gibb and The Boatel, a California Limited Partnership. The recommendation was approved on a motion by Commissioner Pineda, seconded and passed unanimously and on passage of Resolution No. 31182 for lease assignment.

Amendment to Port of Oakland's Building Permit Rules and Regulations

Regarding Tenant Improvements was the subject of a memo to the Board from the Chief Engineer, notifying the Board that the Port of Oakland's Building Permit Rules and Regulation does not presently distinguish between major items, such as building core, shell and foundation, and lesser items such as tenant improvement, in requiring application for the issuance of a building permit. With the current extended development of Jack London's Waterfront there will be an increase in leaseable space and the present building permit review process for tenant improvements happens at a critical time in meeting the tenants' occupancy schedule. It was recommended that the rules be amended to reflect Port approval for certain improvements subject to the construction drawings being submitted to the Chief Engineer and the Chief Engineer's determination that the construction drawings are consistent with the Space Plan and Building Standards approved by the Board or Executive Director as the case may be, and that certain definitions be added for clarity which include tenant improvements, space plan and building standards. Changes will allow for a speedy approval process for tenants in existing approved structures. After discussion concerning building standards, the recommendation was approved on passage of an ordinance to print.

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Buttner - Supplemental Agreement was the subject of a memo to the Board from the Director of Properties, notifying the Board that Mr. Edgar M. Buttner, Trustee of the Third Buttner Trust, has a ground lease with the Port for an 18,547 sf site at 7717 Oakport Street in the Oakland Airport Business Park. The lease provided for an initial rental review and adjustment on November 1, 1977, with the rental to be further adjusted in 1987 and in 2002. The adjusted rental is to result in the payment to the Port of a 6% return upon the current fair market value of the land. Previous rental adjustments on another parcel in the Park leased to Buttner resulted in litigation and it was recommended that the Board establish the 1987 adjustment based on land value of \$5.00 psf. The adjustment would result in a new rental rate of \$463.00 per month. Additionally it was recommended that the lease be amended to provide for future rental adjustment to occur every five years based on the change in the Consumer Price Index. The adjustment shall not exceed 20%. This would result in six adjustments over the remaining term of the lease versus the single adjustment now provided for in the lease. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Award of Contract for Construction of Yard Improvements, Berth 26, Outer Harbor was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the eight bids received and recommending award of the contract to O.C. Jones and Sons, the low bidder, at \$627,325.00. The recommendation was approved on passage of Resolution No. 31173.

Retention of Consultants for Classification and Compensation Project was the subject of a memo to the Board from the Director of Administration, notifying the Board that the Port has been in the process of reviewing its salary administration program for management, professional and supervisory staff to correct and implement a salary administration program. The Port requires a compensation strategy to improve the Port's position in attracting and maintaining

a skilled and knowledgeable work force and to incorporate pay for performance as an element of the compensation strategy. It was recommended that the Board approve the retention of the Wyatt Company, who is familiar with the Port's current salary administration program, and Diane Sanchez of Sunset Associates to act as the coordinator for the project. The estimated cost of the consultants' work on this project is not to exceed \$66,000.00 and will include a technical committee comprised of employees from the major Port departments who will work closely with the consultants to solicit detailed information on job classifications. The subject was previously reviewed by Commissioner Brady earlier in the meeting. The recommendation was approved on passage of Resolution No. 31174 for the Wyatt Company and Resolution No. 31175 for Sunset Associates.

Land Records Management Pilot Program was the subject of a memo to the Board from the Director of Strategic and Management Planning, notifying the Board of a previous contract with BSI Incorporated to assess the Port's land records management system and suggest improvements to it. The report was completed on December 8, 1988 and outlines a three-year program at a total cost of approximately \$1,000,000.00 to provide an overall framework for management of land records. The land records management system will be based on a computerized data storage, retrieval, and manipulation package. The first step in developing the system consists of a pilot program to structure the format of the data, to train staff in developing and operating the system, and to explore the problems likely to be encountered in computerizing data for the entire Port. The Generation 5 Technology offers a pilot program package including software technical support and formal staff training, and it was recommended that the Board authorize the Acting Chief Executive Officer to enter into a contract with Generation 5 Technology for the pilot program at a cost of \$23,000.00 and approve the solicitation of informal bids for aerial photography and digitizing of the entire

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Port Area with an estimated cost of \$200,000.00. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously for solicitation of informal bids and on passage of Resolution No. 31182 for contract with Generation 5 Technology.

Property Insurance was the subject of a memo to the Board from the Director of Administration, notifying the Board of the previous three-year fire insurance policy from Arkwright-Boston Insurance Company. The Arkwright policy insures all Port real and personal property except cranes, vessels, computers and mobile equipment, for an annual premium of \$354,831.90 with annual values of \$414,000,000.00. The coverage was reviewed in the second year with the same rate but higher values and for the third year with a 24% rate reduction. Quotations from two insurance brokers, in addition to Arkwright, were solicited and only one additional quote was received. It was recommended the Port renew coverage with the Arkwright Insurance Company, with annual values of \$467,195,000.00 subject to a \$100,000.00 per occurrence deductible for an estimated annual premium of \$227,000.00 on a three-year policy basis. Arkwright offers a three-year guaranteed cost policy which will maintain a long-term stable relationship and pricing with one insurance company. Arkwright offers superior engineering and claims services and has been involved in two major losses involving berth damage. Arkwright is in the process of appraising all Port properties for establishment of replacement cost value at no cost to the Port. The recommendation was approved on passage of Resolution No. 31184.

Personnel Items contained in a memo to the Board from the Director of Administration, recommended the appointment of Pamela L. Schwartz as Marine Billing and Traffic Assistant, effective February 22, 1989, at \$2,130.00 per month. Also recommended was approval for the promotional examination announcement for the position of Port Maintenance Leader; and a personal leave of absence

for Lisa M. Thierry, Senior Account Clerk, for 43 working days. The recommendations were approved on passage of Resolution No. 31177 for appointment; Resolution No. 31178 for announcement; and Resolution No. 31179 for leave of absence.

Travel Authorization contained in a memo to the Board from the Director of Administration, recommended the travel of the Director of Aviation, to Denver, Colorado, on or about February 23, 1989, to attend the Airport Operators Council International Governmental Affairs Steering Committee meeting; the travel of Robert Martinez, Deputy Port Attorney I, and Cheryl Perry League, Equal Opportunity Officer, to Washington, D.C., on or about February 23, 1989, to attend the Legal Centers Conference on City of Richmond vs. J.A. Croson Company; the travel of Barry Barron, Commercial Representative V, and Nora Doolittle, Commercial Representative III, to Denver, Colorado, on or about the period February 28 - March 8, 1989, to attend a training course on Automated Mapping; and the travel of the Director of Aviation, to Washington, D. C., on or about March 2, 1989, to attend a conference of the Airport Operators Council International/American Association of Airport Executives and to meet with certain members of Congress. The recommendation was approved on passage of Resolution No. 31176.

Claim of Earl Michael Parkinson was the subject of a letter to the Board from the Port Attorney, notifying the Board of a claim in the amount of \$25,000.00 for personal injuries allegedly sustained as a result of a confrontation with security guards employed by Richardson Security Company on October 18, 1988. There were no Port employees present or involved in the incident and investigation reveals that the claim is not a proper charge against the Port, and it was recommended that the claim be rejected. The recommendation was approved on passage of Resolution No. 31180.

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The following reports were discussed and ordered filed:

Summary of Cash - Port Revenue and Construction Funds  
as of February 10, 1989.

Summary of Cash and Accounts Receivable Port Revenue  
Fund 770 for the Month of January 1989.

Accounts Receivable in Arrears as of January, 31 1989.

Delinquent Accounts Referred to Legal  
Reported as of January 31, 1989.

Summary of Claims Paid from Various Funds  
for the Period February 1, 1989 through February 10, 1989.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Brady, Hunter, Pineda, Sweeney,  
Ward Allen, Wasserman and President Higgins - 7

Noes: None

Absent: None

"RESOLUTION NO. 31170

APPROVING AND AUTHORIZING EXECUTION OF FOURTH AMENDED LEASE OPTION AGREEMENT WITH EAST BAY GROUP."

"RESOLUTION NO. 31171

AWARDING CONTRACT FOR CONSTRUCTION OF IMPROVEMENTS FOR PUBLIC SHORELINE ACCESS AIRPORT DIKE AT HARBOR BAY PARKWAY, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31172

APPROVING PLANS AND SPECIFICATIONS TO FURNISH AND DELIVER AVIATION LIGHTING EQUIPMENT, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 31173

AWARDING CONTRACT TO O. C. JONES AND SONS, FOR CONSTRUCTION OF YARD IMPROVEMENTS, BERTH 26, OUTER HARBOR TERMINAL, OAKLAND, CALIFORNIA; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 31174

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH THE WYATT COMPANY FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31175

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH DIANE W. SANCHEZ, DOING BUSINESS AS SUNSET ASSOCIATES, FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES AND AUTHORIZING EXECUTION OF SAID AGREEMENT.

"RESOLUTION NO. 31176

CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 31177

APPOINTING PAMELA L. SCHWARTZ TO THE POSITION OF MARINE BILLING AND TRAFFIC ASSISTANT."

"RESOLUTION NO. 31178

APPROVING EXAMINATION ANNOUNCEMENT FOR THE POSITION OF PORT MAINTENANCE LEADER."

"RESOLUTION NO. 31179

RATIFYING LEAVE OF ABSENCE TO LISA M. THIERRY."

"RESOLUTION NO. 31180

REJECTING CLAIM OF EARL MICHAEL PARKINGSON."

"RESOLUTION NO. 31181

AWARDING CONTRACT TO NBC VENTURES LTD. FOR REPLACEMENT OF EMERGENCY POWER ENGINE-GENERATOR SET FOR COMMERCIAL PASSENGER TERMINAL COMPLEX, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 31182

CONSENTING TO ASSIGNMENT OF LEASE FROM THE BOATEL, INC. TO C.R. GIBB AND THE BOATEL, A CALIFORNIA LIMITED PARTNERSHIP."

"RESOLUTION NO. 31183

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH GENERATION 5 TECHNOLOGY FOR LANDS RECORD MANAGEMENT SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES, AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31184

FINDING AND DETERMINING THAT THE PROPOSED PLACEMENT OF FIRE AND EXTENDED COVERAGE INSURANCE MAY BE MADE WITHOUT COMPETITIVE BIDDING; AND AUTHORIZING THE PLACEMENT OF SAID INSURANCE."

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Port Ordinance No. 2854 being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LEASE WITH AM-PM SERVICE CO. AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. 2855 being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A FIRST SUPPLEMENTAL AGREEMENT WITH SIERRA ACADEMY OF AERONAUTICS, INC., AND DIRECTING RECORDATION THEREOF", Port Ordinance No. 2856 being, "AN ORDINANCE ADDING SECTIONS 1.996, 1.997 AND 1.998 TO PORT ORDINANCE NO. 867 FIXING THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE PORT DEPARTMENT", and Port Ordinance No. 2857 being, "AN ORDINANCE AMENDING SECTIONS 5.0196 AND 7.115 OF PORT ORDINANCE NO. 867 CREATING TWO ADDITIONAL POSITIONS OF INFORMATION SERVICES TECHNICIAN AND ONE ADDITIONAL POSITION OF PORT ACCOUNTING SUPERVISOR", and Port Ordinance No. 2858 being, "AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF DEBT INSTRUMENTS PURSUANT TO SECTION 606(24) OF THE CHARTER OF THE CITY OF OAKLAND, CALIFORNIA", were read a second time and passed by the following vote:

Ayes: Commissioners Brady, Hunter, Pineda, Sweeney,  
Ward Allen, Wasserman and President Higgins - 7  
Noes: None  
Absent: None

Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING SECTIONS 2, 3, 10, 10.1 and 10.12 OF PORT ORDINANCE NO. 1149 RELATING TO CHARGES FOR USE OF FACILITIES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 2083, AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR THE ISSUANCE OF BUILDING PERMITS IN THE PORT AREA", were read a first time and passed to print by the following vote:

Ayes: Commissioners Brady, Hunter, Pineda, Sweeney,  
Ward Allen, Wasserman and President Higgins - 7  
Noes: None  
Absent: None

At the hour of 5:30 p.m. the Board entered into closed session as previously announced by President Higgins and reconvened in open session at the hour of 6:30 p.m.

During the closed session Commissioner Hunter was excused from the meeting.

The Director of Aviation notified the Board that he had given American Airlines 30 days notice to relocate from Terminal II to Terminal I which would adequately service their reduced operation and allow for better usage of their previous space at Terminal II. He further noted that American was not particularly interested in being relocated and he recommended that the Board confirm and ratify the notice of termination. The recommendation was approved on passage of Resolution No. 31187.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Brady, Pineda, Sweeney, Ward Allen,  
Wasserman and President Higgins - 6  
Noes: None  
Absent: Commissioner Hunter - 1

"RESOLUTION NO. 31185

APPROVING APPRAISAL OF THE FAIR MARKET VALUE OF AN EASEMENT FOR VESSEL TURNING CIRCLE PURPOSES IN CERTAIN SUBMERGED REAL PROPERTY IN THE OAKLAND INNER HARBOR (OAKLAND ESTUARY), ESTABLISHING JUST COMPENSATION THEREFOR AND DIRECTING THE EXECUTIVE DIRECTOR TO MAKE A CONDITIONAL OFFER TO ACQUIRE SAID EASEMENT (ALAMEDA GATEWAY, LTD.)."

"RESOLUTION NO. 31186

RATIFYING AND APPROVING APPOINTMENT AND EMPLOYMENT OF SPECIAL COUNSEL."

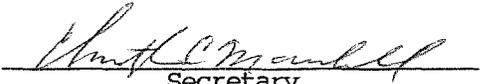
"RESOLUTION NO. 31187

CONFIRMING AND RATIFYING NOTICE OF TERMINATION TO AMERICAN AIRLINES, INC."

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At the hour of 6:35 p.m. the meeting was adjourned on a motion duly made and seconded.

  
Secretary

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REGULAR MINUTES OF THE BOARD OF PORT COMMISSIONERS  
OF THE  
CITY OF OAKLAND

The meeting, formal portion, was held on Tuesday, March 7, 1989, at the hour of 4:25 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Higgins presiding, due written notice having been given to members of the Board. An informal portion was held during the period from 3:15 p.m. to 4:10 p.m. during which time the Board received a report on proposed plans to meet with California Legislators and proposed plans to meet with rating analysts and investments groups.

Commissioners present: Brady, Pineda, Sweeney, Wasserman,  
and President Higgins - 5

Commissioners absent: Hunter and Ward Allen - 2

Also present were the Acting Chief Executive Officer and Executive Director, Transportation Services; Chief Engineer; Assistant Chief Engineer; Port Attorney; Chief Financial Officer; Director of Aviation; Director of Properties; Senior Commercial Representative; Director of Strategic and Management Planning; Director of Administration; Special Assistant to the Executive Director for Trade Relations; Director of Public Affairs; and Secretary of the Board.

The minutes of the regular meeting of February 7, 1989 were approved as submitted and ordered filed.

Mr. John Smith, Port Equipment Driver, and Mr. Allen Wheeler, Port Electrician, received their 20-year service awards.

The Board was introduced to the 1989 Port High School Interns, who serve at the Port in a work environment to enhance their education. Ms. Sheila Jordan, President of the Oakland School Board, appeared before the Board to thank the Port for the opportunities presented to the students.

BOARD OF PORT COMMISSIONERS

MEETING OF APR - 4 1989

APPROVED AS SUBMITTED AND ORDERED FILED

SECRETARY *Charles C. [Signature]*

President Higgins informed the Board that he would call for a closed session at the conclusion of the open session for the purpose of discussing:

Pending litigation as provided for under Government Code Section 54956.9 (b) and (c).

Commissioner Wasserman, member of the External Affairs Committee, informed the Board that the Committee had met earlier in the day and discussed several items on their agenda.

Commissioner Wasserman, Chair of the Development Committee, informed the Board that his committee had met earlier in the day and would be prepared to recommend that the 22 acre off-price retail site would be made available for developers. He noted that the recommendation would be on the Board's agenda at the next meeting.

President Higgins informed the Board that the Resource Panel had agreed on the job qualifications for Chief Executive Officer and that the search firm had been appropriately instructed. He further informed the Board that the Potomac would return in June after a successful rehabilitation program performed in Stockton.

New License Agreement - Southwest Airlines was the subject of a memo to the Board from the Director of Aviation, recommending approval of the new agreement with Southwest Airlines to occupy certain ticket counter, office, baggage make-up, baggage service and an operations office in Terminal II at a new monthly rental of \$47,130.25. Additionally, Southwest would be granted preferential use of one-half of Jetway/Holdroom #20 and all of Jetway/Holdrooms 22, 24 and 26 for an additional \$41,464.50 per month. It was noted the Southwest was a new carrier serving the airport and would be a major air carrier operating out of Terminal II. The recommendation was approved on a motion by Commissioner Brady, seconded and passed unanimously.

Extension of Avis Rent A Car Service Facility Lease was the subject of a memo to the Board from the Director of Aviation, notifying the Board that Avis entered into a ten year ground lease for development of a 90,616 square foot airport site for use as an automobile service facility, and the lease was renewed for an additional five-year term, and since June 30, 1985 Avis has remained on a month to month holdover at \$4,190.99 per month. Avis is requesting an extension of its lease and permission to undertake an estimated \$185,000.00 in improvements to its premises, including replacement of the underground fuel storage tanks. It was recommended that the Board approve a supplemental lease agreement for an additional ten years. The rent would be increased to \$5,772.00 per month with CPI rental adjustments on July 1, 1991, and July 1, 1996, not to exceed 5% per year. The performance deposit would be \$17,316.00. The Port would have the right to terminate the lease at any time upon no less than 270 days prior written notice or 180 days notice if Avis does not re-bid its concession or is an unsuccessful bidder for a concession on the Airport. In the event of termination, buyout clauses for the improvements are provided for. The supplemental agreement will also contain the recent Port's standard provisions. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Negative Declaration for Runway 11-29 Rehabilitation, South Airport was the subject of a memo to the Board from the Chief Engineer, notifying the Board that the Port intends to rehabilitate Runway 11-29, the main runway, by overlaying it with asphalt concrete. The runway project will also include installing new distance remaining signs along the runway, and widening the approach lighting support structure to meet Federal Aviation Association (FAA) requirements. The project will have financial assistance from the FAA. The preliminary estimated total project cost is \$5.9 million. Maintenance projects are generally categorically exempt under the state guidelines for environmental

assessment. The possibility of perceived noise impacts due to the diversion of aircraft operations associated with the project indicated the need for additional environmental review, and a appropriate Initial Study and subsequent Negative Declaration was prepared and distributed for public review. The 30-day public review has expired and additional comments have been noted. It was recommended that the Board consider the Negative Declaration and find that there will be no substantial evidence that the project will have a significant effect on the environment; and direct staff to proceed on the project. It was noted that the project will require authorization from BCDC and the Corps of Engineers which permits are pending the following certification of the Negative Declaration. The recommendation was approved on passage of Resolution No. 31197.

Approval to Dispense With Bids for Purchase of Timber Piles for Modifications to Approach Light Structure, Runway 11-29, South Airport was the subject of a memo to the Board from the Chief Engineer, notifying the Board that the Port intends to expand the approach light structure for Runway 11-29 in order to install updated light systems. The structure is in the Bay and approximately 40 treated timber piles will be required in order to support the wider platforms. The construction is included in the overlay of Runway 11-29 project. Due to the long lead time required to obtain the piles, it was recommended that the Board find it to be in the best interest of the Board to dispense with bids for the purchase of the piles and acquire the piles by a purchase order based on receipt of informal quotations. The estimated cost for the piles is \$33,000.00 The recommendation was approved on passage of Resolution No. 31198.

Building Permit Application CF Air Freight, Inc., 3 Sally Ride Way was the subject of a memo to the Board from the Chief Engineer, recommending approval for the construction of certain interior and exterior modifications to the former Clorox Company corporate jet hanger and office building to convert the structure for air cargo use. The total estimated cost of the proposed improvements is \$250,000.00. The project is categorically exempt and an environmental impact report is not required.

License Agreement Renewal - Aerospace Avionics was the subject of a memo to the Board from the Director of Aviation, recommending approval to renew their agreement for two years, for office, shop, hanger, and paved parking space at Building L-710, North Airport, used for the sale and service of avionics equipment at a new total monthly rental of \$1,158.16. The rental for the second year will be adjusted in accordance with the percentage change in the Consumer Price Index. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Award of Contract for Construction of Berthing Facilities and Land Improvements, Embarcadero Cove Marina Union Point Basin was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the six bids received and recommending award of the contract to Conco Cement Company at \$1,766,905.00 which is the base bid plus the use of concrete flotation systems as opposed to timber foundation systems. The recommendation was approved on passage of Resolution No. 31200.

Award of Contract for Construction of Signage for Jack London's Waterfront was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the four bids received and recommending award of the contract to Weidner 3, the low bidder, at \$61,656.05. The recommendation was approved on passage of Resolution No. 31201.

Building Permit Application Remodeling and Expansion of Boatel, 88 Jack London Square was the subject of a memo to the Board from the Chief Engineer, recommending approval for the construction of the Boatel expansion and remodeling of the existing Boatel structure. The expansion would consist of a five-story high, wood frame structure, interconnected to the existing Boatel building. The structure would contain 74 guest rooms, four meeting rooms, a restaurant and six retail shops on the first floor. The existing Boatel building construction would consist of converting five guest rooms on the first floor into office space,

employee rooms, house laundry room, conference room, pantry and two public restrooms; and removing existing balconies of eight guest rooms on the second and third floors to enlarge the existing guest rooms. The exterior modifications would include the addition of a metal roof over the west wing, over the porte-cochere structure and over the east section of the building; the addition of a new cupola on the northwest corner of the building with a metal roof covering; and the installation of new fenestration with fabric awnings over the windows of the rooms that have been enlarged. The application does not include electrical and mechanical drawings and specifications which will be submitted to the Board for approval at a later date. The estimated cost of the proposed improvements is \$3,500,000.00. The improvements are in substantial conformance with the conceptual design scheme approved by the Board and with the Jack London Urban Design Study and Development Guidelines. The Environmental Impact Report associated with the improvements to Jack London Square has previously been adopted by the Board and addresses the Boatel project. The recommendation was approved on passage of Resolution No. 31202.

East Bay Municipal Utility District Right of Entry was the subject of a memo to the Board from the Director of Properties, recommending approval of a right of entry covering approximately 700 square feet of Port land adjacent to the southerly side of the Bay Bridge Toll Plaza. East Bay MUD is expanding their existing dechlorination facility, and the property is required for the expansion. It was noted that the Port will negotiate with East Bay MUD on a long term lease for the site to accommodate the facility. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Jack London Village Sublease Approval was the subject of a memo to the Board from the Director of Properties, recommending approval for Violet Lawlor, dba Jack London Travel, Inc., to operate a full service travel agency and also offer retail items such as, travel books, accessories, and travel cassettes. The recommendation was approved on passage of Resolution No. 31203.

Plans and Specifications, Lighting Modifications of Ninth Avenue Terminal Transit Shed, Building H-309 was the subject of a memo to the Board from the Chief Engineer, recommending their approval and authority to advertise for bids for the installation of new efficient lighting fixtures to raise the lighting level. The work also includes new electrical wiring and other miscellaneous electrical work required to correct code deficiencies. The project is categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 31188.

Approval of Change Order to Furnish Training Module Construction and Installation of Container Cranes at Seventh Street Public Container Terminal was the subject of a memo to the Board from the Chief Engineer, recommending approval to issue a change order to Kocks Crane and Marine Company in the amount of \$65,000.00 to provide a training module so that the terminals maintenance personnel and Port personnel can become familiar with the general control and diagnostic programming and troubleshooting procedures without tying up the crane for training purposes. It was noted that new cranes will be the latest state of the art and require extensive training and familiarization. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Approval of Change Order for Additional Spreader Cables Construction and Installation of Container Cranes at Seventh Street Public Container Terminal was the subject of a memo to the Board from the Chief Engineer, recommending approval to issue a change order to Kocks Crane and Marine Company in the amount of \$20,932.00 for the installation of two 36-conductor spreader cables which will provide additional circuitry for new safety systems on the new cranes. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

March 7, 1989

Contract for Research on Marine Terminal Development Costs was the subject of a memo to the Board from the Director of Strategic and Management Planning, notifying the Board that the Port has retained Paul H. Sorensen, retired Port Principal Engineer, on a purchase order basis to perform research into the historical development costs of maritime facilities for the Sea-Land and Matson lease areas. The information has proven to be very valuable and it was recommended that the Board authorize the execution of a contract with Paul H. Sorensen to prepare a report on the historical development costs of the Seventh Street Public Container Terminal, at a cost not to exceed \$8,000.00. The recommendation was approved on passage of Resolution No. 31204.

PBN Contract was the subject of a memo to the Board from the Director of Public Affairs, notifying the Board the PBN company has been providing public affairs and communications consulting services to the Port of Oakland in connection with a program for disposing of dredged materials during Phase 1 of the Inner Harbor Channel deepening project. It is desirable to have the firm continue its assistance to the Public Affairs Department and it was recommended that the Board authorize a contract with the PBN Company, continuing their services at a minimum rate of \$7500.00 monthly, through December 31, 1989. It was also recommended that the Board formally approve payments in excess of \$15,000.00 approved by the Executive Director between July 1, 1988, and February 28, 1989. The recommendation was approved on passage of Resolution No. 31189.

Lynn Suter Contract was the subject of a memo to the Board from the Director of Public Affairs, notifying the Board of the contract with Lynn Suter to provide legislative representation in Sacramento. Her duties have been increased, particularly with the Phase 1 dredge disposal project, and she has asked for an increase in compensation. It was recommended that the Board authorize a contract with Lynn Suter increasing her compensation to \$68,000.00 a year from \$32,000.00 per year retroactive to October 1, 1988 to September 30, 1989. The recommendation was approved on passage of Resolution No. 31190.

1988 Hazardous Waste Taxes was the subject of a memo to the Board from the Chief Engineer, notifying the Board that the California State Board of Equalization administers hazardous waste taxes for the disposal of hazardous waste. The Port under the existing system now owes \$91,219.56 for the reporting period January through December, 1988. The Legal Department is determining whether the Port is exempt from all or a portion of the taxes; and if so, they will attempt to recover some of the payment. It was recommended that the Board authorize the payment of the taxes. The recommendation was approved on passage of Resolution No. 31205.

Personnel Items contained in a memo to the Board from the Director of Administration, recommended the appointment of Deborah L. Preston as Port Job Researcher, effective March 13, 1989, at \$2229.00 per month; and Sharon L. Krippene as Senior Typist Clerk, effective March 8, 1989, at \$2075.00 per month. Also recommended was approval for the examination announcement for the position of Information Services Technician and the appropriate class specifications for the position. Further recommended was a personal leave of absence for Holly J. Kaufman, Port Environmental Planner Assistant, for 29 working days. The recommendations were approved on passage of Resolution No. 31191 for appointments; 31192 for job specifications and announcement; and Resolution No. 31193 for leave of absence.

Travel Authorization contained in a memo to the Board from the Director of Administration, recommended approval for the travel of the Acting Chief Executive Officer and Executive Director, Transportation Services, and Commissioner Carole Ward Allen to New Orleans, Louisiana, on or about March 8, 1989, to attend a conference of the American Association of Port Authorities; the travel of the Supervising Transportation Planner to Seattle, Washington, on or about March 9, 1989, and Tucson, Arizona, on or about March 13, 1989, to meet with TRA on the Airport Master Plan and attend the Airport Operators Council International Planning and Environmental Affairs Committee meeting. The recommendation was approved on passage of Resolution No. 31206.

Consultant Agreement, Environmental Division Services was the subject of a memo to the Board from the Chief Engineer, notifying the Board that the newly formed Environmental Division is being managed by a Consultant, Mr. William E. Vandenberg, under the direction of the Chief Engineer. Mr. Vandenberg is recuperating from a recent illness and is unable to perform those services on a full time basis. It was recommended that the Board approve of a new agreement with Harding Lawson Associates, who will provide the services in the person of Mr. Michael J. Sotak, Principal Environmental Specialist and Director of Environmental Affairs and Permitting for Harding Lawson Associates. It is estimated that these services will be required for a period of 90 days. The firm will be paid at an hourly rate for the services actually provided by Mr. Sotak, plus reimbursement for expenses not to exceed a total of \$60,000.00. The recommendation was approved on passage of Resolution No. 31207.

Authorization to Dispense with Bids for Repairs to Dump Truck X707 was the subject of a memo to the Board from the Chief Engineer, notifying the Board that the dump truck was involved in a roll-over accident on April 22, 1988, which resulted in extensive damage and rendered it inoperable. It is desirable to return the truck to full serviceable condition, and it was recommended that the Board find it to be in the best interest of the Port to dispense with formal bidding; authorize the repairs to be made by Miracle Truck and Bus Painting at a cost not to exceed \$17,468.40, with certain additional funds available if hidden damage is uncovered during the truck repairs. The recommendation was approved on passage of Resolution No. 31208.

Supplemental Agreement for Professional Services Related to Port Communications, Jack London Square was the subject of a memo to the Board from the Chief Engineer, notifying the Board of a professional services agreement with Brandon Interscience, Inc., to perform a Port communications study which included the telephone system equipment for the Port offices in the new office building. The firm has completed the study and it is now proposed that the scope of work

be expanded to include major elements of the Port's total communication plan. Under the proposed supplemental agreement, the firm will be compensated at the established rate pursuant to the existing contract for the expanded scope of work. The cost for this additional work will not exceed \$90,000.00, with certain additional work available at the discretion of the Chief Executive Director. The recommendation was approved on passage of Resolution No. 31209.

Louis N. Faringhy, et al. v. Oakland International Airport, et al.;  
Alameda County Superior Court Case No.: 546260-5; State Court of Appeal Case No.:  
A035274 was the subject of a letter to the Board from the Port Attorney, notifying the Board of the case which arose out of the crash landing of a private aircraft in the Emeryville mud flats on August 2, 1980. It was alleged that the emergency landing was due to a fueling error by a Port fueler. The individual plaintiffs, residing in Europe, retained Santa Monica attorney, Robert D. O'Connell, to pursue the complaint. After filing the complaint, Mr. O'Connell failed properly to represent his clients and otherwise cooperate in the litigation. At a discovery sanction, the Trial Court dismissed the complaint with prejudice. The Court of Appeal affirmed the dismissal of Faringhy's complaint. The information was noted and order filed.

The following reports were received and ordered filed:

Report of Port Attorney on Litigation Matters

Status of Construction Contracts in Progress  
as of February 1989.

Status of Consultant Contracts in Progress  
as of February 1989.

Summary of Cash - Port Revenue and Construction Funds  
as of February 24, 1989.

Summary of Claims Paid from Various Funds  
for the Period February 14, 1989 through February 27, 1989.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Brady, Pineda, Sweeney,  
Wasserman and President Higgins - 5  
Noes: None  
Absent: Commissioners Hunter and Ward Allen - 2

"RESOLUTION NO. 31188

APPROVING PLANS AND SPECIFICATIONS FOR LIGHTING MODIFICATIONS OF NINTH AVENUE TERMINAL TRANSIT SHED, BUILDING H-309, INNER HARBOR, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31189

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH THE PBN COMPANY FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AUTHORIZING EXECUTION OF SAID AGREEMENT; AND RATIFYING AND APPROVING PAYMENTS MADE TO THE PBN COMPANY."

"RESOLUTION NO. 31190

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH LYNN M. SUTER, AN INDIVIDUAL DOING BUSINESS AS LYNN M. SUTER & ASSOCIATES, FOR LEGISLATIVE REPRESENTATION SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31191

CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31192

APPROVING JOB SPECIFICATION AND EXAMINATION ANNOUNCEMENT FOR THE POSITION OF INFORMATION SERVICES TECHNICIAN."

"RESOLUTION NO. 31193

RATIFYING LEAVE OF ABSENCE TO HOLLY J. KAUFMAN."

"RESOLUTION NO. 31194

COMPROMISING AND SETTLING CLAIM OF THEODORE HOWARD AND AUTHORIZING EXECUTION OF STIPULATED SETTLEMENT."

"RESOLUTION NO. 31195

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH LEON A. FARLEY ASSOCIATES FOR EXECUTIVE SEARCH SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

March 7, 1989

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"RESOLUTION NO. 31196

RATIFYING AND APPROVING APPOINTMENT AND EMPLOYMENT OF SPECIAL COUNSEL."

"RESOLUTION NO. 31197

CERTIFYING REVIEW, CONSIDERATION AND ADOPTION OF NEGATIVE DECLARATION FOR PROPOSED RUNWAY 11-29 REHABILITATION, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA, MAKING CERTAIN FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH AND GRANTING CONCEPTUAL APPROVAL FOR SAID PROJECT."

"RESOLUTION NO. 31198

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO PURCHASE CERTAIN MATERIALS WITHOUT COMPETITIVE BIDDING AND AUTHORIZING THE PROCUREMENT THEREOF."

"RESOLUTION NO. 31199

GRANTING CF AIR FREIGHT, INC., PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31200

AWARDING CONTRACT TO CONCO CEMENT CO. FOR CONSTRUCTION OF BERTHING FACILITIES AND LAND IMPROVEMENTS, EMBARCADERO COVE MARINA, UNION POINT BASIN, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31201

AWARDING CONTRACT FOR CONSTRUCTION OF SIGNAGE FOR JACK LONDON'S WATERFRONT, JACK LONDON SQUARE, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31202

GRANTING BUILDING PERMIT TO C. R. GIBB AND THE BOATEL, A CALIFORNIA LIMITED PARTNERSHIP, FOR BOATEL EXPANSION AND REMODELING OF BOATEL BUILDING IN JACK LONDON SQUARE."

"RESOLUTION NO. 31203

CONSENTING TO SUBLEASE BY OAKLAND VILLAGE CORPORATION TO JACK LONDON TRAVEL."

"RESOLUTION NO. 31204

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH PAUL H. SORENSEN, AN INDIVIDUAL, FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31205

FINDING AND DETERMINING THAT CERTAIN TAX RETURNS BE FILED WITH THE STATE BOARD OF EQUALIZATION REGARDING HAZARDOUS WASTE TAXES AND AUTHORIZING PAYMENT OF SUCH TAXES."

March 7, 1989

"RESOLUTION NO. 31206

CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 31207

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH HARDING LAWSON ASSOCIATES FOR ENVIRONMENTAL CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31208

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO ACCOMPLISH THE REPAIR OF A CERTAIN PORT DUMP TRUCK WITHOUT COMPETITIVE BIDDING AND AUTHORIZING THE PERFORMANCE THEREOF BY PAINT PRODUCTION, INC., DOING BUSINESS AS MIRACLE TRUCK AND BUS PAINTING."

"RESOLUTION NO. 31209

AUTHORIZING EXECUTION OF A PROPOSED FIRST SUPPLEMENTAL AGREEMENT WITH BRANDON INTERSCIENCE, INC. FOR CONSULTING SERVICES AND FINDING AND DETERMINING THAT SAID AGREEMENT FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES."

Port Ordinance No. 2859 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 2083, AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR THE ISSUANCE OF BUILDING PERMITS IN THE PORT AREA", and Port Ordinance No. 2860 being, "AN ORDINANCE AMENDING SECTIONS 2, 3, 10, 10.1 and 10.12 OF PORT ORDINANCE NO. 1149 RELATING TO CHARGES FOR USE OF FACILITIES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT", were read a second time and passed by the following vote:

Ayes: Commissioners Brady, Pineda, Sweeney,

Wasserman and President Higgins - 5

Noes: None

Absent: Commissioners Hunter and Ward Allen - 2

Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LEASE WITH CONTAINER EXCHANGE INTERNATIONAL, INC., AND DIRECTING RECORDATION THEREOF", was read a first time and passed to print by the following vote:

March 7, 1989

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REGULAR MINUTES OF THE BOARD OF PORT COMMISSIONERS  
OF THE  
CITY OF OAKLAND

The meeting, formal portion, was held on Tuesday, March 7, 1989, at the hour of 4:25 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Higgins presiding, due written notice having been given to members of the Board. An informal portion was held during the period from 3:15 p.m. to 4:10 p.m. during which time the Board received a report on proposed plans to meet with California Legislators and proposed plans to meet with rating analysts and investments groups.

Commissioners present: Brady, Pineda, Sweeney, Wasserman,  
and President Higgins - 5

Commissioners absent: Hunter and Ward Allen - 2

Also present were the Acting Chief Executive Officer and Executive Director, Transportation Services; Chief Engineer; Assistant Chief Engineer; Port Attorney; Chief Financial Officer; Director of Aviation; Director of Properties; Senior Commercial Representative; Director of Strategic and Management Planning; Director of Administration; Special Assistant to the Executive Director for Trade Relations; Director of Public Affairs; and Secretary of the Board.

The minutes of the regular meeting of February 7, 1989 were approved as submitted and ordered filed.

Mr. John Smith, Port Equipment Driver, and Mr. Allen Wheeler, Port Electrician, received their 20-year service awards.

The Board was introduced to the 1989 Port High School Interns, who serve at the Port in a work environment to enhance their education. Ms. Sheila Jordan, President of the Oakland School Board, appeared before the Board to thank the Port for the opportunities presented to the students.

Ayes: Commissioners Brady, Pineda, Sweeney,  
Wasserman and President Higgins - 5

Noes: None

Absent: Commissioners Hunter and Ward Allen - 2

At the hour of 5:10 p.m. the Board entered into closed session as previously announced by President Higgins and reconvened in open session at the hour of 5:30 p.m. at which time the meeting was adjourned on a motion duly made and seconded.

  
Secretary

March 7, 1989

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REGULAR MINUTES OF THE BOARD OF PORT COMMISSIONERS  
OF THE  
CITY OF OAKLAND

The meeting, formal portion, was held on Tuesday, March 21, 1989, at the hour of 4:20 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Higgins presiding, due written notice having been given to members of the Board. An informal portion was held during the period from 3:30 p.m. to 4:10 p.m. during which time the Board received a report on the status of the personal computer program installed for use at the Port.

Commissioners present: Brady, Hunter, Pineda, Ward Allen, Wassenman  
and President Higgins - 6

Commissioners absent: Sweeney - 1

Also present were the Acting Chief Executive Officer and Executive Director, Transportation Services; Chief Engineer; Assistant Chief Engineer; Port Attorney; Chief Financial Officer; Director of Properties; Senior Commercial Representative; Director of Aviation; Special Assistant to the Executive Director for Trade Relations; Director of Strategic and Management Planning; Director of Administration; Director of Public Affairs; and Secretary of the Board.

The minutes of the regular meeting of February 21, 1989, were approved as submitted and ordered filed.

President Higgins informed the Board that he would call for a closed session at the conclusion of the open session for the purposes of discussing:

1. Certain pending litigation as provided for under Government Code Section 54956.9 (b) and (c);
2. Personnel matters as provided for under Government Code Section 54957; and
3. Labor negotiations as provided for under Government Code Section 54957.7.

BOARD OF PORT COMMISSIONERS

MEETING OF APR 18 1989

APPROVED AS SUBMITTED AND ORDERED FILED

SECRETARY *Wm. H. Marshall*

Commissioner Brady, Chair of the Finance and Administration Committee, informed the Board that his Committee had met earlier in the day and reviewed their current agenda. He noted that certain recommended financial policies would be on the calendar at the next meeting.

Commissioner Hunter, member of the Transportation Committee, informed the Board that the committee had met earlier in the day and reviewed their current agenda.

Computerized Aviation Fuel Sale Recording and Inventory Control System was the subject of a memo to the Board from the Director of Aviation, notifying the Board that all invoicing, record keeping and reporting operations at the Airport associated with servicing aviation fuel into aircraft, withdrawing aviation fuel from the tank farm facilities, and preparing reports for aviation fuel suppliers and fuel users, are accomplished manually. The Airport has received a proposal to replace the manual system with an automatic computer driven system. After study of the proposal, a system has been devised which will enable the Airport to automate most of the aviation fuel sale, invoicing, record keeping and reporting functions. It was recommended that the Board authorize negotiations with Pacific Southwest Trading Company for the lease of the computerized fuel recording and inventory control system. Pacific Southwest Trading Company will lease the system consisting of twenty-two fuel recorders and associated software for \$2,200.00 per month for five years, with the provision that the Airport will be a showcase of the system for potential buyers. After five years, the Port would have the option to buy the system for 50% of the purchase option, or lease it for another five years at the same cost of \$2,200.00 per month. The recommendation was approved on passage of Resolution No. 31226.

Lease Supplement - U. S. Postal Service was the subject of a memo to the Board from the Director of Aviation, notifying the Board of a lease with the U. S. Postal Service covering 22,000 square feet of office and shop area in Building L-812, plus adjoining apron and adjacent parking area at the North

Airport for an air mail facility. After investigation, the Postal Service has now determined that Building L-812 cannot be occupied until it has been brought up to the latest earthquake resistance standards as required by the Federal Government. The estimated cost of the required modifications is approximately \$105,000.00. In addition to bringing Building L-812 up to new construction standards, the Postal Service plans to undertake major remodeling and improvements to the building and expects to significantly increase the volume of air mail processed through Oakland International Airport. It was recommended that the Board approve a supplement to the lease providing for the date of commencement of the lease to be changed from October 1, 1988 to August 1, 1989. The Postal Service would be granted a rental credit in the amount of \$96,250.00 for bringing Building L-812 up to new construction seismic standards. The rental credits would be amortized during the first 35 months of the lease at the rate of \$2,750.00 per month. The Postal Service will endeavor to complete the rehabilitation work of Building L-812 within 18 months of its occupancy and to bring it up to compliance with the new construction building code including electrical and plumbing systems. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

Acceptance of Federal Aviation Administration (FAA) Amendment No. 1 to Grant offer AIP-03 was the subject of a memo to the Board from the Chief Engineer, recommending approval to accept the AIP-03 Grant Amendment No. 1 which provides for an additional \$112,857.00 to cover certain cost overruns from the original projects approved under the AIP-03 grant. The recommendation was approved on passage of Resolution No. 31220.

Plans and Specifications for Replacement and Repair of Air Conditioning Units at George P. Miller Aviation Center, Building M-110, South Airport was the subject of a memo to the Board from the Chief Engineer, recommending their approval and authority to advertise for bids for the replacement of three existing air-cooled condensing units with four new units, replacement of liquid

and suction lines, replacement of belts and sheaves in one of the air handlers, balancing and adjustment of air flow, and miscellaneous electrical work. The project is categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 31210.

Approval to Rebid Recarpeting of Building L-142, North Airport was the subject of a memo to the Board from the Chief Engineer, notifying the Board that no bids were received at the scheduled February 22, 1989, bid opening. Follow-up phone calls noted that plan holders' reasons for not bidding included being overly busy and lack of experience in bidding public work. The carpet manufacturer's representative confirmed that current carpet, installer workloads are heavy; however, sufficient local firms would be interested in the work, and it was recommended that the job be rebid. The recommendation was approved on passage of Resolution No. 31221.

Proposed 1989 Air Cargo Building Rates was the subject of a memo to the Board from the Director of Aviation, notifying the Board of the existing tenants and the current rental rates. The air cargo rates at competitive Airports have been appraised, and it was recommended that the Board establish the rental rate at \$8.40 per square foot per year except for agreements that otherwise have been negotiated between the Port and prospective tenants. The recommendation was approved on an ordinance passed to print.

License Agreements Renewals - Tower Avionics Center was the subject of a memo to the Board from the Director of Aviation recommending approval to renew their agreement for two years for space in Bays A & B, Building L-810, North Airport, used for the sale and service of avionics equipment. The area includes office, hangar, shop and storage, apron and paved parking for a new monthly rental of \$13,595.04. It was also recommended that their agreement for Bays C and D in the hangar be renewed at a new monthly rental of \$10,701.56. The rent for the second year will be adjusted in accordance with the percentage change in the Consumer Price Index. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

Consulting Agreement with Roberts and Associates, Inc., for Support of Certain Air Cargo and Passenger Service Programs was the subject of a memo to the Board from the Director of Aviation, recommending approval to enter into an agreement with Roberts and Associates, Inc., to assist with a program to present the Port of Oakland case in the U. S. Department of Transportation, United States-Mexico All-Cargo Service Proceedings which includes exhibits and responses, data with regard to air cargo activities, and attend hearings as required by the Director of Aviation and Port Attorney. The firm will also assist with certain Airport passenger programs in support of Oakland/Honolulu service and commuter hub and feeder systems. The firms will be paid a maximum of \$20,000.00 for their services. The recommendation was approved on passage of Resolution No. 31227.

Request for Proposal - Retail Development of the Oakport Site - Business Park was the subject of a memo to the Board from the Director of Properties, notifying the Board that the Board had previously certified the Initial Study and Negative Declaration for a value-oriented retail development on a 21.5 acre site on Oakport Street and Hassler Way in the Oakland Airport Business Park. The Standards and Restrictions for the Oakland Airport Business Park have been amended to allow for retail development. It was recommended that the Board authorize the issuance of Requests for Proposals for the development of a value-oriented retail project on the Oakport site. It was noted that the project had been delayed to allow for full review of all the Port properties. The recommendation was approved on a motion by Commissioner Hunter, seconded and passed unanimously.

East Bay Group - Option Extension was the subject of a memo to the Board from the Director of Properties, notifying the Board of the option agreement with the East Bay Group, Mr. John Norton, for the development of a hotel on Embarcadero and 16th Avenue. The lease option term has been extended on four occasions and is to expire on March 31, 1989. The last extension was to allow removal and disposal of two underground fuel tanks on the site in accordance with environmental regulations governing the tank closures. The tanks

have been removed from the site at a cost of \$10,000.00. In accordance with the California Water Resources Control Board, the Port is the owner of the tanks and has the responsibility to assume any remediation costs in excess of the amount that John Norton agreed to pay. To allow adequate time for the Port to comply with environmental regulations related to the tank removal, it was recommended the lease option term be extended six months. Mr. John Norton has agreed to stand by for six months and will not make monthly option payments until the requirements of the regulatory agencies have been met. Once the environmental clearances have been received, it is anticipated it will take at least four weeks to close escrow for the loans. At the completion of the remedial work, the developer will commence making \$5,000.00 monthly option payments for the remainder of the option term or until the option is exercised. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

Substitution of Electrical Subcontractor for Construction of San Antonio Fishing Pier, Inner Harbor was the subject of a memo to the Board from the Chief Engineer, recommending approval for Dutra Construction Company, Inc., to substitute Pim Electric, Inc., as the electrical subcontractor as the original subcontractor, Choi Engineering Corporation, is financially unable to fulfill their obligation. The recommendation was approved on passage of Resolution No. 31228.

United Beverage, Inc. License Agreement Renewal was the subject of a memo to the Board from the Director of Properties, recommending approval to renew their agreement for space in Building F-229 located at 245 2nd Street, used for the distribution of domestic and imported beers, at a new monthly rental of \$2,588.16. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

Malrite of California, Inc. - Consent to: Merger, Subsequent Merger/Name Change, and Leasehold Mortgage was the subject of a memo to the Board from the Director of Properties, notifying the Board that Malrite of California, Inc. currently occupies office and studio space in the Port/Administrative office building for its radio stations, KNEW/KSAN, and their occupancy rights are currently under the holdover provisions of an expired lease. A new lease agreement has been proposed and is presently being reviewed by Malrite. Malrite is reorganizing their holdings, and it was recommended that the Board approve the proposed merger with New Sub, a holding company, and the subsequent merger of New Sub with Malrite Communications Group, Inc., and to change the name of New Sub to Malrite Communications Group, Inc. As part of the Corporate credit agreement, it was also recommended that consent be given to the leasehold mortgage on Malrite's leasehold estate, considering the holdover status of the expired lease agreement. It was also noted that, in connection with the loan, the bank has submitted and requested that the Port execute a Landlord Estoppel Certificate pertaining to the Lease which would have to be substantially revised before it could be approved by the Board, and the request is not before the Board for approval. The recommendation was approved on passage of Resolution No. 31229.

Request by One General Partner for Approval to Sell His Interest in Portside Properties, a California Limited Partnership, which Partnership is a General Partner in Oakland Portside Associates, a California Limited Partnership was the subject of a memo to the Board from the Director of Properties, notifying the Board of the general partners in Oakland Portside Associates and that the partnership agreement requires that a proposed transfer in an interest in Portside Properties be subject to the consent of the Port, which consent would not be unreasonably withheld. It was recommended that the Board authorize the transfer of Mr. George L. Smith's interest in Portside Properties, a California Limited Partnership to Mr. Arthur B. Scott subject to the Port Attorney reviewing

the final transfer documents and the other partners in Portside Properties not exercising their individual rights to purchase George L. Smith's interest. The recommendation was approved on passage of Resolution No. 31234.

Dredging Coalition was the subject of a memo to the Board from the Director of Public Affairs, notifying the Board that the Port's Dredging Committee has extensively studied the economic and environmental effects of the dredge disposal problems. Since the subject involves the nine Bay Area counties and six million people, it was recommended that the Port endorse the Bay Planning Coalition, which was established in 1983 to foster regional approaches to issues involving San Francisco Bay, as the coordinator for the regional effort. The Bay Planning Coalition has approved in concept accepting the role of coordinator for the dredging coalition, and has drafted a three year program, headed by a full-time director, that would have as goals the designation of a permanent ocean disposal site, designation of in-Bay disposal site(s)--either existing, or new, and the designation of upland site(s). The program is designed to shape public policy, foster political leadership, overcome public misperceptions about environmental risks, work with the media in disseminating information, facilitate a concensus among various interest groups, develop broad understanding of the economic stakes at issue, and improve coordination and concensus among environmental groups. It was recommended that the Board authorize the appropriate contract including the Port's share of the cost of carrying out the program with the Bay Planning Coalition. The recommendation was approved on a motion by Commissioner Hunter, seconded and passed unanimously.

Port of Oakland Boundary Line Adjustment and Middle Harbor Road Extension was the subject of a memo to the Board from the Chief Engineer, recommending approval to enter into an agreement with Ward and Associates to prepare the Draft and Final Environmental Impact Report for the expansion of the

Port Area in connection with the extension of Middle Harbor Road and adjustment in the Port of Oakland boundary line. The City of Oakland will be the Lead Agency and the Port will contract with the consultant who will work under the supervision of the City Planning Department. The firm will be paid \$20,700.00 with certain additional work available at the discretion of the Executive Director. The recommendation was approved on passage of Resolution No. 31222.

Supplemental Agreement for Professional Services Pertaining to Sediment Sampling and Laboratory Analysis was the subject of a memo to the Board from the Chief Engineer, recommending approval to enter into a contract with MEC Analytical Systems Inc., for sampling and analysis of sediments from the Outer Harbor berths as needed by the Port. It was noted that the Port has an existing contract with the firm and the agreement will be a supplement providing for the as needed services. It was also noted that the Port has a contract with Kennedy/Jenks/Chilton for similar work; however, the workload is excessive. The recommendation was approved on passage of Resolution No. 31230.

U. S. Army Letter Concerning Bay Bridge Terminal was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director of Transportation Services, notifying the Board that the Port of Oakland has a Lease with the U. S. Army for occupancy of approximately 38 acres of surplus U. S. Army land that is part of the Bay Bridge Terminal. The basic term of the Lease expires September 30, 1989 with a provision that with notice by March 30, 1989 the lease can be extended for five years from October 1, 1989 to September 30, 1994. The 38 acres requires extensive rehabilitation and the Port and the U. S. Army acting through the U. S. Army leasing agent, the Corps of Engineers, have a Supplemental Agreement now awaiting approval that will allow using lease payments now held in trust by the Port to pay for the rehabilitation work. If the Supplemental Agreement is not approved to allow this rehabilitation work to take place, the Port may not want to extend the term of the Lease.

The Port requested a deferral of the option to extend date and the Chief of the Sacramento District Corps of Engineers Real Estate Division has given official notification by letter dated March 10, 1989 that the Port can defer the decision to extend the term of the Lease to May 30, 1989. It was recommended that the Board acknowledge and accept the notice of deferral and any further written notifications of deferral that the Corps of Engineers may give the Port. The recommendation was approved on passage of Resolution No. 31223.

Approval of Proposed Agreement with Charles A. Bell Securities Corp., Pryor, Govan, Counts & Co., Inc., and W. R. Lazard Securities Corp. for Underwriting Services Related to the Issuance of Port Debt was the subject of a letter to the Board from the Chief Financial Officer, recommending approval of an agreement with Charles A. Bell Securities Corp., Pryor, Govan, Counts & Co., Inc., and W. R. Lazard Securities Corp. as co-managing underwriters in connection with the Port's next bond financing. All three firms are minority-owned business enterprises. It is proposed that the management fee for each co-managing underwriter be \$10,000.00. Other fees such as underwriting, takedown and expenses incurred in conjunction with the next financing will be negotiated. The management fee will be payable upon completion of the next financing of the Port as set forth in the agreement with the co-managing underwriters. The recommendation was approved on passage of Resolution No. 31231.

Bruce Smith v. Port of Oakland Alameda County Superior Court Case No. 640996-0, Claim of R. H. Gorman Company was the subject of a letter to the Board from the Port Attorney, notifying the Board of the case whereby the Plaintiff, Bruce Smith, an employee of Cooney-McHugh Co., contends that he suffered personal injuries at the Outer Harbor Terminal project, when a load being lowered by a crane owned and operated by Bay Cities Crane & Rigging, suddenly slipped and allegedly knocked him to the ground. Under the indemnity provisions of the

subcontract between the Port's general contractor, Korea Shipbuilding & Engineering Co. and Cooney-McHugh Co., the latter accepted the Port's tender of defense in the matter. Initial discovery indicated that the load in question slipped due to the failure of the crane's brake cylinder, which had apparently been re-built by R. H. Gorman, Co. immediately prior to the Plaintiff's alleged accident. Bay Cities served R. H. Gorman Co. with its cross-complaint for indemnity on November 2, 1988. On March 6, 1989, R. H. Gorman Co. presented its claim against the Port alleging a cause of action for either complete equitable indemnity or partial equitable indemnity arising out of the complaint for damages filed by Bruce Smith. As the claim is not a proper charge against the Port it was recommended that the claim be rejected. The recommendation was approved on passage of Resolution No. 31225.

Personnel Items was the subject of a memo to the Board from the Director of Administration, recommending the appointment of Karen Stevenson, Port Field Representative, effective March 22, 1989, at \$2989.00 per month; Paula L. Remy, Administrative Secretary, effective March 27, 1989, at \$2484.00 per month; Santana Jimenez, Youth Aide, Class "A", effective March 15, 1989, at \$12.28 per hour; Joanne Williams, Youth Aide Class "A", effective March 22, 1989, at \$12.28 per hour; Linda Hall, Youth Aide Class "BB", effective March 22, 1989, at \$10.95 per hour; Joanne Berry, Youth Aide Class "B", effective March 22, 1989, at \$9.63 per hour; Megumi Yunedo, Youth Aide Class "C", effective March 22, 1989, at \$6.99 per hour. It was also recommended that the Board approve the examination announcement for the positions of Port Electrician and Principal Engineering Assistant; approve a personal leave of absence for Ruth Cummings, Janitress, for 47 working days; and the termination of Kevin P. Williams, Airport Serviceman, effective March 23, 1989, for cause. The recommendations were approved on passage of Resolution No. 31211 for appointments; Resolution No. 31212 for Port Electrician announcement; Resolution No. 31213 for Port Principal Engineering

Assistant announcement; Resolution No. 31214 for leave of absence; and Resolution No. 31232 for termination.

Travel Authorization was the subject of a memo to the Board from the Director of Administration, recommending the travel of the Director of Aviation, Assistant Port Attorney II, John Nolan, and Commercial Representative IV, Karen Watson, to Dallas, Texas, on or about March 15, 1989, to meet with representatives of American Airlines and Southwest Airlines; travel of Marine Commercial Representative V, Jack Knecht, to Houston and San Antonio, Texas, on or about March 27-31, 1989, to attend the annual meeting of the Texas Cotton Association and call on cargo shippers in the area; travel of the Port Attorney to Washington, D. C., on or about March 28-31, 1989, to attend the 1989 Spring Conference for the American Association of Port Authorities; travel of the Acting Chief Executive Officer and Executive Director, Transportation Services to Washington, D.C., on or about March 28-31, 1989, to attend a meeting of the American Association of Port Authorities; travel of Special Assistant to the Executive Director, George Watson, to Savannah, Georgia, on or about April 3-5, 1989, to attend the Airport Operators Council International Safety and Security Committee meeting; travel of the Acting Chief Executive Officer and Executive Director, Transportation Services to Washington, D.C., on or about April 5-7, 1989, to participate in a meeting of the Federal Maritime Commission Advisory Committee on the Shipping Act, with travel to be partially reimbursed by the Federal Maritime Commission; and the Travel of Commercial Representative III, Jane Keegan, to Atlanta, Georgia, on or about April 9-14, 1989, to attend the Risk and Insurance Managers Convention. The recommendation was approved on passage of Resolution No. 31224.

March 21, 1989

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The following reports were discussed and ordered filed:

Summary of Cash - Port Revenue and Construction Funds  
as of March 10, 1989.

Summary of Cash and Accounts Receivable Port Revenue  
Fund 770 for the Month of February 1989.

Accounts Receivable in Arrears as of February 28 1989.

Delinquent Accounts Referred to Legal  
Reported as of February 28, 1989.

Summary of Claims Paid from Various Funds  
for the Period February 28, 1989 through March 15, 1989.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Brady, Hunter, Pineda, Ward Allen,  
Wasserman and President Higgins - 6  
Noes: None  
Absent: Commissioners Sweeney - 1

"RESOLUTION NO. 31210

APPROVING PLANS AND SPECIFICATIONS FOR REPLACEMENT AND REPAIR OF AIR  
CONDITIONING UNITS AT GEORGE P. MILLER AVIATION CENTER, BUILDING M-110,  
SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND,  
CALIFORNIA."

"RESOLUTION NO. 31211

AUTHORIZING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31212

APPROVING EXAMINATION ANNOUNCEMENT FOR THE POSITION OF PORT  
ELECTRICIAN."

"RESOLUTION NO. 31213

APPROVING EXAMINATION ANNOUNCEMENT FOR THE POSITION OF PRINCIPAL  
ENGINEERING ASSISTANT."

"RESOLUTION NO. 31214

RATIFYING LEAVE OF ABSENCE TO RUTH CUMMINGS."

"RESOLUTION NO. 31215

GRANTING UNITED COURIER, INC. PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31216

GRANTING THE GLASS GUYS PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31217

AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENT WITH HELICOPTERS UNLIMITED."

"RESOLUTION NO. 31218

ASSIGNING JOHN GLOVER AS ACTING DIRECTOR OF PORT PLANNING."

"RESOLUTION NO. 31219

EXTENDING LEAVE OF ABSENCE TO JOHN GLOVER FROM SUPERVISING TRANSPORTATION PLANNER POSITION."

"RESOLUTION NO. 31220

ACCEPTING AMENDMENT TO GRANT OFFER OF THE UNITED STATES OF AMERICA AND AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION UNDER PROJECT NO. 3-06-0170-03, CONTRACT NO. D1FA08-83-C-30050."

"RESOLUTION NO. 31221

APPROVING PLANS AND SPECIFICATIONS TO FURNISH AND INSTALL CARPET IN BUILDING L-142, NORTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 31222

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH WILLIAM H. WARD FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31223

ACCEPTING EXTENSION OF TIME FOR EXERCISE OF OPTION TO EXTEND TERM OF LEASE NO. DACA05-1-78-575 WITH SECRETARY OF THE ARMY AND AUTHORIZING THE CHIEF EXECUTIVE OFFICER AND EXECUTIVE DIRECTOR TO ACCEPT FURTHER EXTENSIONS OF TIME."

"RESOLUTION NO. 31124

CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 31125

REJECTING CLAIM OF R. H. GORMAN CO."

March 21, 1989

"RESOLUTION NO. 31126

FINDING AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE PORT TO NEGOTIATE A LEASE AND OPTION TO PURCHASE FOR COMPUTERIZED FUEL RECORDING AND INVENTORY CONTROL SYSTEM WITHOUT COMPETITIVE BIDDING DUE TO UNIQUENESS OF SYSTEM, AND APPROVING EXECUTION OF AN AGREEMENT FOR SAME WITH P.S. TRADING, INC."

"RESOLUTION NO. 31127

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH ROBERTS & ASSOCIATES, INC. FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT.'

"RESOLUTION NO. 31128

APPROVING THE SUBSTITUTION OF ELECTRICAL SUBCONTRACTORS FOR THE CONTRACT FOR THE CONSTRUCTION OF SAN ANTONIO FISHING PIER, INNER HARBOR."

"RESOLUTION NO. 31229

CONSENTING TO ASSIGNMENT OF LEASE OF MALRITE OF CALIFORNIA, INC. THROUGH MERGER WITH "NEW SUB," A SUBSIDIARY OF MALRITE COMMUNICATIONS GROUP, INC., AND SUBSEQUENT MERGER OF "NEW SUB" WITH MALRITE COMMUNICATIONS GROUP, INC. AND TO LEASEHOLD MORTGAGE OF MALRITE OF CALIFORNIA, INC.'S HOLD OVER LEASEHOLD INTEREST IN THE EXPIRED LEASE BY AND BETWEEN THE PORT OF OAKLAND AND MALRITE OF CALIFORNIA, INC. TO THE BANK OF NEW YORK."

"RESOLUTION NO. 31130

FINDING AND DETERMINING THAT A PROPOSED SUPPLEMENTAL AGREEMENT WITH MEC ANALYTICAL SYSTEM, INC. FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID SUPPLEMENTAL AGREEMENT."

"RESOLUTION NO. 31131

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH CHARLES A. BELL SECURITIES CORP., PRYOR, GOVAN, COUNTS & CO., INC. AND W.R. LAZARD SECURITIES CORP. FOR CO-MANAGING UNDERWRITING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31132

TERMINATING APPOINTMENT OF KEVIN WILLIAMS."

"RESOLUTION NO. 31133

ON THE PASSING OF Y. CHARLES SODA."

March 21, 1989

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The following resolution was introduced and passed separately by the following vote:

Ayes: Commissioners Brady, Pineda, Ward Allen,  
Wasserman and President Higgins - 5  
Noes: None  
Abstained: Commissioner Hunter - 1  
Absent: Commissioners Sweeney - 1

"RESOLUTION NO. 31234

AUTHORIZING CONSENT OF THE PORT TO THE TRANSFER OF GEORGE L. SMITH'S PARTNERSHIP INTEREST IN PORTSIDE PROPERTIES TO ARTHUR B. SCOTT, SUBJECT TO COMPLIANCE WITH CERTAIN CONDITIONS."

Port Ordinance No. 2861 being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LEASE WITH CONTAINER EXCHANGE INTERNATIONAL, INC., AND DIRECTING RECORDATION THEREOF", was read a second time and passed by the following vote:

Ayes: Commissioners Brady, Hunter, Pineda, Ward Allen,  
Wasserman and President Higgins - 6  
Noes: None  
Absent: Commissioners Sweeney - 1

Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LEASE WITH ENGINEERED MODULAR STRUCTURES, INC. AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE ADDING SECTION 5.0194 TO PORT ORDINANCE NO. 867 ESTABLISHING THE POSITION OF DIRECTOR OF PORT PLANNING", AND Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE ADDING SECTION 10.8 OF PORT ORDINANCE NO. 1149 RELATING TO CHARGES FOR USE OF AIR CARGO FACILITIES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT", were read a first time and passed to print by the following vote:

Ayes: Commissioners Brady, Hunter, Pineda, Ward Allen,  
Wasserman and President Higgins - 6  
Noes: None  
Absent: Commissioners Sweeney - 1

At the hour of 4:45 p.m. the Board entered into closed session as previously announced by President Higgins and reconvened in open session at the hour of 6:05 p.m., at which time the meeting was adjourned in honor of and out of respect to the memory of the late Y. Charles Soda.

*Christopher C. Marshall*

Secretary

*by jsl*

March 21, 1989

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REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS  
OF THE  
CITY OF OAKLAND

The meeting, formal portion, was held on Tuesday, April 4, 1989, at the hour of 4:35 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Higgins presiding, due written notice having been given to members of the Board. An informal portion was held during the period from 3:30 p.m. to 4:25 p.m. during which time the Board received a status report on the Ports Organizational Structure from Kibel, Green Inc.

Commissioners present: Brady, Hunter, Pineda, Sweeney, Ward  
Allen, Wasserman and  
President Higgins - 7

Commissioners absent: None

Also present were the Acting Chief Executive Officer and Executive Director, Transportation Services; Chief Engineer; Port Attorney; Chief Financial Officer; Director of Properties; Senior Commercial Representative; Director of Aviation; Director of Administration; Director of Strategic and Management Planning; Director of Public Affairs; and Secretary of the Board.

The minutes of the regular meeting of March 7, 1989 were approved as submitted and ordered filed.

Mr. Khalid Abdullah, Civil Engineer, received his 20-year service award.

President Higgins informed the Board that he would call for a closed session at the conclusion of the open session for the purpose of discussing certain pending litigation as provided for under Government Code Section 54956.9(b) and (c).

BOARD OF PORT COMMISSIONERS  
MEETING OF MAY - 2 1989

APPROVED AS SUBMITTED AND ORDERED FILED  
SECRETARY *Wm. H. Marshall*

President Higgins informed the Board that he would ask for immediate discussion on the several items concerning Port financing as Commissioner Pineda and Sweeney would be excused prior to the conclusion of the meeting.

Commissioner Brady, Chair of the Finance and Administration Committee informed the Board of the various steps and studies performed to reach today's agenda which contains authority to issue new revenue bonds to take out earlier Port bonds. After his review the following action items were presented for approval.

Financial Management Policies for the Port of Oakland was the subject of a memo to the Board from the Chief Financial Officer, notifying the Board of the Strategic Financial Plan submitted to the Board in December 1988 and that the Charter was amended to provide for the establishment and maintenance by the Board of reserves or other funds to ensure the payment on or before maturity of any or all revenue bonds issued by the Board and also provides for the establishment and maintenance by the Board of such other reserve funds pertaining to the facilities of the Board as shall be determined by resolution of the Board. It was recommended that the Board adopt four financial management policies. The first would establish a Port Reserve Fund within the Port Revenue Fund to be funded in an amount equal to five percent (5%) of the then outstanding debt of the Board, which has not been refunded and which has a final maturity greater than five (5) years. The amounts would be transferred to the Reserve Fund in equal annual installments over a five fiscal year period, commencing in the fiscal year 1989-1990 until the Reserve Requirement has been met. The funds would be used first to pay principal and interest on indebtedness of the Port in the event that reserve funds established under the various resolutions of issue and indentures relating to such indebtedness, or revenues

of the Port, are insufficient to pay such principal or interest and second to pay for emergency capital expenditures or extraordinary operating and maintenance expenditures of the Port. The second policy would provide for the Port to seek but would not be required, to maintain a minimum unencumbered cash balance of twenty-five percent (25%) of the Port's annual operating expense budget within the Port Revenue Fund. The Chief Financial Officer of the Port would be able to use the unencumbered cash balance for unanticipated working capital requirements of the Port. The third policy would provide for the Port to seek to maintain an overall debt structure such that, as a long-term average, the short-term and variable rates indebtedness of the Port would represent approximately twenty percent (20%) of the total indebtedness of the Port. The policy would provide guidance to the Board and the Chief Financial Officer of the Port in considering subsequent financing of the Port and would be used primarily, subject to market conditions and sound business judgment, to provide construction period financing for capital projects and to provide the Port access to capital markets when interest rates are high and lower the Port's average interest cost on debt when market interest rates are low. The fourth policy would change the current unencumbered funds policy of the Port to provide that a contract may be let by the Board if the Board has received assurances that it is reasonably anticipated that funds will be available when required to make payments under such contract. The Port's current policy requires that unencumbered funds in the full amount of the contract be available at the time of execution of the contract. The recommendation was approved on a passage of Resolution No. 31235 and on an ordinance passed to print concerning expected funds for contracts.

Approval of the Issuance of Port of Oakland, California Revenue Bonds 1989 Series A in the Approximate Amount of \$76,000,000 and 1989 Series B in the Approximate Amount of \$85,000,000 and Certain Other Actions was the subject of a memo to the Board from the Chief Financial Officer, notifying the Board that the Strategic Financial Plan recommended, among other things, a significant reduction in the Port's ratio of variable-rate to fixed-rate outstanding debt and the refunding of most or all of the Port's outstanding variable rate debt. The financial advisors to the Port and bond counsel have developed a structure for the refunding of the Port's variable rate debt. It was recommended the Board approve the issuance of the Port of Oakland, California Revenue Bonds 1989 Series A which would refund the Port's Subordinated Adjustable Rate Revenue Bond Anticipation Notes, 1988 Series A, outstanding in the principal amount of \$55,000,000 and the Variable Rate Demand Subordinated Revenue Obligations, Series 1987, outstanding in the principal amount of \$8,600,000. The Port of Oakland, California Revenue Bonds 1989 Series B would be issued to refund and redeem the Port's Subordinated Revenue Adjustable Convertible Extendable Securities, Series 1984, outstanding in the principal amount of \$85,000,000. The 1989 Series A Bonds and the 1989 Series B Bonds would be secured by a pledge of revenues which would include substantially all of the revenues of the Board except the amounts needed to pay debt service on the Port's existing 1957 Bonds and what are commonly known as the 1966 Junior Lien Bonds. The authorizing resolution would also approve execution of three escrow agreements necessary to accomplish the refunding, the First Supplemental Indenture, and the Bond Purchase Agreement between the Port and the underwriters. The Board would delegate authority to sign the Bond Purchase Agreement if the true interest cost is at or below a rate determined by the Board. The

offering document for Port's refunding bonds and the Preliminary Official Statement will be submitted to the Board next week. The recommendation was approved on a passage of Resolution No. 31236.

Grant of Security Interest in Gross Revenues from "Existing Facilities" of the Port to Certain Bondholders was the subject of a memo to the Board from the Chief Financial Officer, notifying the Board that the Port of Oakland 1957 Revenue Bonds has currently outstanding various series. Due to certain legal considerations at the time of initial issuance of the 1957 Bonds, gross revenues from newly-constructed facilities were pledged to the payment of the 1957 Bonds. However, only the net revenues from "Existing Facilities" were so pledged. The same type of distinction was carried through to the so-called "Junior Lien Bonds," when the Port later authorized the issuance of its 1966 Airport Development Revenue Bonds, 1966 Harbor Development Revenue Bonds, 1966 Industrial Park Development Revenue Bonds, 1971 Certificates and 1977 Small Craft Harbor Revenue Bonds. The legal constraint causing the initial split in the pledge of revenues no longer exists. Granting a pledge of the gross revenues of "Existing Facilities" to the 1957 Bonds and of the counterpart revenues to the Junior Lien Bonds is a technical correction that would conform the legal documents to actual practice and clarify the flow of Port funds and it was recommended that the Board approve the correction. The recommendation was approved on passage of Resolution No. 31237 and Resolution No. 31238.

Technical Amendments to the Authorizing Documents for Port of Oakland, California Subordinated Adjustable Rate Revenue Bond Anticipation Notes 1988 Series A and Subordinated Revenue Adjustable, Convertible, Extendible Securities Series 1984 was the subject of a memo to the Board from the Chief Financial Officer, recommending approval to make certain amendments to the

authorizing documents which would provide a procedure by which the Adjustable Convertible Extendible Securities Series 1984 and the Subordinated Revenue Obligations Series 1987 could be defeased with government obligations placed in an escrow to secure and pay such bonds and would then permit a release of other security for such bonds. Any such defeasance would occur in connection with a refunding of the bonds. The recommendation was approved on passage of Resolution No. 31239 for the Subordinated Revenue Obligations Series 1987 and Resolution No. 31240 for the Adjustable Convertible Extendible Securities Series 1984.

At the hour of 4:50 p.m. Commissioners Pineda and Sweeney were excused from the meeting.

Commissioner Ward Allen, Chair of the External Affairs Committee, informed the Board that her committee had met earlier in the day and discussed the move to the new Port building, airport advertising, and the legislative luncheon to be held later in the month.

Commissioner Wasserman, Chair of the Development Committee, informed the Board that his committee had met earlier in the day and discussed several items on their current agenda.

Commissioner Brady, Chair of the Finance and Administration Committee, informed the Board of several meetings held by his committee and that the Board had taken action on the new bonds to be issued by the Port.

Approval of Agreement for Engineering Services for the Airport Roadway Project, MOIA was the subject of a memo to the Board from the Chief Engineer, recommending approval to enter into an agreement with Kaiser Engineers to provide services in connection with the Airport Roadway Project. The consultant will provide traffic analysis, roadway plan and profile, preliminary

right of way drawings, site plans, and elevations for structures, and cost allocation proposals, project schedule and preliminary cost estimates. The firm will be paid direct salaries plus fringe benefits and overhead costs, direct reimbursable expenses, direct costs of subconsultant services, and a fixed fee of \$10,715.00. The maximum payment under the agreement will be \$100,000.00 with certain additional work available at the discretion of the Executive Director. The recommendation was approved on passage of Resolution No. 31253.

Renewal of License Agreements - Trans-Box Systems was the subject of a memo to the Board from the Director of Aviation, recommending approval to renew their agreement for two years for space at Building L-633 and L-635 at the North Airport used for their air freight and air courier business at a new monthly rental of \$5,193.89. It was also recommended that their agreement for space in Building L-621, North Airport, be renewed at a new monthly rental of \$808.91. The rent for the second year of the agreements will be adjusted in accordance with the percentage change in the Consumer Price Index. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

Upgrading Ticket Counter in Airport Terminal I - America West Airlines was the subject of a memo to the Board from the Director of Aviation, recommending approval of an agreement with American West Airlines to provide the latest design ticket counters at their ticket counter area. American West will renovate its ticket counter area consistent with the Port's ticket counter design specifications planned for the Terminal I renovation later this year. The Port will reimburse the costs estimated to be approximately \$40,000.00. The recommendation was approved on passage of Resolution No. 31255.

Authorization for Open Market Procurement of Fire Safety

Foam was the subject of a memo to the Board from the Director of Administration, recommending approval to dispense with formal bidding procedures and purchase 6,000 gallons of protein foam on the open market at a cost of \$7.15 per gallon totaling \$42,900.00 plus applicable taxes. The foam is needed for the system in the Miller Maintenance Hanger occupied by United Airlines. The insurance carrier for United Airlines, has recommended that the fire system be replenished with National Foam's product, the same foam as originally used on the system. The recommendation was approved on passage of Resolution No. 31268.

Award of Contract for Aviation Lighting Equipment was the subject of a memo to the Board from the Director of Administration, notifying the Board of the two bids received and recommending award of the contract to ADB Alnaco, the low bidder, at \$140,034.00 for Alternate A and \$123,382.00 for Alternate B. It was noted that two other bids were received late. One of the late bidders, Crouse-Hinds through their local agent, Mr. Jack Hart, protested the award of the bid to ADB Alnaco and stated that his bid should be accepted which would then be the low bid. After review of the circumstances, the recommendation was approved on passage of Resolution No. 31251.

At the hour of 5:00 p.m. the Board held a public hearing on Pacific Bell's application for a Dredge and Fill Permit for the placement of submarine cables. The cables will be installed underneath the Tidal Canal mud along an existing telephone easement extending from the shoreline near Kennedy Street in Oakland across the Tidal Canal to the shoreline near Oak Street in Alameda. The project will provide a fiber optics communications link between Oakland and Alameda. The proposed work would include boring horizontally 34 feet below the mudline of the canal and placing simultaneously a 5" diameter drill pipe

casing and three 1" diameter ducts through which the fiber optic cables will be laid. The estimated cost of the proposed work is \$60,000.00. The work is categorically exempt and an environmental impact report is not required. There was no further testimony, the report on the matter was considered and the hearing was closed at the hour of 5:01 p.m. The application was approved on passage of Resolution No. 31256.

RFQ/RFP for the Management of Parking Facilities at Jack London's Waterfront was the subject of a memo to the Board from the Director of Properties, notifying the Board that the interim parking program for the waterfront has been operating since September 1986. The parking operator was to manage the parking program during the critical period of the construction of the underground garage. The costs of providing the present service has been necessarily high, as partial mitigation for the construction impacts and cost to the Port was nearly \$300,000.00 in 1988. It was recommended that the Board approve a two step process to select a new Jack London's Waterfront parking operator. The process would utilize both a Request for Qualification to initially determine operator interest and to identify qualified parking operators and a Request for Proposals from the qualified operators. It is expected that the new operation would commence on August 31, 1989. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

Approval of Change of Order for Installation of Storm Drain for "Construction of Public Areas Part A, Jack London Square" was the subject of a memo to the Board from the Chief Engineer, recommending approval of a change order issued to C. Overaa and Company in the sum of \$44,200.08 and with a 48 calendar day time extension for the installation of a new 12" 300-foot long storm drain down Broadway. It was noted that the original line was

found to be in such a deteriorated condition that the new lines could not be connected to it. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

Contract Completion, Modifications to Parking Lots 5, 7 & 9, Jack London Square was the subject of a memo to the Board from the Chief Engineer, recommending that the contract with Gallagher & Burk, Inc. be extended 24 calendar days, liquidated damages in the amount of \$7,500.00 be assessed for late completion, and that the contract be accepted as complete as of July 29, 1988 with a contract price at \$340,306.14. The recommendation was approved on passage of Resolution No. 31252.

Harrison's Boat Center, Inc. - Lease Amendment was the subject of a memo to the Board from the Director of Properties, notifying the Board that Harrison Marine Center, Inc. occupies Port Building No. P-108 and the adjacent outside yard area in the Embarcadero Cove area under a five-year lease with one five-year option which was exercised. The lease expires on May 31, 1993. The lessee has improved the Port owned building at an approximate cost of \$50,000.00. It was recommended that the lease be extended with a rental credit for the improvements granted to the lessee. There would be an option to extend the lease term for five additional years. The existing minimum rent, \$1,353.93 per month would be increased to \$1,965.38 if the option is exercised. The minimum monthly rent would be further adjusted by the percentage change of the Consumer Price Index for the five-year period immediately preceding the adjustment date, not to exceed 15%. All overage rent would be applied as a rental credit for the improvements made to the building. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

Cable Oakland - Right of Entry and Easement was the subject of a memo to the Board from the Director of Properties, recommending approval to execute a Right of Entry/Indemnity Agreement and grant an easement to allow Cable Oakland to install 145 lineal feet of cable on vacant land on Dennison Street, west of Embarcadero. The cable will provide television service to the United States Coast Guard Facility. The consideration for the granting of the Right of Entry/Indemnity Agreement and easement would be an administrative fee of \$300.00. The agreement also has other protective clauses for the Port. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

1989 Taiwan Contract Renewal was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director, Transportation Services, recommending approval to renew the services of Mr. Henry Lai as Port of Oakland representative in Taiwan for a one-year term commencing April 1, 1989. Mr. Lai will be compensated at \$1,000.00 per month payable in U.S. dollars, with out-of-pocket expenses not to exceed \$300 per month. The recommendation was approved on passage of Resolution No. 31241.

European Representation Contract Renewal was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director, Transportation Services, recommending approval to renew the services of Van Ommeren Rotterdam B.V. as a Port of Oakland representative in Europe for a one year term commencing April 1, 1989. The agreement provides that Van Ommeren staff member, Willem Passenier be assigned to the account devoting approximately 60 percent of his working time to Port activities. The firm will be paid \$52,800.00 on an annual basis and out-of-pocket expenses at \$20,000.00. The recommendation was approved on passage of Resolution No. 31242.

1989 Hong Kong Contract Renewal was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director, Transportation Services, recommending approval to renew the services of Mr. Peter Hall as the Port of Oakland's representative in Hong Kong for a one-year term commencing April 1, 1989. Mr. Peter Hall will be compensated at \$1,000.00 per month payable in U.S. dollars, with out-of-pocket expenses not to exceed \$300.00 per month. The recommendation was approved on passage of Resolution No. 31243.

1989 Korea Contract Renewal was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director, Transportation Services, recommending approval to renew the services of Mr. Pyung Sup Chung as Port of Oakland's representative in Korea for a one-year term commencing April 1, 1989. Mr. Chung will be compensated at \$1,000.00 per month payable in U.S. dollars with out-of-pocket expenses not to exceed \$300.00 per month. The recommendation was approved on passage of Resolution No. 31244.

Compensation Adjustment for Director - Far East was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director, Transportation Services, recommending approval to renew the services of Mr. K. Nagao as Director - Far East for a one-year period effective April 1, 1989 at a new monthly compensation of 1,308,219 yen per month. The recommendation was approved on passage of Resolution No. 31245.

Contract Completion, Construction of Yard Improvements, Petroleum and Ferry Streets, Outer Harbor Terminal was the subject of a memo to the Board from the Chief Engineer, recommending that the contract with O.C. Jones and Sons be extended 206 calendar days and be accepted as complete as of January 18, 1989 with a contract price of \$757,910.20. The recommendation was approved on passage of Resolution No. 31270.

Approval to Hire an Environmental Consultant for a Two-Year Term to Provide Services Concerning Underground Storage Tank Management Program was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the increasing federal, state and local regulations governing the installation, maintenance, monitoring and removal of underground storage tanks and that the Port has in excess of fifty-five tanks located on Port property. Proposals were solicited from qualified consultants to provide professional services to assist the Port in complying with the underground storage tank regulations and it was recommended that the Port enter into an agreement with Baseline Environmental Consulting to provide the services. The tank management program will consist of two phases. Phase I will consist of three tasks. The first task will be the development of a comprehensive computerized underground storage tank data base system. The second task will include an assessment of the needs of the Port with respect to each tank and the development of a compliance schedule. The third task will include the development of a waste management and remedial action program for contaminated materials potentially generated by scheduled tank closures. Phase II of the program will consist of the implementation of the compliance program defined in the second task of Phase I. As compensation for completion of Phase I and II, the firm will be paid at agreed upon rates, for the time actually spent and be reimbursed for expenses up to a total maximum compensation of \$500,000.00. Direct costs associated with Phase I of the program are estimated to be \$100,000.00; implementation of Phase II is estimated to be \$400,000.00 for the duration of the two-year term of the contract. Completion of Phase II activities may extend beyond the two-year term of the contract. The recommendation was approved on passage of Resolution No. 31267.

Conceptual Approval of Performance/Merit Pay Program and Repeal of Port Ordinance No. 2729 was the subject of a memo to the Board from the Director of Administration, notifying the Board of the proposed Performance Merit Pay Program concept which was presented to the Board for comment and review. The proposed concept included the identification of various elements needed to implement the program: updating job descriptions, identifying salary ranges, evaluating jobs, developing a salary administration system, and developing a performance appraisal system and related supervisory training. Two consultants were retained to further study the concept. The study has now resulted in greater detail and it was recommended that the Board formally adopt the proposed Performance/Merit Pay Program in concept. There will be subsequent action on forthcoming ordinances and resolutions, or revisions to existing ordinances and resolutions relating to the implementation of the program. It was also recommended the Board repeal Port Ordinance No. 2729, concerning the Management Incentive Compensation Program, with no further administration of the program to be implemented. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously and on an ordinance passed to print repealing the Management Incentive Compensation Program.

Request for Authorization to Purchase Phase 5 Series of Office Automation Equipment was the subject of a memo to the Board from the Acting Director of Port Planning, notifying the Board of the present port-wide automation program system which consists of approximately 200 microcomputers used by over 250 employees. Electronic mail and networking is provided to 160 of the computers through five independent interlinked network systems. It was recommended that the Board approve the purchase of 75 microcomputers, printers, related peripheral equipment, and

employee training expected to cost \$560,000.00 for the next phase of the program. The recommendation was approved on passage of Resolution No. 31258.

Personnel Items contained in a memo to the Board from the Director of Administration, recommended the appointment of Steve Stretchberry, as Assistant Airport Planner, effective April 10, 1989, at \$3,588.00 per month; Deborah L. Rames, as Assistant Civil Engineer, effective April 5, 1989, at \$3,361.00 per month; Anne M. Whittington and Louise M. Engel, as Associate Port Strategic Planner, effective April 5, 1989, at \$3,344.00 per month; Karen Lowe, as Youth Aide, Class "F", effective July 1, 1988, at \$2,405.00 per month; Harold R. Bell, as Youth Aide, Class "G", effective July 1, 1988, at \$1,851.00 per month; Deborah A. Johnson, as Youth Aide, Class "H", effective July 1, 1988, at \$1,869.00 per month; Faith Fuller, as Youth Aide, Class "I", effective July 1, 1988, at \$1,645.00 per month; Edwin L. Lee, as Youth Aide, Class "I", effective July 1, 1988, at \$1,686.00 per month; Joan M. Kuhn, as Youth Aide, Class "K", effective July 1, 1988, at \$2,382.00 per month; Rafael Arellano, Christina Z. Barajas, Jose L. Barajas, Sandra S. Bartley, On Coc Che, Chuck F. Eng, Michael J. Hawkins, Thanh H. Pham, Silvestre C. Enriquez, Sue L. Leung, Gloria S.G. Kwong, Myong S. Rhee, all as Youth Aide, Class "L", effective July 1, 1988, at \$1,835.00 per month; Julius R. Perkins and Thora Tan, as Youth Aide, Class "M", effective July 1, 1989, at \$2,410.00 per month; Karen B. Alverson, as Youth Aide, Class "A-1", effective July 1, 1988, at \$12.89 per hour; Joanne Williams, as Youth Aide, Class "A-1", effective March 22, 1989, at \$13.16 per hour; Misiona Pulu, as Youth Aide Class "B-1", effective July 1, 1988, at \$10.11 per hour; Joanne Berry, as Youth Aide, Class "B-1", effective March 22, 1989, at \$10.31; Christine M. Balcer, as Youth Aide, Class "BB-1", effective July 1, 1988, at \$11.50 per

hour; Linda Hall, as Youth Aide, Class "BB-1", effective March 22, 1989, at \$11.73 per hour; Yuneda Meguni, as Youth Aide, Class "G-1", effective March 22, 1989, at \$7.49 per hour; and Syrell Sapoznick, Valerie Chen, Garjohn Fong, as Youth Aide, Class "A", effective April 5, 1989, at \$12.28 per hour. Also recommended was a military leave of absence for Dennis G. Tully, Intermediate Drafting Technician, for 10 working days; a military leave of absence for Thomas A. Remus, Supervising Civil Engineer; a maternity leave of absence for Debbie Ann Sheets, Senior Account Clerk, for 132 working days. Further recommended was the termination of employment of M. Rosalie Germaine and Mr. Valentin R. Reyes, Youth Aides, Class "B" pursuant to the duration of employment limitations in the Memorandum of Understanding with Local 790 (Youth Aide Unit); and the termination of Mr. Charles D. Rodriguez, Commercial Aircraft Fueler, effective April 5, 1989 for cause. The recommendation was approved on passage of Resolution 31261 for appointments; Resolution No. 31262 for Youth Aide appointments; Resolution No. 31263 for leaves of absence; Resolution No. 31264 for Rodriguez termination; and Resolution No. 31265 for Germaine and Reyes termination.

Travel Authorization contained in a memo to the Board from the Director of Administration, recommended the travel of the Special Assistant to Executive Director for Trade Relations, to Washington, D.C., on or about April 3 through 6, 1989 to attend the California Marine Affairs and Navigation Conference and to St. Louis, Missouri, on or about April 9, 1989 to attend the Board of Directors meeting of the National Defense Transportation Association; travel of Assistant Port Attorney II, to Washington, D.C., on or about April 5, 1989, to attend a Pre-hearing Conference in Western U.S.-Mexico Service Proceeding Department of Transportation Docket 46180; travel of Commissioner Higgins,

Acting Chief Executive Officer and Executive Officer, Transportation Services, and Chief Financial Officer, to New York New York, on or about April 12, 1989 to attend meetings with potential Port financing investors; and travel of Barry Barron, Commercial Representative V, and Nora Doolittle, Commercial Representative III, to Denver, Colorado, on or about the period April 18 through 25, 1989, to attend training for the Second Phase of Generation 5 Mapping. The recommendation was approved on passage of Resolution No. 31266.

Ratification of Three Year Memorandum of Understanding Between the Port of Oakland and Local 790, AFL-CIO was the subject of a memo to the Board from the Director of Administration, notifying the Board of the extensive negotiations and of new Youth Aide classifications and corresponding hourly rates and assignments of certain Youth Aides to new Youth Aide classifications to accommodate new hourly rates that were approved by the Board at today's meeting. The unit has ratified the agreement and it was recommended the Board ratify the three year Memorandum of Understanding effective July 1, 1988 through June 30, 1991. The recommendation was approved on passage of Resolution No. 31246.

Ratification of Three Year Memorandum of Understanding Between the Port of Oakland and the Western Council of Engineers, Professional - Engineering Unit was the subject of a memo to the Board from the Director of Administration, notifying the Board of the negotiations with the unit and recommending that the Board ratify the three year Memorandum of Understanding effective July 1, 1988 through June 30, 1991. The only item that will be open for negotiations for the period of time effective from July 1, 1990 shall be "Salary Adjustments". The Western Council of Engineers will either negotiate salary adjustments with the Port,

or negotiate to have the unit participate in the Port Pay for Performance Program in effect at that time. The recommendation was approved on passage of Resolution No. 31247.

Approval of Specifications for Motor Vehicles was the subject of a memo to the Board from the Director of Administration, recommending approval to purchase three sedans and 5 other vehicles through the State of California contract or on the open market if they are not available in a timely manner. It is estimated that the cost will be \$143,000.00 plus applicable sales tax. The recommendation was approved on passage of Resolution No. 31259.

Approval of Utility Company Contract for Providing Telephone Service for the New Port Offices was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the study performed by the Brandon Interscience, Inc. to recommend a telephone system for the new office building. It was recommended that the Board authorize the execution of an agreement for Centrex service with Pacific Bell for the new office building. The Centrex system will be backed by Port-owned telephones and equipment to provide enhanced features. Pacific Bell's cost for providing the service is \$214,163 for a five year period payable in a lump sum prior to initiation of service. The recommendation was approved on passage of Resolution No. 31269.

Authorization to Dispense with Bids for Providing Telephone Equipment for the New Port Office Building was the subject of a memo to the Board from the Chief Engineer, recommending that the Board dispense with formal bids for furnishing and installing telephone equipment for the new building and authorize receipt of proposals from prequalified firms. Upon review of the proposals the equipment will be purchased through a purchase order. The recommendation was approved on passage of Resolution No. 31260.

Approval to Dispense with Formal Bids for Moving to Port Staff Office Contents to New Port Building was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the prequalifications requested from 44 office moving companies for the move. There were 16 firms responding to the proposal and a short list of five firms has been established. It was recommended that the Board dispense with formal bids for the moving service and request proposals from the five prequalified firms for a time and material service contract to accomplish the move. The estimated cost of the contract is \$95,000.00. The recommendation was approved on passage of Resolution No. 31257.

Approval of proposed agreement with Grigsby, Brandford & Co., Inc. and Dinkelspiel, Belmont & Co., Inc. for Financial Advisory Services Related to the Development of a Port Strategic Financial Plan and the Issuance of Port Debt was the subject of a memo to the Board from the Chief Financial Officer, recommending approval of an agreement with the firm to provide financial advisory services for the current financing estimated to be approximately \$176 million for a total fee of \$100,000.00 plus expenses. Also recommended was payment to the co-financial advisors of a total fee of \$36,213 plus expenses as compensation for their services in preparation of the strategic financial plan. The recommendation was approved on passage of Resolution No. 31254.

Western U.S.-Mexico Service Proceeding D.O.T. Docket No. 46180 was the subject of a letter to the Board from the Port Attorney, notifying the Board of the case wherein Oakland is a named point for passenger service on the new authorized Route A.2. The route has competing applications from Alaska Airlines and Resort Commuter for new Oakland - Acapulco/Guadalajara/Huatulco/LaPaz/Loreto/Manzanillo/Mexico City/San Jose del Cabo/

Zihuatenejo authority and it appears that new Oakland authority will be awarded in the case and it was recommended that the Board ratify the filing of the Petition for Leave to Intervene and authorizing the Port's further participation in the case. The recommendation was approved on passage of Resolution No. 31248.

The following reports were received and ordered filed:

Report of Port Attorney on Litigation Matters.

Status of Construction Contracts in Progress  
as of March 1989.

Status of Consultant Contracts in Progress  
as of March 1989.

Summary of Cash - Port Revenue and Construction Funds  
as of March 24, 1989.

Summary of Claims Paid from Various Funds  
for the Period March 15, 1989 through March 27, 1989.

The following resolutions were introduced and passed separately by the following vote:

Ayes:	Commissioners Brady, Hunter, Pineda, Sweeney, Ward Allen, Wasserman and President Higgins - 7
Noes:	None
Absent:	None

"RESOLUTION NO. 31235

ESTABLISHING CERTAIN FINANCIAL MANAGEMENT POLICIES FOR THE PORT OF OAKLAND."

"RESOLUTION NO. 31236

AUTHORIZING THE ISSUANCE OF PORT OF OAKLAND REVENUE BONDS 1989 SERIES A IN THE APPROXIMATE AMOUNT OF \$76,000,000 AND 1989 SERIES B IN THE APPROXIMATE AMOUNT OF \$85,000,000 AND CERTAIN OTHER ACTIONS."

"RESOLUTION NO. 31237

GRANTING SECURITY INTEREST IN GROSS REVENUES FROM EXISTING FACILITIES OF THE PORT OF OAKLAND TO HOLDERS OF PORT OF OAKLAND 1957 REVENUE BONDS."

"RESOLUTION NO. 31238

GRANTING SECURITY INTEREST IN ADDITIONAL SURPLUS REVENUES OF EXISTING FACILITIES OF THE PORT OF OAKLAND TO HOLDERS OF PORT OF OAKLAND 1966 AIRPORT DEVELOPMENT REVENUE BONDS, 1966 HARBOR DEVELOPMENT REVENUE BONDS, 1966 INDUSTRIAL PARK DEVELOPMENT REVENUE BONDS, 1977 SMALL CRAFT HARBOR REVENUE BONDS AND 1971 CERTIFICATES."

"RESOLUTION NO. 31239

AUTHORIZING AMENDMENT OF TRUST INDENTURE DATED AS OF JULY 1, 1987 UNDER WHICH \$8,600,000 OF THE PORT OF OAKLAND SUBORDINATED REVENUE OBLIGATIONS SERIES 1987 HAVE BEEN ISSUED."

"RESOLUTION NO. 31240

AUTHORIZING AMENDMENT OF TRUST INDENTURE DATED AS OF OCTOBER 30, 1984 UNDER WHICH \$85,000,000 OF THE PORT OF OAKLAND SUBORDINATED REVENUE ADJUSTABLE, CONVERTIBLE, EXTENDABLE SECURITIES SERIES 1984 HAVE BEEN ISSUED."

Port Ordinance No. \_\_\_\_ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 1606 REGARDING EXECUTION OF CONTRACTS IN EXCESS OF BID LIMIT," was read a second time and passed by the following vote:

Ayes: Commissioners Brady, Hunter, Pineda, Sweeney, Ward Allen, Wasserman and President Higgins - 7

Noes: None

Absent: None

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Brady, Hunter, Ward Allen, Wasserman and President Higgins - 5

Noes: None

Absent: Commissioners Pineda and Sweeney - 2

"RESOLUTION NO. 31241

AUTHORIZING EXECUTION OF AGREEMENT WITH HENRY C. LAI."

"RESOLUTION NO. 31242

AUTHORIZING EXECUTION OF AGREEMENT WITH VAN OMMEREN ROTTERDAM B.V."

"RESOLUTION NO. 31243

AUTHORIZING EXECUTION OF AGREEMENT WITH PETER K. P. HALL."

"RESOLUTION NO. 31244

AUTHORIZING EXECUTION OF AGREEMENT WITH PYUNG SUP CHUNG."

"RESOLUTION NO. 31245

ADJUSTING MONTHLY COMPENSATION OF DIRECTOR, FAR EAST."

"RESOLUTION NO. 31246

RATIFYING MEMORANDUM OF UNDERSTANDING WITH UNITED PUBLIC EMPLOYEES LOCAL 790, AFL-CIO FOR THE YOUTH AIDE UNIT."

"RESOLUTION NO. 31247

RATIFYING MEMORANDUM OF UNDERSTANDING WITH WESTERN COUNCIL OF ENGINEERS."

"RESOLUTION NO. 31248

RATIFYING THE FILING BY THE PORT ATTORNEY OF PETITION FOR LEAVE TO INTERVENE IN PROCEEDING BEFORE THE DEPARTMENT OF TRANSPORTATION IN THE WESTERN U.S.-MEXICO SERVICE PROCEEDING."

"RESOLUTION NO. 31249

GRANTING AMERICAN PRESIDENT LINES PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31250

AUTHORIZING EXECUTION OF FIRST AMENDMENT TO LEASE WITH THE UNITED STATES PROPOSAL SERVICE."

"RESOLUTION NO. 31251

AWARDING CONTRACT TO ADB ALNACO, FOR FURNISH AND DELIVER AVIATION LIGHTING EQUIPMENT, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA, INCLUDING ALTERNATES A AND B, A.I.P. 3-06-0170-09; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 31252

EXTENDING TIME FOR PERFORMANCE OF CONTRACT BY GALLAGHER AND BURK, INC., ACCEPTING WORK PERFORMED AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31253

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH KAISER ENGINEERS (CALIFORNIA) CORPORATION FOR ENGINEERING CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31254

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH DINKELSPIEL, BELMONT & CO., INC. AND GRIBSBY BRADFORD POWELL INC. FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31255

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO ENTER INTO A CONTRACT WITH AMERICA WEST AIRLINES, INC. TO UPGRADE ITS TICKET COUNTER IN AIR TERMINAL I, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT WITHOUT FORMAL COMPETITIVE BIDDING; AND AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE SAID CONTRACT."

"RESOLUTION NO. 31256

GRANTING PERMIT TO PACIFIC BELL TO FILL AND DREDGE ESTUARY IN PLACEMENT OF SUBMARINE CABLES."

"RESOLUTION NO. 31257

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO PERFORM CERTAIN WORK WITHOUT COMPETITIVE BIDDING AND AUTHORIZING THE PERFORMANCE THEREOF."

"RESOLUTION NO. 31258

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO PURCHASE CERTAIN EQUIPMENT WITHOUT COMPETITIVE BIDDING AND AUTHORIZING THE PROCUREMENT THEREOF."

"RESOLUTION NO. 31259

AUTHORIZING PURCHASE OF MOTOR VEHICLES BY DEPARTMENT OF GENERAL SERVICES OF THE STATE OF CALIFORNIA."

"RESOLUTION NO. 31260

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO PURCHASE CERTAIN TELEPHONE EQUIPMENT WITHOUT COMPETITIVE BIDDING AND AUTHORIZING THE PROCUREMENT THEREOF."

"RESOLUTION NO. 31261

AUTHORIZING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31262

RATIFYING CERTAIN APPOINTMENTS TO YOUTH AIDE POSITIONS."

"RESOLUTION NO. 31263

CONCERNING CERTAIN LEAVES OF ABSENCE."

"RESOLUTION NO. 31264

TERMINATING APPOINTMENT OF CHARLES RODRIGUEZ."

"RESOLUTION NO. 31265

TERMINATING APPOINTMENTS OF ROSALIE GERMAINE AND VALENTINE R. REYES."

"RESOLUTION NO. 31266

CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 31267

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH YANE NORDHAV DBA BASELINE ENVIRONMENTAL CONSULTING FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31268

FINDING AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE PORT TO PROCURE FIRE SAFETY FOAM WITHOUT COMPETITIVE BIDDING AND AUTHORIZING THE PROCUREMENT OF SAME ON THE OPEN MARKET FROM CHUBB NATIONAL FOAM, INC."

"RESOLUTION NO. 31269

FINDING AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE PORT TO AUTHORIZE A CONTRACT WITH PACIFIC BELL, INC. FOR TELECOMMUNICATIONS SERVICE WITHOUT COMPETITIVE BIDDING."

"RESOLUTION NO. 31270

EXTENDING TIME FOR PERFORMANCE OF CONTRACT BY O.C. JONES AND SONS, ACCEPTING WORK PERFORMED AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

Port Ordinance No. 2862 being, "AN ORDINANCE ADDING SECTION 10.8 OF PORT ORDINANCE NO. 1149 RELATING TO CHARGES FOR USE OF AIR CARGO FACILITIES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT", and Port Ordinance No. 2863 being, "AN ORDINANCE PROVIDING AND AUTHORIZING EXECUTION OF A LEASE WITH ENGINEERED MODULAR STRUCTURES, INC. AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. 2864 being, "AN ORDINANCE ADDING SECTION 5.0194 PORT ORDINANCE NO. 867 ESTABLISHING THE POSITION OF DIRECTOR OF PORT PLANNING", were read a second time and passed by the following vote:

Ayes: Commissioners Brady, Hunter, Ward Allen, Wasserman and President Higgins - 5

Noes: None

Absent: Commissioners Pineda and Sweeney - 2

Port Ordinance No. \_\_\_\_ being, "AN ORDINANCE AMENDING CERTAIN SECTIONS OF PORT ORDINANCE NO. 867 FIXING THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE PORT DEPARTMENT", and Port No. \_\_\_\_ being, "AN ORDINANCE REPEALING PORT ORDINANCE NO. 2729 ESTABLISHING AN INCENTIVE COMPENSATION PLAN FOR CERTAIN PORT MANAGEMENT STAFF OFFICERS AND EMPLOYEES", and Port Ordinance No. \_\_\_\_ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 ADOPTING NEW SALARY SCHEDULE NOS. 100 THROUGH 107, CREATING NEW POSITIONS OF YOUTH AIDES AND FIXING THE COMPENSATION OF EMPLOYEES IN THE PORT DEPARTMENT IN THE YOUTH AIDE AND PROFESSIONAL ENGINEERING UNITS", were read a first time and passed to print by the following vote:

Ayes: Commissioners Brady, Hunter, Ward Allen, Wasserman and President Higgins - 5

Noes: None

Absent: Commissioners Pineda and Sweeney - 2

At the hour of 5:30 p.m. the Board entered into closed session as previously announced by President Higgins and reconvened in open session at the hour of 5:45 p.m. at which time the meeting was adjourned to Tuesday, April 11, 1989 at the hour of 9:00 a.m.

\* \* \* \* \*

The meeting was reconvened on Tuesday, April 11, 1989, at the hour of 9:10 a.m. in Conference Room 337, 66 Jack London Square, Oakland, California, President Higgins presiding.

Commissioners present: Brady, Sweeney, Ward Allen, Wasserman and President Higgins - 5

Commissioners absent: Hunter and Pineda - 2

Also present were the Port Attorney; Chief Financial Officer; Deputy Port Attorney Patricia Heilborn, and Secretary of the Board.

Approval of and Authorization to Distribute Preliminary Official Statement and Official Statement for Port of Oakland.

California Revenue Bonds, 1989 Series A and 1989 Series B was the subject of a memo to the Board from the Chief Financial Officer, notifying the Board that the Board had previously authorized the issuance of Port of Oakland, California Revenue Bonds, 1989 Series A and 1989 Series B, subject to certain limitations. The accompanying draft Preliminary Official Statement has been circulated to the Board for review and it was recommended that the Board approve the Preliminary Official Statement and Official Statement in substantially final form and approve the distribution of such documents by the Underwriters. The recommendation was approved on passage of Resolution No. 31271.

The following resolution was introduced and passed separately by the following vote:

Ayes: Commissioners Brady, Sweeney, Ward Allen,  
Wasserman and President Higgins - 5

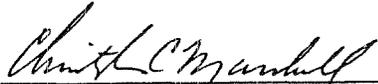
Noes: None

Absent: Commissioners Hunter and Pineda - 2

"RESOLUTION NO. 31271

AUTHORIZING THE PREPARATION, PUBLICATION, EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE ISSUANCE OF PORT OF OAKLAND, CALIFORNIA REVENUE BONDS, 1989 SERIES A AND 1989 SERIES B."

At the hour of 9:16 a.m. the meeting was adjourned on a motion duly made and seconded.

  
Secretary

REGULAR MINUTES OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting, formal portion, was held on Tuesday, April 18, 1989, at the hour of 3:50 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Higgins presiding, due written notice having been given to members of the Board. An informal portion was held during the period from 3:10 p.m. to 3:40 p.m. during which time the Board received a report on the State Assembly Bill 3180 which requires the presentation of monitoring plans with Final EIR certifications; and a report on the program for briefing certain California legislators on the Port's policies and programs.

Commissioners present: Brady, Hunter, Pineda, Sweeney, Ward Allen, Wasserman and President Higgins - 7

Commissioners absent: None

Also present were the Acting Chief Executive Officer and Executive Director, Transportation Services; Port Attorney; Chief Engineer; Assistant Chief Engineer; Directory of Properties; Senior Commercial Representative; Director of Aviation; Deputy Port Attorney, Patricia Heilborn; Directory of Public Affairs; and Secretary of the Board.

The minutes of the regular meeting of March 21, 1989, were approved as submitted and ordered filed.

At the hour of 3:51 p.m. the Board held a Public Hearing on the City of San Leandro's application to perform Maintenance Dredging in San Leandro Marina Entrance Channel. The channel is located in San Francisco Bay, east of Runway 29 at the Airport, within a 400-foot wide easement which was conveyed to the City of San Leandro by the Port in 1960. The City of San Leandro constructed and regularly maintains the Channel. The present work consists of maintenance dredging of approximately 250,000-300,000 cubic yards of silted material from the federal channel bottom, and at the City's request, about 20,000 cubic yards

BOARD OF PORT COMMISSIONERS

MEETING OF MAY 23 1989

APPROVED AS SLIGHTED AND ORDERED FILED

SECRETARY

*Walter C. Sweeney*

adjacent to the channel but outside of federal jurisdiction. The work will restore the area to a minus eight feet and is necessary for continued safe access to the San Leandro Marina. The dredged material will be deposited at the City of San Leandro's existing 112 acre upland disposal site east of Tony Lema Golf Course and south of the Estudillo Alameda Flood Control Canal. The estimated cost of proposed work is \$1,050,000.00. The project is categorically exempt and an environmental impact report is not required for this phase. There was no further testimony. The report was considered and the hearing was closed at the hour of 3:52 p.m. The application was approved on passage of Resolution No. 31292 subject to insurance provisions, all required permits and approvals, and a notice of construction to the FAA, Oakland Control Tower.

Commissioner Sweeney, Chair of the Transportation Committee, informed the Board that his committee had met earlier in the day and reviewed its current agenda.

President Higgins, informed the Board of the favorable bond rating which the Port had received and that the bonds were sold at an average interest rate of 7.58 percent. He noted that the performance of the staff and consultants in structuring the bond issue was to be complimented.

Plans and Specifications Construction of Asphalt Concrete Overlay, and Modification of Approach Lighting Structure, Runway 11-29 was the subject of a memo to the Board from the Chief Engineer, recommending their approval and authority to advertise for bids for the improvements to the main runway at the Airport. The work will consist of overlaying 4,000 feet of the runway with asphalt concrete, concrete repairs, modifying the electrical system, and widening the Approach Lighting Support Structure. It was noted that the work will be in several phases to minimize disruption of the operation of the airport. The BODC and Army Corps of Engineers permits for the project have been applied for, and it is anticipated that they will be received prior to commencement of work. A negative Declaration was prepared and previously certified by the Board. The recommendation was approved on passage of Resolution No. 31277.

Approval of Change Order for Extra Distance Remaining Signs on Runway and Taxiway Signs, Striping and Lighting Modifications was the subject of a memo to the Board from the Chief Engineer, recommending approval to issue a change order to the Vellutini Corporation dba Royal Electric Company in the amount of \$39,866.00 for the installation of nine distance remaining signs on Runway 11-29 as requested by the FAA. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

Building and Tank Permit Federal Aviation Administration was the subject of a memo to the Board from the Chief Engineer, recommending approval for the construction of two reinforced concrete pads and for the installation of two above-ground 1000-gallon fuel tanks. One tank would be located on the northeast corner of the existing Airport Surveillance Radar site along the dike road near Runway 29 at the South Airport and the other tank would be situated on the northwest side of the TRACON building at the North Airport. The tanks will replace existing underground storage tanks. The estimated cost of the proposed work is \$36,000.00. The project is categorically exempt and an environmental document is not required. The recommendation was approved on passage of Resolution No. 31278.

Architectural Design Services for Modifications to the International Arrivals Building and Terminal I was the subject of a memo to the Board from the Chief Engineer, notifying the Board that Mr. H. K. Gilford, A.I.A., was hired under a purchase order contract for \$15,000.00 to design the security checkpoint center, a weather canopy, and also an oversized baggage claim roll-up door to be constructed for the baggage claim area in Terminal I. Due to the different time constraints for each project, it was necessary to handle each item separately which required the consultant to perform additional work. It was recommended the Board approve an agreement with H. K. Gilford, A.I.A. reflecting the change in fees and replace the purchase order for the design of modifications and improvements to the International Arrivals Building and Terminal I.

The consultant will be paid on the basis of direct salaries, direct cost of subconsultant services, and a fixed fee of \$3,000.00. The maximum payment that can be made under the proposed agreement is \$23,100.00, including payments made for work already completed under the original purchase order, with certain additional work available at the discretion of the Executive Director. The recommendation was approved on passage of Resolution No. 31272.

Building Permit Application Construction of Interior Offices National Airmotive Corporation was the subject of a memo to the Board from the Chief Engineer, recommending approval for the construction of mezzanine level offices inside their existing facility located at 7200 Lockheed Way, North Airport. The proposed work would consist of constructing partition walls to create 4,000 square feet of offices on the mezzanine, making minor remodeling work on the first floor offices, constructing an exit staircase outside the building to the mezzanine level offices and installing associated mechanical and air conditioning units and electrical wiring. The estimated cost of the work is \$150,000. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31279.

Consulting Agreement with Brown-Buntin Associates to furnish certain Acoustical Consultation Services was the subject of a memo to the Board from the Director of Aviation recommending approval to enter into an agreement with the firm to furnish acoustical consultation services of which certain noise reporting and validation is required by the State of California under Title 21 of the California Administrative Code. The firm will provide the consulting services at a maximum payment of \$50,000.00 with certain additional work available at the discretion of the Executive Director. The recommendation was approved on passage of Resolution No. 31273.

April 18, 1989

Authorization for the Operations and Maintenance of the Aviation Fuel Storage, Servicing System and Equipment was the subject of a memo to the Board from the Director of Aviation, recommending approval to renew the contract with Fueling Maintenance Company for the operation and maintenance of the Airport aviation fuel tank farm and hydrant system. It is anticipated that the airlines serving Oakland Airport will take over the operations and maintenance of these fuel facilities and equipment, as a means to reduce airline fueling costs at Oakland. The Fueling Maintenance Company has been informed about the airlines' proposal, and they have indicated they are agreeable to continue to provide services after May 1 until decisions are made with respect to the airlines' proposal and future service arrangements. The new contract will be on a month to month basis at an approximate cost of \$32,000.00 a month. The recommendation was approved on passage of Resolution No. 31280.

Boat and Breakfast was the subject of a memo to the Board from the Director of Properties, notifying the Board that a marina tenant, Mariner Yacht Charters, Inc., has proposed the operation of a "Boat and Breakfast" in the Jack London Marina. The operator proposes to berth from five up to ten boats in the recreational marina and rent these boats to people who would like to overnight on the boat. The Mariner Yacht Charters, Inc. would provide breakfast or a voucher to a local restaurant as part of the package. If the boat renter would like to charter the boat as well, the operator will make arrangements for the charter. It was recommended the Board approve in principal the preparation of a License and Concession Agreement. The rent would be Berth rent fees of \$750.00 a month plus 4 percent of gross receipts. Approval would be based on securing all applicable business and charter operator licenses, Coast Guard approvals, permits, and BCDC approval prior to commencing operations and appropriate insurance. The recommendation was approved on a motion by Commissioner Ward Allen, seconded and passed unanimously.

April 18, 1989

Tidewater Lease Option Extension was the subject of a memo to the Board from the Director of Properties, notifying the Board that in November of 1986, the Board approved a lease option and lease with Tidewater Properties, a joint venture of Guilltone Properties, Ltd., a California Limited Partnership and Oakland Business Development Corporation, a California non-profit public benefit corporation. The option and lease was for the development of approximately 90,000 square feet of incubator warehouse facilities on 5.6 acres of vacant land on Tidewater Avenue and Lesser Street under a 55 year lease. The option was extended on many occasions to accommodate the attempts of the developers to secure financing and to develop the Revolving Loan Trust Fund. Tidewater Properties has requested two additional months to the term of the lease option agreement to finalize the documentation, close escrow and record the construction loan. Civic Bank has provided a conditional commitment to provide \$4,934,000.00 in construction funds if the developer can secure a loan guarantee on a portion of the funds from Clorox Corporation. The total project cost is \$5,683,000.00 with the difference between the loan and cost to be developer equity. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

William J. Cryer and Sons Assignment of Lease was the subject of a memo to the Board from the Director of Properties, notifying the Board that William J. Cryer and Sons, a California Corporation owns a boat repair facility at the corner of Dennison Street and Embarcadero. As part of the operation, the corporation leases approximately 78,000 square feet of adjacent land and water area from the Port. The Corporation has reached agreement to sell its facility to Frank Cheng and Steve Cowley who operate a similar business at Hunter's Point in San Francisco. As part of the sale, the Cryer's would assign its leasehold to the new firm. The lease with Cryer and Sons grants the Port a First Right of Refusal to purchase the Cryer fee-owned parcel as well as a right to acquire the property upon termination of the lease. As there is no impending need for the property at this time it was recommended that the Port not exercise its right to

purchase and assign the lease to Frank Cheng and Steve Cowley. The Cryer Corporation will not be released from any liability or obligation under the terms of the lease and the Port will retain its acquisition rights. The recommendation was approved on passage of Resolution No. 31293.

Authorization to Sign Disclaimer and Agreement with the City of Oakland for Encroachment Permit for Special Design Sidewalk and Crosswalks was the subject of a memo to the Board from the Chief Engineer, recommending approval to sign the Disclaimer and Agreement for the Encroachment Permit for Special Design Sidewalk and Crosswalks for City owned property associated with the special paving blocks used in the public areas on Embarcadero between Broadway and the West side of Washington Street and in other areas in the Jack London Square approaches. The agreement provides that the Port disclaims any right, title or interest in the affected portions of the sidewalk and street, and holds the City harmless from any claim arising out of the existence of the encroachment. The recommendation was approved on passage of Resolution No. 31281.

Hilken, Peterson, Carmichael - Consent to Sublease and Potential Assignment was the subject of a memo to the Board from the Director of Properties, notifying the Board that the individuals have a 50-year ground lease with the Port for 2.892 acres at the northwest corner of Hegenberger Road and Leet Drive in the Oakland Airport Business Park. The lease expires in 2014 and the current rental is \$643.47 per month. The site is currently subleased to Pacific Telephone through January 15, 1990. The lessees have submitted for Port approval a new sublease for the balance of the term to Rollins Leasing Corporation. The sublease includes a purchase option of the leasehold interest to be exercised during the initial three years of the sublease term. It was recommended that the Board approve the new sublease and a potential assignment of the leasehold interest. The recommendation was approved on passage of Resolution No. 31294.

Jack London Village Sublease was the subject of a memo to the Board from the Director of Properties, recommending approval for JoAna Bloyer doing business as Butterflies and Critters to renew her agreement to operate a retail gift shop in the Village. The recommendation was approved on passage of Resolution No. 31283.

Hassett and Davis Carnival Time Shows was the subject of a memo to the Board from the Director of Properties, recommending approval for Hassett and Davis, the production team for Carnival Time Shows, to reserve the Port's 22 acre site in the Business Park fronting on Oakport Street between Hassler Way and 66th Avenue for the operation of a Carnival from June 3 to June 11, 1989. It was noted that the fair for the previous two years was sponsored by the Oakland Community Organizations and they have decided not to put on a fair this year. The rent would be \$15,000 with a \$5,000.00 performance deposit against 15 percent of the gross receipts. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

Award of Contract for Lighting Modification of Ninth Avenue Terminal Transit Shed, Building H-309 was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the six bids received and recommending award of the contract to Precision Electrical Design-Build, Inc. a low bidder of \$48,268.00. The recommendation was approved on passage of Resolution No. 31282.

Amendment to terminal use agreement with Hapag Lloyd, Compagnie Generale Maritime and Incotrans was the subject of a memo to the Board from the Acting Executive Director, Executive Director of Transportation Services notifying the Board that Hapag-Lloyd Euro Pacific, Compagnie Generale Maritime and Incotrans have a five year term Terminal use Agreement with the Port that expires December 31, 1989, calling at the Charles P. Howard Terminal. The three shipping lines operate a joint European service under a Federal Maritime Commission approved Space Charter and Sailing Agreement. Effective October 31, 1989, Sea-Land Service, Trans Freight Lines and Nedlloyd Lines were added to the all water service between the West Coast and North Europe agreement with the

three other shipping lines. Neither Sea-Land, TFL nor Nedlloyd provide vessels in this service but instead slot-charter container space on the other lines' vessels. It was recommended that the agreement be amended to allow the application of the Terminal Use Agreements present terms and conditions to apply to Sea-Land and TFL. It was noted that the latter lines have provided mini-bridge service between Europe and California, and the new arrangement represents new business to the Port of Oakland. The recommendation was approved on passage of Resolution No. 31284.

Ratification of Actions Relating to Port of Oakland, California Revenue Bonds 1989 Series A and 1989 Series B and Reaffirming Authority to Take Certain Actions in Connection Therewith was the subject of a memo to the Board from the Chief Financial Officer, notifying the Board of the Board's previous action approving the issuance of the Bonds and approving a preliminary official statement and authorizing the preparation of a final official statement. It was recommended that the Board adopt a Resolution ratifying certain actions relating to the Bonds and reaffirming the authority of certain officers, agents and employees to act in connection with the issuance of the Bonds. The recommendation was approved on passage of Resolution No. 31289.

Authorization to Publish Notice of Public Hearing Pursuant to the Requirements of the Tax Equity and Fiscal Responsibility Act of 1982 with Respect to the Issuance of Port of Oakland, California Revenue Bonds 1989 Series A and 1989 Series B was the subject of a memo to the Board from the Chief Financial Officer, notifying the Board that the Tax Equity and Fiscal Responsibility Act of 1982 requires the publication of a notice and a public hearing at least fourteen (14) days prior to the time private activity bonds are issued. As the issuance of the refunding bonds are covered by the Act, it was recommended that the Board adopt a Resolution authorizing the publication of a notice of public hearing and subsequent hearing to be held on May 5, 1989. The recommendation was approved on passage of Resolution No. 31290.

Approval of the Issuance of Port of Oakland Revenue Bonds 1989 Series C in an Amount not to Exceed \$26,000,000 and Certain Other Actions was the subject of a memo to the Board from the Chief Financial Officer, notifying the Board of the issuance of the Port of Oakland, California Revenue Bonds 1989 Series A and 1989 Series B and that due to certain federal tax restrictions, Bond Counsel to the Port advised that the issuance of the third series of such bonds, Port of Oakland, California Revenue Bond 1989 Series C should be separated in time from the 1989 Series A and Series B Revenue Bonds by two weeks. It was recommended that the Board adopt a resolution authorizing the issuance of Port of Oakland 1989 Series C in an amount not to exceed \$26,000,000 and related actions to accomplish the sale. The recommendation was approved on passage of Resolution No. 31291.

Personnel Items contained in a memo to the Board from the Director of Administration recommended the appointment of Carlos Palza, as Principal Electrical/Mechanical Technician effective April 19, 1989 at \$3,323.00 per month; Lawrence C. P. Wang, Building Maintenance Engineer, effective April 19, 1989 at \$3,013.00 per month; Gloria Ramirez, Senior Typist Clerk, effective April 19, 1989 at \$1882.00 per month. Also recommended was the salary schedule adjustment for the exempt position of Airport Operations Manager and the creation of one additional position of Legal Secretary I, in the Legal Department and the creation of one additional position of Contract Compliance Officer in the Equal Opportunity Department. Further recommended was the amendment of appointment for Ms. Louise Engel, Associate Port Strategic Planner to reflect a new start date of May 1, 1989 and the approval of the promotional examination announcement for the position of Senior Electrical/Mechanical Technician and the examination announcement for the position of Electrical/Mechanical Technician. Additionally, recommended was approval of a military leave of absence for Sharon L. Hunter, Principal Clerk, for ten working days and a military leave of absence for Henry F. Melendres, Port Personnel Analyst, for two working days; a medical leave of absence for Sandra S. Bartley, Youth Aide, Class "B", for fifteen working days; a

medical leave of absence for Jimmy R. McDade, Janitor, for twenty-one working days and a medical leave of absence for Marvestus Whitfield, Commercial Aircraft Fueler, for sixteen working days. The recommendation was approved on passage of Resolution No. 31285 for appointments, Resolution No. 31286 amending appointments, Resolution No. 31287 for examination announcements, and Resolution No. 31288 for leaves of absence and on an ordinance passed to print for salary adjustment and creation of positions.

Travel Authorizations contained in a memo to the Board from the Director of Administration, recommended the travel of Director of Properties to Chicago, Illinois, on or about April 12, 1989 to attend a seminar program on "Managing a Development Company"; travel of Chief Financial Officer to New York, New York, on or about April 17, 1989 to attend a meeting regarding pricing of the 1989 Series A and Series B Bonds; travel of Robert Cathey, Wharfinger, to Baltimore, Maryland, on or about April 18, 1989 to attend the American Association of Port Authorities-Port Operations Seminar, and the continued travel to New York, New York, to meet with officials from various steamship terminals; travel of General Manager, Marine Terminals, to Seattle, Washington, on or about April 19, 1989, to attend an Executive meeting of the Western States Coalition and the continued travel to Vancouver, B.C., to meet with officials of OMB Lines; travel of Commissioner Higgins and Director of Public Affairs, to Vancouver, B.C., on or about April 20, 1989, to attend a planning conference for the Pan Pacific Seminar to be held in 1990; travel of Assistant Port Attorney II, to Washington, D.C., on or about April 24, 1989 to attend the United States-Mexico All-Cargo Service Proceeding Hearing; and the travel of Equal Opportunity Officer to Chicago, Illinois on or about April 26, 1989 to attend the "Title VII at Twenty-five," A Commemorative event. The recommendation was approved on passage of Resolution No. 31276.

Approval to Purchase Herman Miller Work Stations and Furniture for Port Office Space in New Port Building, Jack London Square was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the Board's previous

action of approving the pricing agreement with Herman Miller, Inc. and the award of the work station installation contract to Officeworks. It was recommended that the Board approve the purchase of work station components and other furniture items in the amount of \$1,035,000.00, and authorize the Executive Director to execute the purchase order with Design Performance and Herman Miller, Inc. The recommendation also included authority to approve changes in the order up to a total increase not to exceed \$50,000.00. The recommendation was approved on passage of Resolution No. 31295.

The following reports were received and ordered filed:

Summary of Cash - Port Revenue and Construction Funds as of April 7, 1989.

Summary of Cash and Accounts Receivable Port Revenue Fund 770 for the Month of March 1989.

Accounts Receivable in Arrears as of March 31, 1989.

Delinquent Accounts Referred to Legal - Reported as of March 31, 1989.

Summary of Claims Paid from Various Funds for the Period March 28, 1989 through April 10, 1989.

The following resolutions were introduced and passed separately by the following vote:

Ayes:	Commissioner Brady, Hunter, Pineda, Sweeney, Ward Allen, Wasserman and President Higgins - 7
Noes:	None
Absent:	None

"RESOLUTION NO. 31272

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH H. K. GILFORD, A.I.A., AN INDIVIDUAL, FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES: AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31273

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH BROWN-BUNTIN ASSOCIATES, INC., FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES: AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31274

GRANTING SOUTHWEST AIRLINES PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31275

GRANTING UNITED AIRLINES, INC. PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31276

CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 31277

APPROVING PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF ASPHALT CONCRETE OVERLAY AND MODIFICATION OF APPROACH LIGHTING STRUCTURE, RUNWAY 11-29, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31278

GRANTING FEDERAL AVIATION ADMINISTRATION PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31279

GRANTING NATIONAL AIRMOTIVE CORPORATION PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31280

FINDING AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE PORT TO PROVIDE FOR OPERATION AND MAINTENANCE OF AVIATION FUEL STORAGE FACILITY, HYDRANT FUELING SYSTEM, AND SERVICE AND MAINTENANCE OF AVIATION REFUELERS AND SERVICERS, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA, WITHOUT COMPETITIVE BIDDING AND AUTHORIZING PROCUREMENT THEREOF."

"RESOLUTION NO. 31281

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A DISCLAIMER AGREEMENT WITH THE CITY OF OAKLAND."

"RESOLUTION NO. 31282

AWARDING CONTRACT TO PRECISION ELECTRICAL DESIGN-BUILD, INC., FOR LIGHTING MODIFICATION OF NINTH AVENUE TERMINAL TRANSIT SHED, BUILDING H-309, INNER HARBOR, OAKLAND, CALIFORNIA: FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH: REJECTING ALL OTHER BIDS: AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 31283

CONSENTING TO SUBLEASE BY OAKLAND VILLAGE CORPORATION TO JOANA BLOYER."

April 18, 1989

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"RESOLUTION NO. 31284

AUTHORIZING EXECUTION OF SECOND SUPPLEMENTAL AGREEMENT WITH  
EURO-PACIFIC SERVICE AND PACIFIC EUROPE EXPRESS."

"RESOLUTION NO. 31285

AUTHORIZING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31286

AMENDING RESOLUTION NO. 31261 CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31287

APPROVING EXAMINATION ANNOUNCEMENTS FOR THE POSITIONS EACH OF SENIOR  
ELECTRICAL/MECHANICAL TECHNICIAN AND ELECTRICAL/MECHANICAL TECHNICIAN."

"RESOLUTION NO. 31288

CONCERNING CERTAIN LEAVES OF ABSENCE."

"RESOLUTION NO. 31289

RATIFYING, CONFIRMING AND APPROVING ALL RESOLUTIONS AND AGREEMENTS  
RELATING TO THE PORT OF OAKLAND, CALIFORNIA REVENUE BONDS 1989 SERIES A  
AND 1989 SERIES B: AND REAFFIRMING THE AUTHORITY OF CERTAIN OFFICERS,  
AGENTS AND EMPLOYEES OF THE BOARD IN CONNECTION THEREWITH."

"RESOLUTION NO. 31290

AUTHORIZING THE PUBLICATION OF NOTICE OF A PUBLIC HEARING PURSUANT TO  
THE REQUIREMENTS OF THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF  
1982 (TEFRA) REGARDING THE ISSUANCE OF THE PORT OF OAKLAND, CALIFORNIA  
REVENUE BONDS, 1989 SERIES A AND 1989 SERIES B."

"RESOLUTION NO. 31291

AUTHORIZING THE ISSUANCE OF PORT OF OAKLAND REVENUE BONDS 1989 SERIES C  
IN AN AMOUNT NOT TO EXCEED \$26,000,000 AND CERTAIN OTHER ACTIONS."

"RESOLUTION NO. 31292

GRANTING PERMIT TO CITY OF SAN LEANDRO TO PERFORM MAINTENANCE DREDGING  
AT THE SAN LEANDRO MARINA ENTRANCE CHANNEL, METROPOLITAN OAKLAND  
INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA."

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"RESOLUTION NO. 31293

CONSENTING TO ASSIGNMENT OF LEASE FROM WILLIAM J. CRYER AND SONS, INC. TO FRANK CHENG AND STEVE COWLEY AND WAIVING RIGHT OF FIRST REFUSAL TO PURCHASE ADJACENT PROPERTY."

"RESOLUTION NO. 31294

CONSENTING TO SUBLEASE OF PREMISES LEASED BY HILKEN, PETERSON AND CARMICHAEL TO ROLLINS LEASING CORPORATION AND POTENTIAL ASSIGNMENT OF LEASEHOLD INTEREST TO ROLLINS LEASING CORPORATION UNDER PURCHASE OPTION PROVISION OF SUBLEASE."

"RESOLUTION NO. 31295

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO PURCHASE OFFICE WORK STATION COMPONENTS AND CERTAIN NEW FURNITURE FOR THE NEW OFFICE BUILDING WITHOUT COMPETITIVE BIDDING: APPROVING THE SELECTION OF HERMAN MILLER, INC., AS THE SUPPLIER OF SAME: AND AUTHORIZING THE PROCUREMENT OF SAME ON THE OPEN MARKET THROUGH DESIGN PERFORMANCE."

Port Ordinance No. 2865 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 ADOPTING NEW SALARY SCHEDULE NOS. 100 THROUGH 107, CREATING NEW POSITIONS OF YOUTH AIDES AND FIXING THE COMPENSATION OF EMPLOYEES IN THE PORT DEPARTMENT IN THE YOUTH AIDE AND PROFESSIONAL ENGINEERING UNITS," and Port Ordinance No. 2866 being, "AN ORDINANCE REPEALING PORT ORDINANCE NO. 2729 ESTABLISHING AN INCENTIVE COMPENSATION PLAN FOR CERTAIN PORT MANAGEMENT STAFF OFFICERS AND EMPLOYEES." and Port Ordinance No. 2867 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 1606 REGARDING EXECUTION OF CONTRACTS IN EXCESS OF BID LIMIT," and Port Ordinance No. 2868 being, "AN ORDINANCE AMENDING CERTAIN SECTIONS OF PORT ORDINANCE NO. 867 FIXING THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE PORT DEPARTMENT," were read a second time and passed by the following vote:

Ayes:	Commissioners Brady, Hunter, Pineda, Sweeney, Ward Allen, Wasserman and President Higgins - 7
Noes:	None
Absent:	None

April 18, 1989

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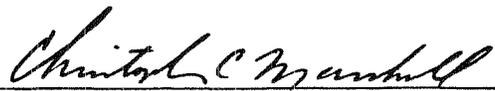
Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING SECTION 3 OF PORT ORDINANCE NO. 2255 RELATING TO GROUP LIFE INSURANCE FOR EMPLOYEES OF THE PORT OF OAKLAND," and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING SUBSECTION N TO SECTION 8.02 OF PORT ORDINANCE NO. 2199 ESTABLISHING PERSONNEL RULES AND PROCEDURES OF THE PORT OF OAKLAND RELATING TO THE EMPLOYEE SICK LEAVE INCENTIVE PLAN," and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING SECTION 1.304 of port ordinance no 867 RELATING TO THE EXTRAORDINARY SERVICE PAY PROGRAM FOR THE PROFESSIONAL ENGINEERING UNIT," and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING SECTIONS 8.02 AND 8.07 OF PORT ORDINANCE NO. 2199 ESTABLISHING PERSONNEL RULES AND PROCEDURES OF THE PORT OF OAKLAND RELATING TO ACCRUAL OF SICK LEAVE AND PARENTAL LEAVE, and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 ADOPTING NEW SALARY SCHEDULE NO. 98.1 AND REVISING THE SALARY FOR THE POSITION OF AIRPORT OPERATIONS MANAGER." and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING SECTIONS 6.04 AND 5.161 OF PORT ORDINANCE NO. 867 CREATING ONE ADDITIONAL POSITION OF LEGAL SECRETARY I AND ONE ADDITIONAL POSITION OF CONTRACT COMPLIANCE OFFICER," were read a first time and passed to print by the following vote:

Ayes: Commissioners Brady, Hunter, Pineda, Sweeney, Ward Allen, Wasserman and President Higgins - 7

Noes: None

Absent: None

At the hour of 4:25 p.m. the meeting was adjourned on a motion duly made and seconded.

  
Secretary

REGULAR MINUTES OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting, formal portion, was held on Tuesday, May 2, 1989, at the hour of 4:05 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Higgins presiding, due written notice having been given to members of the Board. An informal portion was held during the period from 3:15 p.m. to 3:55 p.m. during which time the Board reviewed the Management Letter from Deloitte Haskins and Sells, the Port's auditor.

Commissioners present: Pineda, Sweeney, Wasserman and President

Higgins - 4

Commissioners absent: Brady, Hunter and Ward Allen

Also present were the Acting Chief Executive Director and Executive Director, Transportation Services; Assistant Port Attorneys John Nolan and Tom Clark; Chief Engineer; Assistant Chief Engineer; Chief Financial Officer; Director of Properties; Senior Commercial Representative; Special Assistant to the Executive Director, George Watson; Director of Administration; General Manager, Marine Terminals; Director of Public Affairs; and Secretary of the Board.

The minutes of the regular meeting of April 4, 1989, were approved as submitted and ordered filed.

Mrs. Christine Galaviz, Senior Account Clerk received her 20 year service award.

President Higgins informed the Board that he would not call for a closed session at the conclusion of the open session.

Commissioner Wasserman, Chair of the Development Committee informed the Board that his committee had met earlier in the day and reviewed their current agenda.

President Higgins informed the Board that the resource panel had identified 27 applicants for further review for the position of Chief Executive Officer of the Port of Oakland.

BOARD OF PORT COMMISSIONERS

MEETING OF JUN - 6 1989

APPROVED AS SUBMITTED AND ORDERED FILED

SECRETARY

*Charles C. Brandt*

Airport Parking Lot Fee Adjustment Marketing Test was the subject of a memo to the Board from the Director of Aviation, notifying the Board of the competitive nature of private business parking lots operating near the entrances of the Airport and offering lower rates and more personalized services. To recapture this business it was recommended that the Board establish an Airport Parking Lot Marketing Test Program with a special Airport parking fee of \$3.50 a day for use in the marketing test program. The program will set aside a specific section of the Airport's long-term parking lot which would be available to the public at the competitive price of \$3.50 a day. This special lower priced section would be sized initially at 300-500 cars with expansion for additional cars provided the results warrant expansion. The recommendation was approved on an ordinance passed to print.

Adjustment in Air Cargo Aircraft Parking Fees was the subject of a memo to the Board from the Director of Aviation, recommending approval to establish rates for apron parking and use fee for categories of aircraft engaged in air cargo operations of 100 feet or less wing span or length whichever is the greater dimension and to exclude all air cargo aircraft from the three hour apron use fee grace period. The recommendation was approved on an ordinance passed to print.

Bay Area Parking Company Airport Parking Lot Management Budget was the subject of a memo to the Board from the Director of Aviation, recommending approval of Bay Area Parking Company's operating expense budget in the amount of \$1,178,931.00 for the current year ending January 31, 1990. Their agreement provides for Port approval of the operating expense budget. The new budget is approximately \$194,000.00 over last year's budget of \$985,063 which includes increase payroll expenses and the increased "City" parking stall fee which has increased by \$128,700.00. The recommendation was approved on passage of Resolution No. 31320.

Plans and Specifications For Repainting of Hangar Doors and Associated Work, Building M-110, South Airport was the subject of a memo to the Board from the Chief Engineer, recommending their approval and authority to advertise for bids for repairing the hangar doors, painting the lower portion of the hangar doors, painting the catwalks and sections of the trusses above them on the north and south sides of the building, and repairing damaged neoprene skirting. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31296.

Award of Contract Furnish and Install Carpet in Building L-142, North Airport was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the four bids received and recommending award of the contract to Bernardi and Emmons, Inc. at \$9,500.00 for their alternate bid meeting the material and quality specifications. The recommendation was approved on passage of Resolution No. 31297.

Plans and Specifications for Extension of 400 HZ, Ground Power System, Terminal I, Gates 10, 11, 12, 14, 15 and 17 South Airport was the subject of a memo to the Board from the Chief Engineer, recommending their approval and authority to advertise for bids for extending the 400 HZ ground power for aircraft to the new second level gates under construction at Terminal I. The environmental document associated with the project was previously certified by the Board. The recommendation was approved on passage of Resolution No. 31298.

Award of Contract for Replacement and Repair of Air Conditioning Units at George P. Miller Aviation Center Building M-110, South Airport was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the two bids received and recommending award of the contract to N. V. Heathorn, Inc., the low bidder at \$52,808.00. The recommendation was approved on passage of Resolution No. 31299.

Contract Completion M-110 Parking Lot Slurry Seal and Striping, South Airport was the subject of a memo to the Board from the Chief Engineer, recommending that the contract with American Asphalt Repair and Resurfacing Company be extended 75 calendar days and be accepted as complete as of March 22, 1989 with a contract price of \$33,632.00. The recommendation was approved on passage of Resolution No. 31300.

Approval of Change Order for Equipment and Software Modifications for Security Control Center "Installation of Security System, Jack London Square" was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the contract with Transpac Fiber Optics and Telecommunications for the installation of a security system for Jack London Square. The new office building includes the installation of 10 video cameras at strategic locations inside the building. It was recommended that the Board approve the issuance of a change order in the sum of \$17,286.00 with a related time extension of 42 calendar days. The change order will also provide for the installation of basic hardware and modify the software to provide for the full 128 camera capacity of the control system. The cameras will be connected to and monitored in the control center being constructed under the security contract. The recommendation was approved on passage of Resolution No. 31310.

Oro Spanish Broadcasting - Consent to Encumbrance of Leasehold was the subject of a memo to the Board from the Director of Properties, notifying the Board that the firm occupies 12.75 acres of water and land on the north side of the Bay Bridge toll plaza used as a radio transmitter site. Oro Spanish Broadcasting has requested a Landlord's Consent and Estoppel Certificate as part of the lessee's refinancing transaction with Security Pacific National Bank. It was recommended that the request be approved. The recommendation was approved on passage of Resolution No. 31311.

Approval of Change Order for Pile Modifications for "Construction of Berth 26 Wharf, Outer Harbor" was the subject of a memo to the Board from the

Chief Engineer, recommending approval to issue a change order to J. H. Pomeroy and Company in the amount of \$78,974.00 with a 14 day time extension to provide for the driving of additional indicator piles, and for longer piledriving time on certain production piles. The recommendation was approved on passage of Resolution No. 31312.

Star Shipping Agreement Supplement was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director of Transportation Services, notifying the Board of the Terminal Use Agreement with Star that expires May 31, 1989. Star Operates in the trade route between the U. S. West Coast and North Europe specializing in the carriage of container and breakbulk cargo, calling at the Seventh Street Public Container Terminal operated by Marine Terminals Corporation. The Port is currently in discussion with Star on a new agreement and it was recommended that the present agreement be extended until June 30, 1989. The recommendation was approved on passage of Resolution No. 31304.

Ratification of Actions Relating to Port of Oakland, California Revenue Bonds 1989 Series C and Reaffirming Authority to Take Certain Actions in Connection Therewith was the subject of a memo to the Board from the Chief Financial Officer, notifying the Board that the Board approved the issuance of the Port of Oakland, California Revenue Bonds 1989 Series C and certain actions in connection with the issue. It was recommended that the Board now ratify certain actions relating to the Bonds and reaffirming the authority of certain officers, agents and employees to act in connection with the issuance of the Bonds. The recommendation was approved on passage of Resolution No. 31314.

Approval of a Credit Agreement and Note with Swiss Bank Corporation, New York Branch and Bond Investors Guaranty Insurance Company in connection with Port of Oakland, California Revenue Bonds 1989 Series B was the subject of a memo to the Board from the Chief Financial Officer, recommending approval of the execution of the credit agreement and note with Swiss Bank Corporation acting

through its New York Branch, associated with the issuance of the Series B Bonds, scheduled for May 10, 1989. Swiss Bank is the insurer of the Series B Bonds and the Port's 1989 Series A Bonds and the note which would evidence any future obligation to repay should there ever be a draw on the Swiss Bank line of credit by the Port. The recommendation was approved on passage of Resolution No. 31315.

Amendments to the Deferred Compensation Plan of the Port of Oakland and Deferred Compensation Plan Agreement with Great Western Bank; Ratification of Termination of a certain investment option under said Plan, and Provision for liquidity to transfer account balances from such investment was the subject of a memo to the Board from the Chief Financial Officer, notifying the Board of the Deferred Compensation Plan of the Port of Oakland which has been administered principally by Great Western Bank. An investment option of the Plan has been administered by Centrecorp, the Fixed Trust Deed Notes Fund. It is desirable to terminate the Trust Deed Fund investment option and certain steps have been undertaken to achieve this result. It was recommended the Board adopt a Resolution authorizing the amendments to the Deferred Compensation Plan of the Port of Oakland and to the Agreement with Great Western ratifying the actions taken with respect to the transfer to Great Western of account balances from the investment option administered by Centrecorp, and providing the liquidity for the non-liquid assets in such investment option. Participant account balances in the Trust Deed Fund will be transferred to Great Western and participants in the Plan with this investment will be asked to select among the Great Western investment options. Due to the non-liquid nature of some of the assets in the Trust Deed Fund, when the account balances are transferred to Great Western the Port will provide the liquidity necessary for the transfer to occur. The ultimate value realized by the Port on the trust deed notes may not equal to the cash assets provided for the liquidity. The recommendation was approved on passage of Resolution No. 31317.

Personnel Items was the subject of a memo to the Board from the Director of Administration, recommending the appointment of Joan M. Kuhn as Contract Compliance Officer effective May 3, 1989 at \$2,504.00 per month; Betsy P. Kwok as Senior Account Clerk effective May 15, 1989 at \$2,130 per month; Pamela L. Larsen as Youth Aide Class "B-1" effective May 3, 1989 at \$10.31 per hour; Danilo M. Megia, Cleveland McDougald and Kenyetta P. Smith as Relief Airport Custodian effective May 3, 1989 at \$8.27 per hour. Also recommended was the Amendment of Appointment date for Lawrence C. P. Wang to the position of Building Maintenance Engineer to reflect his start date at April 25, 1989. Further recommended was a military leave of absence for Isamu Tsujimoto for one working day and an extension of medical leave of absence for Sandra S. Bartley, Youth Aide, Class "L" for 10 additional working days. The recommendations were approved on passage Resolution No. 31305 for appointments, Resolution No. 31306 for amending appointments, Resolution No. 31307 for military leave of absence, and Resolution No. 31308 for extension of leave.

Travel Authorization was the subject of a memo to the Board from the Director of Administration, recommending the travel of Supervising Transportation Planner, Clifford King, to Seattle, Washington on or about the period of April 29 through May 1, 1989 to meet with the TRA Master Plan project team; Commissioner Carole Ward Allen and the Director of Aviation to Washington, D.C., on or about May 2, 1989 to attend the Airport Operators' Council International Annual Commissioners/Congressional Conference; travel of Airport Operations Supervisor, Robert Winn, to Seattle, Washington, on or about the period of May 8 through May 13, 1989 to attend the International Association of Airline Security Officers Conference; travel of Steven Hanson, Commercial Representative IV, to Vancouver, B.C., on or about the period of May 21 through May 25, 1989 to attend a conference by the National Parking Association; travel of the Director of Administration, to Fort Worth, Texas on or about May 22, 1989 to participate as a speaker in the Federal Aviation Administration International Airport Board and

Airport Minority Advisory Council Conference; the reimbursed travel of Chief Engineer and Special Assistant to the Executive Director, to Munich, Germany on or about the period of May 22 through May 26, 1989 to attend the General Assembly of the Permanent International Commission of Navigation Congresses and the travel of Commissioner Patricia Pineda to Munich, Germany on or about May 28 through June 2, 1989 to attend the Annual Airport Operators Council International, International Airports Conference. The recommendation was approved on passage of Resolution No. 31301.

Authorization to Participate in Federal Surplus Property Program Administered by the State of California was the subject of a memo to the Board from the Director of Administration, recommending approval for the Port to participate in a program administered by the State of California Agency for Surplus Property which makes available selected surplus equipment and material from the Federal Government which might be useful in the restoration of the Potomac Project. The recommendation was approved on passage of Resolution No. 31318.

Sale of Surplus Equipment was the subject of a memo to the Board from the Director of Administration, recommending approval to dispose of certain surplus office equipment and other Port property by quotation from interested parties. The recommendation was approved on passage of Resolution No. 31309.

Claim of Morad Meenari was the subject of a memo to the Board from the Port Attorney, notifying the Board of a claim in an unspecified amount for alleged personal injuries sustained as a result of an accident that occurred at the intersection of 2nd Street and Franklin Street, Oakland, California. The claim alleges that claimant was struck by a vehicle owned by the Port and operated by a Port employee while claimant was walking across 2nd Street. As it appears the claim is not a proper charge against the Port. It was recommended that the claim be rejected. The recommendation was approved on passage of Resolution No. 31302.

Jack London Village Associates et al v. Oakland Portside Associates et al, Alameda County Superior Court No. 637062-2 was the subject of a memo to the Board from the Port Attorney, notifying the Board of the case whereby Jack London Village Associates et al brought action against Oakland Portside Associates in which the Port is a general partner. The suit alleges interference in attempt to complete the purchase of Jack London Village. On April 26, 1989, Alameda Superior Court Judge Dawn B. Girard granted summary judgment in the defendants favor citing several grounds for her action. It was also noted the plaintiffs had filed and subsequently finally withdrew a claim against the Port. The information was noted and ordered filed.

Recommendation to Approve and Authorize Acceptance of Avigation Easement From Pulte Home Corporation Over Land On Bay Farm Island, City of Alameda was the subject of a memo to the Board from the Port Attorney, recommending approval to execute an Avigation Easement with Pulte Home Corporation covering a .63-acre parcel of land (known as Tract 5850, Lighthouse Cove) which it owns on Bay Farm Island, City of Alameda. The subject property has an existing Noise Easement and the new Easement provides that no obstruction to navigation shall exist on the property, and that there shall be an easement for lawful flight of aircraft above the surface of the property. The recommendation was approved on passage of Resolution No. 31319.

The following reports were received and ordered filed:

Report of Port Attorney on Litigation Matters.

Status of Construction Contracts in Progress as of April 1989.

Status of Consultant Contracts in Progress as of April 1989.

Summary of Cash - Port Revenue and Construction Funds as of April 21, 1989.

Summary of Claims Paid from Various Funds for the Period April 11, 1989 through April 24, 1989.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioner Pineda, Sweeney, Wasserman  
and President Higgins - 4

Noes: None

Absent: Commissioners Brady, Hunter and Ward Allen - 3

"RESOLUTION NO. 31296

APPROVING PLANS AND SPECIFICATIONS FOR REPAINTING OF HANGAR DOORS AND ASSOCIATED WORK, BUILDING M-110, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 31297

AWARDING CONTRACT TO BERNARDI & EMMONS, INC., TO FURNISH AND INSTALL CARPET IN BUILDING L-142, NORTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA, ALTERNATE B; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 31298

APPROVING PLANS AND SPECIFICATIONS FOR EXTENSION OF 400 HZ, GROUND POWER SYSTEM, TERMINAL I (BUILDING M-103), GATES 10, 11, 12, 14, 15 AND 17, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 31299

AWARDING CONTRACT TO N. V. HEATHORN, INC., FOR REPLACEMENT AND REPAIR OF AIR CONDITIONING UNITS AT GEORGE P. MILLER AVIATION CENTER, BUILDING M-110, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDER."

"RESOLUTION NO. 31300

EXTENDING TIME FOR PERFORMANCE OF CONTRACT AND ACCEPTING WORK PERFORMED BY AMERICAN ASPHALT REPAIR AND RESURFACING COMPANY, INC., A CALIFORNIA CORPORATION, AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31301

CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 31302

REJECTING CLAIM OF MORAD MEEMARI."

"RESOLUTION NO. 31303

GRANTING AMERIFLIGHT, INC., PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31304

AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH STAR SHIPPING A/S."

"RESOLUTION NO. 31305

AUTHORIZING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31306

AMENDING RESOLUTION NO. 31285 CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31307

APPROVING LEAVE OF ABSENCE TO ISAMU TSUJIMOTO."

"RESOLUTION NO. 31308

RATIFYING EXTENSION OF LEAVE OF ABSENCE TO SANDRA S. BARTLEY."

"RESOLUTION NO. 31309

AUTHORIZING SALE OF SURPLUS PERSONAL PROPERTY."

"RESOLUTION NO. 31310

APPROVING ISSUANCE OF CHANGE ORDER FOR CONTRACT FOR INSTALLATION OF SECURITY SYSTEM, JACK LONDON SQUARE, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31311

CONSENTING TO ENCUMBRANCE OF LEASEHOLD INTEREST OF ORO SPANISH BROADCASTING, INC."

"RESOLUTION NO. 31312

APPROVING ISSUANCE OF CHANGE ORDER FOR CONTRACT FOR CONSTRUCTION OF BERTH 26 WHARF, OUTER HARBOR, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31313

FINDING AND DETERMINING THAT A PROPOSED SECOND SUPPLEMENTAL AGREEMENT WITH KIBEL, GREEN INC. FOR MANAGEMENT CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES: AND AUTHORIZING EXECUTION OF SUCH SECOND SUPPLEMENTAL AGREEMENT."

"RESOLUTION NO. 31314

RATIFYING, CONFIRMING AND APPROVING ALL RESOLUTIONS AND AGREEMENTS RELATING TO THE PORT OF OAKLAND, CALIFORNIA REVENUE BONDS 1989 SERIES C AND REAFFIRMING THE AUTHORITY OF CERTAIN OFFICERS, AGENTS AND EMPLOYEES OF THE BOARD IN CONNECTION THEREWITH."

"RESOLUTION NO. 31315

APPROVAL OF A CREDIT AGREEMENT AND NOTE WITH SWISS BANK CORPORATION, NEW YORK BRANCH, AND BOND INVESTORS GUARANTY INSURANCE COMPANY IN CONNECTION WITH PORT OF OAKLAND, CALIFORNIA REVENUE BONDS 1989 SERIES B."

"RESOLUTION NO. 31316

FINDING AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE PORT TO CONTRACT WITHOUT COMPETITIVE BIDDING FOR RETENTION OF REYES BRIONES AS A CONSULTANT TO PERFORM CERTAIN SERVICES FOR THE DIRECTOR OF ADMINISTRATION FOR A PERIOD OF APPROXIMATELY SIX MONTHS, AND AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND ENTER INTO A CONTRACT WITH REYES BRIONES FOR SUCH SERVICES."

"RESOLUTION NO. 31317

APPROVING CERTAIN AMENDMENTS TO THE PORT OF OAKLAND DEFERRED COMPENSATION PLAN AND THE DEFERRED COMPENSATION PLAN AGREEMENT WITH GREAT WESTERN BANK, APPROVING TERMINATION OF AN INVESTMENT OPTION UNDER THE DEFERRED COMPENSATION PLAN AND PROVIDING LIQUIDITY FOR THE TRANSFER OF ACCOUNT BALANCES FROM SUCH INVESTMENT OPTION."

"RESOLUTION NO. 31318

FINDING AND DETERMINING THAT IT IS ADVANTAGEOUS TO THE PORT TO PURCHASE FEDERAL SURPLUS SUPPLIES AND AUTHORIZING PROCUREMENT OF SAME FROM THE STATE OF CALIFORNIA AGENCY FOR SURPLUS PROPERTY WITHOUT COMPLIANCE WITH OPEN MARKET PURCHASE PROVISIONS, COMPETITIVE BIDDING, OR FORMAL CONTRACT THEREFOR.

"RESOLUTION NO. 31319

APPROVING AND AUTHORIZING EXECUTION AND ACCEPTANCE OF AVIGATION EASEMENT FROM PULTE HOME CORPORATION OVER LAND ON BAY FARM ISLAND, CITY OF ALAMEDA."

"RESOLUTION NO. 31320

AUTHORIZING AND DIRECTING THE ACTING CHIEF EXECUTIVE OFFICER AND EXECUTIVE DIRECTOR TO APPROVE ESTIMATED ANNUAL OPERATING BUDGET OF BAY AREA PARKING COMPANY."

Port Ordinance No. 2869 being, "AN ORDINANCE AMENDING SECTION 3 OF PORT ORDINANCE NO. 2255 RELATING TO GROUP LIFE INSURANCE FOR EMPLOYEES OF THE PORT OF OAKLAND and Port Ordinance No. 2870 being, "AN ORDINANCE AMENDING SECTIONS 8.02 AND 8.07 OF PORT ORDINANCE NO. 2199 ESTABLISHING PERSONNEL RULES AND PROCEDURES OF THE PORT OF OAKLAND RELATING TO ACCRUAL OF SICK LEAVE AND PARENTAL LEAVE and Port Ordinance No. 2871 being, "AN ORDINANCE AMENDING SECTIONS 6.04 AND 5.161 OF PORT ORDINANCE NO. 867 CREATING ONE ADDITIONAL POSITION OF LEGAL SECRETARY I AND ONE ADDITIONAL POSITION OF CONTRACT COMPLIANCE OFFICER" and Port Ordinance No. 2872 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 ADOPTING NEW SALARY SCHEDULE NO. 98.1 AND REVISING THE SALARY FOR THE POSITION OF AIRPORT OPERATIONS MANAGER" and Port Ordinance No. 2873 being, "AN ORDINANCE AMENDING SECTION 1.304 OF PORT ORDINANCE NO. 867 RELATING TO THE EXTRAORDINARY SERVICE PAY PROGRAM FOR THE PROFESSIONAL ENGINEERING UNIT" and Port Ordinance No 2874 being, "AN ORDINANCE AMENDING SUBSECTION N TO SECTION 8.02 OF PORT ORDINANCE NO. 2199 ESTABLISHING

PERSONNEL RULES AND PROCEDURES OF THE PORT OF OAKLAND RELATING TO THE EMPLOYEE SICK LEAVE INCENTIVE PLAN", were read a second time and passed by the following vote:

Ayes: Commissioners Pineda, Sweeney, Wasserman and President Higgins - 4

Noes: None

Absent: Commissioners Brady, Hunter and Ward Allen - 3

Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 2613 RELATING TO PARKING RATES IN THE PORT'S PUBLIC AUTOMOBILE PARKING FACILITIES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING SECTION 9a (2) OF PORT ORDINANCE NO 1149 RELATING TO CHARGES FOR THE USE OF AIR CARGO FACILITIES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT", were read a first time and passed to print by the following vote:

Ayes: Commissioners Pineda, Sweeney, Wasserman and President Higgins - 4

Noes: None

Absent: Commissioners Brady, Hunter and Ward Allen - 3

At the hour of 4:40 p.m. the meeting was adjourned in honor of and out of respect to the memory of the late William Ward Eaton.

The Secretary of the Board notified the Board that the next meeting of the Board of Port Commissioners which is scheduled for May 16, 1989 would be adjourned to May 23, 1989.



Secretary

REGULAR MINUTES OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The regular meeting of the Board scheduled for Tuesday, May 16, 1989 was adjourned by the Secretary of the Board to Tuesday, May 23, 1989, at the hour of 3:00 p.m., due to the absence of all the members of the Board.

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The meeting, formal portion, was reconvened on Tuesday, May 23, 1989, at the hour of 4:20 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Higgins presiding, due written notice having been given to members of the Board. An informal portion was held during the period from 3:25 p.m. to 4:15 p.m. during which time the Board received a report on the Supplemental EIR for Phase I Oakland Inner Harbor Deep Draft Navigation Improvement Project, Sacramento, San Joaquin Counties and reviewed the Port's Third Quarter Budget Performance.

Commissioners present: Hunter, Pineda, Sweeney, Ward Allen and  
President Higgins - 5

Commissioners absent: Brady and Wasserman - 2

Also present were the Acting Chief Executive Director and Executive Director, Transportation Services; Port Attorney; Assistant Chief Engineer; Chief Financial Officer; Director of Aviation; Special Assistant to the Executive Director, George Watson; Acting Director of Planning; Director of Properties; Director of Public Affairs; Director of Administration; and Secretary of the Board.

The minutes of the regular meeting of April 18, 1989, were approved as submitted and ordered filed.

President Higgins informed the Board that he would not call for a closed session during the meeting.

BOARD OF PORT COMMISSIONERS  
MEETING OF JUN 20 1989  
APPROVED AS SUBMITTED AND ORDERED FILED  
SECRETARY *Ward Allen*

Captain H. L. Lara, Commanding Officer of the Naval Transportation Management School, appeared before the Board to thank the Board for its cooperation in support of the school's objectives and presented a plaque from his command.

The Acting Chief Executive Officer and Executive Director, Transportation Services, informed the Board that the Finance and Administration Committee had previously met and discussed the Pay for Performance Program.

Commissioner Ward Allen, Chair of the External Affairs Committee, informed the Board that the Committee had met earlier in the day and discussed their current agenda.

Commissioner Sweeney, Chair of the Transportation Committee, informed the Board that the Committee had met earlier in the day and discussed their current agenda which included an update on the status of the Carnation Terminal.

President Higgins, representing the Transition Committee, informed the Board that the Reorganization Program would be before the Board for action on June 6, 1989. He further noted that he expected that the Executive Search firm would take three more weeks reviewing the candidates for the position of Chief Executive Officer.

Award of Airport Advertising Concession - Interspace Airport Advertising was the subject of a memo to the Board from the Director of Aviation, notifying the Board of the previous agreement with Victor Bacigalupi & Associates, Inc. for the Airport advertising concession which ran from 1977 to the present. The Port requested new proposals for the advertising concession and received three proposals: Interspace Airport Advertising, Inc., Ackerley Airport Advertising and Bacigalupi/Oakland, a joint venture. Based on the proposals, it was recommended that the Board approve awarding a new Airport advertising concession to Interspace Airport Advertising, Inc. and authorize the negotiation of a new five year concession agreement in accordance with the proposal submitted to the Port by Interspace. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Award of Security Guard Service Contract at Oakland Airport was the subject of a memo to the Board from the Director of Administration, notifying the Board of the thirteen firms who submitted formal proposals to the Port to provide Security Guard Service at the Oakland International Airport. Based on evaluation of the proposals it was recommended that the Board approve award of the Security Contract for the Airport to Cal State Service, Inc. The estimated annual cost of the services is \$600,000.00. The recommendation was approved on a motion by Commissioner Hunter, seconded and passed unanimously.

Consolidation of Rental Agreements - National Airmotive Corporation was the subject of a memo to the Board from the Director of Aviation, notifying the Board that the firm occupies land areas at the North Airport under five separate ground leases and license agreements for its operation of an aircraft engine service facility at a total monthly rental of \$7,874.43. National Airmotive has requested the combination of its existing leases and license agreements into two long-term leases which would cover all its existing premises. The basic provisions of the main building lease would include premises totalling 290,330 square feet at Building L-815 North Airport, for a term of approximately 25.5 years to terminate on January 31, 2015. National would have the first right of refusal for 3 five year option periods and if certain conditions are met would have the option to extend the lease. The rent would be \$8,063.65 per month from commencement and be appropriately adjusted during the life of the lease. The second lease would be for the engine test sell site covering 94,398 square feet on the North Airport, at an initial rent of \$1,997.70 a month. The other terms and conditions parallel the lease for the main building. The lease also provides for performance deposit, resale bonus value to the Port, maintenance and repairs, and other standard Port provisions. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

License Agreement Renewal - Lamm Associates was the subject of a memo to the Board from the Director of Aviation, recommending approval for a two year renewal of his agreement for shop space and unpaid land at Building L-819, North Airport, used for the sale and assembly of aircraft ground starting units, at a monthly rent of \$1,556.16. Rent for the second year will be adjusted in accordance with the percentage change in the Consumer Price Index. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Supplement to License Agreement - Emery Air Freight was the subject of a memo to the Board from the Director of Aviation, recommending approval to add 1,164 square feet of office space on the second floor of Building L-820, North Airport, to their agreement which will accommodate their increased staff used for their air freight service. The new total monthly rent would be \$13,223.48. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

License Agreement Renewal - Benco, Inc. was the subject of a memo to the Board from the Director of Aviation, recommending approval of a two year renewal of their agreement covering Office, Hangar, Shop, Apron, and Parking space at Building L-310, North Airport, used as a maintenance space for Hilton Hotels Corporate Aircraft at a new monthly rental of \$5,200.85. The rent for the second year will be adjusted in accordance with the percentage change in the Consumer Price Index. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Contract Completion, Furnishing Service and Maintenance for Nine Passenger Loading Bridges for a Three Year Period was the subject of a memo to the Board from the Chief Engineer, recommending that a contract with Safegate Aviation Systems, Inc., be accepted as complete as of February 28, 1989, the end of the three year contract period, and that the contractor be paid \$151,514.04 for the work. It was noted that the maintenance contract for the bridges will be

included in a new contract to maintain at least sixteen bridges at the Airport. The recommendation was approved on passage of Resolution No. 31347.

Contract Completion, Overlay of Aircraft Apron, Miller Aviation Center, South Airport was the subject of a memo to the Board from the Chief Engineer, recommending that the contract with Gallagher & Burk, Inc. be extended 105 calendar days and be accepted as complete as of May 11, 1989, with a contract price of \$595,517.64. The recommendation was approved on passage of Resolution No. 31348.

Upgrading Ticket Counter in Airport Terminal I - American Airlines was the subject of a memo to the Board from the Director of Aviation, notifying the Board that American Airlines will be relocating from Terminal 2 to Terminal 1 on or about July 1, 1989, and has requested to renovate its ticket counter in the new ticket counter design specifications planned for the Terminal 1 renovation to be accomplished later in the year. It was recommended that the Board approve a program whereby American provides the new design ticket counters on a cost reimbursement basis by the Port which arrangements have previously been used by other Terminal 1 air carriers. The recommendation was approved on passage of Resolution No. 31330.

Building Permit Application, American Airlines, Inc. was the subject of a memo to the Board from the Chief Engineer, notifying the Board that American Airlines will be relocating from Terminal 2 to Terminal 1 and as part of the relocation it was recommended that the Board approve the building permit application to perform certain interior office alterations for the new area and the installation of two modular buildings in the ramp area on the apron side of the Finger Building. The estimated cost of the proposed improvements is \$350,000.00. The work is categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 31345.

Building and Tank Permit Applications, Avis Rent-A-Car Systems, Inc.

South Airport was the subject of a memo to the Board from the Chief Engineer, recommending approval of a building and a tank permit application for their leased premises at the Airport. The permits will allow for the removal of two existing 10,000 gallon underground tanks; the installation of one double-wall fiberglass 12,000-gallon underground tank; the installation of a new 550-gallon motor oil underground tank; the installation of associated fuel lines, fittings, piping and electrical work; and the construction of a new fueling island and canopy. The estimated cost of the proposed modifications is \$75,000.00. The project is categorically exempt and an environmental document is not required. The recommendation was approved on passage of Resolution No. 31348.

Airport Promotional Item was the subject of a memo to the Board from the Director of Aviation, notifying the Board of the increasingly competitive nature of airport automobile parking and recommending approval for the expenditure of a total of \$25,000 for a test airport parking discount coupon program to promote new air service during the next 12 months. The program involves a distribution of a specific number of \$2.00 parking discount coupons to customers using the new air service through the travel agency selling the tickets. The recommendation was approved on passage of Resolution No. 31336.

Extension of Consulting Agreement with Keiser and Associates was the subject of a memo to the Board from the Director of Aviation, notifying the Board of a contract with Keiser and Associates for cargo marketing services and recommending approval to expand the scope of services and to increase the new total maximum compensation to \$35,000.00. It was noted that the original short term contract was for \$20,000.00. The recommendation was approved on passage of Resolution No. 31332.

Tidewater Properties Lease Option Amendment was the subject of a memo to the Board from the Director of Properties, notifying the Board of the lease option and proposed lease with Tidewater Properties, a joint venture of Guilltone Properties, Ltd., a California Limited Partnership and Oakland Business

Development Corporation. The option and lease is for the development of approximately 90,000 square feet of incubator warehouse facilities on 5.6 acres of vacant land on Tidewater Avenue at Lesser Street under a 55 year lease. The option has been extended on numerous occasions to accommodate the attempts of the developers to secure financing and to develop the Revolving Loan Trust Fund. It was recommended that the option be amended to help secure the necessary financing. Under the proposed amendment the optionee will have up to 24 months to complete the construction of the improvements and the phasing of the development has been altered to meet his schedule. The mortgage of the leasehold and protection of the lender language would be changed to delete the requirement of the optionee to obtain Port approval prior to the encumbrance of the lease and would delete the present restrictions which limit the use of funds borrowed against the leasehold improvements or to refinancing construction costs or financing leasehold transfers. The Port will have control through the Joint Venture Agreement via OBDC, the trustee of the proposed Port of Oakland Minority, Women and Small Business Trust Fund. The recommendation was approved on passage of Resolution No. 31323.

Approval to Dispense with Bids for Construction of Informational Kiosks, Jack London Square was the subject of a memo to the Board from the Chief Engineer, notifying the Board that the plans for Jack London Square show the locations of valet/informational kiosks to be installed by others. The kiosks are located at the intersections of Franklin, Broadway and Washington Streets with Water Street. The kiosks are to be equipped with an area map, informational panel, public telephone and emergency call button. The design of the kiosks has been awaiting the information on all necessary components to be incorporated into the final design, and it is estimated that the cost of the three kiosks will be \$76,000.00. The work on the public areas of the square will be completed by September, 1989, and it is advantageous to have the kiosks be furnished and installed by one of the two public area general contractors. It was recommended that the Board find it to be in the best interest of the Port to dispense with

formal bidding procedures and accomplish the work as a change order to an existing contract based on receipt of informal quotes. The recommendation was approved on passage of Resolution No. 31344.

Substitution of Paving, Grading and Demolition Subcontractor for "Construction of San Antonio Fishing Pier, Inner Harbor" was the subject of a memo to the Board from the Chief Engineer, recommending approval for Dutra Construction Company, Inc., to substitute their paving, grading and demolition subcontractor. The listed subcontractor, West-Bay Contractors, has refused to execute a written contract. Dutra Construction will make a good faith effort to find another MBE to perform the work, and will provide documentation at the time they obtain a new subcontractor. The recommendation was approved on passage of Resolution No. 31324.

Approval to Dispense with Bids for Marina Access Control and Change Order for "Installation of Parking Revenue Control and Building Access Control Systems, Jack London Square" was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the contract with the William D. White Company to furnish and install the card readers to control access to the New Port Building, Water Street II and the Pavillion. It also includes the furnishing and installing of equipment to monitor parking revenue at various Port-owned parking facilities. It has now been determined that a card access control system for the Port-owned marinas at Jack London Square and Embarcadero Cove is desirable. The best available system for the marinas is manufactured by SECOM which the William D. White Co., Inc., is the only authorized SECOM distributor in Northern California. It was recommended that the Board dispense with bids for the marina card access system, and authorize the Chief Engineer to issue a change order to William D. White, Co., for \$100,485.00 for furnishing and installing the system in the marinas. The recommendation was approved on passage of Resolution No. 31325.

Removal of Abandoned Vessels at Union Point Marina Site was the subject of a memo to the Board from the Director of Properties, notifying the Board that

three abandoned boats are in the Union Point Marina site with construction to begin within the next few weeks. A notice has been posted on all boats requiring them to be removed from Port property in accordance with Chapter 3, Section 522 of the Harbors and Navigations Code which deals with abandoned vessels. Due to the safety hazards, the Port will remove the boats from the water, pursuant to Chapter 5, Sections 675-676, and store them until their proper disposal can be arranged. It was recommended that the Board approve the removal and disposal of the abandoned boats from the Union Point Marina site in accordance with the Harbors and Navigations Code. The recommendation was approved on passage of Resolution No. 31350.

KIVU License Agreement Renewal was the subject of a memo to the Board from the Director of Properties, recommending approval to renew their agreement for 6,000 square feet of warehouse space in Building H-108 at 5th Avenue and Embarcadero, at a new monthly rent of \$1,095.00. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Approval of Contract Time Extension and Change Order for Construction and Installation of Container Cranes at Seventh Street Public Container Terminal was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the contract with Kocks Crane and Marine Company and that they have requested a contract time extension of 45 days due to labor disputes at the Korea shipyard of their subcontractor for crane fabrication, Samsung Shipbuilding and Heavy Industries, Inc. It was recommended that the Board approve a change order to KCMC for a 40-calendar day contract time extension. The original contract completion date was July 31, 1989 for the first crane and August 20, 1989 for the second crane. The recommendation was approved on passage of Resolution No. 31331.

Contract Completion, Demolition of Building C-103 and C-104, Seventh Street Terminal was the subject of a memo to the Board from the Chief Engineer, recommending that the contract with Evans Brothers be accepted as complete as of November 1, 1988 with a contract price of \$1,255,756.00. The work consisted of

demolishing the Carnation Building and Carnation Silo, removal and disposal of underground fuel tanks, removal of railroad tracks which served the building, and miscellaneous site work. The recommendation was approved on passage of Resolution No. 31329.

Dredging Coalition was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director, Transportation Services, notifying the Board that he negotiated a contract with the Bay Planning Coalition as previously authorized by the Board in order to develop a regional solution to the dredging disposal problem. The program goal is the timely adoption and implementation of a regional dredged material disposal plan that would protect environmental resources and be economically viable. The program objectives include shaping public policy to support a disposal plan, building a political consensus and fostering political leadership to achieve it, and overcoming public misconceptions about environmental risks. The Bay Planning Coalition will take responsibility for fundraising and hire a full-time program director and an administrative assistant to carry out the assignment. Their estimated annual budget is \$250,000.00 and the Port has agreed to provide a portion of the first year cost of the program not to exceed \$100,000.00. It was recommended that the contract be executed. The recommendation was approved on passage of Resolution No. 31326.

Adjustments to Port of Oakland Tariff No. 2-A: Space Assignment Rates; Wharf Demurrage & Storage Rates; Clarification of Wharf Demurrage Definition was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director, Transportation Services, recommending approval to increase monthly space assignment rates, increase wharf demurrage and containerized storage rates approximately 6% and establish new demurrage and storage rates for non-containerized cocoa beans and coffee to be competitive with other ports in Northern California and to modify the definition for Wharf Demurrage for certain items to provide clarification. The recommendation was approved on an ordinance passed to print.

Amendment to Fiscal Year 1988-89 Budget was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director, Transportation Services, notifying the Board of the existing budget and recommending approval to amend the budget to make provisions for salary adjustments retroactive to July 1, 1988 for employees represented by Local 790 and Western Council of Engineers, as well as professional, supervisory and management employees, which costs total \$1,437,800.00. Also recommended was approval to add the cost of the consultants which includes Kibel, Green Inc., to assist with the reorganization as well as the cost of the executive search firms of Peat Marwick Main & Co., Ira Krinsky & Associates and Leon Farley, which totals \$618,000.00. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously and on passage of Resolution No. 31338 appropriating funds.

Approval to Hire an Environmental Consultant to Provide Professional Services for Environmental Audits/Inspections of Port Properties was the subject of a memo to the Board from the Chief Engineer, notifying the Board that the Port is subject to State regulations, which require property owners and lessors to disclose to prospective buyers/leasees the current environmental condition of the property in question. The comprehensive program which not only identifies the nature of environmental audits, but also specific actions necessary to implement an effective environmental compliance program has been developed. The program includes a Phase I environmental inspection/audit consisting of a site visit and a historical record search to identify past activities. Phase II inspections/audits include further site investigations to define the extent of property contamination. Remedial costs are difficult to characterize and may be extremely expensive. Recent experience indicates that the cost for a Phase I and Phase II environmental audit/inspection of Port property not including extensive remedial activities, ranges between \$30,000.00 and \$70,000.00 per site. Recent California environmental regulations now govern asbestos management and disclosures and it is necessary to conduct asbestos surveys of Port buildings

constructed prior to 1979. The Port must also comply with state and federal wastewater regulations governing effluent limitations. The Port staff has identified the need to monitor tenant discharges on the North Airport of the Oakland Airport. Costs associated with this monitoring program are approximately \$40,000.00. Port staff resources to conduct environmental activities are limited and proposals were solicited from qualified consultants to provide the professional services. After evaluation of the proposals it was recommended that the Board find the consulting services required to be professional services and authorize preparation and execution of an agreement with Tetra Tech for providing these services. The agreement will be for a one year term with an option to extend the term for one additional year. The firm will be compensated at agreed upon rates for the time actually spent and be reimbursed for expenses up to an amount not to exceed a maximum of \$200,000.00, each year during the contract period. Any Phase II environmental audits, when necessary, will be authorized by future Board actions. After discussion concerning the possible extent of asbestos disclosures The recommendation was approved on passage of Resolution No. 31334.

Personnel Items contained in a memo to the Board from the Director of Administration recommended the appointment of Michael L. Curtis, as Port Accounting Supervisor, effective May 24, 1989, at \$4,075.00 per month; Marvell Jones, as Legal Secretary I, effective May 2, 1989, at \$2,029.00 per month; and Dorothy L. Poston, as Telephone Operator, effective June 10, 1989, at \$1,984.00 per month. Also recommended was an amendment to Port Personnel Rules and Procedures to provide for the treatment of incumbents of reclassified positions in the event of a Port-wide or department-wide classification study. Additionally recommended was a title change for the current job specifications of "Janitress" and "Janitor" to "Custodian". Further recommended was a leave of absence from her Classified Civil Service position of Intermediate Stenographer Clerk to accept the exempt position of Legal Secretary I, effective May 2, 1989, for Marvell L. Jones; a medical leave of absence for Vanessa A. Brooks, Account

Clerk, for 56 working days; a medical leave of absence for Farris Dawson, Port Field Representative, for 43 working days; a maternity leave of absence for Loretta C. Meyer, Port Environmental Planner Associate, for 128 working days; and the termination of employment for Marvestus Whitfield, Commercial Aircraft Fueler, for cause, effective May 24, 1989. The recommendations were approved on passage of Resolution No. 31339 for Jones leave of absence; Resolution No. 31340 for appointments; Resolution No. 31341 for leaves of absence; Resolution No. 31342 for termination; and Resolution No. 31343 for retitling of positions.

Travel Authorization contained in a memo to the Board from the Director of Administration, recommended approval for the travel of the Equal Opportunity Officer to Fort Worth, Texas, on or about May 21, 1989 to participate as a speaker in the Federal Aviation Administration International Airport Board and Airport Minority Advisory Council Conference; travel of Larry Forte, Commercial Representative IV, to Denver, Colorado, on or about the period May 15 through May 19, 1989, to attend the 1989 World Trade Conference for the Rocky Mountain Region; travel of the Acting Chief Executive Officer and Executive Director, Transportation Services to Vancouver, B.C., on or about May 24, 1989 to participate as a speaker at the American Association of Port Authorities conference on Port Property Management and Port Pricing; travel of Manager of Air Traffic Development to Phoenix, Arizona, and San Antonio, Texas, on or about May 24, 1989 to visit Southwest Airlines' Reservation Centers; travel of Karen Stevenson, Port Field Representative, to Dallas, Texas and Houston, Texas, on or about May 24, 1989 to visit Southwest Airlines' Reservation Centers; travel of the Director of Aviation to Chicago, Illinois, on or about May 25, 1989 to meet with the Vice President/Planning and Administration of United Airlines; travel of Joan Strawder Webster, Field Representative, to New Orleans, Louisiana, on or about the period of June 4 through 7, 1989 to attend a Conference of the American Association of Affirmative Action; and travel of the Special Assistant to the Executive Director for Trade Relations to Washington, D.C., on or about May 30,

1989 to attend the National Defense Transportation Association Board of Directors meeting. The recommendation was approved on passage of Resolution No. 31327.

Approval of Supplement to Consultant Agreement for Architectural Services for Port Offices in New Port Building was the subject of a memo to the Board from the Chief Engineer, notifying the Board that the Port in July, 1987 selected Robinson Mills & Williams as the Architect for the Port Office spaces in the new Port Building. The contract authorized a maximum payment of \$699,900.00 with an option to increase by \$69,000.00 for full electrical-mechanical design rather than design-build, and authorized the Executive Director to approve up to \$250,000.00 in extra work. A minimum of \$134,000.00 of the maximum compensation was to be reserved for services during construction. The firm was able to perform the goal of a completion date for design by December 18, 1988. The announcement in late December 1988 of a major reorganization study of the Port staff required a complete rework of the construction documents then nearing completion. RMW was instructed to finish the drawings in order to meet the schedule for construction contract negotiations with the construction contractor, Swinerton & Walberg. The cost of revising all of the construction drawings is estimated to be \$417,450.00 based on firm proposals from the electrical, mechanical and other consultants, and based on thorough analysis of RMW in-house tasks and includes an increase of \$37,950 in the fixed fee for profit. It was recommended that the Board approve a Supplement to the Agreement providing for the extra work. The specific scope of the work provides for a project management for February-July, revises the space plan for all floors, revises furnishing plans for all floors, prepares a report identifying the specific re-use of the best existing furniture, complete design work for all floors, complete revised construction documents for all floors, and provides support during construction of the additional floor. The recommendation was approved on passage of Resolution No. 31335.

Approval to Award Service Contract for Moving of Port Staff Office

Contents to New Port Building was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the five proposals received for the move and recommending award of the time and materials service contract to Nor-Cal Van & Storage at a cost not to exceed \$53,000.00, with certain additional work available at the discretion of the Executive Director. The recommendation was approved on passage of Resolution No. 31333.

Authorization to Purchase Vitra Seating for New Port Office Building

was the subject of a memo to the Board from the Director of Administration, notifying the Board of the previous authority to negotiate in the open market for procurement of case goods including desks, chairs, tables and miscellaneous furniture for the new Port office building. Proposals were received based on specifications developed by the Port's architectural firm and it was recommended that the Board authorize the purchase of 498 Vitra chairs at a cost of \$274,177.56 and approve immediate disbursement of \$75,000.00 deposit, pending execution of an agreement between the Port and Nashional Office Furniture Concepts. Also included was approval of an additional \$5,000.00 to cover unanticipated requirements. The recommendation was approved on passage of Resolution No. 31337.

The following reports were received and ordered filed:

Summary of Cash - Port Revenue and Construction Funds  
as of May 12, 1989.

Summary of Cash and Accounts Receivable - Port Revenue Fund 770  
for the Month of April 1989.

Accounts Receivable in Arrears as of April 30, 1989.

Delinquent Accounts Referred to Legal - Reported  
as of April 30, 1989.

Summary of Claims Paid from Various Funds  
for the Period April 25, 1989 through May 16, 1989.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioner Hunter, Pineda, Sweeney, Ward Allen  
and President Higgins - 5  
Noes: None  
Absent: Commissioners Brady and Wasserman - 2

"RESOLUTION NO. 31321

REJECTING CLAIM OF KEITH GRIEF."

"RESOLUTION NO. 31322

RATIFYING MOTION BY PORT ATTORNEY IN BANKRUPTCY COURT FOR ORDER DECLARING LEASE WITH SEABREEZE YACHT CENTER, INC. REJECTED AND REQUIRING SURRENDER OF PREMISES."

"RESOLUTION NO. 31323

APPROVING AND AUTHORIZING EXECUTION OF THIRD SUPPLEMENTAL AGREEMENT AMENDING LEASE OPTION AGREEMENT WITH TIDEWATER PROPERTIES."

"RESOLUTION NO. 31324

AUTHORIZING SUBSTITUTION OF PAVING, GRADING AND DEMOLITION SUBCONTRACTOR FOR CONSTRUCTION OF SAN ANTONIO FISHING PIER, INNER HARBOR, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31325

FINDING AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE PORT TO CONTRACT FOR INSTALLATION OF MARINA ACCESS CONTROL SYSTEM WITHOUT COMPETITIVE BIDDING, APPROVING PLANS THEREFOR, AND AUTHORIZING THE EXECUTIVE DIRECTOR TO CONTRACT WITH WILLIAM D. WHITE CO., INC. FOR SUCH WORK."

"RESOLUTION NO. 31326

AUTHORIZING EXECUTION OF MEMORANDUM OF UNDERSTANDING WITH BAY PLANNING COALITION."

"RESOLUTION NO. 31327

CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 31328

OF CONDOLENCE ON THE PASSING OF WILLIAM WARD EATON."

"RESOLUTION NO. 31329

ACCEPTING WORK PERFORMED BY EVANS BROTHERS, AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31330

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO ENTER INTO A CONTRACT WITH AMERICAN AIRLINES, INC. TO UPGRADE ITS TICKET COUNTER IN AIR TERMINAL I, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT WITHOUT FORMAL COMPETITIVE BIDDING; AND AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE SAID CONTRACT."

"RESOLUTION NO. 31331

EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH KOCKS, CRANES AND MARINE COMPANY."

"RESOLUTION NO. 31332

FINDING AND DETERMINING THAT A PROPOSED FIRST SUPPLEMENTAL AGREEMENT WITH KEISER AND ASSOCIATES FOR AIR CARGO MARKETING CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31333

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH NOR-CAL MOVING SERVICES FOR MOVING SERVICES TO THE NEW PORT OFFICE BUILDING CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31334

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH TETRA TECH, A DELAWARE CORPORATION, FOR ENVIRONMENTAL CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31335

FINDING AND DETERMINING THAT A PROPOSED SUPPLEMENTAL AGREEMENT WITH ROBINSON MILL & WILLIAMS FOR ARCHITECTURAL CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID SUPPLEMENTAL AGREEMENT."

"RESOLUTION NO. 31336

APPROVING AIRPORT PARKING DISCOUNT COUPON PROMOTIONAL PROGRAM."

"RESOLUTION NO. 31337

AUTHORIZING PURCHASE OF VITRA SEATING FOR NEW OFFICE BUILDING AND AWARDING CONTRACT TO NASHIONAL OFFICE FURNITURE CONCEPTS, A DIVISION OF GENE'S OFFICE PRODUCTS AND FURNITURE, INC."

"RESOLUTION NO. 31338

AMENDING RESOLUTION NO. 30818, AS AMENDED, APPROPRIATING CERTAIN MONEYS TO PROVIDE FOR THE EXPENDITURES PROPOSED TO BE MADE BY THE ESTIMATED BUDGET OF THE PORT OF OAKLAND FOR THE FISCAL YEAR 1989-1989."

"RESOLUTION NO. 31339

GRANTING LEAVE OF ABSENCE TO MARVELL L. JONES, INTERMEDIATE  
STENOGRAPHER CLERK."

"RESOLUTION NO. 31340

AUTHORIZING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31341

CONCERNING CERTAIN LEAVES OF ABSENCE."

"RESOLUTION NO. 31342

TERMINATING APPOINTMENT OF MARVESTUS WHITFIELD."

"RESOLUTION NO. 31343

APPROVING REVISED JOB SPECIFICATION FOR THE POSITION OF CUSTODIAN."

"RESOLUTION NO. 31344

FINDING AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE PORT TO  
DISPENSE WITH COMPETITIVE BIDDING FOR CONSTRUCTION OF INFORMATIONAL  
KIOSKS, JACK LONDON SQUARE, AND AUTHORIZING WORK TO BE ACCOMPLISHED BY  
ISSUANCE OF A CHANGE ORDER TO AN EXISTING CONTRACT."

"RESOLUTION NO. 31345

GRANTING AMERICAN AIRLINES, INC., PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31346

AUTHORIZING EXECUTION OF AIRPORT SECURITY SERVICE AGREEMENT WITH CAL  
STATE SERVICE, INC."

"RESOLUTION NO. 31347

ACCEPTING WORK PERFORMED BY SAFEGATE AVIATIONS SYSTEMS, INC., AND  
AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31348

ACCEPTING WORK PERFORMED BY GALLAGHER AND BURK, IN., EXTENDING TIME FOR  
PERFORMANCE OF CONTRACT AND AUTHORIZING RECORDATION OF NOTICE OF  
COMPLETION."

"RESOLUTION NO. 31349

GRANTING PEARSON EQUIPMENT AND MAINTENANCE COMPANY ON BEHALF OF AVIS  
RENT-A-CAR SYSTEMS, INC., PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31350

AUTHORIZING REMOVAL OF ABANDONED VESSELS FROM THE UNION POINT MARINA."

Port Ordinance No. 2875 being, "AN ORDINANCE AMENDING SECTION 9a (2) OF PORT ORDINANCE NO. 1149 RELATING TO CHARGES FOR THE USE OF AIR CARGO FACILITIES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT", and Port Ordinance No. 2876 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 2613 RELATING TO PARKING RATES IN THE PORT'S PUBLIC AUTOMOBILE PARKING FACILITIES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT", were read a second time and passed by the following vote:

Ayes: Commissioners Hunter, Pineda, Sweeney, Ward Allen  
and President Higgins - 5

Noes: None

Absent: Commissioners Brady and Wasserman - 2

Port Ordinance No. \_\_\_\_\_ being, "TECHNICAL CORRECTION TO PORT ORDINANCE NO. 1606 REGARDING AVAILABLE FUNDS FOR CONTRACT PAYMENTS", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE ADDING SECTION 3.06 TO PORT ORDINANCE NO. 2199 ESTABLISHING PERSONNEL RULES AND PROCEDURES OF THE PORT OF OAKLAND RELATING TO INCUMBENTS OF RECLASSIFIED POSITIONS", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE RETITLING THE POSITIONS OF JANITOR AND JANITRESS TO CUSTODIAN", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 2833 RELATING TO DEFINITION OF TECHNICAL TERMS, WHARF DEMURRAGE AND WHARF STORAGE RATES AND SPACE ASSIGN RATES", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH JOHNSTON, INC., AND DIRECTING RECORDATION THEREOF", were read a first time and passed to print by the following vote:

Ayes: Commissioner Hunter, Pineda, Sweeney, Ward Allen  
and President Higgins - 5

Noes: None

Absent: Commissioners Brady and Wasserman - 2

At the hour of 4:45 p.m. the meeting was adjourned in honor of and out of respect to the memory of the late William Ward Eaton.

*Christopher C. Marshall*  
Secretary *ty jyl*

May 23, 1989

REGULAR MINUTES OF THE BOARD OF PORT COMMISSIONERS  
OF THE  
CITY OF OAKLAND

The meeting, formal portion, was held on Tuesday, June 6, 1989, at the hour of 4:05 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Higgins presiding, due written notice having been given to members of the Board. An informal portion was held during the period from 2:10 p.m. to 3:45 p.m. during which time the Board discussed the Port's proposed budget for 1989/1990.

Commissioners present: Brady, Hunter, Sweeney, Ward Allen, Wasserman,  
and President Higgins - 6

Commissioners absent: Pineda - 1

Also present were the Acting Chief Executive Officer and Executive Director, Transportation Services; Chief Engineer; Assistant Chief Engineer; Port Attorney; Assistant Port Attorneys, John Nolan and Thomas Clark; Chief Financial Officer; Director of Aviation; Director of Properties; Director of Public Affairs; Special Assistant to the Executive Director for Trade Relations; Director of Administration; and Secretary of the Board.

The minutes of the regular meeting of May 2, 1989, were approved as submitted and ordered filed.

Mr. James Putz, Traffic Representative and Tarriff Analyst IV received his 10 year service award.

President Higgins informed the Board that he would call for a closed session at the conclusion of the open session for the purpose of discussing pending litigation as provided for under Government Code Section 54956.9(a) involving the report from the Port Attorney on litigation matters; and to discuss real property, which negotiations concern the Sherex property as provided for under Government Code Section 54956.8.

BOARD OF PORT COMMISSIONERS  
MEETING OF JUL 18 1989  
APPROVED AS SUBMITTED AND ORDERED FILED  
SECRETARY *Christine Marshall*

Commissioner Brady, Chair of the Finance and Administration Committee informed the Board that the committee had met previously and reviewed the current pay for performance program that was being developed.

Commissioner Wasserman, Chair of the Development Committee informed the Board that the Committee had met earlier in the day and reviewed their current agenda. In addition, he noted that the committee would be meeting with Jack London Village to express the Port's position with regard to their rent delinquencies and style of operation.

Commissioner Brady, Chair of the Transition Committee, informed the Board that the planned reorganization of the Port has now been completed and he recommended the plan be adopted. The plan is contained in a separate document titled Port of Oakland Reorganization Summary and dated June 6, 1989. After discussion concerning the placement of certain activities within a certain department, the plan was adopted as prepared on passage of Resolution No. 31351.

Increase in Concession Fee - Airport Rental Car Concessionaires

was the subject of a memo to the Board from the Director of Aviation, notifying the Board that five rental car companies conduct business on the Airport under holdover provisions of expired concession agreements. In June 1986, the Port agreed to reduce the rental car concession fees from 10% to 8.5% of their respective gross revenues in response to their economic conditions at the time. The supplemental agreements provided that the modifications were to be in effect from July 1, 1986 through June 30, 1987. The Port has not reimplemented the 10% fee during the intervening period of July 1, 1987 to the present to allow the companies more time to develop their economic structures. It was noted that the Port anticipates preparing new bids for the rental car concessions on the Airport later in the year. The new bids will address a number of other issues including but not limited to ticket counter allocations, ready-car return lot, and all fees and rents to be charged the five concessionaires.

It is recommended that the Board authorize and approve establishing, effective July 15, 1989, a concession fee of 10% of the gross automobile rental revenues for: Avis Rent A Car Systems, Inc.; Budget Rent A Car Systems, Inc.; Dollar Rent A Car of San Francisco, Inc.; The Hertz Corporation; and National Car Rental System, Inc.

Mr. J. William Lawder representing the Hertz Corporation, Mr. Albert B. Beetz representing National Car Rental System, and Mr. Thomas Deane representing Avis Rent A Car System all appeared before the Board to state that they have not been able to improve their economic position in the past three years and strongly rejected any increase in fees. They further noted that their business was being depressed by off airport agencies and that the Port should recover its income by a system of fees and charges to the off airport operators. They further stated that the other airports realize their situation and had not increased fees. After considerable discussion Commissioner Hunter moved that the proposal be held over for 30 days in order for the car rental companies to present their case for a reduced fee schedule and for study of the off airport operators fees and charges. The motion was seconded and passed unanimously.

Award of Contract Construction of Asphalt Concrete Overlay and Modification of Approach Lighting Structure, Runway 11-29, South Airport was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the three bids received and recommending award of the contract to O. C. Jones and Sons the low bidder at \$2,160,375.00. The recommendation was approved on passage of Resolution No. 31363.

Award of Contract for Extension of 400 HZ Aircraft Ground Power System, Terminal 1, Gates 10, 11, 12, 14, 15, and 17, South Airport was the subject of a memo to the Board from the Chief Engineer; notifying the Board of the six bids received and recommending award of the contract to Vellutini Corporation dba Royal Electric Company the low bidder at \$213,706.00. The recommendation was approved on passage of Resolution No. 31364.

Plans and Specifications for HVAC Modifications, Building M-130, Terminal II, South Airport was the subject of a memo to the Board from the Chief Engineer, recommending their approval and authority to advertise for bids for the modification work. The work consists of miscellaneous electrical work and modifying the existing HVAC system ductwork and controls at the ticket counter and car rental counter areas in the Passenger Terminal Building. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31352.

Approval to Dispense with Bids to Extend Electric Power to Taxiway 14 South Airport was the subject of a memo to the Board from the Chief Engineer, notifying the Board that Airborne Express, an air cargo tenant at the Airport, was relocated from offices in Terminal I to the end of the new air cargo roadway adjacent to Taxiway 14. The move was requested by the Port in order to make room for American Airlines to relocate from Terminal II to Terminal I. Airborne is currently housed in a trailer to which temporary power is being supplied by a portable generator. It was necessary to supply permanent power and the Port solicited bids expecting that the cost would be less than \$15,000.00. The three quotes received were all over \$15,000.00 with the low bidder being Todacheeny Electric, Inc. at \$17,534.00. That contractor has offered to complete the work within one and one-half weeks after receiving notice to proceed. It was recommended that the Board find it to be in the best interest of the Port to dispense with formal bidding and accomplish the work by a purchase order issued to Todacheeny Electric, Inc. based upon their quote. The recommendation was approved on passage of Resolution No. 31366.

Building Permit Application Southwest Airlines was the subject of a memo to the Board from the Chief Engineer, recommending approval for the construction of certain interior improvements to their location at Terminal II.

The estimated cost of the proposed work is \$30,000.00. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31353.

Demolition Permit Application U. S. Postal Service 7201 Earhart Road North Airport was the subject of a memo to the Board from the Chief Engineer, recommending approval for the demolition and removal of interior partitions, a concrete vault and miscellaneous utilities connected to these partitions. The demolition of the concrete vault requires the construction of two new columns to support two roof trusses which are presently supported by the concrete vault. The demolition work will facilitate the field investigation work of the existing building conditions, particularly the concrete floor slab which is severely cracked and has settled unevenly throughout the building. The demolition of the interior partitions will enable them to access the settlement conditions properly, and to proposed design recommendations for the new construction. The estimated cost of the proposed demolition work is \$60,000.00. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31354.

Renovation of Cargo Building - United Parcel Service was the subject of a memo to the Board from the Director of Aviation, notifying the Board that UPS has a new lease to relocate to 39,600 square feet of space in the cargo building at an annual rental of approximately \$508,920.00. The UPS expansion required that three airlines vacate their premises in the cargo building. The three airlines agreed to relocate to a portion of the new UPS premises with the understanding that they would then undertake a second relocation in the cargo building once UPS had vacated its former premises. Under the terms of the new lease with UPS, the Port and UPS would share equally in the cargo building renovation costs necessary to accommodate the interim relocation of the three airlines, estimated to be \$35,000.00. UPS would undertake the work and the Port's share would be provided in the form of a rental credit, divided equally over a three-month period. In order to complete the relocation of the three

airlines, the Port must undertake certain renovations to the cargo building to provide new, separate, leaseable areas for the three airlines. UPS wishes to complete occupancy of its entire premises and proposes to undertake the work on behalf of the Port and the cost would be borne by the Port in the form of a rental credit, not to exceed \$20,000.00 which would increase the total estimated rental credit to \$37,500.00. The recommendation was approved on passage of Resolution No. 31355.

Approval of Supplement to Consultant Agreement for Graphic Design Services For Jack London Square, Phase I was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the agreement with Stratagem Consultants to provide graphic design services for the Jack London's Waterfront project. The evolution of the overall development and the design was delayed beyond the original schedule and the scope of the work has changed. To provide for the changes it was recommended that the agreement be amended to increase the Executive Director's authority to approve extra work by \$32,600.00. The recommendation was approved on passage of Resolution No. 31367.

United Parcel Service License Agreement was the subject of a memo to the Board from the Director of Properties, recommending approval of a new license agreement covering 90,000 square feet of Port-owned land at Pardee and Swan Way. The site was previously rocked and lighted by UPS. The new monthly rent would be \$5,808.00. The site will be used for supplementary employee parking. The recommendation was approved on passage of Resolution No. 31356.

Supplemental Agreement for Harding Lawson Associates to Perform Additional Consultant Services for Dredged Material Disposal was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the agreement for professional services with Harding Lawson Associates for consultation on geotechnical and water quality matters relating to the disposal of dredged material from the Phase I Oakland Inner Harbor Navigation Improvement Project.

The firm has conducted sediment sampling and laboratory analysis, groundwater and surface water modeling and associated data analysis and reporting, all directed at meeting reporting requirements of the staff of the Central Valley Regional Water Quality Control Board regarding the expected effects on water quality of using the dredged material to reinforce levees on islands in the Sacramento-San Joaquin Delta. During discussions and meetings with the CVRWQCB staff, other State agencies, and the Contra Costa Water District other regulatory requirements for collection and analysis of additional information to support the water quality impact evaluation portion of the project have been identified. This work includes added sediment and water sampling and analysis, terrestrial and aquatic bioassays, dispersion modeling, mitigation planning and development of monitoring and control plans. The cost of the additional work is estimated at \$798,000.00. It was recommended the Board authorize the preparation and execution of a supplemental agreement covering the additional work and that the supplemental agreement include an allowance of up to \$100,000.00 for additional services if determined by the Chief Engineer to be necessary, subject to the approval of the Executive Director. The recommendation was approved on passage of Resolution No. 31368.

Approval to Refurbish Ninth Ave. Terminal Offices was the subject of a memo to the Board from the Acting Chief Executive Director and Executive Director of Transportation Services, notifying the Board that the Ninth Avenue Terminal transit shed and terminal offices were initially constructed in 1930 and very few modifications have been made to the facilities since that time. The Marine Terminals Corporation has been the assignee of the Ninth Avenue Terminal facility under various agreements since 1965, and they have requested certain improvements associated with the electrical, lighting, heating and toilet facilities to be accomplished as quickly as possible, consistent with terminal operational requirements.

MTC has proposed that they refurbish the terminal office to include heating, electrical, plumbing, new floor covering, new ceilings and interior painting, and that the Port pay for 50% of the work to be accomplished. The total cost of the repairs is estimated to be \$90,000.00 with half of the cost, \$45,000.00 involving repairs of electrical, heating and plumbing futures which are the Ports responsibility. It was recommended that the Management Agreement be amended to provide for the Port to reimburse Marine Terminals Corporation up to 50% of the total cost of the modifications but not to exceed \$45,000.00 for the work. The recommendation was approved on passage of Resolution No. 31377 for building permit and on a motion by Commissioner Sweeney, seconded and passed unanimously for amendment to their agreement.

Use Agreement Between the Port of Oakland and Star Shipping A/S was the subject of a memo to the Board from the Acting Chief Executive Officer and the Executive Director of Transportation Services, notifying the Board of a five year Terminal Use Agreement that expired June 30, 1989. Star operates in the trade route between the U. S. West Coast and North Europe specializing in the carriage of container and breakbulk cargo and calls at the Seventh Street Public Container Terminal operated by Marine Terminals Corporation. It was recommended that the Board approve a new five year term Terminal Use Agreement with Star for the period of July 1, 1989 to June 30, 1994. The major economic provisions include: Star may retain 10% of dockage and wharfage revenues at the time of vessel and cargo activity at the terminal and to the extent that Star, during any contract year, has generated in excess of 35,000 revenue tons per acre of container yard assigned by the Port to the line, the line will have returned by the Port to the extent collected by the Port, tariff wharfage revenues for all revenue tons in excess of 35,000 revenue tons per acre multiplied by the assigned acreage. As a separate wharfage discount standard, the Port will give Star an immediate discount of 35% for all breakbulk general cargo with the exception that all metal or metal products will receive an immediate 20% discount and as Star makes double vessel calls, a dockage cap is provided which allows Star to pay for 70% of the

annual vessel calls at 90% of the prevailing tariff dockage rate. Star has recently concluded a slot-charter arrangement with Canadian Transport Company, Ltd., and Star will occasionally charter container space on CTCC vessels with discharge at the CTCC assigned terminal facility which is the Charles P. Howard Terminal. The Star TUA will provide that compensation provisions of the Agreement will apply for Star container operations conducted at the CTCC terminal facility. The recommendation was approved on an ordinance passed to print.

Substitution of Paving Subcontractor for "Construction of Berth 26 Wharf Outer Harbor" was the subject of a memo to the Board from the Chief Engineer, recommending approval for J. H. Pomeroy & Co., Inc., to substitute their paving subcontractor. The listed subcontractor, West-Bay Contractors, is unable to provide the necessary performance and payment bonds and O. C. Jones and Sons will be the new paving subcontractor. The recommendation was approved on passage of Resolution No. 31357.

Amended Lease #1 Between Port of Oakland and American National Bank & Trust Co. of Chicago. c/o Birtcher Properties was the subject of a memo to the Board from the Acting Chief Executive Officer, Executive Director of Transportation Services notifying the Board of the 3-year lease agreement for office space located at 3325 N. Arlington Heights Road, Suite 400-C, Arlington Heights, Illinois, 60004 used for the Port's midwest office. It was recommended that the Board approve a new 3-year amendment to the current lease. The amended lease will be effective July 1, 1989 through June 30, 1992. The base rent for the 3 years will be \$15,012.56 which is a reduction from the previous 3-year rent of \$18,069.00. The recommendation was approved on passage of Resolution No. 31369.

Crane and Package Liability Insurance was the subject of a memo to the Board from the Director of Administration, notifying the Board of the policy that combined the Crane Insurance with the Non-Airport General Liability Insurance and

placed with Lloyds of London. Proposals have been received for renewal. The coverage in the policy includes a Crane and the Crane Transfer System, Fireboat and Boston Whaler with deductibles and limits on liability. The Commercial General Liability has a \$1 million limit and a \$100,000.00 per occurrence deductible. The carrier has reduced the annual premium from \$327,000.00 to \$257,892.50 plus 3.1% taxes, credits given were 2-1/2% for renewal with a 8% no claim bonus and an additional 15% reduction for increasing the crane's physical damage deductible per occurrence from \$75,000.00 to \$100,000.00. In addition, the Port had a three-year profit sharing agreement with Lloyds of London. It was recommended that the Board affirm the package policies renewal of May 20, 1989 for an annual premium of \$257,892.50 plus 3.1% taxes. Also recommended was Board approval for the restructure of the Port's insurance program by binding the endorsement of Airport General Liability to this Package Policy as of June 1, 1989 for an annual premium of \$104,000.00 plus 3.1% taxes. Lloyds of London will add the Airport General Liability in the amount of \$200,000,000.00 subject to a per occurrence and annual aggregate deductible of \$130,000.00 for \$104,000.00 annually. The consolidating of the Port's insurance with one carrier and one policy was recommended as it increases the Port's negotiation ability both in price and coverage areas. The Broker placing this policy offers a superior level of professional services to the Port, including advise and counsel from aviation and maritime experts, loss control and claims expertise without additional cost.

Ms. Noreen Parker, President of Parker Insurance Broker, Inc. and President of the Oakland Association of Insurance Agents appeared before the Board to note that the policy should have been placed through the Oakland Association of Insurance Agents as the premium would be returned to the City by way of community betterment programs. It was noted that the Port saved considerable funds with the new placement of the insurance. After discussion the recommendation was approved on passage of Resolution No. 31370.

Personnel Items was the subject of a memo to the Board from the Director of Administration, recommending the appointment of Michael Collins, as Building Maintenance Engineer, effective June 7, 1989, at \$3,318.00 per month; Britton McLinn, Freddie Iturriria, and Kelvin Davis, as Youth Aide, Class "A", effective June 7, 1989, at \$13.03 per hour; Shirley Harris, Youth Aide, Class "EB-1", effective June 7, 1989, at \$11.73 per hour; Hilda Ortiz, Youth Aide, Class "B-1", effective June 7, 1989 at \$10.31 per hour. Also recommended was the amendment of appointment Michael Curtis to the position of Port Accounting Supervisor, to reflect June 8, 1989 as his start date and approval of the examination announcement for the position of Intermediate Drafting Technician. Further recommended was a military leave of absence Isamu Tsujimoto, Sr. Engineering Assistant, for six working days; a military leave of absence for Henry F. Melendres, Port Personnel Analyst, for one working day; military leave of absence for Homer Z. Hoglund, Port Equipment Supervisor, for five working days. The recommendation was approved on passage of Resolution No. 31371 for appointments, Resolution No. 31372 for amending appointment, Resolution No. 31373 for examination announcement and Resolution No. 31374 for leaves of absence.

1988 Hazardous Waste Superfund Tax was the subject of a memo to the Board from the Chief Engineer, notifying the Board that the California State Board of Equalization administers hazardous waste taxes for the disposal of hazardous waste. The three elements of the Hazardous Waste Taxes include Hazardous Waste Control Account Tax, Hazardous Generator Fee Tax, and Hazardous Waste Superfund Tax. The Board previously authorized payment in the amount of \$91,219.56 for the Hazardous Waste Control Account Tax and the Hazardous Waste Generator Fee Tax. The Port has just received the bill for the Hazardous Waste Superfund Tax in the amount of \$15,320.18. It was recommended that the bill be paid. The Legal Department is determining whether the Port is exempt from all or a portion of the tax. The recommendation was approved on passage of Resolution No. 31358.

Claim of Curtis Robertson was the subject of a memo to the Board from the Port Attorney, notifying the Board of a claim in the amount not expected to exceed \$25,000.00 for personal injuries allegedly sustained as a result of a vehicular collision involving a Port pick-up truck. As it appears that this claim is not a proper charge against the Port it was recommended that the claim be rejected. The recommendation was approved on passage of Resolution No. 31376.

At the hour of 5:05 P.M. Commissioner Hunter was excused from the meeting.

Mr. David Tallichett representing Jack London Village, a ground lease in Jack London Square appeared before the Board to review the history of his development and the many differences of operating style he has had with the Port, his tenants, and potential buyers of the complex. He noted that the Village was in arrears to the Port on their recent increase as provided for in the lease. He asked that the Port not to proceed with legal actions and that negotiations be held to arrive at a mutually acceptable compromise. He further noted that he would sell the complex at his previous offer made several years ago.

Mr. Curtis R. Smothers, representing Jack London Village Merchants Association and Mr. Jack Maghetti, President of the same association appeared before the Board to note that the merchants in the village have suffered from the ownership of the complex and the alledged non support by the Port of their interests.

Commissioner Wasserman, Chair of the Development Committee, informed the Board that his committee would again review the facts as presented by Mr. Tallichett. He noted that the relationship between Jack London Village and the Port has not been a positive one and perhaps it was an appropriate time for a change. He further noted that the appropriate legal steps should continue to establish the facts in question as provided for in the lease.

Mr. Steve Bloom, representing the Nuclear Free California Association appeared before the Board to note that the Port was not in conformance with the recent initiative passed by the voters, and asked that the Port as soon as possible

abide by the ban on purchasing products made by companies involved in the nuclear weapon industry. President Higgins, thanked Mr. Bloom for his comments and noticed that there was a very strong legal opinion that the Nuclear Free Initiative was unconstitutional in total and that its alleged application of the Port of Oakland was also of a different legal opinion. Mr. Bloom responded that perhaps a court of law could be an appropriate venue for the issue.

The Board, under Public appearances, received a presentation from Ms. Mona G. Morris, Chairperson of the Oakland Fuel Facilities Corporation. Ms. Morris notified the Board that the air freight airlines were exercising their right to fuel their own planes. She noted that the reasons for exercising the right were greater control and scheduling of the fueling needs, and reduced costs of operation. She also noted that the consortium would bill the members for fuel based on the cost of fuel, airport in plane charges, and their costs, all of which were expected to be greatly reduced from their present costs.

Ms. Diane Doughtie, Field Representative for Local 790 appeared before the Board to note that the self fueling rights by the air freight operators could eliminate jobs held by members of local 790. Mr. Al Loera and Mr. Lenny Bayman, Port employees at the airport appeared before the Board to ask that the Board provide a method of accounting which would make airport fueling cost as competitive as the proposed self fueling. They noted that extra charges appeared to be added to the cost of fueling at the airport and if these charges were removed the cost of fueling by Port forces would be competitive.

Mr. Robert Steel, an attorney representing the Oakland Fuel Facilities Corporation, informed the Board of the history of the self fueling rights and that most fueling at the major airports was being performed by fueling consortiums of one type or another which provided better control and reduce costs. After discussion, the Board noted that the rights of the fueling consortium were quite clear and the Board understood the actions of the air freight carriers.

The Board asked for a review of the fueling costs to compare with the figures presented by local 790 and the fueling consortium. It also noted that at present no jobs held by Port Forces were being eliminated.

Travel Authorization contained in a memo to the Board from the Director of Administration, recommended the travel of the Manager, Cargo Marketing, the Media Relations Representative, and the Manager, Marine Marketing to Atlanta, Georgia, on or about June 12, 1989 to participate in the International Intermodal Expo 1989 by supervising the Port's booth at the event; and the travel of President of President of the Board of Port Commissioners and Director of Aviation to Dallas, Texas, on or about June 16, 1989 to attend Southwest Airlines Annual Awards Banquet.

The following reports were received and ordered filed:

Report of Port Attorney on Litigation Matters.

Status of Construction Contracts in Progress  
as of May 1989.

Status of Consultant Contracts in Progress  
as of May 1989.

Summary of Cash - Port Revenue and Construction Funds  
as of May 26, 1989.

Summary of Claims Paid from Various Funds  
for the Period May 17, 1989 through May 31, 1989.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Brady, Sweeney, Ward Allen,  
Wasserman, and President Higgins - 5

Noes: None

Absent: Commissioner Pineda and Hunter - 2

"RESOLUTION NO. 31351

ADOPTING RECOMMENDATIONS REGARDING REORGANIZATION OF PORT ORGANIZATION STRUCTURES AND PROCEDURES AND DIRECTING MANAGEMENT TO PROCEED WITH IMPLEMENTATION THEREOF IN ACCORDANCE WITH REQUIREMENTS OF THE CHARTER."

"RESOLUTION NO. 31352

APPROVING PLANS AND SPECIFICATIONS FOR HVAC MODIFICATIONS, BUILDING M-130, TERMINAL II, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31353

GRANTING SOUTHWEST AIRLINES PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31354

GRANTING THE UNITED STATES POSTAL SERVICE PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31355

APPROVING AND AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH UNITED PARCEL SERVICE."

"RESOLUTION NO. 31356

AUTHORIZING EXECUTION OF A LICENSE AGREEMENT WITH UNITED PARCEL SERVICE FOR SUPPLEMENTARY EMPLOYEE PARKING."

"RESOLUTION NO. 31357

AUTHORIZING SUBSTITUTION OF PAVING SUBCONTRACTOR FOR CONSTRUCTION OF BERTH 26 WHARF OUTER HARBOR."

"RESOLUTION NO. 31358

FINDING AND DETERMINING THAT CERTAIN TAX RETURNS BE FILED WITH THE STATE BOARD OF EQUALIZATION REGARDING HAZARDOUS WASTE TAXES AND AUTHORIZING PAYMENT OF SUCH TAXES."

"RESOLUTION NO. 31359

GRANTING WESTERN FEDERAL SAVINGS AND LOAN ASSOCIATION PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31360

GRANTING MARINE TERMINALS CORPORATION, INC. PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31361

GRANTING WESTERN FEDERAL SAVINGS AND LOAN ASSOCIATION PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31362

GRANTING WESTERN FEDERAL SAVINGS AND LOAN ASSOCIATION PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31363

AWARDING CONTRACT TO O.C. JONES AND SONS, FOR CONSTRUCTION OF ASPHALT CONCRETE OVERLAY AND MODIFICATION OF APPROACH LIGHTING STRUCTURE, RUNWAY 11-29, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA, A.I.P. 3-06-0170-09; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 31364

AWARDING CONTRACT TO VELLUTINI CORPORATION DBA ROYAL ELECTRIC COMPANY, FOR EXTENSION OF 400 HZ AIRCRAFT GROUND POWER SYSTEM, TERMINAL I (BUILDING M-103), GATES 10, 11, 12, 14, 15, AND 17, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 31365

FIXING REVISED PERCENTAGE CONSIDERATION FOR AIRPORT RENTAL CAR LICENSE AND CONCESSION AGREEMENTS DURING MONTH TO MONTH HELD OVER CONTINUATIONS THEREOF."

"RESOLUTION NO. 31366

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO PERFORM CERTAIN PUBLIC WORK WITHOUT COMPETITIVE BIDDING AND AUTHORIZING THE PERFORMANCE THEREOF. (EXTENSION OF ELECTRIC POWER TO TAXIWAY 14, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT)"

"RESOLUTION NO. 31367

FINDING AND DETERMINING THAT A PROPOSED SUPPLEMENTAL AGREEMENT WITH PETER KATZ, AN INDIVIDUAL DOING BUSINESS AS STRATAGEM CONSULTANTS, CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES: AND AUTHORIZING EXECUTION OF SAID SUPPLEMENTAL AGREEMENT."

"RESOLUTION NO. 31368

FINDING AND DETERMINING THAT A PROPOSED SUPPLEMENTAL AGREEMENT WITH HARDING LAWSON ASSOCIATES FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID SUPPLEMENTAL AGREEMENT."

"RESOLUTION NO. 31369

APPROVING AND AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO LEASE AGREEMENT WITH AMERICAN NATIONAL BANK & TRUST COMPANY OF CHICAGO FOR OFFICE SPACE LOCATED IN ARLINGTON HEIGHTS, ILLINOIS."

"RESOLUTION NO. 31370

RATIFYING PLACEMENT OF HARBOR ALL-RISK PHYSICAL DAMAGE ON CRANES, TRANSFER SYSTEMS, FIREBOAT AND WHALER, NON-AIRPORT COMMERCIAL GENERAL LIABILITY INSURANCE AND AIRPORT GENERAL LIABILITY INSURANCE WITH LLOYDS OF JONDON THROUGH JOHNSON AND HIGGINS OF CALIFORNIA."

"RESOLUTION NO. 31371

AUTHORIZING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31372

AMENDING RESOLUTION NO. 31340 CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31373

APPROVING EXAMINATION ANNOUNCEMENT FOR THE POSITION OF INTERMEDIATE DRAFTING TECHNICIAN."

"RESOLUTION NO. 31374

CONCERNING CERTAIN LEAVES OF ABSENCE."

"RESOLUTION NO. 31375

CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 31376

REJECTING CLAIM OF CURTIS ROBERTSON."

"RESOLUTION NO. 31377

GRANTING MARINE TERMINALS CORPORATION PERMISSION TO PERFORM CERTAIN WORK."

Port Ordinance No. 2877 being, "TECHNICAL CORRECTION TO PORT ORDINANCE NO. 1606 REGARDING AVAILABLE FUNDS FOR CONTRACT PAYMENTS", and Port Ordinance No. 2878 being, "AN ORDINANCE ADDING SECTION 3.06 TO PORT ORDINANCE NO. 2199 ESTABLISHING PERSONNEL RULES AND PROCEDURES OF THE PORT OF OAKLAND RELATING TO INCUMBENTS OF RECLASSIFIED POSITIONS", and Port Ordinance No. 2879 being, "AN ORDINANCE RETITLING THE POSITIONS OF JANITOR AND JANITRESS TO CUSTODIAN", and Port Ordinance No. 2880 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 2833 RELATING TO DEFINITION OF TECHNICAL TERMS, WHARF DEMURRAGE AND WHARF STORAGE RATES AND SPACE ASSIGN RATES", and Port Ordinance No. 2881 being, "AN ORDINANCE read a second time and passed by the following vote:

Ayes: Commissioners Brady, Sweeney, Ward Allen, Wasserman and President Higgins - 5

Noes: None

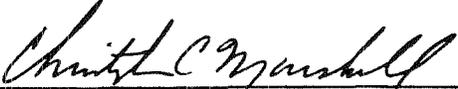
Absent: Commissioners Hunter and Pineda - 2

Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE RELATING TO THE EFFECTIVE DATE OF NEW SALARY RATES ESTABLISHED UNDER CERTAIN SECTIONS OF PORT ORDINANCE NO. 867 FIXING THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE PORT DEPARTMENT". and Port Ordinance No. \_\_\_\_\_, "AN ORDINANCE ADDING SECTIONS 1.9991 and 1.9992 TO PORT ORDINANCE NO. 867 FIXING THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE PORT DEPARTMENT", and Port Ordinance No. \_\_\_\_\_ being, "AN

ORDINANCE AMENDING PORT ORDINANCE NO. 867 TO ESTABLISH CERTAIN NEW SALARY SCHEDULES, CREATE CERTAIN NEW POSITIONS, RETITLE CERTAIN POSITIONS AND ADD ADDITIONAL POSITIONS WITHIN EXISTING PORT CLASSIFICATIONS", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF TERMINAL USE AGREEMENT WITH STAR SHIPPING A/S", were read a first time and passed to print by the following vote:

Ayes: Commissioners Brady, Sweeney, Ward Allen, Wasserman and President Higgins - 5  
Noes: None  
Absent: Commissioners Hunter and Pineda - 2

At the hour of 6:15 P.M. the Board entered into closed session as previously announced by President Higgins and reconvened in open session at the hour of 7:10 P.M. at which time the meeting was adjourned on a motion duly made and seconded.

  
Secretary

June 6, 1989

- 18 -

REGULAR MINUTES OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting, formal portion, was held on Tuesday, June 20, 1989, at the hour of 4:05 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Higgins presiding, due written notice having been given to members of the Board. An informal portion was held during the period from 3:00 p.m. to 3:50 p.m. during which time the Board reviewed a status report on certain excess property associated with the Oakland Tidal Canal, and received a status report on the Port's strategic railroad service plan.

Commissioners present: Brady, Sweeney, Ward Allen, Wasserman and  
President Higgins - 5

Commissioners absent: Hunter and Pineda - 2

Also present were the Acting Chief Executive Officer and Executive Director, Transportation Services; Port Attorney; Chief Engineer; Assistant Chief Engineer; Director of Aviation; Director of Properties; Director of Administration; and Special Assistant to the Executive Director, Gerald Pope, serving as Assistant Secretary of the Board.

The minutes of the regular meeting of May 16, 1989, and the adjourned regular meeting of May 23, 1989 were approved as submitted and ordered filed.

President Higgins informed the Board that he would call for a closed session at the conclusion of the open session for the purpose of discussing pending litigation involving matters contained in the Report of the Port Attorney on Litigation matters as provided for under Government Code Section 54956.9(a); certain pending litigation as provided for under Government Code Section 54956.9(b) and (c); and personnel matters as provided for under Government Code Section 54957.

Commissioner Brady, Chair of the Finance and Administrative committee, informed the Board that his committee had met earlier in the day and discussed items on their current agenda.

BOARD OF PORT COMMISSIONERS

MEETING OF AUG - 1 1989

APPROVED AS SUBMITTED AND ORDERED FILE

Christine M. Marshall

Commissioner Sweeney, Chair of the Transportation Committee, informed the Board that his committee had met earlier in the day and reviewed their current agenda.

President Higgins, informed the Board of the status of the Transition Committee's progress.

Adjustment in Military Airlift Command Air Terminal Rental Rates was the subject of a memo to the Board from the Director of Aviation, notifying the Board that the costs associated with the operation of the Military Airlift Command at Oakland Airport have increased to a level that the command has recommended that the operation be moved to a less costly airport. It was recommended that the Board consider the increased costs noting a decline in MAC passenger traffic through Oakland due to a troop rotation reduction in the Pacific/Far East areas and that rental costs for air terminal space, have steadily increased over the years. It was recommended that the Board approve a rental reduction for MAC which will allow for their continued operation at Oakland. The air terminal rental rate increases which went into effect May 1, 1988 would be cancelled, and certain office space occupancy would also be cancelled. The \$20,000.00 a year in operating concession fees collected from MAC ground service support agency would be applied toward MAC's annual rent. The cumulative effect of the new arrangements would save MAC about \$45,000.00 a year in annual operating costs at Oakland. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Approval to Rebid Recoating Ticketing Building M-101 Roof, South Airport was the subject of a memo to the Board from the Chief Engineer, notifying the Board of a previously approved plans and specifications for recoating the ticketing building and that the only bidder could not acquire liability insurance and a contract was not issued. The insurance provisions have been revised and it was recommended that the job be readvertised for bids. The recommendation was approved on passage of Resolution No. 31378.

Completion of Contract for Operations and Maintenance of Aviation Fuel Facilities was the subject of a memo to the Board from the Director of Aviation, recommending that the contract with Fueling Maintenance Company for the operations and maintenance of the Airport aviation fuel tank farm and hydrant system, for the period commencing May 1, 1986 and ending April 30, 1989 be accepted as complete and the appropriate contract performance bonds be returned. The recommendation was approved on passage of Resolution No. 31379.

License Agreement Renewal - National Airmotive Corporation was the subject of a memo to the Board from the Director of Aviation, recommending approval to renew their agreement for land under buildings L-900 and L-914 on the North Airport used for their engine test facility at a new monthly rental of \$1,009.23. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

License Agreement Renewal - Quinn Electronics, Inc. was the subject of a memo to the Board from the Director of Aviation, recommending approval to renew their agreement for two years for building L-727 on the North Airport used for the sale of surplus aviation electronic parts and equipment. The new monthly rental would be \$2,683.79 and adjusted in accordance with the percentage change in the Consumer Price Index for the second year. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Approval of Resolution Authorizing Application to the Caltrans Demonstration Program was the subject of a memo to the Board from the Chief Engineer, notifying the Board of a fund of \$300 million for a special Transportation Demonstration Program to be administered by Caltrans. The Program would provide seed money to allow local sponsors with available matching funds to expedite certain traffic projects that will enhance the State's transportation system. Two Port of Oakland traffic improvement projects have been determined to be good candidates to compete for funds under the program. The first is the

extension of Edgewater Drive to the 66th Avenue Interchange and the second is the Middle Harbor Road Extension. It was recommended that the Board approve the grant application to Caltrans under its Transportation Demonstration Program. The recommendation was approved on passage of Resolution No. 31380.

Building Permit Application, Oakland Executive Center, 7677 Oakport Street was the subject of a memo to the Board from the Chief Engineer, recommending approval for the construction of certain interior improvements to the 14th floor of the Oakland Executive Center to be occupied by the Department of Alcoholic Beverage Control. The estimated cost of the proposed improvements is \$100,000.00. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31381.

Building Permit Application, Retrofitting Fueling System and Truck Wash Facility, United Parcel Service was the subject of a memo to the Board from the Chief Engineer, recommending approval for the reconstruction of their fueling facility and truck washing equipment at their leased premises located at 8400 Pardee Drive used for their package distribution facility. The work includes the removal of the existing equipment, demolition of the site and construction of a new reinforced concrete slab and installation of four new fuel dispensers, and related equipment. The estimated cost of the proposed improvements is \$100,000.00. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31382.

Deletion of Plumbing, HVAC, and Electrical Subcontractor for Installation of Security System, Jack London Square was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the contract with Transpac Fiber Optics and Telecommunications, Inc., for installation of the

security system at Jack London Square. The listed subcontractor, The Building Machine, for the plumbing, heating, venting, air conditioning and electrical work has failed to perform the subcontract work and substantially delayed the progress of the work. It was recommended that The Building Machine be deleted from the list of subcontractors and that Transpac Fiber Optics and Telecommunications, Inc., complete the remaining work of the subcontractor with their own forces so as not to delay the completion of the project. The recommendation was approved on passage of Resolution No. 31399.

Approval of Change Order for Deletion of Building Access Control for Installation of Parking Revenue Control and Building Access Control, Jack London Square was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the contract with William D. White Company, Inc., for installation of parking revenue control and building access control system at Jack London Square. The access control portions of the contract are for the buildings which are being built and which will be operated by Oakland Portside Associates. It appears that Oakland Portside Associates should contract for the installation of the access control items in the Oakland Portside Associates buildings, rather than the Port. It was recommended that the Chief Engineer be authorized to issue a change order to William D. White Company, Inc., for deletion of the building access control portion of the contract for a lump sum credit of \$133,896.00 and no extension of contract time. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Jack London Village - Subleases was the subject of a memo to the Board from the Director of Properties, recommending approval for Shirlee Pierce, dba Oakland Gifts and Jewelry, to renew her agreement at a different location for the operation of a gift and jewelry shop and for the new owners of the Captain's Landing, Joyce Wright and W. Scott Brakeville, to renew the agreement for the Brass and Nautical Gift Shop. The recommendation was approved on passage of Resolution No. 31398.

Cove II and Cove IV Investments - Assignment of Lease was the subject of a memo to the Board from the Director of Properties, notifying the Board of the development on a 5.77 acres site on Embarcadero in the Embarcadero Cove area, under a 50 year ground lease. The development includes two buildings containing approximately 120,000 square feet. The rent to the Port includes a monthly minimum rent of \$12,698.45 against various percentages. The Cove II and Cove IV Investment defaulted on the construction loan with Bell Savings and Loan Association. Bell Savings foreclosed on the loan and cleared all outstanding rent owed the Port. Bell Savings and Loan is now merged with Western Federal Savings and Loan Association and it was recommended that the Board approve the assignment of the leases to Western Federal Savings and Loan Association. The recommendation was approved on passage of Resolution No. 31383.

Authorization to Pay Obstruction Permit Fee was the subject of a memo to the Board from the Chief Engineer, notifying the Board that the ongoing construction work in Jack London Square required temporarily closing the sidewalk on the South side of Embarcadero West from Broadway to Franklin Street. An obstruction permit for that closing was obtained from the City when construction began on the underground garage, and the contractor paid the required fees until the garage work was completed. Currently, the Pavilion contractor is paying the obstruction permit fees; however, the Port is responsible for those fees incurred between completion of garage construction and commencement of Pavilion construction. It was recommended that the Board authorize the payment of \$27,000.00 for obstruction permit fees. The recommendation was approved on passage of Resolution No. 31384.

Oakland Portside Associates - Letter of Credit was the subject of a memo to the Board from the Director of Properties, notifying the Board that as a condition of the loan with Bankers Trust Company, Oakland Portside Associates was required to utilize the \$5,000,000.00 cash equity contributed by the partners

before a call could be made on the loan for funds. In complying with the requirements, OPA is in the position that funds are not available until a draw has been processed and approved by the bank. OPA has negotiated a \$100,00.00 line of credit with Security Pacific National Bank. The funds would only be used by OPA to pay bills prior to and in anticipation of funding by Bankers Trust Company, which funds will be used to repay any funds drawn down on the line of credit. It was recommended that the Board approve the execution of the \$100,000.00 line of credit agreement with Security Pacific National Bank. The recommendation was approved on passage of Resolution No. 31385.

Request for Statement of Interest and Request for Proposal for the Financing, Management and Operation of the Carnation Terminal was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director of Transportation Services, notifying the Board that the proposed Carnation Terminal is presently in the design phase and the Port is prepared to receive statements of interest for the assignment of the major marine container facility. The Port is particularly interested in having the facility financed in whole or at least in major part by the assignee which would allow for Port funds to be used in other areas. The Port has received inquiries from several shipping lines and terminal operators expressing their interest in an opportunity to enter into negotiations with the Port for management and operation of the Carnation Terminal. It was recommended that the Board authorize staff to issue on July 5, 1989 a Request for Statement of Interest and a Request for Proposal for the financing management and operation of the Carnation Terminal and adopt an Inducement Resolution indicating its intent to issue bonds not to exceed \$75,000,000 to finance the Carnation Terminal. The Request for Statement of Interest specifies certain financial and experience thresholds a respondent must meet to be further considered in the process. Respondents will be expected to demonstrate the capability of being able to either provide or obtain adequate

funding or available credit backing for financing all or a major portion of the Carnation Terminal and guarantee sufficient revenue flow either from the terminal or the company itself to meet debt service requirements. The operational and business experience of the respondent will also be considered. Submissions by individual respondents or by parties to a joint venture will be accepted. Those who meet the requirements of the Request for Statement of Interest process will be qualified to have the Port consider their responses to the Request for Proposals. Respondents will be expected to demonstrate for the management and operation of the Carnation Terminal a viable business plan that will include cargo forecasts and other elements that are in the best interest of the Port. Following the selection process, the Port staff will submit recommendations for Board consideration concerning the best qualified respondent or respondents with whom the Port staff will be authorized to enter into negotiations for the Carnation Terminal. After discussion the recommendation was approved on passage of Resolution No. 31386 for Statements of Interest and on Resolution No. 31397 for Inducement Resolution.

Approval of Change Order to Perform Maintenance Dredging at Berth 23 was the subject of a memo to the Board from the Chief Engineer, notifying the Board that Orient Overseas Container Line calls at Berth 23, in the Oakland Outer Harbor, and has put into service a new vessel with a draft of minus 38 feet which is deeper than the current berth depth. The Port currently has a contract in effect with Manson Construction and Engineering Company to dredge Berths 25, 32 and 33, and it was recommended that the Board authorize a change order for the estimated cost of \$25,000.00 to Manson Construction to perform the necessary dredging at Berth 23. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Approval to Hire Deloitte Haskins & Sells to Provide Professional Services in Evaluating the Port's Billing Functions and Related Internal Accounting Controls was the subject of a memo to the Board from the Chief

Financial Officer, notifying the Board that the Port-wide billing and invoicing function has been substantially decentralized from the Accounting Department to the three Revenue Divisions. The fiscal year 1987 Management Letter and the fiscal year 1988 Management Letter noted that opportunities remain for significant improvement in controls and record-keeping procedures for Port revenue activities. It was recommended that the Board authorize the preparation and execution of an agreement with Deloitte Haskins & Sells to provide professional services relating to billing functions of the Port. The scope of the proposed billing review includes a comprehensive assessment of the existing billing function, determination of the optimal assignment and utilization of personnel in performing the billing function, and the analysis of alternatives available to the Port, which include leaving the billing function in the Revenue Divisions or centralizing the billing function in the Accounting Department. The firm will be paid for their services and expenses not to exceed \$31,200.00. It was noted that the expenditures would be added to the Port's budget which is scheduled for Board approval on today's calendar. The recommendation was approved on passage of Resolution No. 31387.

Bioscience Center Projects was the subject of a memo to the Board from the Director of Properties, notifying the Board of a concentrated effort by the Association of Bay Area Governments, the local universities, and the Bio-Tech Community to support the development of a Bioscience Center to advance the interest of the Bay Area as the international Bio-Tech Center. The goals of the Bioscience Center are to serve as a focal point for the industry and the community, as well as provide leadership to educate the public to the industry as an economic and employment generator. An East Bay task force composed of government, industry, university and community leaders have put forth a program to make the Center a reality. The proposal is to seek commitments in cash and in-kind to fund a three-year trial program. Both the City of Oakland and the Port are requested to commit \$75,000.00 per year, the balance of \$100,000.00 to

\$150,000.00 of the budget will come from industry. It was recommended that the Board approve a commitment to fund up to \$75,000.00 per year for three years for the operation of a Bioscience Center subject to other commitments being made to fund the proposed annual budget. It was noted that the expense would be added to the proposed budget which is on today's calendar for approval. The recommendation was approved on passage of Resolution No. 31388.

Annual Budget Fiscal Year 1989-90 was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director of Transportation Services, notifying the Board that the budget has been prepared and reviewed by the Board. The budget was prepared on a financially conservative basis which uses established rates or conservative increases in rates, and committed levels of activity were used to estimate revenues while expenses included known and anticipated costs for the coming year. Preliminary fiscal year 1989-90 budget estimates operating revenues of \$81.7 million and operating expenses of \$46.4 million. The Aviation revenues show an increase of \$5.2 million reflecting increased activities at the Airport. The Maritime revenues show an increase of \$1.8 million reflecting projected volume increases, tariff and crane increases to be enacted during the fiscal year 1990. The Commercial Real Estate revenues show an increase of \$164,000.00 reflecting income from existing new tenants. The preliminary budget reflects an increase in operating expenses between Anticipated 1988-89 and Proposed 1989-90 of 9.2 million. The expense increases include items which were not included in the current budget such as the move to and rental of space in the new Port building, fiscal year 1989-90 salary adjustments and the pay for performance system, rental of Navy property, the net impact of the reorganization, new positions not related to the reorganization and full year budgeting of positions approved in December, 1989, increased participation in Jack London's Waterfront Business Association, environmental consultants and participation in the Dredging Coalition, additional police officers at the commercial airport, a pavement rehabilitation program and

elimination of administrative credits. It was recommended that the Board adopt the budget and adopt a resolution appropriating funds for Port operations and maintenance. It was further recommended that the Board adopt a resolution authorizing payment to the City for General Services of \$988,983.00 and finding that a surplus exists sufficient for such payment. It was noted that two additional expense items approved on the Board's calendar would be added to the budget. The recommendation was approved on a motion by Commissioner Brady, seconded and passed unanimously for approving the budget on passage of Resolution No. 31400 for appropriations and Resolution No. 31401 for payments to the City for General Services.

Authorization to Pay Oakland Portside Associates Directly for Construction Cost of Port Tenant Improvements in New Port Building was the subject of a memo to the Board from the Chief Engineer, notifying the Board that the Board approved the sub-lease by the Port from the Developer of the Port office space in the new Port Building and the sub-lease provides for Oakland Portside Associates to construct the tenant improvements for the Port office space, and to recover the cost in rent. In arranging the bank loan, OPA included an allowance for the Port tenant improvements at \$25.00 a square foot. The actual cost for the space as designed and approved by the Port is estimated to be \$55.00 a square foot, amounting to \$3,200,000.00 over what was included by OPA in the bank loan. If OPA increases the loan by this amount, the rental rate will be calculated on the cost of funds to OPA, which is currently 11.5%. If the Port pays OPA directly, the cost will be significantly less because of the Port's lower financing costs. The funds for these payments are included in the Capital Improvement Project Budget and it was recommended that the Board approve an agreement with Oakland Portside Associates to expend approximately \$3,200,000.00 in payments to Oakland Portside Associates for the cost of Port tenant improvements in the Port Building over the \$25.00 a square foot already financed by OPA. The recommendation was approved on passage of Resolution No. 31402.

Personnel Items contained in a memo to the Board from the Director of Administration, recommended the appointment of Victoria A. Haven, Port Accounting Supervisor, effective July 5, 1989 at \$4,075.00 per month; Cecil G. Rodrigues, and Joe L. Wright, Custodian, effective June 21, 1989 at \$1,872.00 per month; Louise Irvin-Jones, Commercial Representative I, effective June 21, 1989 at \$2,166.00 per month; Marvell L. Jones, Legal Secretary II, effective June 26, 1989 at \$2,116.00 per month; and Ellen Holmgren, Youth Aide, Class "AA", effective July 10, 1989 at \$15.10 per hour. Also recommended was that a request be made to the City Council recommending to the Civil Service Board their concurrence to exempt the position of Secretary to the Executive Director, Port Development, from the classified Civil Service and that a request be made to transfer the current exemption from the position of Secretary to the Deputy Executive Director to the newly retitled position of Secretary to the Executive Director, Transportation Services. It was further recommended that the titles for the positions of Port Equal Opportunity Officer be changed to Port Equal Opportunity Manager and the Director of Management Planning be changed to Manager of Financial Planning and Analysis, and that the Board create the new exempt position of Manager of Airport Properties to reflect the new reporting relationships as a result of the reorganization. Additionally recommended was a personal leave of absence for Chip Williford, Youth Aide, Class "BB", for 23 working days; maternity leave of absence for Vanessa Brooks, Account Clerk, for 130 working days; and a maternity leave of absence for Michelle Ortega, Senior Secretary, for 130 working days. The recommendations were approved on passage of Resolution No. 31403 for appointments; Resolution No. 31404 requesting City Council to take certain actions; Resolution No. 31405 for leaves of absence; and on an ordinance passed to print for new titles and creation of position.

Travel Authorization contained in a memo to the Board from the Director of Administration, recommended the travel of Assistant Airport Planner, Steve Stretchberry, to Seattle, Washington, on or about June 15, 1989 to meet with the

TRA Airport Consulting team; travel of Marine Commercial Representative IV, Lorraine Li, to Reno/Sparks, Nevada, on or about June 19, 1989 to visit with import accounts and public warehouse operators; and the reimbursed travel of Commercial Representative V, Barry Barron, and Commercial Representative IV, Steve Hanson, to Boston, Massachusetts, on or about June 21, 1989 to attend a conference on Strategic Computing and Telecommunications in the Public Sector held at Harvard University; and the travel of the Acting Director of Port Planning, to Denver, Colorado, on or about July 8, 1989 to attend the TRB Strategic Management Committee Workshop. The recommendation was approved on passage of Resolution No. 31389.

Approval of Revision to Contract for Installation of Port Office Work Station System for New Port Building, Jack London Square was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the agreement with Officeworks to install the work stations in the new Port Office at an estimated cost of \$50,000.00. Officeworks was selected to provide a full range of services which include assisting Port staff during planning; providing inventory management services and a warehouse to receive, store, and issue the Herman Miller work station components; installing work stations in the new Port Building, and disassembling and refurbishing existing work stations in present Port Offices. The estimated cost of the work is now \$125,000.00. The increase is due in part to the increase in work stations with the Port staff reorganization and the leasing of an additional floor, and in part to the desire now to use union installation crews in the new Port Building. Although the furniture is not classified as Public Works and was not subject to prevailing wage requirements, the contractor for the building, Swinerton and Walberg, has recommended the use of union crews to avoid jeopardizing the schedule. It was recommended that the contract with Officeworks be increased to the estimated amount of \$125,000.00 to allow for changes in scope of work. The recommendation was approved on passage of Resolution No. 31406.

Authorization to Purchase Furniture Case Goods and Miscellaneous Accessories for the New Port Office Building was the subject of a memo to the Board from the Director of Administration, notifying the Board of their previous authorization to purchase on the open market case goods including desks, chairs, tables and miscellaneous furniture for the new Port office building for an approximate cost of \$475,000.00. A total of \$309,177.52 has been spent to date and a budget of \$165,822.48 remains available for identified purchases. During the period additional items have been added which include the furnishing of an additional floor; staff increases requiring completion of space previously to be left open as future growth; changes in costs due to furniture price increases; and discrepancies between architect's estimates and actual dealer quotations. It was recommended that the Board approve the recommended selection of manufacturers and vendors to provide desks, computer stands and selected seating for the new Port office building; and authorize the expenditure of \$531,557.22 to cover furniture acquisition costs; and approve the immediate disbursement of \$158,000.00 deposit money, pending execution of agreements. Also recommended was approval of additional expenditures not to exceed \$20,000.00 to cover unanticipated requirements. The recommendation was approved on passage of Resolution No. 31407.

Claim of Pacific Bell was the subject of a memo to the Board from the Port Attorney, notifying the Board of a property damage claim in the amount of \$3,000.00 for alleged damage to a communications cable and conduit located in Jack London Square. The contractor was identified as Unicon Construction Corporation which was performing a public works contract for the construction of Public Areas, Part B, Jack London Square, and the claim has been sent to the contractor and its liability insurance carrier. As the claim is not a proper charge against the Port it was recommended that the claim be rejected. The recommendation was approved on passage of Resolution No. 31390.

Claim of Vicki Beverly and The Travelers Companies was the subject of a memo to the Board from the Port Attorney, notifying the Board of a claim for personal injuries in the amount of \$2,000,000.00 for alleged injuries occurring at the Airport. The claimant at the time of the incident was within her scope of ~~employment~~ by National Car Rental and notice was received from The Travelers Companies, workers' compensation insurance carrier for National Car Rental which claim was made for reimbursement of workers' compensation benefits paid to the claimant. Investigation of the alleged incident reveals that the Board has breached no duty owed to the claimant or to The Travelers Companies with respect to the incident and it was recommended that the claim be rejected. The recommendation was approved on passage of Resolution No. 31391.

Mr. Mark Rubke, an attorney for Sea Breeze Yacht Center, Inc., appeared before the Board to request a stay of a bankruptcy motion scheduled for a later court hearing, to allow time for negotiation of a buy-sell arrangement with a prospective purchaser. It was noted that Sea Breeze Yacht Center was a Port tenant and was in rent arrearage. President Higgins announced the matter was not calendared and since it was a matter of litigation it would have to be dealt with in a subsequent closed session.

The following reports were received and ordered filed:

Summary of Cash - Port Revenue and Construction Funds  
as of June 9, 1989.

Summary of Cash and Accounts Receivable Port Revenue Fund 770  
for the Month of May 1989.

Accounts Receivable in Arrears as of May 31, 1989.

Delinquent Accounts Referred to Legal - Reported  
as of May 31, 1989.

Summary of Claims Paid from Various Funds  
for the Period June 1, 1989 through June 12, 1989.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioner Brady, Sweeney, Ward Allen,  
Wasserman and President Higgins - 5

Noes: None

Absent: Commissioners Hunter and Pineda - 2

"RESOLUTION NO. 31378

APPROVING REVISED PLANS AND SPECIFICATIONS FOR RECOATING TICKETING BUILDING M-101 ROOF, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA AND AUTHORIZING ADVERTISEMENT FOR BIDS."

"RESOLUTION NO. 31379

ACCEPTING WORK PERFORMED BY FUELING MAINTENANCE COMPANY, AUTHORIZING RECORDATION OF NOTICE OF COMPLETION AND AUTHORIZING RETURN OF CONTRACT PERFORMANCE BOND."

"RESOLUTION NO. 31380

AUTHORIZING THE EXECUTIVE DIRECTOR TO FILE GRANT APPLICATIONS UNDER CALTRANS' TRANSPORTATION DEMONSTRATION PROGRAM."

"RESOLUTION NO. 31381

GRANTING CAMMEBY'S AIRPORT EXECUTIVE ASSOCIATES PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31382

GRANTING VALACAL COMPANY PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31383

CONSENTING TO ASSIGNMENT OF LEASES FROM BELL SAVINGS AND LOAN ASSOCIATION TO WESTERN FEDERAL SAVINGS AND LOAN ASSOCIATION."

"RESOLUTION NO. 31384

AUTHORIZING THE EXECUTIVE DIRECTOR TO PAY OBSTRUCTION PERMIT FEES TO THE CITY OF OAKLAND."

"RESOLUTION NO. 31385

APPROVING AND AUTHORIZING EXECUTION OF A GUARANTY BY THE PORT OF A \$100,000 SECURITY PACIFIC NATIONAL BANK LINE OF CREDIT ISSUED TO OAKLAND FORTSIDE ASSOCIATES."

"RESOLUTION NO. 31386

AUTHORIZING REQUEST FOR STATEMENT OF INTEREST AND REQUEST FOR PROPOSAL FOR THE FINANCING, MANAGEMENT AND OPERATION OF THE CARNATION TERMINAL."

"RESOLUTION NO. 31387

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH DELOITTE HASKINS & SELLS FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31388

AUTHORIZING \$75,000 ANNUALLY FOR THREE YEARS TO SUPPORT PROPOSED BIOSCIENCE CENTER."

"RESOLUTION NO. 31389

CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 31390

REJECTING CLAIM OF PACIFIC BELL."

"RESOLUTION NO. 31391

REJECTING CLAIM OF VICKI BEVERLY AND THE TRAVELERS COMPANIES."

"RESOLUTION NO. 31392

GRANTING EAST BAY REGIONAL PARK DISTRICT PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31393

GRANTING THE UNITED PARCEL SERVICE PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31394

AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENTS."

"RESOLUTION NO. 31395

AUTHORIZING EXECUTION OF TEMPORARY EQUIPMENT AGREEMENT WITH OAKLAND FUEL FACILITIES CORPORATION."

"RESOLUTION NO. 31396

AUTHORIZING EXECUTION OF RIGHT OF ENTRY/INDEMNITY AGREEMENT WITH OAKLAND FUEL FACILITIES CORPORATION."

"RESOLUTION NO. 31397

OF THE BOARD OF PORT COMMISSIONERS OF THE CITY OF OAKLAND, STATE OF CALIFORNIA, DECLARING THE INTENTION OF THE BOARD TO ISSUE OBLIGATIONS IN AN AMOUNT PRESENTLY ESTIMATED NOT TO EXCEED \$75,000,000 TO FINANCE THE ACQUISITION AND CONSTRUCTION OF A 33-ACRE, TWO-CRANE CONTAINER FACILITY AND RELATED IMPROVEMENTS TO BE OWNED BY THE PORT OF OAKLAND."

"RESOLUTION NO. 31398

CONSENTING TO SUBLEASES BY OAKLAND VILLAGE CORPORATION."

"RESOLUTION NO. 31399

AUTHORIZING DELETION OF PLUMBING, HVAC AND ELECTRICAL SUBCONTRACTOR FOR INSTALLATION OF SECURITY SYSTEM, JACK LONDON SQUARE, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31400

MAKING APPROPRIATIONS OF CERTAIN MONEYS TO PROVIDE FOR CERTAIN EXPENDITURES PROPOSED TO BE MADE BY THE ESTIMATED BUDGET OF THE PORT OF OAKLAND FOR THE FISCAL YEAR 1989-1990."

"RESOLUTION NO. 31401

PROVIDING FOR THE PAYMENT OF GENERAL SERVICES TO BE PROVIDED BY THE CITY TO THE PORT DURING THE 1989-1990 FISCAL YEAR, AND MAKING CERTAIN DETERMINATIONS IN CONNECTION THEREWITH AND APPROVING AND AUTHORIZING EXECUTION OF A SUPPLEMENTAL AGREEMENT TO MEMORANDUM OF UNDERSTANDING WITH CITY OF OAKLAND."

"RESOLUTION NO. 31402

APPROVING AND AUTHORIZING EXECUTION OF AGREEMENT WITH OAKLAND PORTSIDE ASSOCIATES FOR REIMBURSEMENT OF COST OF PORT TENANT IMPROVEMENTS IN EXCESS OF TWENTY FIVE DOLLARS PER SQUARE FOOT."

"RESOLUTION NO. 31403

CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31404

REQUESTING THE CITY COUNCIL TO RECOMMEND TO THE CIVIL SERVICE BOARD THE EXEMPTION FROM THE COMPETITIVE CIVIL SERVICE OF THE POSITION OF SECRETARY TO THE EXECUTIVE DIRECTOR, PORT DEVELOPMENT AND THE TRANSFER OF THE EXISTING EXEMPTION FOR THE POSITION OF SECRETARY TO THE DEPUTY EXECUTIVE DIRECTOR TO THE RETITLED POSITION OF SECRETARY TO THE EXECUTIVE DIRECTOR, TRANSPORTATION SERVICES, AND REQUESTING THE CIVIL SERVICE BOARD TO EXEMPT THE SAID POSITIONS FROM THE COMPETITIVE CIVIL SERVICE UPON THE RECOMMENDATION OF THE CITY COUNCIL."

"RESOLUTION NO. 31405

CONCERNING CERTAIN LEAVES OF ABSENCE.

"RESOLUTION NO. 31406

FINDING AND DETERMINING THAT OFFICEWORKS, INC. BE APPROVED AS WORK STATION INSTALLATION CONTRACTOR FOR THE INSTALLATION OF AN OFFICE WORK STATION SYSTEM FOR THE NEW PORT OFFICE BUILDING AND THAT SUCH WORK CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF A CONTRACT FOR SAID WORK."

"RESOLUTION NO. 31407

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO PURCHASE WORK STATION SYSTEM COMPONENTS AND ACQUIRE OFFICE CASEGOODS FOR THE NEW PORT OFFICE BUILDING WITHOUT COMPETITIVE BIDDING; APPROVING THE SELECTION OF MANUFACTURERS AND VENDORS; AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT FOR SAID PURCHASE AND ACQUISITION."

Port Ordinance No. 2882 being, "AN ORDINANCE RELATING TO THE EFFECTIVE DATE OF NEW SALARY RATES ESTABLISHED UNDER CERTAIN SECTIONS OF PORT ORDINANCE NO. 867 FIXING THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE PORT DEPARTMENT", and Port Ordinance No. 2883 being, "AN ORDINANCE ADDING SECTIONS 1.9991 AND 1.9992 TO PORT ORDINANCE NO. 867 FIXING THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE PORT DEPARTMENT", and Port Ordinance No. 2884 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 TO ESTABLISH CERTAIN NEW SALARY SCHEDULES, CREATE CERTAIN NEW POSITIONS, RETITLE CERTAIN POSITIONS AND ADD ADDITIONAL POSITIONS WITHIN EXISTING PORT CLASSIFICATIONS", and Port Ordinance No. 2885 being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF TERMINAL USE AGREEMENT WITH STAR SHIPPING A/S", were read a second time and passed by the following vote:

Ayes: Commissioner Brady, Sweeney, Ward Allen,  
Wasserman and President Higgins - 5

Noes: None

Absent: Commissioners Hunter and Pineda - 2

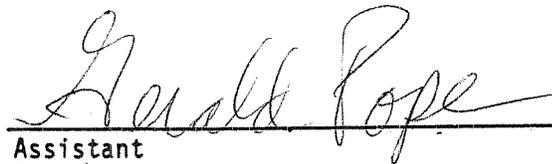
Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH WELDON'S MAINTENANCE AND REPAIR, INC., AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH DANIEL MILLER, DOING BUSINESS AS CUSTOM AIRCRAFT SERVICES, AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 TO CREATE THE POSITION OF MANAGER OF AIRPORT PROPERTIES, TO RETITLE CERTAIN POSITIONS AND TO CORRECT SECTION 1.9991 THEREOF", were read a first time and passed to print by the following vote:

Ayes: Commissioner Brady, Sweeney, Ward Allen,  
Wassenman and President Higgins - 5

Noes: None

Absent: Commissioners Hunter and Pineda - 2

At the hour of 4:20 P.M. the Board entered into closed session as previously announced by President Higgins and reconvened in open session at the hour of 5:05 P.M. at which time the meeting was adjourned on a motion duly made and seconded.

A handwritten signature in cursive script, reading "Gerald Pope", is written over a horizontal line.

Assistant  
Secretary

June 20, 1989

- 20 -

REGULAR MINUTES OF THE BOARD OF PORT COMMISSIONERS  
OF THE  
CITY OF OAKLAND

The meeting, formal portion, as provided for in the By-laws, was held on Wednesday, July 5, 1989, at the hour of 4:05 p.m., following Tuesday, July 4, 1989 which was a national holiday, in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Higgins presiding, due written notice having been given to members of the Board. An informal portion was held during the period from 3:15 p.m. to 3:50 p.m. during which time the Board received a report on the Jack London's Waterfront Signage Guidelines.

Commissioners present: Brady, Pineda, Sweeney, Ward Allen, Wasserman,  
and President Higgins - 6

Commissioners absent: Hunter - 1

Also present were the Acting Chief Executive Officer and Executive Director, Transportation Services; Port Attorney; Director of Engineering; Chief Financial Officer; Director of Administration/Human Resources; Acting Director of Planning; Senior Commercial Representative; Director of Aviation; Assistant Chief Engineer; Special Assistant to the Executive Director for Trade Relations; and Secretary of the Board.

The Board was introduced to Ms. Dianne Dickson and Mr. Matt Cohen, University of California Interns, and to four high school students attending the International Juvenile Science Conference in Yokohama, Japan.

President Higgins informed the Board that he would not call for a closed session following the open session.

Commissioner Ward Allen, Chair of the External Affairs Committee, informed the Board that her committee had met earlier in the day and reviewed the proposed art program for the new Port building.

Commissioner Wasserman, Chair of the Development Committee, informed the Board that his committee had met earlier in the day and reviewed their current

BOARD OF PORT COMMISSIONERS  
MEETING OF SEP - 5 1989

APPROVED AS SUBMITTED AND FILED

*Christine M. ...*

agenda which included the master developer concept, the off price retail site, and the Waterfront Development.

Rejection of Bids for Repainting of Hangar Doors and Associated Work, Building M-110, South Airport was the subject of a memo to the Board from the Director of Engineering, notifying the Board that five bids were received for the work and that the apparent low bidder, Bill Wright Painting & Decorating, at \$67,994.00 submitted an invalid bid bond. The next bidder, Spiros Vasilatos Painting, at \$68,000.00, has requested that his bid be declared null and void or be disqualified so he would not suffer severe economic damage as he did not include all the work in his bid. The remaining bids are considered to be excessive. It was recommended that the Board reject all the bids. It was noted that the plans and specifications would be revised and be resubmitted for Board approval. The recommendation was approved on passage of Resolution No. 31417.

Plans and Specifications for Installation of Window Washing Safety Rail System, Building M-102 was the subject of a memo to the Board from the Director of Engineering, recommending their approval and authority to advertise for bids for the installation of safety cable and handrail system on the ledge outside the second floor of Terminal Building I for the protection of the window washers. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31418.

Approval of Change Order to Construct New M-103 Storage Area, "Second Extension of Second Floor Addition to Building M-103, South Airport was the subject of a memo to the Board from the Director of Engineering, recommending approval to issue a change order in the sum of \$21,252.00 to Arntz Builders, Inc., for the purpose of constructing a new storage area for loading bridge parts and the Building Maintenance Engineer equipment on the first floor of the building. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Contract Completion for Construction of Apron for Light Aircraft Northwesterly of Taxiway 5, South Airport was the subject of a memo to the Board from the Director of Engineering, recommending that the contract with O.C. Jones and Sons be extended 99 calendar days and that the contract be accepted as complete as of March 29, 1989, with a contract price of \$403,303.97. The recommendation was approved on passage of Resolution No. 31419 for time extension and Resolution No. 31420 for accepting contract.

Authority to Pay Emergency Contract Guard Services for the Airport was the subject of a memo to the Board from the Director of Aviation, notifying the Board that a new contract guard service was retained to replace Richardson Guard Service. It was recommended that the Board find the services of Pinkerton Guard Service to be emergency in nature and authorize the payment in the approximate amount of \$32,000.00 to the firm. The recommendation was approved on passage of Resolution No. 31421.

Oakland Portside Associates - Partners' Equity Contribution was the subject of a memo to the Board from the Director of Properties, notifying the Board that the Executive Committee of Oakland Portside Associates has requested that the partners contribute additional capital to fund development, marketing, legal and consultant costs for the theater and hotel buildings which are not included in the original \$46 Million budget. It was recommended that the Board authorize an additional equity contribution of \$150,000.00 to cover the unpaid expenses. The recommendation was approved on passage of Resolution No. 31415.

Building Permit Application, Construction of Customer Counter Building, United Parcel Service, 8400 Pardee Drive, Oakland Distribution Center was the subject of a memo to the Board from the Director of Engineering, recommending approval for the construction of a 4,800 square foot two-story high tilt-up concrete building to hold their customer service counter. The first floor would contain a customer drop-off and pick-up counter and a rest room facility.

The second floor would have offices, a conference room, a reception area, a nurse and examination room and restrooms. The estimated cost of the proposed work is \$225,000.00. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31422.

Approval of Change Order for Covered Pedestrian Walkway for "Construction of Parking Structure on Lot 10, Jack London Square" was the subject of a memo to the Board from the Director of Engineering, recommending approval to issue a change order in the sum of \$33,759.60 to Perini Corporation for the construction of a covered and lighted pedestrian walkway along the Embarcadero side of the project as required by the City of Oakland. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

G.A.C.C. Express, Inc. - License Agreement Renewal was the subject of a memo to the Board from the Director of Commercial Real Estate, recommending approval to renew their agreement for 48,250 square feet of land at the foot of 5th Avenue, used as a storage area for empty cargo containers, trucks and chassis, at a new monthly rent of \$1,683.00. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

GTE Mobilnet - Proposed Lease was the subject of a memo to the Board from the Director of Commercial Real Estate, recommending approval of a new five year lease for 2,500 square feet of land near the existing billboard at the Bay Bridge in the Outer Harbor area to be used as a cellular telephone transmitting/receiving site. The rent would be \$500.00 per month with annual CPI adjustments. GTE Mobilnet would operate an unmanned cellular telephone switching and radio transmitting/receiving station which will house approximately \$300,000.00 worth of equipment. The lease would also contain the Port standard provisions. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Approval of Change Order for Acceleration of Contract for "Construction of Berthing Facilities and Land Improvements, Embarcadero Cove Marina, Union Point Basin" was the subject of a memo to the Board from the Director of Engineering, recommending approval to issue a change order to Conco Cement Company to pay overtime premium rates and associated markups to accelerate the schedule. The Port previously agreed to host the Northern California Boat Show as a means of promoting the new Marina. A strike against RMC Lonestar, the cement supplier, caused a day-for-day delay to the critical path items of work which lasted until June 27, 1989. In order to regain the lost time, it is necessary to work long days and Saturdays on the casting and assembly of the marina floats. The cost of the overtime premium is estimated to be \$80,000.00. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Certification of Final Supplemental EIR on the Phase I Oakland Inner Harbor Deep-Draft Navigation Improvement Project, Approval of Dredging and Disposal and of Related Plans, and Authorization to Enter into Agreements with Reclamation Districts 2038 and 1601 was the subject of a memo to the Board from the Director of Engineering. On March 15, 1988, the Board certified the Final Environmental Impact Report on the Oakland Inner and Outer Harbors Deep-Draft Navigation Improvement Project which was based, in a large part, on the Supplemental Environmental Impact Report on the same project prepared by U. S. Army Corps of Engineers. The work was to be conducted in two phases, with Phase I involving approximately 500,000 cubic yards, encompassing the deepening of the Inner Harbor to -38 feet MLLW and the construction of an Inner Harbor turning basin at 1100-foot diameter and with a depth of -38 feet MLLW. The bulk of the dredged material from Phase I was to be disposed of at an ocean site approximately 26 miles southwest of the Golden Gate Bridge. The remainder of the

project consisting of approximately 6,500,000 cubic yards of dredging, was to be accomplished directly by the Corps under Phase II. A Final Supplemental Environmental Impact Report has now been prepared which covers an alternative method of disposal of the Phase I dredged material, consisting of 100% upland rather than mainly ocean disposal. The work involves two actions, consisting of dredging sediments and of disposing of the dredged sediments for use in strengthening and maintaining Delta levees. The dredging involved in Phase I was fully covered by the original Final Environmental Impact Report. The second action consists of the disposal of the dredged material from Phase I behind the existing levees of two islands in the Sacramento-San Joaquin Delta area and use of the dredged material to reconstruct and strengthen the levees. Approximately 200,000 cubic yards of material are proposed for disposal and use at Twitchell Island and approximately 240,000 cubic yards are proposed for disposal and use at Lower Jones Tract. The disposal and use of the dredged material for levee strengthening and maintenance purposes would be pursuant to specific plans worked out among the Port, the islands' Reclamation Districts, and the California Water Quality Control Board, Central Valley Region. It was recommended that the Board certify that it has reviewed and considered the information contained in the FSEIR, and that the FSEIR has been completed in compliance with all requirements; approve the Phase I project exclusive of the turning basin which includes confirming the Board's finding on March 15, 1988, that the Oakland Deep-Draft Navigation Improvement Project will not have any significant impact on the environment, including the environment with respect to the Alameda Gateway, Ltd. property; a finding that the proposed upland disposal of Phase I dredged material will have no significant effect on the environment except for potential, but unlikely, effects on water quality from salt, heavy metals and organic constituents in the dredged material, and to avoid even the potential, but unlikely, significant environmental effects of upland disposal, approval and

incorporation into the Phase I project of certain changes and alterations consisting of a Financial Assurance Plan, Facility Design Report, Mitigation Measures and Operations Plan, Monitoring Plan, Contingency Plan and Maintenance Plan and the Port-approved reporting and monitoring program; and approve and authorize execution of Agreements with Reclamation District No. 1601 (Twitchell Island) and Reclamation District No. 2038 (Lower Jones Tract) covering disposal and use of the dredged sediment on the Districts' levees. In certifying the FSEIR the Board's review includes the following major documents: the Draft SEIR issued February 1, 1989; and FSEIR document just issued which incorporates by reference the Final Water Quality Evaluation Impact Report and Report of Waste Discharge. In summary the FSEIR amply supports the conclusion that upland disposal of Phase I dredged material is very unlikely to result in any substantial adverse change in the environment. However, the FSEIR recognizes that there is the potential for adverse impacts to Delta aquatic biological communities through direct toxicity resulting from exposure to waterborne concentrations of chemicals, and through bioaccumulation of chemicals in the tissues of aquatic organisms to levels which might cause harm to humans or other predators. Potential adverse impacts might result from the effects on water quality in terms of release of salt and of metallic and organic constituents of the dredged material. Direct toxicity, however is unlikely. Measures to avoid or mitigate environmental impacts are described in Chapter II and in the appendices to the FSEIR. These measures will assure that all significant environmental impacts will be avoided. It was noted that the most comments received on the draft SEIR concerned the issues of water quality, testing of dredged materials, cumulative impacts, socio-economics, mitigation, and monitoring. The Board will authorize a contract for the dredging, transport and unloading of the sediment at a later meeting. To fully satisfy the California

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Valley Regional Water Quality Control Board, it was also recommended that the Board expressly authorize the Executive Director to take necessary actions to implement the various plans and to expend up to the estimated worst-case amount of \$3 million for implementation, and authorize the Chief Financial Officer to sign the Financial Assurance Plan. The Director of Engineering presented with slides the plan and methods to be used to dispose of the dredge material. It was noted that the Contra Costa Water District's June 29, 1989, letter to the Board, and the July 3, 1989 reply letter to the District's Board of Director by the Port's Acting Chief Executive Officer and Executive Director, Transportation Services, had been provided to the Board.

President Higgins presented the project to the Board as to its complexity and economic necessity to the Port and region, and made special mention of the agricultural exports from the Delta Region which would be served by the harbor improvements.

Mr. Greg Gartrell, from the Contra Costa Water District, and Mr. Fred Bolt, an attorney for the District, noted the importance of the project and asked for 30 more days to study the EIR before the Board acts on the FSEIR.

President Higgins noted that the Board previously delayed its certification to allow for more study and that the time schedule was now critical to the project. He further noted that the information in the FSEIR would not change and it was the best effort short of testing after the project is completed. He noted their concerns and asked for a motion to direct the Board and staff in this regard.

Commissioner Sweeney moved that the Oakland Board of Port Commissioners direct Port staff to continue to work industriously and cooperatively with the staff of the Contra Costa Water District to seek to resolve in a timely manner any remaining issues of concern to the District in connection with Phase I of the Inner Harbor Dredging Project. The Board desires that Port staff make every

effort to resolve these issues prior to the July 12 meeting of the Central Valley Regional Water Quality Control Board. The Board also directs that a copy of this motion be conveyed to Contra Costa Water District Board at its meeting this evening at which time Port staff will present our project to the Contra Costa Water District Board. The motion was seconded and passed unanimously.

The Director of Engineering's recommendations were approved on passage of Resolution No. 31410 certifying the FSEIR for the project; Resolution No. 31411 approving the project and plans for reporting and monitoring to ensure compliance; Resolution No. 31412 for agreement with Reclamation District for Lower Jones Tract; and Resolution No. 31413 agreement with Reclamation District for Twitchell Island.

Management Agreement with Pasha Properties was the subject of a memo to the Board from the Acting Chief Executive Office and Executive Director Transportation Services, notifying the Board of the Management Agreement with Pasha for their operation of the Bay Bridge Terminal which became effective February 1, 1984, expired January 31, 1989, and is now in a holdover status. The Bay Bridge Terminal consists of three separate parcels: Berths 8 and 9 which the Port leases from the U.S. Army; Berth 10 owned by the Port; and the so-called Cal-Trans area also owned by the Port. The area has undergone substantial improvements and funding arrangements are in place to further improve the area. Historically, the facility has handled a wide range of iron and steel products and, until recently, the import automobile account for Subaru. However, with the major rehabilitation work that was required in the Army leased area to accommodate shipping operations and cargo handling it has been very difficult to attract and keep shipping lines. The Port has proposed a new Management Agreement with Pasha Properties for operation of the Bay Bridge Terminal for the economic period of August 1, 1989 to January 31, 1992. The economic element of

the proposal takes into consideration the substantial disruption to operations while the construction work is taking place and the present condition of the facility. The Port proposes that the full minimum annual rental of the Bay Bridge Terminal be \$610,540.00. The first six months of the economic term of the agreement from August 1, 1989 to January 31, 1990 takes into account that during the holdover period of the agreement that expired January 31, 1989, the minimum annual compensation was \$800,000.00, substantially above the revenue generating capability of the facility in its present condition. The Port proposes that the effective rental for the period August 1, 1989 to February 28, 1990 be \$210,540.00 which if added to the prorated share of \$400,000.00 for the period of February 1, 1989 to July 31, 1989 would total the proposed full annual minimum of \$610,540.00. The Port would further allow Pasha to carry-over 25% of the annual minimum to the second contract period because of the limited operational activity presently taking place. The net effect of this provision is that Pasha would pay the Port \$9,651.00 each month for the period of August 1, 1989 to January 31, 1990. In the second contract period of February 1, 1990 to January 31, 1991, Pasha will be obligated to make-up the short-fall from the first period. In the second period the Port would give Pasha the right to carry-over 15% of the second period annual revenue to the third period subject to Pasha paying at least \$671,595.00 in the second period. In the third period from February 1, 1991 to January 31, 1992 Pasha would be obligated to make-up any short-fall from the second period and once the minimum annual guarantee is paid for the third period Pasha could retain 100% of tariff revenues. It was noted that the proposed new agreement is structured to allow Pasha the opportunity to increase the Port's iron and steel cargo movements while the terminal is being improved. It was recommended that the Board approve the new Management Agreement. The recommendation was approved on an ordinance passed to print.

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Contract Completion, Construction of 500 Foot Shoreline Pathway Along San Leandro Bay was the subject of a memo to the Board from the Director of Engineering, recommending that the contract with Gallagher and Burk, Inc., be accepted as complete as of June 2, 1989 with a contract price of \$68,684.47. The recommendation was approved on passage of Resolution No. 31416.

Plans and Specifications for Upgrading of 12KV Electrical Facilities, Outer Harbor and Seventh Street Terminals was the subject of a memo to the Board from the Director of Engineering, recommending their approval and authority to advertise for bids. The work involves replacing the existing substation transformers serving the cranes at the Outer Harbor and Seventh Street terminals with units of higher capacity and installing new high voltage switchgear at each terminal. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31423.

Approval to Dispense with Bids for Replacement of the Air-Conditioning Units for Building C-130 Outer Harbor Terminal was the subject of a memo to the Board from the Director of Engineering, notifying the Board that the building currently leased by TransBay Container Terminal, has been plagued with problems with an air-conditioning unit proving to be very unreliable. The recent repairs show that the unit is now beyond repair and delivery time for new units is approximately 14 weeks. It was recommended that the Board find it to be in the best interest of the Port to dispense with formal bidding procedures and authorize a purchase order for the procurement of the equipment and execute a contract based on the receipt of informal bids for installation of the new air-conditioning equipment. The total cost of the air-conditioning unit and installation is estimated at \$100,000.00. The recommendation was approved on passage of Resolution No. 31424.

License Agreement with Mitsui O.S.K. Lines and Nippon Liner System was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director of Transportation Services, notifying the Board of the License Agreement with Mitsui O.S.K. Lines and Nippon Liner System, successor to the original assignee Yamashita-Shinnihon Line for the lease of a 3.7 acre parcel of land together with a building which is used as a Container Freight Station. The CFS operation is located at 5110 Seventh Street contiguous to the Seventh Street Public Container Terminal. The Lines have requested an additional one-year occupancy at the current compensation as the level of activity is depressed. The current compensation basis is subject to a minimum monthly rental with a rental escalation provision that provides a higher level of compensation to the Port based on increased CFS activity. The level of activity for the past agreement year resulted in a monthly rental of \$12,358.30. It was recommended that the Board approve the new agreement with provisions covering a reduction in size of area, which area could then be transferred to Berth 35 of the public container terminal and a second provision consisting of a 90-day cancellation clause. The Port is reviewing ways to increase the container capability of the terminal and inclusion of the area assigned to CFS Corporation would add much needed prime area to the container yard and the access roads would add an additional one acre. The recommendation was approved on passage of Resolution No. 31425.

Personnel Items was the subject of a memo to the Board from the Director of Administration/Human Resources, recommending the appointment of William West as Manager of Airport Properties, effective July 10, 1989 at \$4,394.00 per month; Jaime D. Yalung, as Marine Commercial Representative IV (Extra Position No. 1), effective July 10, 1989 at \$3,771.00 per month; Albert Y. Lum, Senior Account Clerk, effective July 6, 1989 at \$2,348.00 per month;

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Phillippa Stephens, as Youth Aide, Class "A-1", effective July 6, 1989 at \$13.83 per hour; Eddie Campbell, Andrew Jensen, Julius Terrell, Harry Williby and Ali Roberts, as Youth Aide, Class "C" effective July 6, 1989 at \$7.71 per hour, to be placed in the Facilities Division of the Engineering Department. Also recommended was the creation of one additional position of Marine Commercial Representative IV. Further recommended was the amendment of appointments for Mr. Joe L. Wright and Mr. Cecil G. Rodrigues, Custodians, to reflect new start dates of July 17 and July 18, 1989, respectively. Additionally, recommended was the maternity leave of absence for Cheryl Weathersby, Intermediate Typist-Clerk, for 121 working days; and a leave of absence from his classified Civil Service position of Senior Research Technician for Jaime D. Yalung to accept the exempt position of Commercial Representative IV effective July 10, 1989. The recommendations were approved on passage of Resolution No. 31426 for appointments; Resolution No. 31427 for appointment amendments; Resolution No. 31428 for leaves of absence; and on an ordinance to print for creation of position.

Travel Authorization was the subject of a memo to the Board from the Director of Administration/Human Resources, recommending the travel of Electrical/Mechanical Engineer, Dennis Verlumis, and Senior Building Maintenance Engineer, Eddie Lee, to Ogden, Utah, on or about July 5, 1989 to inspect the loading bridges and related electrical/mechanical systems; travel of the Director of Aviation, to Atlanta, Georgia, on or about July 10, 1989, to meet with officials from Delta Airlines; travel of the Purchasing Manager, to Seattle, Washington, on or about July 10, 1989, to attend the General Assembly of the National Minority Supplier Development Council; travel of the Special Assistant to the Executive Director for Trade Relations to Washington, D.C., and Newport News, Virginia, on or about July 16, 1989 to attend the National Defense

Transportation Association Board of Directors meeting and to report on legislative matters. The recommendation was approved on passage of Resolution No. 31414.

Finance Data Base Conversion was the subject of a memo to the Board from the Director of Administration/Human Resources, notifying the Board that the Port's HP3000 Series 58 Computer System could be improved by using a new system for financial applications which include general ledger, accounts payable, etc. It was recommended that the Board authorize entering into an agreement with Legler Systems Company to provide consultant services for the conversion and enter into an agreement with DISC Company for right-to-use their software system. The program consists of three phases: design, estimated to cost \$5,000.00; conversion estimated to cost \$35,000.00; and Phase-3 designing and installation record indexes for the OMNIDEX software package use estimated to cost \$18,500.00, with total cost not to exceed \$58,500.00. The recommendation was approved on passage of Resolution No. 31429.

Approval of FY 1989-90 Monthly Purchase Orders through December 31, 1989 was the subject of a memo to the Board from the Director of Administration/Human Resources, notifying the Board that the Purchasing Department establishes approximately 200 open accounts each year for daily purchases by Port forces. It is expected that the total expenditures for monthly purchase orders for FY1989-90 will approximate \$1,000,000.00-\$1,500,00.00. It was recommended that the Board authorize the establishment of FY1989-90 monthly purchase orders for a six month period. The recommendation was approved on passage of Resolution No. 31430.

Consultant Contract for Professional Search Services was the subject of a memo to the Board from the Director of Administration/Human Resources, recommending approval to retain the services of Zanne Clark and Company, a professional search firm, to provide search and recruitment services for the Port

of Oakland for the position of Airport Operations Manager for a fee not to exceed \$17,000.00. The recommendation was approved on passage of Resolution No. 31431.

Medical Plan was the subject of a memo to the Board from the Director of Administration/Human Resources, recommending approval to amend the Medical Plan Ordinance to add the TAKE CARE medical plan to the Port's available medical selections. The recommendation was approved on an ordinance passed to print.

The following reports were received and ordered filed:

Report of Port Attorney on Litigation Matters.

Status of Construction Contracts in Progress  
as of June 1989.

Status of Consultant Contracts in Progress  
as of June 1989.

Summary of Cash - Port Revenue and Construction Funds  
as of June 23, 1989.

Summary of Claims Paid from Various Funds  
for the Period June 13, 1989 through June 27, 1989.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Brady, Pineda, Sweeney, Ward Allen,  
Wasserman, and President Higgins - 6

Noes: None

Absent: Commissioner Hunter - 1

"RESOLUTION NO. 31408

AUTHORIZING SETTLEMENT OF INSURANCE CLAIM, BERTH 23 WHARF DAMAGE REPAIR."

"RESOLUTION NO. 31409

AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT TO MANAGEMENT AGREEMENT (NINTH AVENUE TERMINAL) WITH MARINE TERMINALS CORPORATION."

"RESOLUTION NO. 31410

CERTIFYING REVIEW AND CONSIDERATION OF FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT ON PHASE I: OAKLAND INNER HARBOR DEEP-DRAFT NAVIGATION IMPROVEMENT PROJECT AND MAKING CERTAIN FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH."

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"RESOLUTION NO. 31411

APPROVING CERTAIN DREDGING AND DISPOSAL OF MATERIAL IN THE OAKLAND INNER HARBOR, MAKING CERTAIN FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH, APPROVING AND INCORPORATING IN THE UPLAND DISPOSAL OF DREDGED MATERIAL FROM PHASE I OF THE DEEP-DRAFT NAVIGATION IMPROVEMENT PROJECT CERTAIN CHANGES AND ALTERATIONS TO AVOID ANY POTENTIAL SIGNIFICANT EFFECT ON THE ENVIRONMENT, AND ADOPTING A REPORTING AND MONITORING PROGRAM TO ASSURE COMPLIANCE WITH SUCH CHANGES AND ALTERATIONS."

"RESOLUTION NO. 31412

APPROVING AND AUTHORIZING EXECUTION OF AGREEMENT WITH RECLAMATION DISTRICT NO. 2038 (LOWER JONES TRACT)."

"RESOLUTION NO. 31413

APPROVING AND AUTHORIZING EXECUTION OF AGREEMENT WITH RECLAMATION DISTRICT NO. 1601 (TWITCHELL ISLAND)."

"RESOLUTION NO. 31414

CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 31415

APPROVING AND AUTHORIZING CONTRIBUTION OF ADDITIONAL CAPITAL TO OAKLAND PORTSIDE ASSOCIATES."

"RESOLUTION NO. 31416

ACCEPTING WORK PERFORMED BY GALLAGHER AND BURK, INC., AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31417

REJECTING BIDS FOR REPAINTING OF HANGAR DOORS AND ASSOCIATED WORK, BUILDING M-110, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA, AND DIRECTING CHIEF ENGINEER TO PREPARE AND SUBMIT REVISED PLANS AND SPECIFICATIONS FOR THE WORK."

"RESOLUTION NO. 31418

APPROVING PLANS AND SPECIFICATIONS FOR INSTALLATION OF WINDOW WASHING SAFETY RAIL SYSTEM, BUILDING M-102, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA; AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 31419

EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH O. C. JONES AND SONS."

"RESOLUTION NO. 31420

ACCEPTING WORK PERFORMED BY O. C. JONES AND SONS, AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31421

RATIFYING AND CONFIRMING EMERGENCY CONTRACT SECURITY GUARD SERVICES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT."

"RESOLUTION NO. 31422

GRANTING UNITED PARCEL SERVICE PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31423

APPROVING PLANS AND SPECIFICATIONS FOR UPGRADING OF 12KV ELECTRICAL FACILITIES, OUTER HARBOR AND SEVENTH STREET TERMINALS, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31424

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO AUTHORIZE A CONTRACT FOR THE REPLACEMENT OF AIR-CONDITIONING UNIT FOR BUILDING C-130, OUTER HARBOR TERMINAL, OAKLAND, CALIFORNIA, WITHOUT COMPETITIVE BIDDING."

"RESOLUTION NO. 31425

AUTHORIZING THE EXECUTION OF LICENSE AGREEMENT WITH MITSUI O.S.K. LINES, LIMITED, AND NIPPON LINER SYSTEM (NORTH AMERICA), INC."

"RESOLUTION NO. 31426

CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31427

AMENDING RESOLUTION NO. 31403 CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31428

CONCERNING CERTAIN LEAVES OF ABSENCE."

"RESOLUTION NO. 31429

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH LEGLER SYSTEMS COMPANY FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31430

AUTHORIZING ESTABLISHMENT OF FISCAL YEAR 1989 TO 1990 MONTHLY PURCHASE ORDERS AND EXPENDITURES THROUGH DECEMBER 31, 1989."

"RESOLUTION NO. 31431

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH 'ZANNE CLARK AND COMPANY FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31432

GRANTING UNITED PARCEL SERVICE PERMISSION TO PERFORM CERTAIN WORK."

Port Ordinance No. 2886 being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH WELDON'S MAINTENANCE AND REPAIR, INC., AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. 2887 being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH DANIEL MILLER, DOING BUSINESS AS CUSTOM AIRCRAFT SERVICES, AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. 2888 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 TO CREATE THE POSITION OF MANAGER OF AIRPORT PROPERTIES, TO RETITLE CERTAIN POSITIONS AND TO CORRECT SECTION 1.9991 THEREOF", were read a second time and passed by the following vote:

Ayes: Commissioners Brady, Pineda, Sweeney, Ward Allen,  
Wasserman, and President Higgins - 6

Noes: None

Absent: Commissioners Hunter - 1

Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH WINGS WEST AIRLINES, INC., DOING BUSINESS AS AMERICAN EAGLE, AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXERCISE OF OPTION TO PURCHASE LAND FROM SOUTHERN PACIFIC TRANSPORTATION COMPANY", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF MANAGEMENT AGREEMENT WITH PASHA PROPERTIES, INC.," and Port Ordinance No. \_\_\_\_\_ being, "AN Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING SECTION 11.003 OF PORT ORDINANCE NO. 867 CREATING ONE ADDITIONAL POSITION OF MARINE COMMERCIAL REPRESENTATIVE IV.", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING SECTIONS 1, 2, 3, 5 AND 6 OF PORT ORDINANCE NO. 1166 RELATING TO THE CONTRIBUTIONS OF THE PORT OF OAKLAND TOWARD THE COST OF EMPLOYEE GROUP HEALTH INSURANCE", were read a first time and passed to print by the following vote:

Ayes: Commissioners Brady, Pineda, Sweeney, Ward Allen, Wasserman, and President Higgins - 6

Noes: None

Absent: Commissioner Hunter - 1

At the hour of 5:20 P.M. the meeting was adjourned in honor of and out of respect to the memory of the late Felex Chialvo to 4:00 p.m. Wednesday, July 12, 1989.

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The meeting was reconvened on Wednesday, July 12, 1989 at the hour of 4:20 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Higgins presiding.

Commissioners present: Sweeney, Ward Allen, Wasserman and President Higgins - 4

Commissioners absent: Brady, Hunter and Pineda - 3

Also present were the Acting Chief Executive Officer and Executive Director, Transportation Services, Port Attorney, Assistant Port Attorney Thomas Clark, Director of Engineering, Acting Director of Planning, Assistant Chief Engineer, Director of Public Affairs, and Secretary of the Board.

The Acting Chief Executive Officer and Executive Director, Transportation Services, informed the Board that the Central Valley Regional Water Quality Control Board had, earlier in the day, voted 5 Ayes to 0 Noes to approve the Port's Waste Discharge Permit. The Water Board noted that the Dredging project was of great economic importance to the region. The permit was not a typical waste discharge involving true waste material, there were adequate protection provisions, and that the Port of Oakland had the ability to do the project with good faith and workmanship.

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The Board further discussed the meeting and the other entities concerned with the project.

At the hour of 4:38 p.m., the Board entered into closed session to discuss certain pending litigation as provided for under Government Code Section 54956.9 (b) and (c) and reconvened in open session at the hour of 5:15 p.m.

The following resolution was introduced and passed separately on the following vote:

Ayes: Commissioners Sweeney, Ward Allen, Wasserman and  
President Higgins - 4

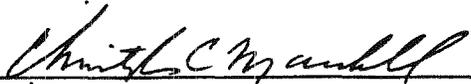
Noes: None

Absent: Commissioners Brady, Hunter and Pineda - 3

"RESOLUTION 31433

OF CONDOLENCE ON THE PASSING OF FELIX CHIALVO"

At the hour of 5:15 p.m. the meeting was adjourned on a motion duly made and seconded.

  
Secretary

REGULAR MINUTES OF THE BOARD OF PORT COMMISSIONERS  
OF THE  
CITY OF OAKLAND

The meeting, formal portion, was held on Tuesday, July 18, 1989, at the hour of 4:25 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, First Vice President Wasserman presiding, due written notice having been given to members of the Board. An informal portion was held during the period from 3:15 p.m. to 4:15 p.m. during which time the Board received a report on the proposed Tax Exempt Commercial Paper Program and a review of the Employee Compensation Pay for Performance Program.

Commissioners present: Brady, Hunter, Sweeney, Ward Allen, and  
First Vice President Wasserman - 5

Commissioners absent: Pineda and President Higgins - 2

Also present were the Acting Chief Executive Officer and Executive Director, Transportation Services; Port Attorney; Director of Engineering; Assistant Chief Engineer; Acting Director of Planning; Director of Commercial Real Estate; Director of Aviation; Chief Financial Officer; Director of Administration/Human Resources; Director of Public Affairs; and Secretary of the Board.

The minutes of the regular meeting of June 6, 1989, were approved as submitted and ordered filed.

First Vice President Wasserman informed the Board that he would call for a closed session at the conclusion of the open session for the purpose of discussing certain pending litigation as provided for under Government Code Section 54956.9 (b) and (c).

Commissioner Brady, Chair of the Finance and Administrative committee, informed the Board that his committee had met earlier in the day and reviewed the Pay for Performance Program and the need for a change in the Port's Health Benefits program as the costs were rising and the suppliers were diminishing. He

BOARD OF PORT COMMISSIONERS

MEETING OF SEP - 5 1989

APPROVED AS PREPARED AND ORDERED FILED

*Wm. C. Marshall*

noted that he would be prepared to make a recommendation at the Board's next meeting.

Commissioner Sweeney, Chair of the Transportation Committee, informed the Board that his committee had met earlier in the day and reviewed their current agenda.

Increase in Concession Fee - Airport Rental Car Concessionaires was the subject of a memo to the Board from the Director of Aviation, notifying the Board of the existing agreements with the five rental car companies operating on the Airport and that at the June 6, 1989 Board meeting, the staff recommended reinstating a 10% concession fee which had been reduced to 8.5% on July 1, 1986 and is presently in effect. At the June 6 Board meeting, representatives of the rental car concessionaires advised the Board that they have been unable to put their business in Oakland to a profitable operation and requested that the current 8.5% not be increased. Negotiations have been held, and it was recommended that the Board authorize and approve establishing effective July 1, 1989 through June 30, 1990 a concession fee of 9% of the gross automobile rental revenues for: Avis Rent A Car Systems, Inc.; Budget Rent A Car Systems, Inc.; Dollar Rent A Car of San Francisco, Inc.; The Hertz Corporation; and National Car Rental System, Inc. The recommendation was approved on passage of Resolution No. 31433.

Authorization to Dispense with Bids for Parking Lot Revenue Control System South Airport was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the previous agreement with Ralph Burke Associates for the design of a revenue control system for the Airport parking lot which would be a fully on-line parking lot revenue control system with an integrated license plate inventory system. The fully on-line system is a computerized system which monitors the activity at all entrance and exit gates, the remaining parking lot capacity at any time, the cash transactions at the exit booths to enhance fee revenue collection, and an inventory of license plate

numbers of vehicles parked overnight. In addition, the system uses a video camera and monitor at each exit booth to allow the attendants to view the license plates of exiting vehicles in order to verify the parking duration. As there is a minimum number of firms which can furnish and install the system, quotations were solicited from four pre-qualified firms. Review of the proposals demonstrates that the Trindel America Corporation was the only firm with the necessary experience to furnish a fully on-line system with integrated license plate inventory. It was recommended that the Board find it to be in the best interest of the Port to dispense with formal bids and that the Executive Director be authorized to negotiate and execute a contract with Trindel America Corporation for the system. The estimated cost of the installation is \$1,600,000.00. The recommendation was approved on passage of Resolution No. 31434.

Approval to Hire an Environmental Consultant to Perform a Phase II Site Characterization at the Former Proposed Air Cargo Distribution Center was the subject of a memo to the Board from the Acting Director of Planning, notifying the Board that Baseline Environmental Consulting conducted a hazardous materials Phase I Site Assessment at a location on the North Airport. The site assessment was conducted in order to determine if any hazardous materials were present and the suitability of the site as an air cargo distribution facility. The site is no longer being considered for these purposes; however, the assessment indicated the presence of polychlorinated biphenyl contaminated soil in an outdoor confined storage area. The Port is required to define the extent of PCB contaminated soils by conducting a Phase II Site Characterization. The estimated cost is approximately \$25,000.00. When the extent of PCB contaminated soil is defined, the Port will be required to remediate the site. It is recommended that the Board authorize the preparation and execution of an agreement with Baseline Environmental Consulting for providing the Phase II Site Assessment. The firm conducted the Phase I Site Assessment and is familiar with the scope of the

Phase II Site Characterization. The firm will be paid at the agreed upon rates for the time actually spent and be reimbursed for expenses up to an amount not to exceed a maximum of \$25,000.00 with certain additional work available at the discretion of the Chief Executive Officer. The recommendation was approved on passage of Resolution No. 31435.

Adjustment in Aviation Fuel Delivery Charges was the subject of a memo to the Board from the Director of Aviation, notifying the Board that a consortium of the passenger and cargo airlines based at Oakland Airport had indicated their intent to exercise their rights, as contained in federal statutes, to self fuel air cargo aircraft commencing June 7, 1989. These actions were in part a response to the Port's staff proposal earlier this year to increase the Airport's fuel delivery into-plane fee from \$.024 to \$.040 per gallon. The Port's into-plane fee is based on the recovery of the Port's capital, personnel, maintenance and administration costs. Any significant reduction in these costs would ordinarily result in a reduction in the required into-plane fee. The Board had previously requested staff to report back to the Board with a recommendation for a new into-plane fee based on the cost reductions to the proposed rate that arise from self fueling by the airlines. With this review, certain cost savings have been or should be achieved due to the airline consortium's fueling of cargo carriers and the appropriate into-plane fee should be set at \$.035 per gallon rather than the \$.040 originally proposed. In addition, the into-plane fee for non-consortium carriers should be set at \$.045 per gallon since these carriers are not contributing in any way to the cost savings emanating from the airline consortium's self fueling. It was recommended that the Board approve the new fees for fueling. It was noted that Local 790 has been advised of the recommended action as they have expressed a major concern about losing the fueling duties. The appropriateness of the rates will be reviewed initially on a quarterly basis or more frequently if significant changes in airport fueling

July 18, 1989

costs occur. The recommendation was approved on an ordinance passed to print.

Contract Completion, "Main Parking Lot Walkway Improvements, South Airport" was the subject of a memo to the Board from the Director of Engineering, recommending that the contract with Valentine Corporation be accepted as complete as of May 17, 1989, with a contract price of \$46,269.14. The recommendation was approved on passage of Resolution No. 31436.

License Agreement Renewal - Forty Plus of Northern California was the subject of a memo to the Board from the Director of Aviation, recommending approval to renew their agreement for a two year period for space at Building L-802, North Airport, used for their executive search business, at a new monthly rent of \$1,073.73. The rent for the second year will be adjusted in accordance with the percentage change in the Consumer Price Index. It was noted that the firm is a non-profit self-help operation and is charged approximately 70% of market rent. The recommendation was approved on a motion by Commissioner Brady, seconded and passed unanimously.

New Airport Public Telephone Service - Pacific Bell was the subject of a memo to the Board from the Director of Aviation, notifying the Board that there are 108 public telephones at the Airport installed by Pacific Bell. The current rate schedule provides the Port with a 10% commission on the monthly revenue per telephone for calls terminating within the service area and \$.03 per minute for the total monthly minutes on calls terminating outside the service area. The schedule resulted in \$77,820.00 in revenues to the Port for FY88. Pacific Bell has proposed a new two year agreement which would provide the Port with 25% of all monthly revenue per telephone for calls terminating within the service area and \$.03 per minute for the total monthly minutes on calls terminating outside the service area. Pacific Bell would require that the Port allow Pacific Bell to maintain at the Airport a minimum of 35 public telephones earning at least \$210.00 per month in gross revenues per telephone. It was noted that next year staff anticipates evaluating its public telephone system and the new arrangement

offers higher revenues to the Port and still retains adequate flexibility in the event the Port seeks to enter into a new agreement with another telephone company in the future. It was recommended that the Board approve the proposed new agreement. The recommendation was approved on a motion by Commissioner Brady, seconded and passed unanimously.

Renewal of License Agreements - Ameriflight, Inc. was the subject of a memo to the Board from the Director of Aviation, recommending approval to renew their agreement for space at Building L-210 (Hangar 2), used as an operational base for its air carrier service, at a new monthly rental of \$11,558.47. Also recommended was approval to renew their agreement for space at Building L-230 (Hangar 2-D) at a new monthly rental of \$4,242.42. The premises were occupied under a hold over provision of an agreement that expired December 31, 1988. The recommendation was approved on a motion by Commissioner Brady, seconded and passed unanimously.

Interim Security Agreement - Jack London Square was the subject of a memo to the Board from the Director of Commercial Real Estate, notifying the Board that Richardson Security Company had been providing security services to Jack London Square and Embarcadero Cove and terminated their security agreements with the Port effective May 18, 1989. In order to accommodate the immediate requirements for security, American Protective Services was retained on an interim basis. The Port has been billed approximately \$18,000.00 for services for Jack London Square land and parking areas and approximately \$16,000.00 for the Embarcadero Cove and Jack London Square marinas. The security costs will be approximately \$3,700.00 per week until a permanent security contractor is selected. It was noted that the Waterfront Association is responsible for providing security in the Jack London Square Phase I area and is in the process of selecting a new security company. The Port may elect to contract with the Waterfront Association to provide security service to the marinas and

non-Waterfront Association areas or contract directly with a security company. It was recommended that the Board approve an interim security agreement with American Protective Services, Inc. to supply security services at Jack London's Waterfront and the Embarcadero Cove Marina. The recommendation was approved on passage of Resolution No. 31447.

Tidewater Properties - Extension of Lease Option was the subject of a memo to the Board from the Director of Commercial Real Estate, notifying the Board that the Board previously approved a lease option and lease with Tidewater Properties, a joint venture of Guilltone Properties, Ltd., a California Limited Partnership and Oakland Business Development Corporation, a California non-profit public benefit corporation, for the development of approximately 90,000 square feet of incubator warehouse facilities on 5.6 acres of vacant land on Tidewater Avenue and Lesser Street under a 55 year lease. The original agreement was approved in 1986 and has been extended on many occasions. The developer has requested a final extension to the lease option term to complete the financing arrangements, and it was recommended that the term of the lease option agreement be extended until August 31, 1989. If the developer provides the necessary letters of commitment, the lease option will be extended two months to allow for the processing of the loan documents and the closing of escrow. It was noted that the Development Committee had discussed the proposal and would review the negotiations if the latest extension was not fruitful. The recommendation was approved on passage of Resolution No. 31448.

Approval of Jack London's Waterfront Signage Guidelines Manual was the subject of a memo to the Board from the Acting Director of Planning, notifying the Board that the Board authorized the hiring of Stratagem Consultants to develop signage guidelines for retail businesses, general directional, and temporary signs in the Jack London's Waterfront. The guidelines and standards have been compiled in a publication entitled "Jack London's Waterfront Signage Guidelines Manual". The manual is written in a manner consistent with the new

development of the area and is designed to insure that the business establishments have signs that are in good taste and identify their places of business in the Jack London's Waterfront district. The manual identifies five specific zones in which specific sign types, their allowable square footage area, and their placement on the buildings are spelled out along with some suggested materials and fabrication techniques. It was recommended that the Board approve the guidelines and standards as contained in the manual. The recommendation was approved on passage of Resolution No. 31449.

Building Permit Application, Interior Improvements, United Parcel

Service 8400 Pardee Drive was the subject of a memo to the Board from the Acting Director of Planning, recommending approval for the construction of certain interior improvements within the existing main building at their location at the Oakland Distribution Center. The proposed work would improve the slab floor, add a mezzanine floor for new offices, add two new air conditioning units and other miscellaneous improvements to enable UPS to efficiently handle the increasing package volume at the facility. The estimated cost of the proposed work is \$300,000.00. The work is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31437.

OPA - Former Elegant Farmer Site Lease Amendment was the subject of a memo to the Board from the Director of Commercial Real Estate, notifying the Board that the Board approved the assignment of the Elegant Farmer, Inc. lease to Oakland Portside Associates, with the lease revised to shorten the original 55-year term to expire on July 1, 1990. OPA was to receive approval of plans for redevelopment of the improvements on the premises by February 23, 1989. However, they were unable to finalize an agreement with a cinema company by that date and are now requesting the waiver of this requirement. It was recommended that the Board approve deleting the requirement for OPA to submit plans for improvements

on the premises by February 23, 1989. The recommendation was approved on passage of Resolution No. 31450.

Approval of Utility Company Agreement for Undergrounding the 12 KV Power Lines at Sea Land Terminal, Outer Harbor was the subject of a memo to the Board from the Director of Engineering, notifying the Board that the 12 KV electric power lines serving the Outer Harbor run overhead from Maritime Street through the Sea Land yard along the former 14th Street and then along the fence separating Berths 21 and 22. The lines have been hit a number of times by yard equipment causing major power outages in the Outer Harbor and endangering the operators of the equipment and other yard employees. It was recommended that the Board approve an agreement with PG&E to underground the lines. The agreement provides for installing approximately 1800 feet of 12 KV lines underground at a total cost of \$676,458.00 with an allowance of \$25,000.00 to provide for possible changes required during construction. The recommendation was approved on passage of Resolution No. 31438.

Authorization to Purchase U.S. Bureau of Census Waterborne Foreign Trade Statistics from Trade Information Planning Systems was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director of Transportation Services, notifying the Board that the recent reorganization recommendations included the transfer of the function of acquiring and processing U.S. Bureau of Census waterborne foreign trade statistics to the Cargo Marketing Department and the FY 1989/90 Budget approved by the Board included the costs associated with acquiring and processing Bureau of Census waterborne foreign trade statistics. In the past, Bureau of Census foreign trade statistics were purchased directly by the Port in tape form and then processed by a consultant into formats useful to Maritime Division staff. Under the new recommendations, it is proposed that Bureau of Census foreign trade statistics be purchased from a private vendor, Trade Information Planning Systems, which will enhance the program. It was recommended that the Board approve a one year contract with

Trade Information Planning Systems at a cost of \$40,800.00 which includes \$8,100.00 for one time start-up costs. The recommendation was approved on passage of Resolution No. 31451.

Amendment to Terminal Use Agreement with Compagnie Maritime Belge was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director of Transportation Services, notifying the Board that Compagnie Maritime Belge has a five year term Terminal Use Agreement with the Port calling at the Charles P. Howard Terminal operated by Stevedoring Services of America. Naviera Pacifico, C.A. is a Venezuelan shipping company that has called at the Port since September, 1985 at the Charles P. Howard Terminal, and the two lines now have a space charter agreement. The lines have requested that Naviera Pacifico become part of the Terminal Use Agreement between the Port and CMB. The request was approved on passage of Resolution No. 31452 authorizing execution of a supplemental agreement with the two lines.

Approval to Hire Consultant for Preparation of an Environmental Document for the Intermodal Interface Demonstration was the subject of a memo to the Board from the Acting Director of Planning, notifying the Board of the Intermodal Interface Demonstration Project which is the first trial phase of an overall intermodal improvement plan. The demonstration project will consist of an intermodal rail facility capable of handling a full double-stack unit container train immediately adjacent to the Outer Harbor marine terminals. The Port, as the lead agency, is responsible for the environmental assessment of the project in accordance with the California Environmental Quality Act and Port CEQA Guidelines. It was recommended that the Board approve the preparation and execution of an agreement with Earth Metrics Incorporated for consulting services associated with the environmental assessment of the project. The firm will be paid \$79,634.00 with certain additional work available at the discretion of the Executive Director. The recommendation was approved on passage of Resolution No. 31439.

Approval of Proposed Agreement with Deloitte Haskins & Sells was the subject of a memo to the Board from the Chief Financial Officer, recommending approval to retain the firm of Deloitte Haskins & Sells in association with Adams, Grant, Werner & Co. to examine the Port's financial statements, to report thereon, to submit a management letter, and to examine and report on Federal Grants under the Single Audit Act for a fee not to exceed \$95,000.00. The recommendation was approved on passage of Resolution No. 31440.

Representation Contract with Richard L. Sinnott and Company was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director of Transportation Services, recommending approval of a new contract with Richard L. Sinnott to represent the Port of Oakland's interests in Washington, D.C. Mr. Sinnott has represented the Port for over ten years. The contract would provide that the Port pay for the services of the Representative and staff in the sum of \$7,500.00 monthly, which is \$90,000.00 per annum. Incidental expenses incurred by the Representative would be billed at cost. Any extraordinary expenses beyond the normal scope of services would require the preauthorization of the Chief Executive Officer. The recommendation was approved on passage of Resolution No. 31442.

Personnel Items contained in a memo to the Board from the Director of Administration/Human Resources, recommended the appointment of Kathleen A. Bertram, Airport Operations Supervisor, effective July 19, 1989 at \$3,481.00 per month; Arthur Chisholm, Carpenter, effective July 19, 1989 at \$2,866.00 per month; Richmond D. Glenn, Information Services Technician, effective August 7, 1989 at \$2631.00 per month; and Michael D. Chinn, as Senior Account Clerk, effective July 19, 1989 at \$2237.00 per month. Also recommended was approval of class specifications for the positions of Junior Port Environmental Scientist and Associate Port Environmental Scientist; and title changes for the positions of Associate Environmental Scientist to Associate Port Environmental Scientists and Junior Environmental Scientist to Junior Port Environmental Scientist.

Additionally recommended was a creation of the department head exempt position of Personnel/Labor Relations Manager; and the amendment of appointment dates for Mr. Ali Roberts and Mr. Julius Terrell to reflect appointments starting dates of July 12 and July 24, 1989, respectively. Further recommended was a maternity leave of absence for Cielo Ajero-Belcher, Senior Accountant, for 125 working days; a medical leave of absence for Jayne Sandoval, Intermediate Typist Clerk, for a period of 51 working days; and a military leave of absence for Isamu Tsujimoto, Senior Engineering Assistant, for 3 working days.

Mr. Al Loera, Shop Steward for Local 790, appeared before the Board to speak on behalf of Mr. Isaac Saenz, an Airport Serviceman. Mr. Loera asked that the appointment of Ms. Kathleen Bertrum be held over to allow for Mr. Saenz to speak to the issue of the appointment. The Board was briefed on the recommended appointment and of the procedures taken to arrive at this recommended appointment. After considerable discussion, a motion by Commissioner Sweeney to hold over the appointment was withdrawn and a motion by Commissioner Brady to proceed with the appointment was seconded and passed unanimously. The Board asked for a report on certain activities of the present airport supervisors and any proposed additions. Mr. Loera then informed the Board that he was a candidate for the position of Airport Operations Supervisor and did not pass the required tests, and he noted that the testing procedures were required to be presented to the persons taking the test. The Director of Administration/Human Resources responded that all of the alleged missing material would be furnished and again explained to Mr. Loera.

The recommendations were approved on passage of Resolution No. 31443 for appointments; Resolution No. 31444 for amending appointment start dates; Resolution No. 31445 for leaves of absence; Resolution No. 31453 for job specifications; and on an ordinance passed to print for creation of position.

Travel Authorization was the subject of a memo to the Board from the Director of Administration/Human Resources, recommending the travel of Carol Beadle, Community Information Representative, to Yokohama, Japan, on or about July

25 through August 7, 1989 to accompany four Oakland high school students, who will be participating in the International Juvenile Science Conference. All expenses will be paid by the host city. The recommendation was approved on passage of Resolution No. 31446.

The following reports were received and ordered filed:

Summary of Cash - Port Revenue and Construction Funds  
as of July 7, 1989.

Summary of Cash and Accounts Receivable Port Revenue Fund 770  
for the Month of June 1989.

Accounts Receivable in Arrears as of June 30, 1989.

Delinquent Accounts Referred to Legal - Reported  
as of June 30, 1989.

Summary of Claims Paid from Various Funds  
for the Period June 28, 1989 through July 10, 1989.

The following resolutions were introduced and passed separately by the following vote:

Ayes:	Commissioners Brady, Hunter, Sweeney, Ward Allen, and First Vice President Wasserman - 5
Noes:	None
Absent:	Commissioners Pineda and President Higgins - 2

"RESOLUTION NO. 31433

FIXING REVISED PERCENTAGE CONSIDERATION FOR AIRPORT RENTAL CAR LICENSE AND CONCESSION AGREEMENTS DURING MONTH TO MONTH HOLD OVER CONTINUATIONS THEREOF."

"RESOLUTION NO. 31434

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH TRINDEL AMERICA CORPORATION FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31435

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH YANE NORDHAV, AN INDIVIDUAL, DOING BUSINESS AS BASELINE ENVIRONMENTAL CONSULTING, FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31436

ACCEPTING WORK PERFORMED BY VALENTINE CORPORATION, AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31437

GRANTING UNITED PARCEL SERVICE PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31438

APPROVING AND AUTHORIZING EXECUTION OF UTILITY COMPANY AGREEMENT FOR UNDERGROUNDING THE 12 KV POWER LINES AT SEA LAND TERMINAL, OUTER HARBOR, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31439

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH EARTH METRICS INCORPORATED, FOR ENVIRONMENTAL CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT. "

"RESOLUTION NO. 31440

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH DELOITTE HASKINS & SELLS IN ASSOCIATION WITH ADAMS, GRANT, WERNER & CO., FOR FINANCIAL CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31441

AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENT WITH HOSES UNLIMITED, INC."

"RESOLUTION NO. 31442

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH RICHARD L. SINNOIT FOR REPRESENTATION OF THE PORT OF OAKLAND BEFORE THE FEDERAL GOVERNMENT CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31443

CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31444

AMENDING RESOLUTION NO. 31426 CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31445

CONCERNING CERTAIN LEAVES OF ABSENCE."

"RESOLUTION NO. 31446

CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 31447

RATIFYING THE RETENTION OF AMERICAN PROTECTIVE SERVICES, INC., FOR THE PERFORMANCE OF SECURITY PATROL SERVICES AT JACK LONDON SQUARE AND EMBARCADERO COVE, AND FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO AUTHORIZE EXECUTION OF AN INTERIM AGREEMENT WITH AMERICAN PROTECTIVE SERVICES, INC. FOR SAME."

July 18, 1989

"RESOLUTION NO. 31448

APPROVING AND AUTHORIZING AMENDMENT TO LEASE OPTION AGREEMENT WITH TIDEWATER PROPERTIES TO EXTEND OPTION PERIOD."

"RESOLUTION NO. 31449

APPROVING JACK LONDON'S WATERFRONT SIGNAGE GUIDELINES MANUAL AS PREPARED BY PETER KATZ, AN INDIVIDUAL DOING BUSINESS AS STRATAGEM CONSULTANTS."

"RESOLUTION NO. 31450

WAIVING REQUIREMENT FOR SUBMISSION OF PLANS BY OAKLAND PORTSIDE ASSOCIATES."

"RESOLUTION NO. 31451

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO PURCHASE U.S. BUREAU OF CENSUS WATERBORNE FOREIGN TRADE STATISTICS AND RELATED DATA AND SERVICES FROM TRADE INFORMATION PLANNING SYSTEMS, WITHOUT COMPETITIVE BIDDING; AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A ONE YEAR CONTRACT FOR SAME; AND MAKING CERTAIN FURTHER FINDINGS IN CONNECTION THEREWITH."

"RESOLUTION NO. 31452

AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH CMB N.V. (COMPAGNIE MARITIME BELGE) AND NAVIERA PACIFICO, C.A."

"RESOLUTION NO. 31453

APPROVING JOB SPECIFICATIONS FOR THE POSITIONS OF JUNIOR PORT ENVIRONMENTAL SCIENTIST AND ASSOCIATE PORT ENVIRONMENTAL SCIENTIST."

Port Ordinance No. 2889 being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH WINGS WEST AIRLINES, INC., DOING BUSINESS AS AMERICAN EAGLE, AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. 2890 being, "AN ORDINANCE APPROVING AND AUTHORIZING EXERCISE OF OPTION TO PURCHASE LAND FROM SOUTHERN PACIFIC TRANSPORTATION COMPANY", and Port Ordinance No. 2892 being, "AN ORDINANCE AMENDING SECTION 11.003 OF PORT ORDINANCE NO. 867 CREATING ONE ADDITIONAL POSITION OF MARINE COMMERCIAL REPRESENTATIVE IV", and Port Ordinance No. 2893 being, "AN ORDINANCE AMENDING SECTIONS 1, 2, 3, 5 AND 6 OF PORT ORDINANCE NO. 1166 RELATING TO THE CONTRIBUTIONS OF THE PORT OF OAKLAND TOWARD THE COST OF EMPLOYEE GROUP HEALTH INSURANCE", were read a second time and passed by the following vote:

Ayes: Commissioners Brady, Hunter, Sweeney, Ward Allen,  
and First Vice President Wasserman - 5

Noes: None

Absent: Commissioners Pineda and President Higgins - 2

Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH AEROSPACE AVIONICS, INC., AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH PACIFIC AERIAL SURVEYS, AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 TO CREATE THE POSITION OF PERSONNEL/LABOR RELATIONS MANAGER", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING SECTIONS 18, 19 AND 21 OF PORT ORDINANCE NO. 1149 RELATING TO CHARGES FOR DELIVERY OF AVIATION FUEL AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 TO RETITLE CERTAIN POSITIONS", were read a first time and passed to print by the following vote:

Ayes: Commissioners Brady, Hunter, Sweeney, Ward Allen,  
and First Vice President Wasserman - 5

Noes: None

Absent: Commissioners Pineda and President  
Higgins - 2

At the hour of 5:30 p.m. the Board entered into closed session as previously announced by First Vice President Wasserman and reconvened in open session at the hour of 6:12 p.m. during which time Commissioner Hunter was excused from the meeting.

Commissioner Sweeney noted that there were only four members of the Board present, and he moved that the election of officers as provided for in the By-laws be deferred to the first meeting in September. The motion was seconded and passed unanimously with an appropriate resolution passed separately postponing election of officers:

Ayes: Commissioners Brady, Sweeney, Ward Allen,  
and First Vice President Wasserman - 4

Noes: None

Absent: Commissioners Pineda, Hunter  
and President Higgins - 3

"RESOLUTION NO. 31454

POSTPONING ELECTION OF OFFICERS OF THE BOARD."

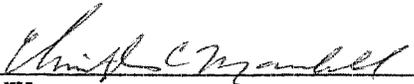
Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY LOCATED AT 1555 LAKESIDE DRIVE, OAKLAND, CALIFORNIA", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY LOCATED AT 14665 DENION AVENUE, DONNER LAKE, CALIFORNIA", were read a first time and passed to print by the following vote:

Ayes: Commissioners Brady, Sweeney, Ward Allen and  
First Vice President Wasserman - 4

Noes: None

Absent: Commissioners Hunter, Pineda and President  
Higgins - 3

At the hour of 6:15 p.m. the meeting was adjourned on a motion duly made and seconded.

  
\_\_\_\_\_  
Secretary

July 18, 1989

SPECIAL MEETING OF THE BOARD OF PORT COMMISSIONER  
OF THE  
CITY OF OAKLAND

President Higgins on Tuesday, July 25, 1989, called for a special meeting of the Board to be held on Wednesday, July 26, 1989 at the hour of 5:00 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California.

The business to be transacted was to authorize the management of the Port to enter into a contract with Public Employees Retirement System health benefits program to make available to Port employees and retired employees a variety of health plan options servicing geographical area nationwide.

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The special meeting was held on Wednesday, July 26, 1989 at the hour of 5:05 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Higgins presiding due written notice having been given to members of the Board.

Commissioners present: Hunter, Ortiz, Sweeney, Ward Allen,  
and President Higgins - 5

Commissioners absent: Brady and Wasserman - 2

President Higgins welcomed new Commissioner Celso D. Ortiz to the meeting and noted that a more formal recognition would be provided at the meeting of August 1, 1989.

Also present were the Acting Chief Executive Officer and Executive Director, Transportation Services; Port Attorney; Deputy Port Attorney Robert Martinez; Director of Administration/Human Resources; Director of Public Relations; and Secretary of the Board.

Authorization for Port Participation in PERS Medical Program was the subject of a memo to the Board from the Director of Administration/Human Resources, notifying the Board that the Port of Oakland has offered medical insurance to its employees through a number of different medical plans, either

BOARD OF PORT COMMISSIONERS  
MEETING OF SEP - 5 1989  
APPROVED AS SUBMITTED AND ORDERED FILED  
SECRETARY *Ph. H. C. Merrill*

contracted directly with the medical provider or jointly, through City of Oakland contracts. As a result of the City joining the PERS Medical Program last month, two current medical providers, Blue Cross and Prudential have elected to terminate their contracts effective August 1, 1989. In attempting to continue to provide employees with the current selection of medical plans, the Port's insurance broker reported that individual providers were unwilling to give quotes unless the Port agreed to sole source its medical coverage. Further research now indicates that it would be desirable for the Port to join the PERS Medical Program, and a recommendation was prepared for Board action on August 1, 1989. Due to the urgency of the situation resulting from the imminent termination of services by two medical providers, and that PERS will consider waiving their regular 30 day enrollment period to allow all Port employees to enter into the PERS Medical Program effective August 1, 1989, it was recommended that the Port proceed to enter into the PERS Medical Program effective August 1, 1989. In order to avoid disruption of medical services for affected employees, it is necessary for the Board to approve resolutions on the matter, and to direct the Acting Chief Executive Officer to perform on behalf of the Board all functions required under PERS enabling legislation and PERS Board of Administration regulations to bring the Port into the PERS Medical System. The approved resolutions must be submitted to the PERS office no later than noon on Thursday, July 27, 1989, and enrollment forms by July 31, 1989, for coverage to begin effective August 1, 1989. It was noted that a major effort will be made to locate retired employees so that their coverage will not lapse. The Board took particular note of the urgency of the situation, and that the statewide PERS system appeared to be a much needed addition to the medical coverage plan. After considerable discussion concerning the potential of lapse coverage and the desire to locate retired employees to notify them of the possibility of lapse coverage, the following resolutions were introduced and passed separately by the following vote:

July 26, 1989

Ayes: Commissioners Hunter, Ortiz, Sweeney, Ward Allen and President Higgins - 5

Noes: None

Absent: Commissioners Brady and Wasserman - 2

"RESOLUTION NO. 31455

ELECTING TO BE SUBJECT TO PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT ONLY WITH RESPECT TO EMPLOYEES REPRESENTED BY UNITED PUBLIC EMPLOYEES, LOCAL 790 IN REPRESENTATION UNITS A, B AND G AND BELONGING TO THE OAKLAND MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM AND FIXING THE PORT'S CONTRIBUTION FOR EMPLOYEES AND THE PORT'S CONTRIBUTION FOR ANNUITANTS AT DIFFERENT AMOUNTS."

"RESOLUTION NO. 31456

ELECTING TO BE SUBJECT TO PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT ONLY WITH RESPECT TO EMPLOYEES REPRESENTED BY UNITED PUBLIC EMPLOYEES, LOCAL 790 IN REPRESENTATION UNITS A, B AND G AND FIXING THE PORT'S CONTRIBUTION FOR EMPLOYEES AND THE PORT'S CONTRIBUTION FOR ANNUITANTS AT DIFFERENT AMOUNTS."

"RESOLUTION NO. 31457

ELECTING TO BE SUBJECT TO PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT ONLY WITH RESPECT TO EMPLOYEES REPRESENTED BY THE WESTERN COUNCIL OF ENGINEERS IN THE PORT OF OAKLAND REPRESENTATION UNIT C AND FIXING THE PORT'S CONTRIBUTION FOR EMPLOYEES AND THE PORT'S CONTRIBUTION FOR ANNUITANTS AT DIFFERENT AMOUNTS."

"RESOLUTION NO. 31458

ELECTING TO BE SUBJECT TO PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT ONLY WITH RESPECT TO EMPLOYEES REPRESENTED BY THE WESTERN COUNCIL OF ENGINEERS IN THE PORT OF OAKLAND REPRESENTATION UNIT C BELONGING TO THE OAKLAND MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM AND FIXING THE PORT'S CONTRIBUTION FOR EMPLOYEES AND THE PORT'S CONTRIBUTION FOR ANNUITANTS AT DIFFERENT AMOUNTS."

"RESOLUTION NO. 31459

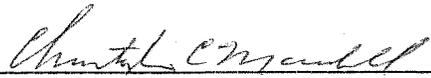
ELECTING TO BE SUBJECT TO PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT ONLY WITH RESPECT TO UNREPRESENTED PORT EMPLOYEES IN REPRESENTED UNITS D AND E AND CERTAIN CONFIDENTIAL EMPLOYEES IN REPRESENTED UNITS A, B AND G AND FIXING THE PORT'S CONTRIBUTION FOR EMPLOYEES AND THE PORT'S CONTRIBUTION FOR ANNUITANTS AT DIFFERENT AMOUNTS."

"RESOLUTION NO. 31460

ELECTING TO BE SUBJECT TO PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT ONLY WITH RESPECT TO UNREPRESENTED PORT EMPLOYEES IN REPRESENTATION UNITS D AND E AND CERTAIN CONFIDENTIAL EMPLOYEES IN REPRESENTED UNITS A, B AND G BELONGING TO THE OAKLAND MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM AND FIXING THE PORT'S CONTRIBUTION FOR EMPLOYEES AND THE PORT'S CONTRIBUTION FOR ANNUITANTS AT DIFFERENT AMOUNTS."

July 26, 1989

At the hour of 5:40 p.m. the meeting was adjourned on a motion duly made and seconded.

  
Secretary

July 26, 1989

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REGULAR MINUTES OF THE BOARD OF PORT COMMISSIONERS  
OF THE  
CITY OF OAKLAND

The meeting, formal portion, was held on Tuesday, August 1, 1989, at the hour of 4:16 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Higgins presiding, due written notice having been given to members of the Board. There was no informal portion scheduled.

Commissioners present: Brady, Hunter, Ortiz, Sweeney and  
President Higgins - 5

Commissioners absent: Ward Allen and Wasserman - 2

Also present were the Acting Chief Executive Officer and Executive Director, Transportation Services; Port Attorney; Assistant Port Attorney, Thomas Clark; Director of Engineering; Assistant Chief Engineer; Chief Financial Officer; Director of Commercial Real Estate; Acting Director of Planning; Director of Administration/Human Resources; Special Assistant to the Executive Director for Trade Relations; Director of Public Affairs; Airport Manager; and Secretary of the Board.

President Higgins introduced Mr. Celso Ortiz as the new member of the Board and noted his interests and affiliations in the community.

The minutes of the regular meeting of June 20, 1989 were approved as submitted and ordered filed.

Mr. Enrique Zamora, Civil Engineer, received his 15-year service award; and Mr. Donald Silva, Jr., Semi-Skilled Laborer, received his 10-year service award.

President Higgins informed the Board that he would call for a closed session at the conclusion of the open session for the purpose of discussing pending litigation involving the report of the Port Attorney and Litigation Matters as provided for under Government Code Section 54956.9, and pending litigation as provided for under Government Code Section 54956.9 (b) and (c).

BOARD OF PORT COMMISSIONERS  
MEETING OF OCT 10 1989  
APPROVED AS SUBMITTED AND ORDERED FILED  
SECRETARY *Christy C. Marshall*

The Acting Chief Executive Officer and Executive Director of Transportation Services informed the Board that the External Affairs Committee had met earlier in the day and discussed their current agenda.

The Director of Commercial Real Estate informed the Board that the Development Committee had met earlier in the day and discussed the off price retail development proposal and the development of the Request for Information concerning a master developer for certain Port lands.

Approval of Supplement to Consultant Agreement for Upgrading Under Aircraft Wing Fire Protection System at George P. Miller Hangar was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the existing agreement with Schirmer Engineering Corporation to provide engineering services for upgrading the under aircraft wing fire protection system at the George P. Miller Hangar. United Airlines, the tenant, is now proposing to install floor to roof partition walls inside the hangar to divide it into four bays. The partition walls will limit the function of the flame detection system as designed and a redesign to relocate detector devices will be necessary. United Airlines has agreed to reimburse the Port for the additional design work estimated to cost \$3,100.00. It was recommended that the Board approve an amendment to the agreement with Schirmer Engineering Corporation increasing the Executive Director's authority to approve extra work by \$5,000.00 for a total of \$15,000.00. The recommendation was approved on passage of Resolution No. 31464.

Specifications for Furnishing Service and Maintenance for Seven "Jetway" and Nine "Safegate" Passenger Loading Bridges, South Airport, for the Period Commencing November 1, 1989 and Ending January 31, 1993 was the subject of a memo to the Board from the Director of Engineering, recommending their approval and authority to advertise for bids for the maintenance work on the passenger loading bridges. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31465.

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Plans and Specifications to Provide and Install Furnishings, Building M-103, Terminal I, South Airport was the subject of a memo to the Board from the Director of Engineering, recommending their approval and authority to advertise for bids for the relocation of existing furniture, providing and installing new seats for the new gatehold areas under construction, and providing new planters and trash receptacles for the Finger Building in Terminal I. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31466.

Award of Contract, HVAC Modifications, Building M-130, Terminal II, South Airport was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the two bids received and recommending award of the contract to N. V. Heathorn, Inc., the low bidder, at \$97,020.00. The recommendation was approved on passage of Resolution No. 31467.

Award of Contract for Recoating Ticketing Building M-101, South Airport was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the seven bids received and recommending award of the contract to Fidelity Roof Company, the low bidder, at \$67,612.00. The recommendation was approved on passage of Resolution No. 31468.

License Agreement Renewal - Trans Ocean Aviation was the subject of a memo to the Board from the Director of Aviation, recommending approval of a new two year agreement for space at Building L-107, North Airport, used as a center for flight training in simulators, at a new monthly rent of \$1,817.98. The rent for the second year will be adjusted in accordance with the percentage change in the Consumer Price Index. The recommendation was approved on a motion by Commissioner Brady, seconded and passed unanimously.

Ermachild & Simon - New License and Concession Agreement was the subject of a memo to the Board from the Director of Commercial Real Estate, notifying the Board that the private investigation firm which currently occupies 659 square feet of office space at 77 Jack London Square, Suite O, was an existing Mardeco subtenant

when the Port purchased the Mardeco leasehold last year. Their Mardeco sublease agreement recently expired and they now wish to execute a new license agreement with the Port. It was recommended that the Board approve the preparation of a new agreement covering 659 square feet of office space in Port building F-201 at \$955.55 per month including utilities. The tenant would also provide a performance deposit, pay for all taxes and assessments, including possessory interest taxes, and carry public liability and damage insurance. The agreement would also contain the Port's standard provisions. The recommendation was approved on a motion by Commissioner Brady, seconded and passed unanimously.

Engineered Modular Structures, Inc. - Consent to Sublease was the subject of a memo to the Board from the Director of Commercial Real Estate, notifying the Board that Engineered Modular Structures, Inc. occupies 49,247 square feet of warehouse/office space in Port building H-232, located at 845 Embarcadero, under the terms of a ten year lease agreement which commenced July 1, 1988. EMS has requested approval to sublease a 10,128 square foot portion of their warehouse space and a 600 square foot portion of their office space to Arachne Systems, Inc., a manufacturer of composite semi-trailers and truck components. The proposed sublease would be in compliance with the master lease, and it was recommended that the Board approve the sublease proposal. The recommendation was approved on passage of Resolution No. 31461.

Terminal Use Agreement with Hyuandai Merchant Marine was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director of Transportation Services, notifying the Board that Hyundai Merchant Marine has a five year Terminal Use Agreement (TUA) with the Port that expires August 31, 1989. Hyundai is a major Korean flag container shipping line serving the Far East and calling the Pacific Coast in a weekly container service using the Charles P. Howard Terminal operated by Stevedoring Services of America. It was recommended that the Board approve a new six year agreement for the period of September 1, 1989 to

August 1, 1989

August 31, 1995. For the first two years of the new six year period, the economic provisions of the present TUA will continue. For the remaining four years of the new six year period TUA, the following provisions will apply: Hyundai may retain 20% of the tariff wharfage rate at the time of the cargo activity subject to a minimum guarantee of 8,500 loaded twenty-foot equivalent units (TEU) annually. Hyundai will also be eligible for an additional wharfage refund at the conclusion of the contract year based upon the line achieving certain volume levels. The Port will charge Hyundai \$10.00 per empty TEU loaded to or discharged from vessels subject to an allowance of 10% of the total loaded and empty TEU's loaded to and discharged from vessels during the contract year. Hyundai will pay 90% of the Port prevailing tariff rate for dockage for all vessel calls. It was noted that the agreement represents an alternative form of use agreement which includes a minimum guarantee of containers annually to the Port, provides incentives for the line to generate increased cargo volumes while minimizing the number of empty container movements and facilitates the Port staff's administration of such agreements. The recommendation was approved on an ordinance passed to print.

Plans and Specifications for Structural Inspection of Crane S/N 348 (X-403) was the subject of a memo to the Board from the Director of Engineering, recommending their approval and authority to advertise for bids for the non-destructive testing of welds and bolted connections on a Paceco A-frame type container crane and the repair of welds which are found defective. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31462.

In Connection with the Port's Proposed Tax Exempt Commercial Paper Program: Approve Proposed Agreements with Shearson Lehman Hutton Inc., as Senior Managing Underwriter, and Grigsby Brandford Powell Inc. as Financial Advisor, and Authorize Payment of Costs of Issuance for Such Program was the subject of a memo

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to the Board from the Chief Financial Officer, notifying the Board that the Port is proposing to use a Tax Exempt Commercial Paper Program to provide approximately Seventy-Five Million Dollars in capital money. The program would provide the Port with market access at a low interest rate as funds are needed to provide construction financing for future capital projects in compliance with the Port's Financial Management Policies adopted earlier this year. A part of the program is the appointment of the various financial advisors. It was recommended that the Board approve entering into an agreement with Shearson Lehman Hutton Inc. to serve as senior managing underwriter for the Port's proposed tax exempt Commercial Paper Program for a fee of \$50,000.00, expenses not to exceed \$30,000.00, and underwriter's counsel fees and expenses not to exceed \$75,000.00; and an agreement with Grigsby Brandford Powell Inc. as financial advisor to provide financial advisory services to the Port for the Program at a fee not to exceed \$25,000.00, and expenses not to exceed \$5,000.00. It is necessary to pay for cost of issuance associated with the Program prior to receipt of Commercial Paper proceeds. Such costs of issuance include, but are not limited to, rating agency fees, printing of bonds and the Official Statements, and Trustee fees. Costs of Issuance may be reimbursed over time from proceeds of each Commercial Paper issue so long as such reimbursement does not exceed 2% of each issue. It was also recommended that the Board authorize the Chief Financial Officer to pay cost of issuance associated with the Program estimated to be \$78,000.00 and an additional amount of \$25,000.00 for any additional costs of issuance. The recommendation was approved on passage of Resolution No. 31469 for cost of issuance; Resolution No. 31470 Shearson Lehman Hutton agreement; Resolution No. 31471 for Grigsby Brandford Powell Inc., agreement; and Resolution No. 31472 for Kutak Rock and Campbell Special Counsel for the Financing Program.

Adoption of Compensation Philosophy and Implementation of Port Pay for Performance Program was the subject of a memo to the Board from the Director of Administration/Human Resources, notifying the Board that the proposed program was

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presented in concept in February, 1989, which outlined the identification of various elements necessary to the implementation of the program. The Board approved the retention of consultants to facilitate the initial implementation steps in order to update the Port's job descriptions of employees targeted in the program, identify performance standards, identify salary ranges, develop a salary administration system, and develop an employee appraisal system linked to performance standards. In April, 1989, the Board formally adopted in concept the Port Performance and Merit Pay Program, thereafter called the Port of Oakland Pay for Performance Program. Subsequent to that adoption, the development of the Pay for Performance Program continued, focusing the areas of developing a compensation philosophy to guide current and future program decisions, developing a fair and competitive salary structure for managing base salaries, developing a performance measurement and rewards system. It was noted that previous programs were not adequate and many employees were not given opportunities to participate in the bonus program. The consultant's study also showed other shortcomings in the Port's Salary Schedules. The consultant, at a meeting on July 18, 1989, suggested the following program requiring further staff action and Board approval: Implement a 4% increase, effective July 8, 1989 for all employees in the program to recognize market movement of salaries until the first merit increase. Bring salaries of all employees in the Program to the 25th percentile of the appropriate identified salary ranges, effective July 8, 1989, for those not already at that level. Adjust salaries of employees formerly in the Management Incentive Compensation Program to reflect competitive market rate and regain internal salary relationships distorted by previous salary freezes, by implementing a 6% increase, effective July 1, 1988, and bringing salaries to the 40th percentile of the appropriate salary ranges. Divide the first merit increase period into two semi-annual review periods (10/1/89 - 3/31/90 and 4/1/90 - 9/30/90) to provide for a phased implementation to give managers and supervisors the opportunity to evaluate performance twice during

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the initial year and put less risk at stake for each of the first two review periods. It was recommended that the Board adopt by motion the "Compensation Philosophy" as presented at the work session of July 18, 1989, and approve by ordinance the initial percentage salary adjustments, the establishment of twenty salary grades, and the assignment of specific classifications to these salary grades. After discussion on the study and the consultants recommendations, the compensation philosophy was approved on a motion by Commissioner Brady, seconded and passed unanimously. The initial percentage salary adjustments and establishment of twenty salary grades and the assignment of specific classification to the salary grades was approved on an ordinance passed to print.

Personnel Items was the subject of a memo to the Board from the Director of Administration/Human Resources, recommending the appointment of David McAney, Principal Engineering Assistant, effective August 2, 1989 at \$3,452.00 per month; Jerome Goulart, Port Electrician, effective September 5, 1989 at \$3,194.00 per month; John Lew, as Building Maintenance Engineer, effective August 2, 1989 at \$3,134.00 per month; Billy Mayfield as Port Maintenance Leader, effective August 2, 1989 at \$2,846.00 per month; Rodney C. Freeland, as Information Services Technician, effective August 14, 1989 at \$2,631.00 per month; Joanne Williams, Legal Secretary II, effective August 2, 1989 at \$2,116.00 per month; Christine M. Balcer, as Intermediate Stenographer Clerk, effective August 2, 1989 at \$1,879.00 per month; Carolyn F. Marsh, Youth Aide, Class "BB-1", effective August 2, 1989 at \$12.32 per hour; Joanne Holloway, Youth Aide, Class "BB-1", effective August 2, 1989 at \$12.32 per hour; and Diane West, Youth Aide, Class "BB-1", effective August 10, 1989 at \$12.32 per hour. Also recommended was the creation of classifications of Port Planning Manager; Manager, Marine and Intermodal Services; Manager, Analysis and Special Projects; Port Environmental Assessment Supervisor; Port Planning Supervisor; Junior Port Transportation Planner; Associate Port Transportation

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Planner; Assistant Port Environmental Scientist; Assistant Port Environmental Planner; and Associate Port Environmental Planner. Further recommended was a title change for the position of Port Personnel Manager to Personnel Manager, Recruitment and Examinations, Manager of Environmental Planning to Port Environmental Manager, and Assistant Transportation Planner to Assistant Port Transportation Planner. Additionally recommended was approval of class specifications of Port Planning Supervisor, Junior Port Transportation Planner, Assistant Port Transportation Planner, Associate Port Transportation Planner, Assistant Port Environmental Scientist and Land Records Programmer; the examination announcement for Junior Port Environmental Scientist and Associate Port Environmental Scientist; and a military leave of absence for Henry F. Melendres, Port Personnel Analyst, for four working days; medical leave of absence for Farris Dawson, Port Field Representative, for 39 working days; medical leave of absence for Jayne Sandoval, Intermediate Typist Clerk, for 12 working days. The recommendations were approved on passage of Resolution No. 31476 for appointments; Resolution No. 31477 for job specifications; Resolution No. 31478 for examination announcement; Resolution No. 31479 for leaves of absence; and on an ordinance passed to print for creation and retitling of positions.

Travel Authorization contained in a memo to the Board from the Director of Administration/Human Resources, recommended the travel of Commissioner Carole Ward Allen to Fukuoka, Japan, and Seoul, Korea, on about the period of August 5 through 12, 1989 to participate in the Port co-sponsored Business Seminar and for trade promotion purposes; and travel of Supervising Civil Engineer, Thomas Remus, Youth Aide, Michelle Heffes, Commercial Representative II, Thi Lam, and the Manager, Airport Properties, to Seattle, Washington, August 1, 1989 to meet with Alaska Airlines. The recommendation was approved on passage of Resolution No. 31480.

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Approval of Supplement to Consultant Agreement for Architectural

Services to Recommend Art Selection for Port Offices in New Port Building was the subject of a memo to the Board from the Director of Engineering, notifying the Board that the Port's agreement with Robinson, Mills and Williams for the architectural services for the design of the new Port office space includes the identification of areas for display of art objects in the new building, but does not include the selection of the artwork. There is an allocation of \$220,000.00 to obtain new artwork, reuse and reframe the existing memorabilia consisting of ship models, historic photographs and posters that are presently in the Port offices. Robinson, Mills and Williams has selected a consultant, Judy Kay and Associates, to develop and document the art program. It was recommended that the Board authorize the preparation and execution of a supplement to the agreement with Robinson, Mills and Williams in the amount not to exceed \$70,000.00 to make recommendations for art selection for the new Port office space and perform other tasks associated with the art program. Judy Kay and Associates will perform four principal phases of work, acquisitions and commissions, documentation of acquisitions and commissions, existing artwork, and exhibition of artwork. The consultants will be paid for the actual time spent on the project at the previously agreed to rates of \$90.00 per hour for principal consulting services, \$65.00 per hour for project management services, and \$45.00 per hour for administrative and documentation services. The recommendation was approved on passage of Resolution No. 31473.

Report on Informal Bids for Providing and Installing Telephone Equipment for the New Port Office Building was the subject of a memo to the Board from the Director of Engineering, notifying the Board that the Board approved dispensing with formal bids to acquire the new telephone system for the new Port building. Four proposals were received and after negotiations the contract was awarded to TotalCom. The total contract cost would be \$661,612.00 which includes \$30,000.00 for the cost

August 1, 1989

of a customer service representative on-site for 6 months and \$42,000.00 for a full-time factory trained technician to ensure proper functioning of the system during start-up and for a year thereafter totalling 16 months. The information was noted and ordered filed.

Uncollectible Accounts was the subject of a letter to the Board from the Port Attorney, notifying the Board that the Chief Financial Officer has requested an opinion on certain charges turned over to the Port Attorney for collection to be written off the books of the Port as of March 31, 1989. The items have been maintained on the books of the Port as assets and in fact, they have been uncollectible. It was recommended that approximately 40 accounts totalling \$288,119.47, unaudited, be removed from the Port's books. The recommendation was approved on passage of Resolution No. 31481.

Amendment of the Port's Minority Business Enterprise Program at the Airport to Conform to Current U.S. Department of Transportation Regulations was the subject of a letter to the Board from the Port Attorney, notifying the Board of the Airport and Airways Safety and Capacity Expansion Act of 1987 and that the Act made provisions for amendment to Minority Business Enterprise programs by establishing a single aggregated goal for the participation of minority business enterprises, women business enterprises and other businesses owned and controlled by persons identified as disadvantaged persons in contracts funded in whole or in part with F.A.A. grant funds. It was recommended that the Board, to comply with current A.I.P. grant applications, approve amendments to the Port's Minority Business Enterprise Program at the Airport to conform with DOT regulations by establishing a definition of disadvantaged business enterprises and a goal for the participation of such in F.A.A. funded public works contracts equal to the existing program goal for minority business enterprises at the Port of fifteen percent of the total dollars spent on public work contracts at the Metropolitan Oakland International Airport. It was noted that the changes are definitional in nature and do not change the Program in any substantial manner. The recommendation was approved on passage of Resolution No. 31482.

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Ms. Diane Doughtie, Field Representative for Local 790, appeared before the Board to express certain views concerning the second reading of Ordinance No. 2899 which established charges for into plane fueling for the aircargo fueling consortium. The subject had previously been discussed by the Board which noted that the rights of the fueling consortium were quite clear and the Board understood the actions of the air freight carriers.

Ms. Doughtie noted that the information received to establish the cost was questionable and stated that the work should remain in the domain of the Airport Fuelers. The Director of Aviation informed the Board that the cost figures have been reviewed and subjected to review by the Port's auditors which found them to be correct. He further noted that the cost figures probably would be adjusted after a quarterly review and the adjustment could be higher.

Ms. Doughtie further noted that if the Port's charges were not competitive, the Airport Fuelers could lose the passenger plane fueling duties also.

The Board asked for a review in 90 days concerning the cost figures of the air cargo fueling consortium which would be in operation.

The following reports were received and ordered filed:

Report of Port Attorney on Litigation Matters.

Status of Construction Contracts in Progress  
as of July 1989.

Status of Consultant Contracts in Progress  
as of July 1989.

Summary of Port Revenue and Construction Funds  
as of July 21, 1989.

Summary of Claims Paid from Various Funds  
for the Period July 11, 1989 through July 24, 1989.

The following resolutions were introduced and passed separately by the following vote:

August 1, 1989

- 12 -

Ayes: Commissioners Brady, Hunter, Ortiz, Sweeney, Wasserman and  
President Higgins - 6

Noes: None

Absent: Commissioner Ward Allen - 1

"RESOLUTION NO. 31461

CONSENTING TO SUBLEASE BY ENGINEERED MODULAR STRUCTURES, INC."

"RESOLUTION NO. 31462

APPROVING PLANS AND SPECIFICATIONS FOR STRUCTURAL INSPECTION OF  
CRANE S/N 348 (X-403), BERTH 22, OUTER HARBOR TERMINAL, OAKLAND,  
CALIFORNIA, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 31463

APPROVING AND RATIFYING THE FILING OF A COMPLAINT AGAINST NATIONAL UNION  
FIRE INSURANCE COMPANY OF PITTSBURGH, CA."

"RESOLUTION NO. 31464

FINDING AND DETERMINING THAT A PROPOSED FIRST SUPPLEMENTAL  
AGREEMENT WITH SCHIRMER ENGINEERING CORPORATION FOR MANAGEMENT  
CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED  
SERVICES; AND AUTHORIZING EXECUTION OF SAID FIRST SUPPLEMENTAL  
AGREEMENT."

"RESOLUTION NO. 31465

APPROVING SPECIFICATIONS FOR FURNISHING SERVICE AND MAINTENANCE FOR SEVEN  
JETWAY AND NINE SAFEGATE PASSENGER LOADING BRIDGES, SOUTH  
FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND,  
CALIFORNIA; AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 31466

APPROVING PLANS AND SPECIFICATIONS TO PROVIDE AND INSTALL  
FURNISHINGS, BUILDING M-103, TERMINAL I, SOUTH FIELD, METROPOLITAN OAKLAND  
INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA; AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 31467

AWARDING CONTRACT TO N. V. HEATHORN, INC., FOR HVAC MODIFICATIONS,  
BUILDING M-130, TERMINAL II, SOUTH FIELD, METROPOLITAN OAKLAND  
INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA; FIXING THE AMOUNT OF BONDS TO  
BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND  
DIRECTING RETURN OF BID BONDS TO BIDDER."

"RESOLUTION NO. 31468

AWARDING CONTRACT TO FIDELITY ROOF COMPANY, FOR RECOATING TICKETING  
BUILDING M-101 ROOF, SOUTH FIELD, METROPOLITAN OAKLAND  
INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA; FIXING THE AMOUNT OF BONDS TO BE  
PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF  
BID BONDS TO BIDDERS."

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"RESOLUTION NO. 31469

AUTHORIZING PAYMENT OF CERTAIN COSTS OF ISSUANCE IN CONNECTION WITH THE PORT'S PROPOSED TAX-EXEMPT COMMERCIAL PAPER PROGRAM. "

"RESOLUTION NO. 31470

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH SHEARSON LEHMAN HUTTON, INC. FOR UNDERWRITING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT. "

"RESOLUTION NO. 31471

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH GRIGSBY BRANDFORD POWELL INC. FOR FINANCIAL CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT. "

"RESOLUTION NO. 31472

AUTHORIZING THE PORT ATTORNEY TO RETAIN KUTAK ROCK & CAMPBELL AS SPECIAL COUNSEL. "

"RESOLUTION NO. 31473

FINDING AND DETERMINING THAT A PROPOSED SECOND SUPPLEMENTAL AGREEMENT WITH ROBINSON MILLS & WILLIAMS FOR ARCHITECTURAL CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID SUPPLEMENTAL AGREEMENT. "

"RESOLUTION NO. 31474

AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENT WITH MARRIOTT CORPORATION. "

"RESOLUTION NO. 31475

GRANTING THE CAMMEBY'S AIRPORT EXECUTIVE ASSOCIATES PERMISSION TO PERFORM CERTAIN WORK. "

"RESOLUTION NO. 31476

CONCERNING CERTAIN APPOINTMENTS. "

"RESOLUTION NO. 31477

APPROVING JOB SPECIFICATIONS FOR THE POSITIONS OF PORT PLANNING SUPERVISOR, JUNIOR PORT TRANSPORTATION PLANNER, ASSISTANT PORT TRANSPORTATION PLANNER, ASSOCIATE PORT TRANSPORTATION PLANNER, ASSISTANT PORT ENVIRONMENTAL SCIENTIST AND LAND RECORDS PROGRAMMER. "

"RESOLUTION NO. 31478

APPROVING EXAMINATION ANNOUNCEMENTS FOR THE POSITIONS OF JUNIOR PORT ENVIRONMENTAL SCIENTIST AND ASSOCIATE PORT ENVIRONMENTAL SCIENTIST. "

"RESOLUTION NO. 31479

CONCERNING CERTAIN LEAVES OF ABSENCE."

"RESOLUTION NO. 31480

CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 31481

FINDING CERTAIN ACCOUNTS RECEIVABLE TO BE UNCOLLECTIBLE AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO WRITE OFF THE SAME FROM THE BOOKS OF THE PORT."

"RESOLUTION NO. 31482

AMENDING CERTAIN PROVISIONS OF THE PORT OF OAKLAND EQUAL OPPORTUNITY POLICY REGARDING THE MINORITY BUSINESS ENTERPRISE PROGRAM AT THE AIRPORT BY PROVIDING FOR A DISADVANTAGED BUSINESS ENTERPRISE PROGRAM AT THE AIRPORT IN ACCORDANCE WITH THE REQUIREMENTS OF 49 C.F.R. PART 23."

Port Ordinance No. 2891 being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF MANAGEMENT AGREEMENT WITH PASHA PROPERTIES, INC.", and Port Ordinance No. 2894 being, "AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY LOCATED AT 1555 LAKESIDE DRIVE, OAKLAND, CALIFORNIA," and Port Ordinance No. 2895 being, "AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY LOCATED AT 14665 DENTON AVENUE, DONNER LAKE, CALIFORNIA", and Port Ordinance No. 2896 being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH AEROSPACE AVIONICS, INC., AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. 2897 being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH PACIFIC AERIAL SURVEYS, AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. 2898 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 TO CREATE THE POSITION OF PERSONNEL/LABOR RELATIONS MANAGER", and Port Ordinance No. 2899 being, "AN ORDINANCE AMENDING SECTIONS 18, 19 AND 21 OF PORT ORDINANCE NO. 1149 RELATING TO CHARGES FOR DELIVERY OF AVIATION FUEL AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT", and Port Ordinance No. 2900 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 TO RETITLE CERTAIN POSITIONS", were read a second time and passed by the following vote:

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Ayes: Commissioners Brady, Hunter, Ortiz, Sweeney, Wasserman  
and President Higgins - 6

Noes: None

Absent: Commissioner Ward Allen - 1

Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF TERMINAL USE AGREEMENT WITH HYUNDAI MERCHANT MARINE CO. LTD", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE ADDING SECTIONS 1.9993 AND 1.9994 TO PORT ORDINANCE NO. 867 FIXING THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE PORT DEPARTMENT AND AMENDING SAID PORT ORDINANCE NO. 867 TO ESTABLISH CERTAIN NEW SALARY GRADES 1 THROUGH 20, CREATE CERTAIN NEW POSITIONS, RETITLE ONE POSITION AND ASSIGN CERTAIN POSITIONS TO NEW SALARY GRADES IN CONNECTION WITH THE PORT PAY FOR PERFORMANCE PROGRAM", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 TO CREATE NEW POSITIONS AND TO RETITLE CERTAIN POSITIONS," were read a first time and passed to print by the following vote:

Ayes: Commissioners Brady, Hunter, Ortiz, Sweeney, Wasserman  
and President Higgins - 6

Noes: None

Absent: Commissioner Ward Allen - 1

At the hour of 5:22 p.m. the Board entered into closed session as previously announced by President Higgins and reconvened in open session at the hour of 5:40 p.m. at which time the meeting was adjourned on a motion duly made and seconded.

  
Secretary

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Commissioner Wasserman, Chair of the Development Committee, informed the Board that his committee had a special meeting earlier in the day to discuss the Raider Practice Field and the Bio Science Center proposals.

The Board was introduced to two mid-shipmen from the Maritime Academy who were learning about shoreside operations of the maritime industry.

Contract Completion, Construction of Aircraft Apron and Hydrant Fueling System Northwesterly of Taxiway 5 and Adjacent to Building M-141, South Airport was the subject of a memo to the Board from the Chief Engineer, recommending that the contract with Gallagher & Burk, Inc. be extended 24 calendar days and accepted as complete as of July 1, 1988, with a contract price of \$4,209,747.51. The recommendation was approved on passage of Resolution No. 31492.

Approval of Change Order to Provide Extra Site Work and Paving for "Second Extension of Second Floor Addition to Building M-103, South Airport was the subject of a memo to the Board from the Director of Engineering, recommending approval to issue a change order to Arntz Builders, Inc. for \$33,269.00 with a three calendar day time extension. The change order work will consist of removing the asphalt concrete pavement and subgrade, rebuilding subgrade, installing expansion joints, constructing dowelled shear joints and finishing the additional concrete apron at a location next to the terminal expansion where the contractor is working. The recommendation was approved on passage of Resolution No. 31497.

Building Permit Applications for United Airlines' George Miller Hangar, South Airport was the subject of a memo to the Board from the Acting Director of Planning, recommending approval for the construction of interior improvements to Floor Level 1, Mezzanine Level, Floor Level 2, and certain work on the roof of the building. The estimated cost of the renovation work is \$750,000.00. Also recommended was approval for the construction of floor-to-ceiling high steel partitions; and associated structural, electrical and mechanical work in the hangar. The estimated cost of the modification work is \$1,600,000.00. Both of

the construction projects are categorically exempt and do not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31489.

Repair work at George P. Miller Hangar was the subject of a memo to the Board from the Director of Aviation, notifying the Board of previous approval for expenditures to repair certain facilities in the George P. Miller Hangar. The original authority has now been reached and it was recommended that the electrical/mechanical repair expenditures be increased by \$65,000.00 and the fire protection systems repair expenditures be increased by \$15,000.00. The recommendation was approved on passage of Resolution No. 31490.

Renovation of Cargo Building - United Parcel Service was the subject of a memo to the Board from the Director of Aviation, notifying the Board that UPS relocated 39,600 square feet of their space in the cargo building. The expansion required that three airlines vacate their premises in the cargo building and relocate in the building. Under the terms of the new lease with UPS, the Port and UPS would share equally in the cargo building renovation costs necessary to accommodate the interim relocation of the three airlines, estimated to be \$35,000.00. UPS has now vacated its former premises and wishes to complete occupancy of its entire new premises. In order to complete the relocation of the three airlines, the Port must undertake certain renovations to the cargo building to provide new, separate, leasable areas for the three airlines. Due to UPS' urgent need to occupy its entire premises, it proposes to undertake the work on behalf of the Port and the cost would be borne by the Port in the form of a rental credit. It was recommended that the Board approved the modifications to the terms of the lease with UPS to provide UPS a rental credit at the current estimate of \$77,500.00. The recommendation was approved on passage of Resolution No. 31491.

Renewal of License Agreements (Bldgs. L-130 & L-150) and Supplemental Agreement (Bldg. L-230C) - Sierra Academy was the subject of a memo to the

Board from the Director of Aviation, notifying the Board that Sierra Academy of Aeronautics, Inc. occupies multiple buildings at the North Airport. Sierra provides pilot training and Airframe and Powerplant mechanic training and has been a Port tenant since 1967. The present total monthly rental is \$30,619.27. It was recommended that the Board approve new agreements for a two year period for Building L-130 at \$8,530.18 per month plus fuel flowage fee of 15 cents per gallon and for Building L-150 at \$8,471.67 per month. The rent for the second year will be adjusted in accordance with percentage change in the Consumer Price Index. Also recommended was a supplemental agreement for Building L-230C (Hangar 2C) to provide for a rental of \$5,123.57 per month. It is expected that Sierra will relocate from Hangar 2C in the near future. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

Authorization for Negotiation - Retail Development on the Oakport Site in the Business Park was the subject of a memo to the Board from the Director of Commercial Real Estate, notifying the Board that the Board had previously authorized the issuance of a Request for Proposal for the development of a value-oriented retail project on the Oakport site in the Oakland Airport Business Park. The schedule provided for the selection of a maximum of three proposals for negotiation by August 1, 1989. Five proposals were submitted by the deadline and it was recommended that the Board approve negotiations for 60 days with the GVD/Morris/Wells Company, Hopkins Development Company, and the Wattson Company. At the end of the period, a recommendation will be made to the Board to either reject all proposals or adopt an ordinance awarding an option to the selected developer.

Commissioner Wasserman noted the involvement of the Development Committee in the Request for Proposals and that a major effort was made to allow the developers to provide alternative methods of satisfying the Port's minority participation goals. He further noted that the project would have a highly visible appearance to strengthen the overall appearance of the Business Park area. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

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Contract Completion for Construction of San Antonio Fishing Pier, Inner

Harbor was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the contract with Dutra Construction Company and that the contractor was 189 calendar days beyond the specified completion date. The lump sum bid price was for \$276,648.00. It was recommended that the contract be accepted as complete as of June 23, 1989; the contractor be granted a two calendar day time extension without liquidated damages; and the contractor be assessed liquidated damages totaling \$65,450.00, providing for a contract price of \$211,198.00. The recommendation was approved on passage of Resolution No. 31493.

Plans and Specifications for Replacement of Storm Drain at Webster

Street Pier was the subject of a memo to the Board from the Director of Engineering, recommending their approval and authority to advertise for bids for the replacement of the storm drain. The work consists of removing the collapsed top half of a concrete pipe which extends under the full length of the pier, cleaning and preparing the remaining bottom half, and installing a replacement steel pipe insert. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31494.

Cove II Investment - Sublease Approval

was the subject of a memo to the Board from the Director of Commercial Real Estate, notifying the Board that Western Federal Savings and Loan is the successor to Cove II Investments which leases 64,631 square feet in the Embarcadero Cove area on which is developed 128,000 square feet of office buildings. Western has requested that a sublease for 2,236 square feet with Pot Belly Deli be approved and that the ground lease be amended to provide that the 3-1/2% of gross sales percentage rent and allocation of the minimum rent be removed. It was recommended that the request be approved. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

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Approval of Change Order to Substitute Utility Trench Covers for "Construction of Berthing Facilities and Land Improvements, Embarcadero Cove Marina" was the subject of a memo to the Board from the Director of Engineering, recommending approval to issue a change order to Conco Cement Company in the sum of \$20,236.00 to substitute the plywood utility trench covers with galvanized steel plate. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

Contract Completion "Construction of Shoreline and Berthing Facility Improvements, Jack London Square" was the subject of a memo to the Board from the Director of Engineering, recommending that the contract with Case-Pomeroy be extended 22 calendar days and accepted as complete as of September 11, 1987 with a contract price of \$1,233,494.74. It was noted that the final acceptance of the contract was delayed due to the difficulty in obtaining the teak handrail called for in Change Order No. 12. The recommendation was approved on passage of Resolution No. 31495 for time extension and Resolution No. 31496 for accepting contract.

Appearance by Representatives of the Oakland Seafood Grotto was calendared for discussion and Mr. Raymond J. Bergez, an attorney representing The Grotto, appeared on behalf of The Grotto. Mr. Bergez gave a brief history of the restaurant and presented sales figures for the past four years which indicated that The Grotto was not being competitive. He alleged that the construction in the area, the loss of parking, and several other factors controlled by the Port caused the decline in The Grotto's sales. He then asked that the Port forgive their rent for one year to allow for The Grotto to become financially stable. The Port's policy, as noted by the Director of Commercial Real Estate and Commissioners Wasserman and Brady, was to defer portions of the rent for the construction period. It was further noted that the parking had been replaced and the construction period for the most part was finished. It was also noted that The Grotto's

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declining sales were independent and did not match the sales figures for other Jack London Square restaurants. Commissioner Sweeney noted that it appeared to be a reasonable request and moved that the request be referred to staff for analyzation and to report back to the Board on negotiations with The Grotto. The motion was seconded and passed unanimously.

Preferential Assignment Agreement with Mitsui O.S.K. Lines was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director of Transportation Services, notifying the Board that Mitsui O.S.K. Lines has been calling at the Port of Oakland since 1968 using various terminals. They have most recently operated at the Port under a Terminal Use Agreement using the Seventh Street Public Container Terminal operated by Marine Terminals Corporation. Mitsui O.S.K. Lines now prefers a Preferential Assignment Agreement to use Berth 35, have an exclusive MOL gate, and a terminal operation which will be operated by their wholly owned terminal company, Trans Pacific Container Service Corporation. Mitsui O.S.K. Lines desires that this Preferential Assignment of Seventh Street Berth 35 be the first step toward an agreement with the Port for a long-term assignment at a larger container facility. Their operations at Berth 35 will be coordinated with Marine Terminals Corporation, the Seventh Street Terminal operator, and will include operation of the container cranes by Marine Terminals Corporation. It was recommended that the Board approve the Preferential Assignment Agreement with Mitsui. The term would be two years with a provision for two one-year extensions. Mitsui will guarantee a minimum annual throughput of 300,000 revenue tons with the Port granting an initial wharfage discount of 35% and when volume exceeds 300,000 revenue tons, any excess over 300,000 revenue tons will be at a 50% discount. Mitsui will guarantee 50 vessel calls annually and the Port will grant a 10% discount on dockage. Any terminal improvements unique to the operations of Mitsui O.S.K. Lines will be at the expense of Mitsui O.S.K. Lines and paid for in 24 equal monthly installments. The Port will make certain improvements in conjunction with MOL's occupancy of Berth 35 that are part of planned improvements for the entire Seventh Street Terminal area and include

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demolition of buildings no longer needed and installation of fencing and gates, striping, truck scales and dredging. It was noted that the first step to meet their schedule is to have the terminal office trailers ready for occupancy in mid-September. It was recommended that the Board authorize the expenditure of \$25,000.00 to install trailers and provide utilities to the trailers. The expenditures will be reimbursed by MOL under provisions of the new Preferential Assignment Agreement. The recommendation was approved on an ordinance passed to print.

Elimination of OCP Wharfage Rate Differential in Port of Oakland Tariff

No. 2-A was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director of Transportation Services, notifying the Board that California ports have published a lower wharfage rate on cargo moving to and from Overland Common Point territory, basically Denver, Colorado and points east, since 1966. The original intent of the OCP wharfage differential was to help the West Coast ports be competitive for discretionary cargo and was consistent with rate incentives published by shipping lines and rail carriers serving the Pacific Coast in competition with shipping lines serving the Gulf and East Coast operating all-water services through the Panama Canal. Recently, shipping lines have replaced their OCP differentials by offering competitive intermodal rates to specific ports and inland points on a through basis. It was recommended that the Board approve the elimination of the differential between local and OCP wharfage rates in phases for all commodities except automobiles and steel. Presently the wharfage differential is \$.75 per revenue ton at the Port of Oakland. The specific proposal is to reduce the OCP differential to \$.50 per revenue ton effective October 6, 1989; \$.25 per revenue ton effective January 1, 1990; and completely eliminate the differential by April 1, 1990. In view of the major infrastructure improvements and marine terminal capital improvement programs underway which will further improve service to our clients, it is appropriate for

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Oakland to take action now to commence elimination of the OCP differential. The increased revenue expected from elimination of the OCP differential will contribute to the Port's marine-railroad-highway interface improvements which are needed to facilitate more efficient movements between vessel and inland carriers. The recommendation was approved on an ordinance passed to print.

Award of Contract for "Upgrading of 12 KV Electrical Facilities, Outer Harbor and Seventh Street Terminals was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the five bids received and recommending award of the contract to Vellutini Corporation dba Royal Electric Company, the low bidder at \$1,135,589.00. The recommendation was approved on passage of Resolution No. 31498. Commissioner Sweeney inquired and received responses concerning the Port's contract compliance procedures for prevailing wages, work force make-up and quality of work.

Geotechnical Engineering Services, Relocation of Seventh Street and Carnation Terminal Yard was the subject of a memo to the Board from the Director of Engineering, recommending approval to enter into an agreement with Woodward-Clyde Consultants to provide geotechnical engineering work for Seventh Street and the general yard area of the Carnation Terminal, and for Phase II the foundations for structures such as scales and buildings when the sizes and locations of those facilities have been finalized. The firm will be reimbursed for direct salaries, fringe benefits and overhead costs, costs of field subcontractors and other miscellaneous services. In addition, they will be paid a fixed fee of \$5,860.00 for Phase I and \$2,890.00 for Phase II. The maximum payment under the proposed agreement is \$58,000.00 for Phase I and \$28,600.00 for Phase II, with certain additional work available at the discretion of the Chief Executive Officer. The recommendation was approved on passage of Resolution No. 31486.

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Supplemental Agreement with Canadian Transport Company was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director of Transportation Services, notifying the Board that the Port has a five year Terminal Use Agreement with Canadian Transport Company Limited (CITCO) for their operations at the Charles P. Howard Terminal operated by Stevedoring Services of America. The line is primarily a break-bulk operator transporting steel products from Europe to the Pacific Coast and lumber products to Europe. Recently, the line entered into a Federal Maritime Commission approved agreement to transport containers for Star Shipping who are also in the Pacific Coast/Europe trade route transporting containers as well as break-bulk cargo. Star Shipping has a new five year TUA with the Port that contains a provision to allow containers controlled by Star Shipping to move on a CITCO vessel. It was recommended that the Board approve an amendment to the TUA with CITCO to provide provisions to allow CITCO to handle Star Shipping containers on a CITCO vessel and also allow CITCO vessels to call at the Seventh Street Public Container Terminal in accordance with terms of the TUA when transporting Star Shipping controlled containers. The recommendation was approved on passage of Resolution No. 31499.

Professional Services Contract for Aerial Photogrammetry was the subject of a memo to the Board from the Acting Director of Planning, recommending approval to enter into an agreement with Hammon, Jensen, Wallen & Associates for providing professional Aerial Photogrammetry and supporting services at a cost not to exceed \$150,000.00 with certain additional work available at the discretion of the Chief Executive Officer. The work is part of a three year program to develop the Port's land records management system which will use the Munmap system. The contract will include aerial photography and stereo digitizing of data in the appropriate format for the Munmap system. Other items of work needed to support the aerial photography process include marking of utility covers for visibility on the aerial photographs, placing of monument network, and other survey control work. The recommendation was approved on passage of Resolution No. 31487.

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Personnel Items contained in a memo to the Board from the Director of Administration/Human Resources, recommended the appointment of Donna R. Hayes, Port Employment Resources Coordinator, effective August 16, 1989 at \$2,584.00 per month; Connie Ng, Intermediate Typist Clerk, effective August 16, 1989 at \$1,922.00 per month; Faye Harris, Youth Aide, Class "A-1", effective August 16, 1989 at \$13.83 per hour; Susanna Smail, Youth Aide, Class "BB-1", effective August 16, 1989 at \$12.32 per hour. Also recommended was the rescission of appointment for John Lew from the position of Building Maintenance Engineer as he has decided not to accept the position; the amendment of appointment of Christine Balcer, Intermediate Stenographer Clerk, to reflect rate "c" as her starting salary schedule; the creation of one position of Port Environmental Compliance Supervisor; approval of class specifications for Port Environmental Assessment Supervisor, Port Environmental Compliance Supervisor, Assistant Port Environmental Planner and Associate Port Environmental Planner. Approval of examination announcement for Land Records Programmer; termination of appointment of Lionel Locke, Duplicating Equipment Operator, effective August 16, 1989 for cause; a military leave of absence for Jack L. Lambert, Assistant Chief Engineer, for 11 working days; a military leave of absence for Homer Z. Hoglund, Port Equipment Supervisor, for 5 working days; and a medical leave of absence for Jayne Sandoval, Intermediate Typist Clerk, for 54 working days. The recommendation was approved on passage of Resolution No. 31500 for appointments; Resolution No. 31501 for amending appointments; Resolution No. 31502 for job specifications; Resolution No. 31503 for examination announcements; Resolution No. 31504 for termination; Resolution No. 31505 for leaves of absence; and on an ordinance passed to print for creation of position.

Travel Authorization contained in a memo to the Board from the Director of Administration/Human Resources, recommended the travel of Lorraine Li, Marine Commercial Representative IV, to Vancouver, B.C., on or about the period of August 5 through 12, 1989 to participate in meetings for Terminal Operator and Port Authority Subcommittee of TOPAS; the travel of Robert Winn, Airport Operations

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Supervisor, to Chicago, Illinois, on or about August 9, 1989 to attend a Key Asset Protection Program Course which is hosted by the Defense Investigative Service; travel of the Principal Electrical/Mechanical Engineer to Bremen, Germany, El Ferrol, Spain and Salzburg, Austria, on or about the period August 18 through 25, 1989 to meet with the contractor, design firm, inspection agencies and the proposed fabricator of the third crane for the Seventh Street Terminal. The cost of the trip is included in the contract and will be paid by the contractor; travel of Commissioners Douglas Higgins and Ronald Brady, Acting Chief Executive Officer and Executive Director of Transportation Services, Secretary of the Board, Senior Secretary, Ho Chii Woo, and Janitor Foreperson, Helen Watts, to Japan on or about the period August 23 through September 2, 1989 to make calls on shipping lines and participate in Friendship Port Day in Yokohama and Fukuoka, Japan. The recommendation was approved on passage of Resolution No. 31506.

Installation of Token Ring Network System at the New Port Building was the subject of a memo to the Board from the Chief Financial Officer, recommending approval to enter into an agreement with Native Resources Corporation to install a fully engineered network system which will allow for the consolidation of the existing network systems at 66 and 77 Jack London Square, 384 Embarcadero, and 160 Franklin Street with the new system at 530 Water Street. The scope of the work will include purchase and installation of network routers, bridges, repeaters and other equipment necessary to perform the work. The firm will be paid an estimated cost of \$46,000.00 with certain additional work available at the discretion of the Executive Director. The recommendation was approved on passage of Resolution No. 31488.

The following reports were received and ordered filed:

Summary Port Revenue and Construction Funds  
as of August 4, 1989.

Summary of Cash and Accounts Receivable Port Revenue Fund 770  
for the month of July 1989.

Accounts Receivable in Arrears  
as of July 31, 1989

Delinquent Accounts Referred to Legal - Reported  
as of July 31, 1989

Summary of Claims Paid from Various Funds  
for the Period July 25, 1989 through August 4, 1989.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Brady, Ortiz, Sweeney, Ward Allen, Wasserman and President Higgins - 6

Noes: None

Absent: Commissioner Hunter - 1

"RESOLUTION NO. 31483

APPROVING AND RATIFYING THE FILING OF A COMPLAINT AGAINST CONTRA COSTA WATER DISTRICT AND RETENTION OF SPECIAL COUNSEL."

"RESOLUTION NO. 31484

AUTHORIZING SALE OF REAL PROPERTY LOCATED AT 1555 LAKESIDE DRIVE, UNIT M-1, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31485

AUTHORIZING SALE OF REAL PROPERTY LOCATED AT 14665 DENION AVENUE, COUNTY OF NEVADA, CALIFORNIA."

"RESOLUTION NO. 31486

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH WOODWARD-CLYDE CONSULTANTS, FOR GEOTECHNICAL ENGINEERING CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31487

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH HAMMON, JENSEN, WALLEN & ASSOCIATES, FOR AERIAL PHOTOGRAMMETRY SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31488

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH NATIVE RESOURCES CORPORATION FOR ENGINEERING AND SOFTWARE DESIGN SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31489

GRANTING UNITED AIRLINES, INC., PERMISSION TO PERFORM CERTAIN WORK."

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"RESOLUTION NO. 31490

AUTHORIZING INCREASES IN EXPENDITURES PREVIOUSLY AUTHORIZED FOR REPAIR WORK AT GEORGE P. MILLER HANGAR, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31491

AUTHORIZING AMENDMENT TO PROPOSED LEASE WITH UNITED PARCEL SERVICE, INC."

"RESOLUTION NO. 31492

EXTENDING TIME FOR PERFORMANCE OF CONTRACT BY GALLAGHER AND BURK, INC., ACCEPTING WORK PERFORMED AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31493

ACCEPTING WORK PERFORMED BY DUTRA CONSTRUCTION CO., INC., AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31494

APPROVING PLANS AND SPECIFICATIONS FOR REPLACEMENT OF STORM DRAIN AT WEBSTER STREET PIER."

"RESOLUTION NO. 31495

EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH CASE-POMEROY."

"RESOLUTION NO. 31496

ACCEPTING WORK PERFORMED BY CASE-POMEROY, AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31497

APPROVING ISSUANCE OF CHANGE ORDER, AND GRANTING TIME EXTENSION FOR CONTRACT FOR SECOND EXTENSION OF SECOND FLOOR ADDITION TO BUILDING M-103, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA (A.I.P. 3-06-0170-02, 3-06-0170-08)."

"RESOLUTION NO. 31498

AWARDING CONTRACT TO VELLUTINI CORPORATION DBA ROYAL ELECTRIC COMPANY, FOR UPGRADING OF 12 KV ELECTRICAL FACILITIES, OUTER HARBOR AND SEVENTH STREET TERMINALS, OAKLAND, CALIFORNIA; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 31499

AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH CANADIAN TRANSPORT COMPANY LIMITED."

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"RESOLUTION NO. 31500

CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31501

AMENDING RESOLUTION NO. 32476 CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31502

APPROVING JOB SPECIFICATIONS FOR THE POSITIONS OF PORT ENVIRONMENTAL ASSESSMENT SUPERVISOR, PORT ENVIRONMENTAL COMPLIANCE SUPERVISOR, ASSISTANT PORT ENVIRONMENTAL PLANNER AND ASSOCIATE PORT ENVIRONMENTAL PLANNER."

"RESOLUTION NO. 31503

APPROVING EXAMINATION ANNOUNCEMENT FOR THE POSITION OF LAND RECORDS PROGRAMMER."

"RESOLUTION NO. 31504

TERMINATING APPOINTMENT OF LIONEL LOCKE."

"RESOLUTION NO. 31505

CONCERNING CERTAIN LEAVES OF ABSENCE."

"RESOLUTION NO. 31506

CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 31507

APPROVING AND AUTHORIZING THE PORT ATTORNEY TO PROSECUTE AND COMPROMISE CLAIMS, ACTIONS AT LAW OR IN EQUITY, OR SPECIAL PROCEEDINGS AND TO RETAIN SPECIAL COUNSEL RELATED TO PREMISES FORMERLY OCCUPIED BY SEABREEZE YACHT CENTER, INC."

Port Ordinance No. 2901 being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF TERMINAL USE AGREEMENT WITH HYUNDAI MERCHANT MARINE CO. LTD.", and Port Ordinance No. 2902 being, "AN ORDINANCE ADDING SECTIONS 1.9993 AND 1.9994 TO PORT ORDINANCE NO. 867 FIXING THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE PORT DEPARTMENT AND AMENDING SAID PORT ORDINANCE NO. 867 TO ESTABLISH CERTAIN NEW SALARY GRADES 1 THROUGH 20, CREATE CERTAIN NEW POSITIONS, RETITLE ONE POSITION AND ASSIGN CERTAIN POSITIONS TO NEW SALARY GRADES IN CONNECTION WITH THE PORT PAY FOR PERFORMANCE PROGRAM", were read a second time and passed by the following vote:

Ayes: Commissioners Brady, Ortiz, Sweeney, Ward Allen, Wasserman and President Higgins - 6

Noes: None

Absent: Commissioner Hunter - 1

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Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 2902 FIXING THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES IN CONNECTION WITH THE PORT PAY FOR PERFORMANCE PROGRAM", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 2833 RELATING TO WHARFAGE RATES", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH LAMM ASSOCIATES, AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A THIRD SUPPLEMENTAL AGREEMENT WITH FEDERAL EXPRESS CORPORATION, INC., AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH BRENDA TRUE, DOING BUSINESS UNDER THE FIRM NAME AND SYTLE OF PLANE STUFF, AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH ASTRO-AIRE ENTERPRISES, AND DIRECTING RECORDATION THEREOF," and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH AVIONICS SYSTEMS, INC., DBA TOWER AVIONICS CENTER, AND DIRECTING RECORDATION THEREOF," and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH AVIONICS SYSTEMS, INC., DBA TOWER AVIONICS CENTER (BAYS A AND B), AND DIRECTING RECORDATION THEREOF," and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH AVIONICS SYSTEMS, INC., DBA TOWER AVIONICS CENTER (BAYS C AND D), AND DIRECTING RECORDATION THEREOF," and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH WESTERN AEROSPACE MUSEUM, AND DIRECTING RECORDATION THEREOF," and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A FIRST SUPPLEMENTAL AGREEMENT WITH SIERRA ACADEMY OF AERONAUTICS, INC., AND DIRECTING RECORDATION THEREOF," and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF A NONEXCLUSIVE PREFERENTIAL ASSIGNMENT AGREEMENT WITH MITSUI O.S.K. LINES, LIMITED," and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE

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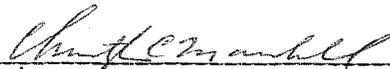
AMENDING PORT ORDINANCE NO. 867 CREATING THE POSITION OF PORT ENVIRONMENTAL COMPLIANCE SUPERVISOR", were read a first time and passed to print by the following vote:

Ayes: Commissioners Brady, Ortiz, Sweeney, Ward Allen, Wasserman and President Higgins - 6

Noes: None

Absent: Commissioner Hunter - 1

At the hour of 5:10 p.m. the meeting was adjourned on a motion duly made and seconded.

  
Secretary

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REGULAR MINUTES OF THE BOARD OF PORT COMMISSIONERS  
OF THE  
CITY OF OAKLAND

The meeting, formal portion, was held on Tuesday, September 5, 1989, at the hour of 4:20 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Higgins presiding, due written notice having been given to members of the Board. An informal portion was held during the period from 3:10 p.m. to 4:05 p.m. during which time the Board reviewed a report on the proposed Request for Interest and Qualifications for the Master Developer Concept, and a report on the process for Selection of Art for the new Port Office Building.

Commissioners present: Brady, Ortiz, Sweeney, Ward Allen,  
Wasserman, and President Higgins - 6

Commissioners absent: Hunter - 1

Also present were the Acting Chief Executive Officer and Executive Director, Transportation Services; Port Attorney; Director of Engineering; Chief Financial Officer; Director of Commercial Real Estate; Director of Aviation; Assistant Chief Engineer; Director of Administration/Human Resources; Special Assistants to the Executive Director, George Watson and Gerald Pope; Acting Director of Planning; Director of Public Affairs; Principal Electrical/Mechanical Engineer; and Secretary of the Board.

The minutes of the regular meeting of July 5, 1989; the adjourned regular meeting of July 12, 1989; the regular meeting of July 18, 1989; and the special meeting of July 26, 1989 were approved as submitted and ordered filed.

President Higgins, informed the Board that he would call for a closed session at the conclusion of the open session for the purpose of discussing pending litigation as provided for under Government Code Section 54956.9 (b) and (c); and for real property negotiation concerning the lease of a 5.3 acre site on the North Airport adjacent to the Northwest end of Runway 15/33.

BOARD OF PORT COMMISSIONERS  
MEETING OF OCT 24 1989  
APPROVED AS SUBMITTED AND ORDERED FILED  
SECRETARY *Christine Merrill*

Commissioner Ward Allen, Chair of the External Affairs Committee, informed the Board that her committee had met earlier in the day and reviewed the art program for the new Port building.

Commissioner Wasserman, Chair of the Development Committee, informed the Board that his committee had met earlier in the day and reviewed the progress of the Jack London Waterfront project.

Award of Contract, Provide and Install Furnishings, Building M-103, Terminal I, was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the seven bids received and recommending award of the contract to Wilson Office Group for furnishing of the Knoll Advance Diffrient Multiple Seating, as manufactured by Knoll International at their bid price of \$194,976.69, and to M. G. West for the furnishing of trash receptacles and planters at their bid price of \$76,738.14. The recommendation was approved on passage of Resolution No. 31516 for M. G. West and Resolution No. 31517 for Wilson Office Group.

Contract Completion Construction of Water Main Extensions on Airport Drive, Doolittle Drive and Hegenberger Road was the subject of a memo to the Board from the Director of Engineering, recommending that the contract with W. H. Ebert Corporation be extended 46 calendar days and that the contract be accepted as complete as of July 28, 1988 with a contract price of \$915,277.87. The recommendation was approved on passage of Resolution No. 31526 for time extension and Resolution No. 31527 for accepting contract.

Contract Completion to Furnish and Install Carpet in Bldg. L-142, North Airport was the subject of a memo to the Board from the Director of Engineering, recommending that the contract with Bernardi and Emmons, Inc. be accepted as complete as of August 5, 1989, with a contract price of \$9,500.00. The recommendation was approved on passage of Resolution No. 31528.

Contract Completion, Roadway and Utility Extensions for the Air Cargo Center Development, South Airport was the subject of a memo to the Board from the

Director of Engineering, recommending that the contract with Oliver deSilva, Inc. be accepted as complete for purposes of liquidated damages as of June 10, 1988 and accepted as finally complete on February 22, 1989, with a contract price of \$4,593,337.51. The recommendation was approved on passage of Resolution No. 31530 for time extension and Resolution No. 31531 for accepting contract.

Contract Completion, Runway and Taxiway Signs, Striping and Lighting Modifications was the subject of a memo to the Board from the Director of Engineering, recommending that the contract with Vellutini Corporation dba Royal Electric Company be extended 31 calendar days and accepted as complete as of July 6, 1989, with a contract price of \$171,355.00. The recommendation was approved on passage of Resolution No. 31532 for time extension and Resolution No. 31533 for accepting contract.

Building Permit Application, United Airlines, Inc., George Miller Hangar was the subject of a memo to the Board from the Acting Director of Planning, recommending approval for the construction of certain interior improvements which include constructing wall partitions for a new cafeteria, kitchen and storage room addition and performing associated electrical, plumbing, heating, ventilating and air conditioning work. The estimated cost of the proposed improvements is approximately \$500,000.00. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31519.

Building Permit Application, Mezzanine Modules, United Airlines, Inc., George Miller Hangar was the subject of a memo to the Board from the Acting Director of Planning, recommending approval for the installation of a prefabricated, free-standing two level mezzanine modules between Core Areas B and C in the maintenance hangar. The mezzanine modules would provide additional staging area for servicing the airplanes. The estimated cost of the proposed improvements is approximately \$156,000.00. The work is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31520.

Building Permit and Sign Applications, U. S. Postal Service, 7201 Earhart

Road was the subject of a memo to the Board from the Acting Director of Planning, recommending approval for the construction of certain improvements to Port Building L-812, North Airport. The work includes leveling the floor of the building by installing a reinforced concrete overlay; constructing partition walls to create a 19,600 square feet of work area; 2,400 square feet of office area; a computer room; a battery charge room; a lunch room; restrooms and storage area; constructing concrete and asphalt ramps; installing interior and exterior doors; electrical equipment, light fixtures; roll-up doors; bollards; dock bumpers; chain link, fence and gates; security bars at windows and a fire alarm system; and performing associated electrical, plumbing, heating, ventilating and air conditioning work. The estimated cost of the proposed improvements is approximately \$800,000.00. Also recommended was approval for the installation of two 13'-4" x 4'-0" non-illuminated wall signs. The signs would contain the U.S. Postal Service logo and the inscription, United States Postal Service, Airport Mail Facility, Oakland, California 94621. The estimated cost of the proposed signage is \$3,300.00. The projects are categorically exempt and do not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31521.

Termination of Lease - The Federal Aviation Administration was the subject of a memo to the Board from the Director of Aviation, recommending approval to cancel the lease for a portion of Building L-606 on the North Airport used by the FAA as a storage area. The Port will use the building as a school for training air cargo handlers. The recommendation was approved on passage of Resolution No. 31534.

License Agreement Renewal - J. F. McRae Aero-Craft was the subject of a memo to the Board from the Director of Aviation, recommending approval to renew their agreement for a two year period for Building L-739, North Airport, used for the repair and overhaul of aircraft life-support equipment, at a new monthly rental of \$927.00. The rent for the second year will be adjusted in accordance with the

percentage change in the Consumer Price Index. The recommendation was approved on a motion by Commissioner Brady, seconded and passed unanimously.

License Agreement Renewal - Helicopters Unlimited was the subject of a memo to the Board from the Director of Aviation, recommending approval to renew their agreement for a two year period for space at Building L-118, North Airport, used for its helicopter sales, leasing, air taxi and maintenance services business at a new monthly rent of \$4,829.40. The rent for the second year will be adjusted in accordance with the percentage change in the Consumer Price Index. The recommendation was approved on a motion by Commissioner Brady, seconded and passed unanimously.

License Agreement Renewal - Kimair Company was the subject of a memo to the Board from the Director of Aviation, recommending approval to renew their agreement for a two year period for space at Building L-721, North Airport, used for the sale of surplus aviation parts and equipment, at a new monthly rent of \$2,670.80. The rent for the second year will be adjusted in accordance with the percentage change in the Consumer Price Index. The recommendation was approved on a motion by Commissioner Brady, seconded and passed unanimously.

License Agreement Renewal - Rainin Instrument Co., Inc. was the subject of a memo to the Board from the Director of Aviation, recommending approval to renew their agreement for a two year period for space at Building L-170, North Airport, used as a maintenance base for its corporate aircraft at a new monthly rent of \$3,131.86. The rent for the second year will be adjusted in accordance with the percentage change in the Consumer Price Index. The recommendation was approved on a motion by Commissioner Brady, seconded and passed unanimously.

Supplement to License Agreement - Trans Ocean Aviation was the subject of a memo to the Board from the Director of Aviation, recommending approval to add certain office and storage space in Building L-107 North Airport to their agreement. The space is used as a center for flight training in simulators. The new monthly rent will be \$2,243.48. The recommendation was approved on a motion by Commissioner Brady, seconded and passed unanimously.

Supplement to License Agreement - Ameriflight was the subject of a memo to the Board from the Director of Aviation, recommending approval to add additional apron area at Building L-230D, North Airport, to their agreement. The additional apron area will be used to accommodate the expansion of its air courier operations. The new monthly rent will be \$6,102.63. The recommendation was approved on a motion by Commissioner Brady, seconded and passed unanimously.

Supplement to License Agreement - Sierra Academy was the subject of a memo to the Board from the Director of Aviation, recommending approval to delete certain apron area at Building L-230C, North Airport, from their agreement. The area will be added to Ameriflight, Inc.'s agreement to provide for additional apron area adjacent to Building L-230. Sierra's new monthly rent will be reduced to \$3,794.85. The recommendation was approved on a motion by Commissioner Brady, seconded and passed unanimously.

Building Permit Application, Air Terminal Services, Inc., and Rudy Lombard (ATS-LOMBARD SERVICES), Relocation of Gift Shop and Lounge Facilities, Second Level Concourse Extension, Terminal I was the subject of a memo to the Board from the Acting Director of Planning, recommending approval for the relocation of the bar lounge and gift shop facilities on the second floor of Terminal I. The work includes the construction of new low walls, the installation of light tracks, exhaust fan, and associated HVAC, plumbing and electrical work. The estimated cost of the proposed improvements is approximately \$225,000.00 with the Port to reimburse the Lessee for the relocation costs. The work is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31522.

Approval for Reimbursement to Oakland Portside Associates for Improvements to the Exhaust System for the Underground Parking Structure at Jack London Square was the subject of a memo to the Board from the Director of Engineering, notifying the Board that when the Port constructed the underground parking structure at Jack London Square, the Port installed an emergency generator to provide power for certain code-required emergency functions which included

an exhaust system that transmitted exhaust to the atmosphere through the roof of the garage structure. Oakland Portside Associates has constructed the Pavilion building above the roof of the garage structure. To enable continued operation of the emergency generator, the exhaust system required redesign and reconstruction to increase the length of the exhaust ducts so they would direct the exhaust above the roof of the Pavilion building. It was recommended that the Board authorize the reimbursement of cost to Oakland Portside Associates in the amount of \$16,025.00 for the redesign and reconstruction of the exhaust system for the underground parking structure at Jack London Square. The recommendation was approved on passage of Resolution No. 31508.

Building Permit Applications, Six Office/Warehouse Buildings, Tidewater Properties was the subject of a memo to the Board from the Acting Director of Planning, notifying the Board that the Board had previously approved five building permit applications for a proposed office/warehouse complex at the site. The applicant has experienced difficulties in obtaining the necessary financing for the project and the building permit applications have expired and became null and void. The applicant is now proceeding with the project, and it was recommended that the Board approve the new permit. The applicant has made some minor modifications to the original approved plans. The current proposal calls for the construction of six separate buildings on the premises rather than five. The current buildings contain 77,760 square feet of gross floor area. Off-street parking has been increased from 128 stalls to 177 stalls. The buildings would consist of one-story high, cast-in-place and tilt-up precast concrete structures on 8" thick concrete slab on grade. The project will be constructed in two phases. Under Phase I, two buildings will be constructed along with all site utilities, parking and roadways. Under Phase II, the remaining buildings will be constructed and associated site improvements. The estimated cost of the proposed work is \$3,621,927.00. Previously the cost was estimated at \$3,800,000.00. The environmental document associated with the project has been previously considered by the Board and the proposed scaled-down modifications are consistent with the

use of the previously approved development. The recommendation was approved on passage of Resolution No. 31508.

Boatel 2nd Supplemental and Consent to Approval of Assignments was the subject of a memo to the Board from the Director of Commercial Real Estate, recommending approval of a 2nd supplemental agreement with the new Boatel lease to revise the construction completion date from February 28, 1990 to July 1, 1990. It was also recommended that the Board consent to assignment of the 1987 Lease with the Boatel Inc., a California Corporation, to C. R. Gibb, and then from C. R. Gibb to C. R. Gibb and The Boatel, a California limited partnership, as tenants-in-common. In addition, the 1987 Lease provides that in certain cases of default, the prior 1962 lease with C. R. Gibb will again become effective. The 1962 lease was assigned in 1972 with Port consent to C. R. Gibb and three other individuals, and it has been requested that the Port now consent to the assignment of the 1962 lease to C. R. Gibb, and then from C. R. Gibb to C. R. Gibb and The Boatel, a California limited partnership, as tenants-in-common. The recommendation was approved on passage of Resolution No. 31536.

Tidewater Properties Sixth Amendment to the Lease Option Agreement was the subject of a memo to the Board from the Director of Commercial Real Estate, notifying the Board of the various changes and delays in implementing the incubator warehouse project on a 5.6 acre site of vacant land on Tidewater Avenue and Lesser Street under a 55 year lease. The optionee has now furnished a written firm construction financing commitment from the lender containing such normal and reasonable conditions as are customary for the construction lending of the type contemplated which satisfies the condition established in Resolution No. 31448 approved on July 18, 1989 and allows the optionee a further extended option period until October 31, 1989. The optionee will now have until October 31, 1989 to close escrow and to exercise the option to lease. It was also proposed to amend the lease option agreement with regards to the phasing of construction and the total square footage to now provide for two phases totalling 77,760 square feet instead of three phases totalling 89,000 square feet. It was recommended that the

Board approve a resolution acknowledging the receipt of the acceptable loan commitment from the lender for the project and a supplement to the lease option providing for the construction changes. The recommendation was approved on passage of Resolution No. 31537.

Approval of Contract for Construction and Installation of Third Container Crane at Seventh Street Public Container Terminal was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the contract with Kocks Crane and Marine Company for two cranes with an option to order a third crane within one year of the effective date of the contract for a price of \$6,320,500.00. The Board previously approved executing the option with Kocks for the third crane. The first two cranes are now being fabricated by a Korean subcontractor. However, political and labor conditions in Korea have made fabrication of the option crane infeasible. The first two cranes are over six months behind schedule, and Kocks is unable at this time to obtain the necessary performance bond for a third crane to be fabricated in Korea and Kocks is unwilling to provide the third crane under the terms of the option. After considering the various alternatives for obtaining a third crane, it was determined the best option for the Port was to negotiate a revised contract with Kocks. The new revised contract contains the following major provisions: The price for the third crane, including applicable change orders issued for the first two cranes, but not including a heavy lift beam, is \$7,940,000.00. Crane delivery time is changed from 12 months to 18 months. Liquidated damages for late delivery is changed from \$2,000.00 per day to \$3,000.00 per day. Progress payments will be made during the work up to 90% of the estimated value of the completed work instead of up to 65%, as originally specified. Kocks will provide a labor and materials bond and a performance bond, each in the amount of 50% of the contract amount, instead of the 100% originally specified. If the fabrication and/or shop assembly falls 60 days behind the schedule, which will be prepared by Kocks and signed by the presidents of Kocks and the fabricating companies, then the Chief Engineer may direct that the material be shipped to Germany and the work completed

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there along with the erection. Kocks plans to have the crane fabricated in Spain. It was recommended that the Board approve executing a contract with Kocks for the third crane as described. The recommendation was approved on passage of Resolution No. 31538.

Use Agreement Between the Port of Oakland and Italian Line/D'Amico Line

was the subject of a memo to the Board from the Acting Executive Director and Executive Director of Transportation Services, notifying the Board that Italian Line/D'Amico Line has a five year term Terminal Use Agreement with the Port that expires September 30, 1989. The line operates in the trade route between the U.S. West Coast and the Mediterranean specializing in the carriage of container cargo and calls at the Seventh Street Public Container Terminal operated by Marine Terminals Corporation. The Port has recently concluded discussions for a new five year term Terminal Use Agreement with Italian Line/D'Amico Line for the period of October 1, 1989 to September 30, 1994 and it was recommended that the Board approve the agreement. The Line may retain 10% of dockage and wharfage revenues at the time of vessel and cargo activity at the terminal. In addition, to the extent that during any contract year they have generated in excess of 35,000 revenue tons per acre of container yard, the lines will have returned by the Port to the extent collected by the Port, tariff wharfage revenues for all revenue tons in excess of \$35,000.00 revenue tons per acre multiplied by the assigned acreage. Inasmuch as Italian Line/D'Amico Line makes double vessel calls, a dockage cap is provided which allows Italian Line/D'Amico Line to pay for 70% of the annual vessel calls at 90% of the prevailing tariff dockage rate. The recommendation was approved on an ordinance passed to print.

Use Agreement Between the Port of Oakland and EAC Lines was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director of Transportation Services, notifying the Board that EAC Lines has a five year term Terminal Use Agreement with the Port that expires September 30, 1989. EAC Lines operates in the trade route between the U. S. West Coast and the Transpacific specializing in the carriage of container cargo. Their vessels call

at the Chales P. Howard Terminal operated by Stevedoring Services of America. The Port has recently concluded discussions for a new five year term Terminal Use Agreement with EAC Lines for the period of October 1, 1989 to September 30, 1994 and it was recommended that the Board approve the agreement. EAC Lines may retain 10% of dockage and wharfage revenues at the time of vessel and cargo activity at the terminal. In addition, to the extent that EAC Lines, during any contract year, has generated in excess of 35,000 revenue tons per acre of container yard assigned by the Port to the line, the line will have returned by the Port to the extent collected by the Port, tariff wharfage revenues for all revenue tons in excess of 35,000 revenue tons per acre multiplied by the assigned acreage. EAC Lines operates under a space-charter arrangement with Hyundai Merchant Marine with EAC Lines providing one vessel and Hyundai providing five vessels in the joint service. The EAC Lines TUA will provide that compensation provisions of the Agreement will apply for EAC Lines container operations conducted at the Hyundai terminal facility. The recommendation was approved on an ordinance passed to print.

Supplemental Agreement between the Port of Oakland and International Transportation Services was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director of Transportation Services, notifying the Board that the Port has a Nonexclusive Preferential Assignment Agreement with Kawasaki Kisen Kaisha, Ltd. ("K" Line) for the operation of Outer Harbor Berths 25 and 26 which operates as TransBay Container Terminal. "K" Line has previously assigned this Agreement to International Transportation Services. It was recommended that the Board amend the agreement to provide that revenue sharing for secondary use for crane revenue levels be decreased to 23% as the level of container crane activity has now been achieved. It was also recommended that there be an adjustment in the annual minimum compensation for container cranes to now provide for a \$550,000.00 minimum annual compensation level subject to adjustment whenever the Port takes a Port-wide increase in container crane rental rates. The original agreement provided for a minimum annual compensation

of \$600,000.00 with the intention that the terminal would receive one new crane which , due to operational reasons, did not occur. The amendment were approved on a passage of Resolution No. 31509.

Supplemental Agreement with Marine Terminals Corporation was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director of Transportation Services, notifying the Board of the Management Agreement with the Marine Terminals Corporation for operation of the Seventh Street Public Container Terminal, Berths 35 - 38. One of the users of the Seventh Street Public Container Terminal is Mitsui O.S.K. Lines which has requested a Preferential Assignment of Berth 35 for a two year term plus two one-year term extension options. It was recommended that the Board approve a supplemental agreement with MTC to delete the portion of the area that is being preferentially assigned to Mitsui O.S.K. Lines from the area assigned to them. The recommendation was approved on passage of Resolution No. 31510.

Contract Completion, Lighting Modification of Ninth Avenue Terminal Transit Shed, Building H-309, Inner Harbor was the subject of a memo to the Board from the Director of Engineering, recommending that the contract with Precision Electrical Design-Build, Inc. be accepted as complete as of July 24, 1989 with a contract price of \$51,768.00. The recommendation was approved on passage of Resolution No. 31539.

Contract Completion, Maintenance Dredging of Berths 25, 32 and 33 was the subject of a memo to the Board from the Director of Engineering, recommending that the contract with Manson Construction and Engineering Company be extended 209 calendar days which reflect delays in the necessary permits, and accepted as complete as of July 4, 1989 with a contract price of \$73,872.50. The recommendation was approved on passage of Resolution No. 31540 for time extension and Resolution No. 31541 for accepting contract.

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Contract Completion Construction of Berth 26 Wharf, Outer Harbor was the subject of a memo to the Board from the Director of Engineering, recommending that the contract with J. H. Pomeroy and Company, Inc. be extended 72 calendar days and be accepted as complete as of July 20, 1989 with a contract price of \$5,487,085.51. The recommendation was approved on passage of Resolution No. 31542 for time extension and Resolution No. 31543 for accepting contract.

Plans and Specifications for Demolition of Buildings C-517, C-518 and Portion of C-516, Seventh Street Terminal was the subject of a memo to the Board from the Director of Engineering, recommending their approval and authority to advertise for bids for the demolition of the building at Berth 35. The improvements will provide a larger area for Mitsui O.S.K. Lines preferential assignment area. The landside improvements are categorically exempt and do not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31524.

Authorization to Increase Professional Services Contract Spending Limits for Required Predredge Sediment Analysis was the subject of a memo to the Board from the Acting Director of Planning, notifying the Board of the existing agreements for the sampling and analysis required to support permit applications for disposal of sediments from maintenance and deepening dredging. At present there are two agreements in place with Kennedy/Jenks/Chilton and MEC Analytical Systems. Based on the existing soundings and rates of shoaling in the berths, eight more berths will need maintenance dredging during the remainder of the fiscal year at an additional cost of \$90,000.00 to \$96,000.00 for sediment sampling and analysis. Plans also exist to deepen 13 berths by the end of the fiscal year at an additional cost of \$240,000.00 to \$290,000.00 for sampling and analysis. It was recommended that the spending limits on the existing MEC contract be increased by \$250,000.00 for a total of \$405,000.00 for the additional work. The remaining funds needed for sampling and analysis to the end of the fiscal year will be covered in a new contract with a third contractor, not yet selected. The recommendation was approved on passage of Resolution No. 31544.

Permit Application, Sea-Land Service, Inc., 1425 Maritime Street, Oakland, California was the subject of a memo to the Board from the Acting Director of Planning, recommending approval for the installation of an underground electrical and telecommunications cable system within their leased premises at Berths 20 and 21. The proposed work will upgrade Sea-Land's on-premise telecommunications system with an entirely new cable plant. The estimated cost of the proposed improvements is \$140,000.00. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31545.

CAPA Umbrella Excess Liability Renewal was the subject of a memo to the Board from the Chief Financial Officer, notifying the Board of the Port's participation in the California Association of Port Authorities Umbrella Excess Liability Insurance Program which provides \$150,000,000.00 per occurrence in excess of the \$1,000,000.00 General Liability (Non-Airport) bound effective May 20, 1989 by Lloyds of London and the Port's Self-Insured Automobile Liability limit of \$1,000,000.00. The association appointed a new insurance broker to represent its interests, and the new broker was able to renew coverage for a similar premium of \$561,075.00 with a number of coverage improvements, on a three-year basis, subject to annual premium negotiations with Lloyds of London. It was recommended that the Board ratify the Port's decision to continue participation in the CAPA \$150,000,000.00 Umbrella Excess Liability Insurance Program with the Port's allocated share to be \$94,894.00 per year. The recommendation was approved on passage of Resolution No. 31546.

Adoption of Port of Oakland Pay for Performance Program with Revisions was the subject of a memo to the Board from the Director of Administration/Human Resources, notifying the Board that the Board adopted the Compensation Philosophy for the Port of Oakland Pay for Performance Program and approved by ordinance the initial percentage salary adjustments, the establishment of twenty salary grades and the assignment of specific classifications to those salary grades. As a result of input from the Operating Committee, certain adjustments have been made to the assignment of specific classifications to certain salary grades. The program has allegedly received a great deal of review by various parties, and it was recommended that the Board adopt the Port of Oakland Pay for Performance

Program as revised and approve the appointment of individuals to specific salaries and salary grades within the Port of Oakland Pay for Performance Program. Commissioner Brady spoke to the issue and recommended approval. Commissioner Ortiz noted that he was unable to vote affirmative as he was new on the commission and would abstain. The recommendation was approved on an ordinance passed to print.

U.S.S. Potomac Insurance was the subject of a memo to the Board from the Chief Financial Officer, notifying the Board of the insurance carried on the U.S.S. Potomac and that the contractors builders risk property policy expired September 1, 1989. The Risk Management department secured three quotations for Hull and Liability insurance, and it was recommended that the Board ratify the binding of the Hull and Liability Insurance on the U.S.S. Potomac effective September 1, 1989 at an annual premium of \$28,000.00. The coverage is on a subscription basis with the following marine underwriters: St. Paul, AMIA, IMU, CIGNA-INA Special Risk, and Firemans Fund. The insurance will remain in effect during the final outfitting of the vessel at the contractor's yard in Stockton, California. The recommendation was approved on passage of Resolution No. 31511.

Personnel Items contained in a memo to the Board from the Director of Administration/Human Resources, recommended the appointment of Saw M. Khoo, Senior Account Clerk, effective September 11, 1989 at \$2,237.00 per month; Gennise Kilgore, Account Clerk, effective September 11, 1989 at \$2,152.00 per month; Misiona Pulu, Intermediate Typist Clerk, effective September 6, 1989 at \$1,836.00 per month; Tina Smith, Katrina Anderson and Rosa Duenas as Relief Telephone Operators, effective September 6, 1989 at \$10.91 per hour; On C. Che, Thanh H. Pham, Jose Barajas, and Gloria S. Kwong, as Custodians, effective September 6, 1989 at \$2,025 per month; Kevin Young, Juanito C. Enriquez, Mikolaj Marchwicz, Jaime R. Elizondo, David K. Hodges, Kenneth Franklin, Beverly Muccular, Lovie D. Ratcliff, Gail L. James, and Irma Venegas as Custodians, effective September 6, 1989 at \$1,947.00 per month; and Fred Bibbs, as Youth Aide, Class "B", effective September 6, 1989 at \$10.63 per hour. Also recommended was the amendment of appointment for Ms. Donna Hayes, Port Employment Resources Coordinator, to rate

"c" of her salary schedule to avoid a salary decrease to be effective August 16, 1989; the rescission of appointment of Ms. Joanne Williams from the position of Legal Secretary II; the creation of one position of Administrative Assistant to the Port Attorney; and the classification of one position at Deputy Port Attorney IV; and one position of Port Permits and Graphics Supervisor; and the creation of one exempt position of Government Affairs Specialist in the Division of Public Affairs. Further recommended was approval for the examination announcements for the position of Port Planning Supervisor, Assistant Port Environmental Planner, Associate Port Environmental Planner, Assistant Port Transportation Planner and Associate Port Transportation Planner and medical leave of absence for Janet Palma, Senior Clerk, for 29 working days; a medical leave of absence for Farris Dawson, Port Field Representative for 82 working days; maternity leave of absence for Myrna Brocius, Senior Typist Clerk for 125 working days; and a military leave of absence for Henry F. Melendres, Port Personnel Analyst for 4 working days. The recommendation was approved on passage of Resolution No. 31547 for appointments; Resolution No. 31548 for amending appointments; Resolution No. 31549 for rescission of appointment; Resolution No. 31550 for creation of exempt position of Government Affairs Specialist; Resolution No. 31551 for examination announcements; Resolution No. 31552 for leaves of absence; and on an ordinance passed to print for creation of positions.

Travel Authorization contained in a memo to the Board from the Director of Administrative/Human Resources, recommended the travel of General Manager, Marine Terminals to Seattle, Washington on or about September 6, 1989 to make business calls on various shipping lines in Seattle; travel of Acting Chief Executive Officer and Executive Director, Transportation Services to Prince Rupert, B.C., on or about the period September 10 through 14, 1989 to attend the Canadian Association of Ports and Harbors; travel of Director of Aviation to Washington, D.C., on or about September 11, 1989 to attend the Airport Operators Council International/American Association of Airport Executives Legislative Issues Conference; travel of Commissioner Douglas Higgins, Commissioner Ronald Brady and

General Manager, Marine Terminals, to New York, New York on or about September 12, 1989 to attend the Admiral of the Ocean Sea Award Formal Dinner and make business calls in the area; travel of Director of Engineering to Seattle, Washington on or about the period September 12 to 17, 1989 to attend the 1989 Western Regional Meeting of Permanent International Association of Navigation Congresses; and the travel of Airport Operations Supervisor, Kathleen Bertram to Norfolk, Virginia on or about the period of September 17 through 21, 1989 to attend the Norfolk Aviation Firefighter's School. The recommendation was approved on passage of Resolution No. 31512.

Approval to Hire an Environmental Consultant to provide Specific and as needed Environmental Consulting Services was the subject of a memo to the Board from the Acting Director of Planning, recommending approval to enter into a new agreement with Baseline Environmental Consulting to provide environmental services. The firm will be working on the following specific tasks: Creosote pile removal and documentation, Phase I Site Characterization and remedial activities at the proposed joint Port/Navy substation, and soil sampling activities and possible remediation of soils at the dedicated public access at 1755 Embarcadero. The estimated cost of these tasks is \$80,000.00. The estimated costs for additional services for one year is \$120,000.00. The firm will be paid at agreed upon rates, for the time actually spent and be reimbursed for expenses up to a total maximum compensation of \$200,000.00 with certain additional funds available at the discretion of the Chief Executive Officer. The recommendation was approved on passage of Resolution No. 31553.

Authorization to Publish Notice of Public Hearing Pursuant to the Requirements of the Tax Equity and Fiscal Responsibility Act of 1982 with Respect to the Issuance of Port of Oakland Commercial Paper Notes, Series A and Series B was the subject of a memo to the Board from the Chief Financial Officer, notifying the Board that the Tax Equity and Fiscal Responsibility Act of 1982 requires the publication of a notice and a public hearing at least fourteen days (14) thereafter prior to the time private activity bonds are issued. The notice includes a list

of all potential Port capital projects over the next three years that may have their construction financing provided through the Port's proposed Commercial Paper Notes, Series A and Series B. It was recommended that the Board authorize the publication of a notice of public hearing pursuant to the Tax Equity and Fiscal Responsibility Act of 1982 in connection with the proposed issuance by the Port of its Commercial Paper Notes, Series A and Series B. The recommendation was approved on passage of Resolution No. 31513.

The following reports were received and ordered filed:

Report of Port Attorney on Litigation Matters.

Status of Construction Contracts in Progress  
as of August 1989.

Status of Consultant Contracts in Progress  
as of August 1989.

Summary of Port Revenue and Construction Funds  
as of August 25, 1989.

Summary of Claims Paid from Various Funds  
for the Period August 7, 1989 through August 28, 1989.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Brady, Ortiz, Sweeney, Ward Allen,  
Wasserman, and President Higgins - 6

Noes: None

Absent: Commissioner Hunter - 1

"RESOLUTION NO. 31508

APPROVING AND AUTHORIZING REIMBURSEMENT TO OAKLAND PORTSIDE ASSOCIATES FOR REDESIGN AND RECONSTRUCTION OF EXHAUST SYSTEM FOR UNDER-GROUND PARKING STRUCTURE AT JACK LONDON SQUARE."

"RESOLUTION NO. 31509

AUTHORIZING EXECUTION OF THIRD SUPPLEMENTAL AGREEMENT WITH INTERNATIONAL TRANSPORTATION SERVICES, INC."

"RESOLUTION NO. 31510

AUTHORIZING EXECUTION OF NINTH SUPPLEMENTAL AGREEMENT WITH MARINE TERMINALS CORPORATION."

"RESOLUTION NO. 31511

APPROVING AND RATIFYING THE ACTION TAKEN AS A MATTER OF URGENCY BY THE ACTING CHIEF EXECUTIVE OFFICER AND EXECUTIVE DIRECTOR TO BIND HULL AND LIABILITY INSURANCE ON THE U.S.S. POTOMAC."

"RESOLUTION NO. 31512

CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 31513

AUTHORIZING THE PUBLICATION OF NOTICE OF A PUBLIC HEARING PURSUANT TO THE REQUIREMENTS OF THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982 (TEFRA) REGARDING THE ISSUANCE OF THE PORT OF OAKLAND, CALIFORNIA COMMERCIAL PAPER NOTES, SERIES A AND SERIES B."

"RESOLUTION NO. 31514

APPROVING AND AUTHORIZING EXECUTION OF FIFTH AMENDED LEASE OPTION AGREEMENT WITH EAST BAY GROUP."

"RESOLUTION NO. 31515

AMENDING RESOLUTION NO. 31454 POSTPONING ELECTION OF OFFICERS OF THE BOARD."

"RESOLUTION NO. 31516

AWARDING CONTRACT TO M.G. WEST, FOR PROVIDE AND INSTALL FURNISHINGS, BUILDING M-103, TERMINAL I, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 31517

AWARDING CONTRACT TO WILSON OFFICE GROUP, FOR PROVIDE AND INSTALL FURNISHINGS, BUILDING M-103, TERMINAL I, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 31518

APPROVING AND RATIFYING THE RETENTION OF SPECIAL COUNSEL (OAKLAND INNER HARBOR DREDGING PROJECT, WATER QUALITY CONTROL BOARD MATTERS)."

"RESOLUTION NO. 31519

GRANTING UNITED AIR LINES, INC., PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31520

GRANTING UNITED AIR LINES, INC., PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31521

GRANTING UNITED STATES POSTAL SERVICE, PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31522

GRANTING AIR TERMINAL SERVICES, INC. AND RUDY LOMBARD, PERMISSION TO PERFORM CERTAIN WORK."

September 5, 1989

"RESOLUTION NO. 31523

GRANTING TIDEWATER PROPERTIES, PERMISSION TO PERFORM CERTAIN WORK SUBJECT TO CONDITIONS PRECEDENT."

"RESOLUTION NO. 31524

APPROVING PLANS AND SPECIFICATIONS FOR DEMOLITION OF BUILDINGS C-517, C-518 AND PORTION OF C-516, SEVENTH STREET TERMINAL, OAKLAND, CALIFORNIA, AND CALLING FOR BIDS THEREFOR.

"RESOLUTION NO. 31525

AUTHORIZING SETTLEMENT DEMAND IN PORT OF OAKLAND ET AL V. THE MOTOR VESSEL "SOUTHLAND STAR" ET AL."

"RESOLUTION NO. 31526

EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH W. H. EBERT CORPORATION."

"RESOLUTION NO. 31527

ACCEPTING WORK PERFORMED BY W. H. EBERT CORPORATION AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31528

ACCEPTING WORK PERFORMED BY BERNARDI AND EMMONS INC., AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31529

APPROVING ISSUANCE OF CHANGE ORDER FOR CONTRACT FOR ROADWAY AND UTILITY EXTENSIONS FOR THE AIR CARGO CENTER DEVELOPMENT, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31530

EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH OLIVER DESILVA, INC."

"RESOLUTION NO. 31531

ACCEPTING WORK PERFORMED BY OLIVER DESILVA, INC., AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31532

EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH VELLUTINI CORPORATION DBA ROYAL ELECTRIC COMPANY.

"RESOLUTION NO. 31533

ACCEPTING WORK PERFORMED BY VELLUTINI CORPORATION DBA ROYAL ELECTRIC COMPANY, AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31534

ACCEPTING CANCELLATION OF MONTH TO MONTH TENANCY WITH THE UNITED STATES OF AMERICA FOR A PORTION OF BUILDING L-606."

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"RESOLUTION NO. 31535

GRANTING TIDEWATER PROPERTIES, PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31536

CONSENTING TO SECOND SUPPLEMENTAL AGREEMENT TO BOATEL LEASE AND  
CONSENTING TO ULTIMATE ASSIGNMENTS OF LEASE TO C. R. GIBB AND THE  
BOATEL, A CALIFORNIA LIMITED PARTNERSHIP, AS TENANTS-IN-COMMON."

"RESOLUTION NO. 31537

ACKNOWLEDGING RECEIPT OF WRITTEN EVIDENCE OF ABILITY TO FINANCE, AND  
APPROVING AND AUTHORIZING EXECUTION OF FIFTH SUPPLEMENTAL AGREEMENT  
AMENDING LEASE OPTION AGREEMENT WITH TIDEWATER PROPERTIES."

"RESOLUTION NO. 31538

AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT BETWEEN THE PORT  
AND KOCKS CRANE AND MARINE CO. INCORPORATING CERTAIN CHANGES TO THE  
CONTRACT RELATING TO THE PURCHASE OF A THIRD CONTAINER CRANE AT SEVENTH  
STREET PUBLIC CONTAINER TERMINAL."

"RESOLUTION NO. 31539

ACCEPTING WORK PERFORMED BY PRECISION ELECTRICAL DESIGN-BUILD, INC. AND  
AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31540

EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH MANSON CONSTRUCTION AND  
ENGINEERING CO."

"RESOLUTION NO. 31541

ACCEPTING WORK PERFORMED BY MANSON CONSTRUCTION & ENGINEERING CO. AND  
AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31542

EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH J. H. POMEROY & CO., INC."

"RESOLUTION NO. 31543

ACCEPTING WORK PERFORMED BY J. H. POMEROY & CO., INC. AND AUTHORIZING  
RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31544

FINDING AND DETERMINING THAT A PROPOSED SUPPLEMENTAL AGREEMENT WITH MEC  
ANALYTICAL SYSTEMS FOR PREDREDGE ANALYSIS OF MATERIALS AT VARIOUS  
BERTHS CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND  
AUTHORIZING EXECUTION OF SAID SUPPLEMENTAL AGREEMENT."

"RESOLUTION NO. 31545

GRANTING SEA-LAND SERVICE, INC., PERMISSION TO PERFORM CERTAIN WORK"

September 5, 1989

"RESOLUTION NO. 31546

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO PURCHASE UMBRELLA LIABILITY INSURANCE COVERAGE WITHOUT COMPETITIVE BIDDING AND AUTHORIZING PARTICIPATION IN THE CAPA UMBRELLA INSURANCE PROGRAM."

"RESOLUTION NO. 31547

CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31548

AMENDING RESOLUTION NO. 31500 CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31549

AMENDING RESOLUTION NO. 31476 CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31550

REQUESTING THE CITY COUNCIL TO RECOMMEND TO THE CIVIL SERVICE BOARD THE EXEMPTION FROM THE COMPETITIVE CIVIL SERVICE OF THE POSITION OF GOVERNMENT AFFAIRS SPECIALIST, UNDER THE JURISDICTION OF THE BOARD OF PORT COMMISSIONERS AND REQUESTING THE CIVIL SERVICE BOARD TO EXEMPT THE SAID POSITION FROM THE COMPETITIVE CIVIL SERVICE UPON THE RECOMMENDATION OF THE CITY COUNCIL."

"RESOLUTION NO. 31551

APPROVING EXAMINATION ANNOUNCEMENTS FOR THE POSITIONS OF PORT PLANNING SUPERVISOR, ASSISTANT PORT ENVIRONMENTAL PLANNER, ASSOCIATE PORT ENVIRONMENTAL PLANNER, ASSISTANT PORT TRANSPORTATION PLANNER AND ASSOCIATE PORT TRANSPORTATION PLANNER."

"RESOLUTION NO. 31552

CONCERNING CERTAIN LEAVES OF ABSENCE."

"RESOLUTION NO. 31553

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH YANE NORDHAV DBA BASELINE ENVIRONMENTAL CONSULTING FOR ENVIRONMENTAL CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31554

GRANTING OAKLAND VILLAGE CORPORATION, PERMISSION TO PERFORM CERTAIN WORK"

"RESOLUTION NO. 31555

GRANTING THE CAMMEBY'S AIRPORT EXECUTIVE ASSOCIATES PERMISSION TO PERFORM CERTAIN WORK."

September 5, 1989

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OFFICERS AND EMPLOYEE IN CONNECTION WITH THE PORT PAY FOR PERFORMANCE PROGRAM", were read a second time and passed by the following vote:

Ayes: Commissioners Brady, Ortiz, Sweeney, Ward Allen, Wasserman  
and President Higgins - 6

Noes: None

Absent: Commissioner Hunter - 1

Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A THIRD SUPPLEMENTAL AGREEMENT WITH EDGAR L. BUTTNER, TRUSTEE OF THE THIRD BUTTNER TRUST, AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A USE AGREEMENT WITH NORTHERN CALIFORNIA MARINE ASSOCIATION AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. 2903 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 TO CREATE NEW POSITIONS AND TO RETITLE CERTAIN POSITIONS", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF TERMINAL USE AGREEMENT WITH ITALIA S.p.A. di NAVIGAZIONE AND d'AMICO SOCIETA di NAVIGAZIONE per AZIONI", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF TERMINAL USE AGREEMENT WITH EAC LINES TRANS PACIFIC SERVICE LTD.", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 ADDING SECTIONS 5.409 AND 5.091 TO CREATE THE POSITIONS OF PORT PERMITS AND GRAPHICS SUPERVISOR AND GOVERNMENT AFFAIRS SPECIALIST", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF AGREEMENT WITH SHEREX CHEMICAL COMPANY, INC., PROVIDING FOR THE PORT OF OAKLAND'S ACQUISITION OF CERTAIN REAL PROPERTY LOCATED IN THE PORT OF OAKLAND INNER HARBOR AREA, MAKING AN APPROPRIATION THEREFOR AND FINDING CERTAIN FACTS IN CONNECTION THEREWITH", and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING SECTIONS 1, 2, 3, 4, 5 AND 6 OF PORT ORDINANCE NO. 1166 RELATING TO THE CONTRIBUTIONS OF THE PORT TOWARD THE COST OF EMPLOYEE AND RETIREE GROUP HEALTH INSURANCE", were read a first time and passed to print by the following vote:

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COMPLIANCE SUPERVISOR", were read a first time and passed to print by the following vote:

Ayes: Commissioners Brady, Ortiz, Sweeney, Ward Allen, Wasserman and President Higgins - 6

Noes: None

Absent: Commissioner Hunter - 1

Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 FIXING THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE PORT DEPARTMENT TO ESTABLISH CERTAIN NEW SALARY GRADES 1 THROUGH 20, CREATE CERTAIN NEW POSITIONS, RETITLE ONE POSITION AND ASSIGN CERTAIN POSITIONS TO NEW SALARY GRADES IN CONNECTION WITH THE PORT PAY FOR PERFORMANCE PROGRAM", were read a first time and passed to print by the following vote:

Ayes: Commissioners Brady, Sweeney, Ward Allen, Wasserman and President Higgins - 5

Noes: None

Abstained: Commissioner Ortiz - 1

Absent: Commissioner Hunter - 1

At the hour of 5:22 P.M. the Board entered into closed session as previously announced by President Higgins and reconvened in open session at the hour of 6:25 P.M. at which time the meeting was adjourned on a motion duly made and seconded.

  
Secretary

REGULAR MINUTES OF THE BOARD OF PORT COMMISSIONERS  
OF THE  
CITY OF OAKLAND

The meeting, formal portion, was held on Tuesday, September 19, 1989, at the hour of 4:55 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Higgins presiding, due written notice having been given to members of the Board. An informal portion was held during the period from 3:15 p.m. to 4:45 p.m. during which time the Board discussed certain changes to the By-Laws and Administrative Rules of the Board.

Commissioners present:           Brady, Lockhart, Ortiz, Sweeney,  
  Ward Allen, Wasserman, and  
  President Higgins - 7

Commissioners absent:           None

Also present were the Acting Chief Executive Officer and Executive Director, Transportation Services; Port Attorney; Director of Engineering; Chief Financial Officer; Acting Director of Planning; Director of Aviation; Director of Commercial Real Estate; Director of Administration/Human Resources; Director of Public Affairs; Manager of Airport Properties; and Secretary of the Board.

President Higgins introduced Mr. James Lockhart to the Board, with the notation of his public and charitable service to the community. Mr. Lockhart was most recently appointed to the Board by the Mayor of Oakland.

President Higgins, informed the Board that he would call for a closed session at the conclusion of the open session for the purpose of discussing certain pending litigation as provided for under Government Code Section 54956.9 (b) and (c); personnel matters as provided for under Government Code Section 54957; and real property negotiations concerning the proposed license for Airport Advertising Concession as provided for under Government Code Section 54956.8.

Commissioner Brady, Chair of the Finance and Administrative Committee, informed the Board that his committee had met earlier in the day and reviewed the

BOARD OF PORT COMMISSIONERS

MEETING OF NOV - 7 1989

APPROVED AS SUBMITTED AND ORDERED FILED

SECRETARY *Wm. H. McNeill*

Pay for Performance plan; the proposed audit of the purchasing function; and the health care options available for represented employees.

Commissioner Sweeney, Chair of the Transportation Committee, informed the Board that his committee had met earlier in the day and reviewed their current agenda.

New Hangar License and Lease Agreements - United Airlines was the subject of a memo to the Board from the Director of Aviation, notifying the Board of the interim license agreement with United Airlines covering the George P. Miller Maintenance Hangar at the Oakland International Airport and the proposed lease for a term of ten years with two additional ten-year options. Commencing February 1, 1988 the Port entered into the interim license agreement at the monthly rental of \$107,750.00 which was to govern until negotiation and execution of the lease. Negotiations have been completed and United has signed the proposed lease and a second interim license agreement to govern for the period January 1, 1989 through the commencement of the Lease, at a monthly rental of \$124,500.00. The minimum rental for the first five years of occupancy would initially be based on the following assumptions: United would use only 3 of the 4 hangar bays in the first year and those 3 bays would be utilized on the basis of 1 bay for secondary use and 2 bays for tertiary use. United would use 3½ bays in the second year on the basis of one bay being used for secondary use and 2½ bays for tertiary use. United would use all 4 bays in the third through fifth years with 2 bays being used for secondary use and 2 bays for tertiary use. In the sixth through tenth years, the minimum rental would be based on 3 bays of secondary use and 1 bay of tertiary use. Based on actual usage of the hangar in 1988 the rent for 1989 will increase to \$1,782,000.00. In addition to minimum rental, percentage rental would be paid annually in arrears by United based upon gross revenues from aircraft maintenance conducted in the leased premises on the basis of the following schedule: 4% of the first \$50,000,000.00 of gross

revenue; 2% of the next \$20,000,000.00 of gross revenue; and 1% of the next \$40,000,000.00 - \$110,000,000.00 in gross revenue. It was recommended that the Board approve the second interim license agreement and lease with United Airlines. The recommendation was approved on passage of Resolution No. 31558 and on an ordinance passed to print.

Ratify Emergency Repairs to Transformer George P. Miller Hangar was the subject of a memo to the Board from the Chief Engineer, notifying the Board that at a previous meeting the Board authorized dispensing with bids for inspection and repair of the electrical and mechanical systems that are unique to the aircraft maintenance hangar prior to it's full use by United Airlines. One of the items of work authorized was the replacement of a failed transformer that serves the central core of the building and the transformer was replaced by Gravino Electrical Construction, Inc. On August 16, 1989, the new transformer failed, shutting down a majority of United's maintenance work and the Port's contractor for the transformer was contacted by Port personnel to make immediate repairs consisting of removing the damaged transformer and replacing it with another unit. It was recommended that the Board ratify the emergency actions taken and authorize payment to Gravino Electrical Construction, Inc., estimated to be approximately \$31,000.00. It was noted that the Port is investigating the cause of the transformer failure and, if appropriate, reimbursement will be pursued after final determination of the cause of failure. The recommendation was approved on passage of Resolution No. 31562.

Acceptance of FAA Grant Amendment No. 2 to AIP-09 and Approval of Change Order to Extend Porous Friction Course Overlay of Runway 11-29 was the subject of a memo to the Board from the Chief Engineer, notifying the Board that the easterly 4,400 feet of Runway 11-29, is currently being overlaid by O. C. Jones & Sons and the contractor has now commenced Phase III, the last phase of the contract work. Because of the prevailing winds at the airport the vast majority of takeoffs and

landings occur at the easterly end of the runway and that is the section receiving the structural overlay. During the progress of the current contract significantly greater than normal traffic has used the westerly portion of the runway and this use has significantly accelerated surface deterioration. It has now become apparent that the remainder of the runway is in need of immediate repair. The proposed work includes local repairs to the surface and then placement of a one inch porous friction course over the entire surface. The overlay of the additional area will preclude the possibility of foreign object damage to the engines of aircraft operating on the runway, and extend the life of the existing pavement. The FAA is in agreement as to both the need for and the proposed method of accomplishing the work. The FAA is now offering the Port Amendment No. 2 to AIP-09 to change the scope of the project to include the proposed new work. The Amendment does not change the amount of the grant agreement which is sufficient to accomplish the work. Under the Amendment the FAA would fund 80.59% of the cost of the work. It was recommended that the Board accept and execute the FAA Grant Offer of Amendment No. 2 to AIP-09 and authorize the Chief Engineer to execute a change order to the contract with O. C. Jones & Sons, in an amount estimated to be \$900,000.00 to accomplish the proposed work to the remainder of the runway. The recommendation was approved on passage of Resolution No. 31563 accepting amendment and Resolution No. 31564 for change order.

New License Agreement and Lease - Alaska Airlines was the subject of a memo to the Board from the Director of Aviation, notifying the Board that Alaska Airlines has occupied a portion of the Hangar since January 23, 1989 at a monthly rental of \$27,502.86 under a series of Right of Entry Agreements, while negotiations proceeded on a long-term lease. The negotiations have been concluded and it was recommended that the Board approved the new lease. The major provisions include 82,755 square feet of building area in Building L-610 (Hangar 6) and Building L-552, 363,890 square feet of adjoining apron and 53,366 square

feet of parking area with a ten year term ending June 30, 1999. Alaska would have a right to extend the lease for an additional ten years provided it spends a minimum of \$2,000,000.00 on rehabilitation during the initial lease term. Alaska would have a First Right of Refusal during the lease term to lease the approximate 176,000 square feet (Parcel A) northwesterly of the existing Hangar 6 premises providing the Port does not develop the parcel. Initial rent would be \$39,297.91 per month. The rent for the option period will be adjusted to fair market rental value. During the original lease term Alaska would receive a monthly rental credit of \$1,793.38 for the Port's  $\frac{1}{2}$  share of the \$250,000.00 estimated cost of the hangar floor repair to be completed and paid for by Alaska. Alaska would also receive a rental credit for performing asbestos removal work at Hangar 6 on behalf of the Port. Alaska Airlines will use the facility as a base for major maintenance and overhaul of its aircraft and for other uses incidental to the operation of Alaska Airlines. Alaska will provide a performance deposit of \$112,514.00 to be paid no later than the lease commencement date. In lieu of rent increases, within 5 years from lease commencement, Alaska would complete repairs to the premises in an amount not less than \$650,000.00. The \$650,000.00 amount would accrue interest at 10% per annum and would be reduced by paid invoices for said improvements. Any balance remaining after 5 years would be paid in cash to the Port within 60 days of request for payment. The Port would be responsible for maintenance and repair of aprons. Alaska would be responsible for routine maintenance and repair of the buildings, including the roof and the boiler, and the parking area. The Port would be responsible for maintenance and repair of aprons. Alaska would be responsible for routine maintenance and repair of the buildings, including the roof and the boiler, and the parking area. The Port would be responsible for the removal, treatment or containment of all contaminated materials that are on the premises prior to the effective date of the lease. In

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order to expedite contaminated material correction, Alaska agrees to contract and pay for removal of asbestos on behalf of the Port. The Port would hold Alaska Airlines and its affiliates harmless against all claims with certain exceptions which arise out of the removal or abatement of asbestos from Hangar 6. The lease would not be assigned nor any subleases entered into without Port approval. If Alaska assigns or subleases over 50% of the premises, the Port would receive 50% of any profit in excess of 15% that Alaska realizes from the assignment or sublease. It was recommended that the Board ratify the series of Right of Entry Agreements with Alaska Airlines, Inc., and authorize the Acting Chief Executive Officer to execute a letter Hold Harmless Agreement and approve the interim license agreement with Alaska Airlines, Inc. until the proposed lease becomes effective on the same terms and conditions, and approve the preparation of a lease with Alaska Airlines, Inc. The recommendation was approved on passage of Resolution No. 31578 for Right of Entry and Hold Harmless agreement and on a motion by Commissioner Sweeney, seconded and passed unanimously for preparation of the new lease.

Loan of Runway Approach Lighting Equipment to San Francisco Airport was the subject of a memo to the Board from the Director of Aviation, notifying the Board that the Port purchased portable runway approach lighting equipment for use during the current airport runway overlay project. The present use for the equipment has concluded and the FAA has requested that it be made available to San Francisco Airport for use in that Airport's forthcoming runway construction program, which will last about six months. It was recommended that the Board approve the necessary documents covering the loan of the equipment to San Francisco Airport. The recommendation was approved on passage of Resolution No. 31579.

Contract Completion, Furnish and Deliver Hydrant Fueling Services, Oakland Airport was the subject of a memo to the Board from the Chief Engineer, recommending that the contract with Mobile Equipment Fabricators be accepted as complete as of August 14, 1989, with a contract price of \$311,387.04. The recommendation was approved on passage of Resolution No. 31580.

Award of Contract for Furnishing Service and Maintenance for Seven "Jetway" and Nine "Safegate" Passenger Loading Bridges, South Airport, for the Period Commencing November 1, 1989 and Ending January 31, 1993 was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the four bids received and recommending award of the contract to Rigging International Maintenance Company, the low bidder at \$288,304.40. The recommendation was approved on passage of Resolution No. 31565.

Authorization for the Operations and Maintenance of the Aviation Fuel Storage Servicing System and Equipment was the subject of a memo to the Board from the Director of Aviation, notifying the Board that at its April 18, 1989 meeting, the Board was advised that the Consortium of airlines based at the Oakland Airport propose in due time to take over the operations and maintenance of the Airport aviation fuel facilities servicing their flight operations, as a means to reduce airline fuel costs at Oakland. The Board agreed to permit the current agreement for the maintenance services with the Fueling Maintenance Company to be continued on a month-to-month basis until the Airline Consortium was prepared to take over. The transfer of the functions from the private contractor, Fueling Maintenance, to the Consortium has no impact on any Port jobs or positions, since none of this contract work was previously performed by Port forces. It was recommended that the Board approve entering into an agreement, with the Oakland Airport Fuel Consortium, doing business as Oakland Fuel Facility Corporation, for the operations and maintenance of the aviation fuel storage facility, hydrant fueling system, and service and maintenance of aviation refueling trucks and servicers owned by the Port at the Oakland Airport. It was noted that the agreement would be on a multiple-year basis effective October 1, 1989. The recommendation was approved on passage of Resolution No. 31559.

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New License and Loan Agreements - Oakland Fueling Facilities Corporation

was the subject of a memo to the Board from the Director of Aviation, notifying the Board of the Right of Entry Agreement to the Oakland Fueling Facilities Corporation (OFFC) which allowed for the air cargo aircraft fueling at the airport. It was recommended that the Board approve a new agreement to cover a trailer site, ramp storage area, estimated utility amortization, and vehicle parking on certain roads at a monthly rental of \$1,851.13. OFFC would provide and pay for its own telephone service, and pay the Port for the electricity it consumes on the premises. OFFC would provide the Port a performance deposit equal to three-months' rent and OFFC would abide by all the Port's standard license agreement terms and conditions. In addition, the Port furnished the OFFC certain aviation fueling vehicles in consideration of one dollar per vehicle, per month, under a loan agreement authorized by the Board. It is proposed that the parties negotiate a longer term equipment loan agreement for the three fuel tank trucks and hydrant servicer governed by the agreement. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously for Preparation Agreement and on passage of Resolution No. 31581 for Right of Entry Equipment Loan Agreement and Extension Agreement.

Approval of Agreement with City of Alameda on Joint Responsibility of the Airport Lagoon was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the 23 acre lagoon at the west end of Oakland Airport Runway 11 which is required to be maintained by BCDC and Corps permits. The City of Alameda is proposing to construct for its Harbor Bay Business Park a new storm water system that includes three new outfall pipes discharging into the lagoon. There have been numerous discussions between City of Alameda representatives and the Port staff regarding whether or not Alameda has the right to discharge storm water runoffs from Harbor Bay Isle filled land into the Airport lagoon. The Port, without conceding any such right to Alameda, will permit the

discharge of storm water from Alameda into the Airport lagoon, subject to the terms and conditions of a proposed agreement. The Agreement includes the following major provisions: Alameda acknowledges the existing permit conditions imposed on the Port by the Corps of Engineers and BCDC regarding the Airport Lagoon. Each party will be liable for and be responsible for containment and cleanup of any discharge of environmentally damaging materials into the lagoon originating from each party's sources. Alameda will pay one-half of the Port's costs for the normal maintenance and operation of the lagoon to maintain the waters at standards required by law. Each party will be responsible for its own compliance for any new future water quality requirements. Alameda will not object to the Port modifying or altering the lagoon to accommodate future airport developments; provided, Alameda can connect to such future Port outfall system at its own expense. To provide additional hydrological capacity for Alameda's runoff and for anticipated Airport growth, the Port will construct an additional drain piped through the Airport west dike to allow greater volume of inter-tidal exchange between the lagoon and the Bay waters. Alameda will reimburse the Port for 75 percent of the cost of the additional drain pipe. The proposed agreement also contains references to the final Environmental Impact Report prepared by the City of Alameda which included a storm drain system and included water quality and drainage impacts and mitigation measures. The Port as a responsible agency has considered the City of Alameda's Harbor Bay Isle Final Environmental Impact Report and Addendum, and the environmental effects described therein, and finds that storm drainage from the Harbor Bay Isle development has potentially significant effect on ecology, water quality and drainage. The Board also finds that changes and alterations are required in and incorporated into the project which avoid or substantially lessen the potentially significant effects. These changes and alterations, which consist of mitigation measures and a containment and clean-up response plan are noted in the agreement. It was recommended that the agreement

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be approved and executed and that the Director of Engineering after review, be authorized to approve the plans for the proposed work of the City of Alameda referenced in the Agreement. The recommendation was approved on passage of Resolution No. 31566.

License Agreement Renewal - Tricor California, Inc. was the subject of a memo to the Board from the Director of Aviation, recommending approval to renew their agreement for a two year period for office and shop space and unpaid parking at Building L-723 North Airport used as a base for their air courier service at a new monthly rent of \$1,027.36. The rent for the second year will be adjusted in accordance with the percentage change in the Consumer Price Index. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Board Approval to Circulate Request for Interest and Qualifications, Commercial Real Estate Master Plan was the subject of a memo to the Board from the Acting Director of Planning, recommending approval to circulate a Request for Interest and Qualifications to assess interest in the development community in participating with the Port in a partnership effort to prepare a master plan for the Port's commercial real estate area, and to play a major role in implementing the plan after it is approved. The RFI proposes a financial structure in which the developer's compensation for master plan preparation is included as an element of financial agreements for sharing of revenues from development pursuant to the plan. The Port's contribution to the master plan preparation would be limited primarily to costs of staff time participating in specified areas of the planning work. The master plan proposed in the RFI would be divided into two planning areas, the Estuary Development Area extending from Jack London Square east to the mouth of San Leandro Bay, and the San Leandro Bay Development Area, including the Airport Business Park/Distribution Center and potentially some areas of the North Airport. If adequate response is received to the RFI, a Request for Proposals may

be sent to a short list of the most qualified respondents, and a final selection made from the successful candidates in that second step. Commissioner Wasserman, Chair of the Development Committee, informed the Board of the lengthy process of developing the RFI and that the plan was to provide non-Port capital for development and produce revenue from areas that have not been developed. He emphasized that the Request for Information and Qualifications was just the first step and the Request for Proposals would be in much greater detail particularly with regard to minority equity participation. He moved approval which was seconded and the subject was open for discussion. Mr. Paul Cobb, representing himself, and Mr. David Glover, representing OCCUR, appeared before the Board to express their concerns over the lack of a firm policy dealing with public private entities and minority opportunities. They further urged that instructions concerning minority business equity participation be included in more detail to the RFI. After further discussion, Commissioner Wasserman suggested that the request could contain specific wording on the subject. Commissioner Sweeney moved that the item be removed from the Board's calendar and reviewed by the development committee. The motion was seconded and passed unanimously with the item to be calendared for the Board's meeting of October 10, 1989.

Oakland Portside Associates Request for Approval of Space Plans and Building Standards Waterstreet II Office Building and 7th Floor Port Office Building Jack London's Waterfront was the subject of a memo to the Board from the Acting Director of Planning, notifying the Board that the Board had previously amended the Port's Rules and Regulations for the Issuance of Building Permits to permit building permit applications for Tenant Improvements (TIs) to be approved by the Chief Engineer. Conditioned upon the Board first granting approval to a specific Space Plan and a set of Building Standards for a specific leased premises in which TIs were to be constructed. TIs are improvements or changes within leased premises within a building consisting of construction, alterations,

remodeling, demolition or repair of interior partitions and associated utility connections. Space Plan is a general layout of the demised area within a building which would show the general location of existing and proposed interior partitions, architectural features, and associated electrical, mechanical, and plumbing work. Oakland Portside Associates has now submitted a set of Space Plans and Building Standards for the 7th Floor of the Port Office Building; and 2nd, 3rd, and 4th floors of the L-shaped retail/office building complex referred to as Waterstreet II office building. Their submittal is comprehensive and consistent with the Jack London Square Master Development Plan for Phase I and it was recommended that the Plans and Standards be approved. The recommendation was approved on passage of Resolution No. 31567.

Keyser Marston Consultant Services was the subject of a memo to the Board from the Director of Commercial Real Estate, notifying the Board that Keyser Marston Associates, Inc. was retained to assist in the preparation of a Request for Proposals for retail development of the 22-acre site in the Oakland Airport Business Park. Their original agreement provided for fees up to \$15,000.00 which has now been reached. As the firm will be used during the developer negotiation phase, it was recommended that the contract be amended to provide for an additional \$10,000.00 for consultant fees with total compensation not to exceed \$25,000.00. The recommendation was approved on passage of Resolution No. 31568.

East Bay Group Lease Option Amendment was the subject of a memo to the Board from the Director of Commercial Real Estate, notifying the Board of the option agreement with East Bay Group for the development of a hotel on Embarcadero and 16th Avenue. The lease option term has been extended on five occasions and is to expire on September 30, 1989. The last extension was to allow adequate time for the Port to comply with the environmental regulations related to the underground tank removal. The developer agreed to cease work until the requirements of the regulatory agencies were met. Due to environmental delays, it

is proposed to grant the developer a \$5,000.00 credit towards the payment of rent, if and when the option to lease is exercised. The environmental problems caused delays in the developer's attempts to secure financing. In order to complete the loan transaction, the developer and potential lender have requested a three month extension. During the extension the developer would pay the Port monthly option payments of \$5,000.00. It was recommended that the option agreement be extended three months with monthly option payments of \$5,000.00 and a \$5,000.00 rental credit if the option is exercised. It was noted that the developer will pay approximately \$10,000.00 in fees to the City of Oakland for the building permit application fee and secure an outside plan check of the building plans at an estimated cost of \$10,000.00. The recommendation was approved on passage of Resolution No. 31569.

License Agreement - McDaniel's Christmas Trees and Brent Hennefer was the subject of a memo to the Board from the Director of Commercial Real Estate, recommending approval for the operation of the two Christmas tree lots in the Oakland Airport Business Park. The rental payments for McDaniel's Christmas Trees will be \$7,815.00 and for Mr. Brent Hennefer, \$7,195.00. The recommendation was approved on passage of Resolution No. 31570.

Approval to Hire an Environmental Consultant to Provide Professional Services Concerning Site Conditions at 280 6th Avenue, Oakland was the subject of a memo to the Board from the Acting Director of Planning, notifying the Board that Seabreeze Yacht Center, the Port's tenant at the site, received a Notice of Violation from the Alameda County Health Care Services Agency concerning soil contamination. Seabreeze filed for bankruptcy, and the Port received possession of the facility on August 14, 1989. The County subsequently required the Port to undertake actions addressed in the Notices of Violation. To assess the situation, the Port requested Baseline Environmental Consulting to conduct a preliminary site audit and to prepare a scope of work and cost estimate for further site activities.

Baseline performed this work under an existing contract. Baseline's estimated costs for site investigations and remediation activities will range from \$250,000.00, expected, to \$475,000.00, worst case. The recommended site activities include additional soil sampling and analysis, sampling contents of drums located on-site, disposal of drum contents, disposal of drums, excavation of soils, hauling of soils, disposal of soils, and possible groundwater investigations. It was recommended that the Board enter into an agreement with Baseline Environmental Consulting for providing the services. The firm will be paid at agreed upon rates, for the time actually spent and be reimbursed for expenses up to a maximum compensation of \$250,000.00 with certain additional funds available at the discretion of the Chief Executive Officer. The recommendation was approved on passage of Resolution No. 31571.

Award of Contract for Structural Inspection of Crane S/N 348 (X-403) Berth 22, Outer Harbor Terminal was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the five bids received and recommending award of the contract to J.E.T. Technical Services Inc./G.F.C. Crane Consultants, a Joint Venture, the low bidder at \$46,442.00. The recommendation was approved on passage of Resolution No. 31572.

Approval of the Issuance of Port of Oakland Commercial Paper Notes Series A and Series B from Time to Time in an Amount Not to Exceed \$75,000,000 Outstanding at Any One Time and Certain Other Actions was the subject of a memo to the Board from the Chief Financial Officer, notifying the Board of the recent Strategic Financial Plan which suggested the use of a tax-exempt commercial paper program. The Board has previously approved the underwriter, financial advisor and bond counsel for the three year program. Each series of Notes would be issued as necessary to meet the cash-flow needs of the Port for capital projects previously approved by the Board and to maintain compliance with Port Resolution No. 31235, adopted by the Board on April 4, 1989, establishing certain financial management

policies for the Port. The Notes would constitute an additional series of bonds under the Master Trust Indenture between the Board and Security Pacific National Bank, as Trustee, dated as of April 1, 1989 and would constitute parity obligations with the Port's Revenue Bonds, 1989 Series A, 1989 Series B and 1989 Series C issued earlier this year. The authorizing resolution would establish the maximum interest rate on the Notes at nine percent which could be changed at a subsequent date by Board action. The expected rate of interest is significantly lower. The Program will be backed both as to credit and liquidity by an irrevocable Letter of Credit issued by The Fuji Bank, Limited, acting through its San Francisco Agency. It was recommended that the Board adopt a resolution authorizing a Tax-Exempt Commercial Paper Program and the issuance of Port of Oakland Commercial Paper Notes, Series A and Series B in an amount not to exceed \$75,000,000.00 and related actions in connection therewith. The recommendation was approved on passage of Resolution No. 31582.

Personnel Items contained in a memo to the Board from the Director of Administration/Human Resources, recommended the appointment of Jane Keegan as Risk Manager, effective September 20, 1989 at \$4,508.00 per month; Charles Boyd, Port Permits and Graphics Supervisor, effective September 20, 1989 at \$4,864.00 per month; Dean Luckhart, Associate Port Environmental Planner, effective September 20, 1989 at \$3,838.00 per month; Holly Kaufman, Assistant Port Environmental Planner, effective September 20, 1989 at \$3,296.00 per month; Charles Schwarz, Assistant Port Environmental Planner, effective September 20, 1989 at \$3,296.00 per month; Samuel Rasheed, Traffic and Tariff Analyst III, effective August 11, 1989 at \$3,385.00 per month; Patricia B. Heilbron as Deputy Port Attorney IV, effective September 20, 1989 at \$5,646.00 per month; Barbara M. Szudy, Commercial Representative V-A, effective September 20, 1989 at \$4,570.00 per month; Jacqueline I. Chow, Commercial Representative I-A, effective September 20, 1989 at \$2,481.00 per month; Audree F. Thomas, Commercial Representative I-B,

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effective September 20, 1989 at \$2,579.00 per month; Karen Stevenson, Port Field Representative II, effective September 20, 1989 at \$3,268.00 per month; Farris C. Dawson, Port Field Representative II, effective September 20, 1989 at \$3,455.00 per month; Peter S. Wong, Port Field Representative II, effective September 20, 1989 at \$3,654.00, all of the appointments are existing employees appointed as part of the pay for performance salary ordinance program; Vladimir Todor as Electrical Mechanical Technician, effective September 20, 1989 at \$2,656.00 per month; Wanda Alleje, Legal Secretary I, effective October 4, 1989 at \$2,300.00 per month; Elizabeth Domingo, Account Clerk, effective September 20, 1989 at \$1,950.00 per month; Maria Ho, Youth Aide, Class "A", effective September 20, 1989 at \$13.55 per hour; Juan Carlos Aguila, Youth Aide Class "AA", effective October 2, 1989 at \$15.70 per hour; Venetta G. Edwards, Youth Aide Class "BB-1", effective September 20, 1989 at \$12.32 per hour. Also recommended was amendment of appointment date for Tina Smith and Rosa Duenas, Relief Telephone Operators, to reflect a start date of September 16, 1989, and for Katrina Anderson, Relief Telephone Operator, to reflect a start date of September 16, 1989. Further recommended was a creation of classification of 20 Equipment Systems Engineer positions in the Engineering Division; the creation of one additional position of Port Personnel Analyst; and the creation of three additional positions of Gardener III; title changes for positions of Jr. Electrical and Mechanical Engineer to Jr. Port Electrical Mechanical Engineer; Asst. Mechanical and Electrical Engineer to Asst. Port Mechanical Electrical Engineer; Electrical-Mechanical Engineer to Port Electrical/Mechanical Engineer, Supervising Electrical/Mechanical Engineer to Port Supervising Electrical/Mechanical Engineer; Principal Electrical-Mechanical Engineer to Port Principal Electrical/Mechanical Engineer; and the accompanying class specifications for the preceding positions; class specifications for Equipment Systems Engineer in the Engineering Division; and a medical leave of absence for Vickie J. Kaehms, Legal Secretary II, for 43 working days. The

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recommendations were approved on passage of Resolution No. 31583 for appointments; Resolution No. 31584 for amending appointment dates; Resolution No. 31585, pay for performance appointments; Resolution No. 31586 for job specifications; Resolution No. 31587 for job specifications for Equipment Systems Engineer; Resolution No. 31588 for leave of absence; and on an ordinance passed to print for creation of positions.

Travel Authorization contained in a memo to the Board from the Director of Administration/Human Resources, recommended the travel of the Manager, Marine Terminals to Chicago, Illinois, on or about the period September 20-24, 1989 to attend the 28th Annual Meeting of the Meat Importers Council of America, Inc., and to make certain business calls; travel of Commissioner Thomas Sweeney and Acting Chief Executive Officer and Executive Director, Transportation Services to certain cities in Europe on or about the period of September 23- October 8, 1989 for trade development purposes and calls on shipping lines; travel of the Special Assistant to the Executive Director for Trade Relations to Seattle, Washington on or about the period September 23-27, 1989 to attend the Annual National Defense Transportation Association Transportation and Logistics Forum and Exposition; travel of Patrick Ryan, Marine Commercial Representative V, to Seattle, Washington, on or about the period September 24-27, 1989 to attend the Annual National Defense Transportation Association Transportation and Logistics Forum and Exposition; travel of Manager of Airport Properties to Dallas/Ft. Worth, Texas on or about September 24-27, 1989 to attend the 1989 National Airports Conference; travel of Director of Aviation to Seattle, Washington on or about September 27, 1989 to attend the Fall Meeting of the Air Freight Association; travel of Commissioners Wasserman and Ward Allen, the Director of Aviation, Special Assistant to the Executive Director, George Watson, the Assistant Port Attorney II, and the Manager, Financial Planning and Analysis, to Houston, Texas on or about the period October 1-6, 1989 to attend the Airport Operators Council International Annual Conference. The recommendation was approved on passage of Resolution No. 31589.

Supplemental Agreement with PBN Company was the subject of a memo to the Board from the Director of Public Affairs, notifying the Board of the existing contract with the PBN Company for public relations work with particular emphasis on the dredging issue and the Delta disposal plan. The contract has a ceiling of \$100,000.00 for the calendar year ending December 31, 1989 and the limit will be reached. As the firm has been helpful in the dealing with the issues it was recommended that the Board approve an amendment to the contract to increase the scope of services by \$50,000.00 plus authorization for the Acting Chief Executive Officer to increase that figure by no more than an additional \$10,000.00 if necessary. The firm would continue working with the Public Affairs Department on the dredging issue, and it would also permit consulting PBN on public affairs issues relating to the Airport Master Plan. The recommendation was approved on passage of Resolution No. 31573.

Ratification of Letter of Understanding Between the Port of Oakland and Local 790 Regarding Retiree Medical Benefits was the subject of a memo to the Board from the Director of Administration/Human Resources, notifying the Board of the Memorandum of Understanding with Local 790 which provides for exploring and evaluating options for providing health insurance benefits for eligible retirees. After negotiations with Local 790, both the Port and Local 790 have agreed to adopt an actuarial study that would leave a positive balance at the end of 20 years of operation based on the Port's current level of contribution to the fund established for retiree medical benefits for Local 790 employees. Based on the actuarial study the Port's level of contribution and schedule of payments for medical coverage for each eligible retiree would be: effective September 1, 1989, a payment of \$60.00 per month; effective August 1, 1990, a payment up to \$68.00 per month; effective August 1, 1991, a payment up to \$76.00 per month shall be made and remain at this level until the year 2009 with future increases in funding amounts are subject to collective bargaining. On September 13, 1989, the Port and

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Local 790 signed a Letter of Understanding which included the following terms and conditions: The term shall be in effect from September 1, 1989 through and including June 30, 1992; The Port shall contract with PERS to provide medical insurance for all active employees and retirees; the Port shall pay \$20.00 a month to PERS on behalf of each active employee; the Port shall pay \$1.00 a month on behalf of each eligible retired employee who subscribes to PERS for medical coverage; the Port shall establish an Employee Benefits Account for each active employee eligible for medical coverage, enrolled in one of the PERS medical programs; payment shall be sufficient to cover the family premium of the PERS Kaiser Foundation Health Plan, less \$20.00, or any less expensive PERS medical plan; the parties agree to reopen the contract if the Port contributions or Employee Benefit Account is subject to income tax; the payments for eligible retirees shall be from the reserve account for retiree medical benefits established under the Memorandum of Understanding between the Port of Oakland and Local 790. It was recommended that the Port ratify the Letter of Understanding between the Port of Oakland and Local 790 regarding Retiree Medical Benefits, effective September 1, 1989 through and including June 30, 1992. The recommendation was approved on passage of Resolution No. 31590 amending existing agreement; Resolution No. 31591 amending existing agreement and Resolution No. 31592 ratifying letter of understanding.

Amendments to the By-Laws and Administrative Rules of the Board of Port Commissioners was the subject of a letter to the Board from the Port Attorney, notifying the Board of several suggestions by President Higgins to amend the By-Laws and Administrative Rules of the Board to implement recommendations of the Port's management consultants and the Board's Transition Committee. President Higgins informed the Board that he would hold the item over for further discussion at a later meeting to allow for continued study of his suggestions.

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Claim of Fred Anton was the subject of a letter to the Board from the Port Attorney, notifying the Board of a claim in an unspecified amount for personal injuries sustained as a result of a slip and fall that occurred on March 20, 1989 at the Airport. The alleged damages include cost for clothing, briefcase, suitcase, wristwatch and eyeglasses. A notice of insufficiency of claim was issued and a response to the notice was received from Claimant indicating medical expenses totaling \$1,165.40, personal property loss totaling \$830.00 and damages for pain and suffering totaling \$7,500.00. As the claim is not a proper charge against the Port, it was recommended that the claim be rejected. The recommendation was approved on passage of Resolution No. 31575.

The following reports were received and ordered filed:

Summary of Port Revenue and Construction Funds  
as of September 8, 1989.

Summary of Cash and Accounts Receivable Port Revenue  
Fund 770 for the Month of August 1989.

Accounts Receivable in Arrears  
as of August 31, 1989.

Delinquent Accounts Referred to Legal - Reported  
as of August 31, 1989.

Summary of Claims Paid from Various Funds  
for the Period August 28, 1989 through September 12, 1989.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Brady, Lockhart, Ortiz, Sweeney, Ward Allen,  
Wasserman and President Higgins - 7

Noes: None

Absent: None

"RESOLUTION NO. 31556

AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH SAN FRANCISCO - OAKLAND TELEVISION."

"RESOLUTION NO. 31557

AUTHORIZING EXECUTION OF AGREEMENT FOR THE REMOVAL OF UNDERGROUND STORAGE TANKS."

"RESOLUTION NO. 31558

AUTHORIZING EXECUTION OF SECOND INTERIM LICENSE AND CONCESSION AGREEMENT WITH UNITED AIR LINES, INC."

"RESOLUTION NO. 31559

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO ENTER INTO AN AGREEMENT, WITHOUT COMPETITIVE BIDDING, WITH OAKLAND FUEL FACILITIES CORPORATION FOR THE OPERATION AND MAINTENANCE OF AVIATION FUEL STORAGE FACILITY, HYDRANT FUELING SYSTEM AND SERVICE AND MAINTENANCE OF AVIATION REFUELERS AND SERVICERS."

"RESOLUTION NO. 31560

AUTHORIZING COMPROMISE AND SETTLEMENT OF PORT OF OAKLAND ET AL. V. THE MOTOR VESSEL "

"RESOLUTION NO. 31561

ASSIGNING EMPLOYEES TO SALARY RATES WITHIN SALARY GRADES 5 THROUGH 19 OF PORT ORDINANCE NO. 867 IN CONNECTION WITH THE PORT PAY FOR PERFORMANCE PROGRAM."

"RESOLUTION NO. 31562

RATIFYING AND CONFIRMING EMERGENCY REPAIRS MADE TO TRANSFORMER, GEORGE P. MILLER HANGAR, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT."

"RESOLUTION NO. 31563

ACCEPTING AMENDMENT TO GRANT OFFER OF THE UNITED STATES OF AMERICA AND AUTHORIZING EXECUTION OF AMENDMENT NO. 2 TO GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION UNDER PROJECT NO. 3-06-0170-09, CONTRACT NO. DTFA08-C-30330."

"RESOLUTION NO. 31564

APPROVING ISSUANCE OF CHANGE ORDER FOR CONTRACT FOR CONSTRUCTION OF ASPHALT CONCRETE OVERLAY AND MODIFICATION OF APPROACH LIGHTING STRUCTURE, RUNWAY 11-29, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA (A.I.P. 3-06-0170-09)."

"RESOLUTION NO. 31565

AWARDING CONTRACT TO RIGGING INTERNATIONAL MAINTENANCE CO., DBA RIMCO, FOR FURNISHING SERVICE AND MAINTENANCE FOR SEVEN "JETWAY" AND NINE "SAFEGATE" PASSENGER LOADING BRIDGES, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA, FOR THE PERIOD COMMENCING NOVEMBER 1, 1989 AND ENDING JANUARY 31, 1993; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 31566

MAKING CERTAIN FINDINGS AND DETERMINATIONS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING AN AGREEMENT WITH THE CITY OF ALAMEDA REGARDING THE DISCHARGE OF STORM WATER INTO THE AIRPORT LAGOON."

"RESOLUTION NO. 31567

APPROVING BUILDING STANDARDS FOR TENANT IMPROVEMENTS AND SPACE PLANS FOR PORTIONS OF TWO BUILDINGS SUBJECT TO GROUND LEASE BY PORT TO OAKLAND PORTSIDE ASSOCIATES."

"RESOLUTION NO. 31568

FINDING AND DETERMINING THAT A PROPOSED SUPPLEMENTAL AGREEMENT WITH KEYSER-MARSTON ASSOCIATES, INC. FOR LAND USE CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID SUPPLEMENTAL AGREEMENT."

"RESOLUTION NO. 31569

APPROVING AND AUTHORIZING EXECUTION OF SIXTH AMENDED LEASE OPTION AGREEMENT WITH EAST BAY GROUP."

"RESOLUTION NO. 31570

AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENTS."

"RESOLUTION NO. 31571

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH YANE NORDHAV DBA BASELINE ENVIRONMENTAL CONSULTING FOR ENVIRONMENTAL CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31572

AWARDING CONTRACT TO J.E.T. TECHNICAL SERVICES, INC./G.F.C. CRANE CONSULTANTS-JOINT VENTURE, FOR STRUCTURAL INSPECTION OF CRANE S/N 348 (X-403) BERTH 22, OUTER HARBOR TERMINAL, OAKLAND, CALIFORNIA; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 31573

FINDING AND DETERMINING THAT A PROPOSED FIRST SUPPLEMENTAL AGREEMENT WITH THE PBN COMPANY FOR PUBLIC AFFAIRS CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID FIRST SUPPLEMENTAL AGREEMENT."

"RESOLUTION NO. 31574

THIS NUMBER NOT USED."

"RESOLUTION NO. 31575

REJECTING CLAIM OF FRED ANTON."

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"RESOLUTION NO. 31576

GRANTING WALLY McDANIEL PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31577

GRANTING THE CAMMEBY'S AIRPORT EXECUTIVE ASSOCIATES PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31578

RATIFYING A SERIES OF RIGHT OF ENTRY AGREEMENTS WITH ALASKA AIRLINES, INC. AND AUTHORIZING EXECUTION OF A LETTER HOLD HARMLESS AGREEMENT."

"RESOLUTION NO. 31579

AUTHORIZING EXECUTION OF AGREEMENT WITH CITY OF SAN FRANCISCO FOR LOAN OF PORTABLE RUNWAY APPROACH LIGHTING EQUIPMENT."

"RESOLUTION NO. 31580

ACCEPTING WORK PERFORMED BY MOBILE EQUIPMENT FABRICATION, INC., AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31581

RATIFYING EXTENSION OF THE TERM OF THE RIGHT OF ENTRY AND EQUIPMENT LOAN AGREEMENTS WITH OAKLAND FUEL FACILITIES CORPORATION AND AUTHORIZING EXECUTION OF ADDITIONAL EXTENSION AGREEMENTS PENDING THE BOARD'S FINAL APPROVAL OF LONGER TERM AGREEMENTS."

"RESOLUTION NO. 31582

AUTHORIZING THE ISSUANCE OF PORT OF OAKLAND COMMERCIAL PAPER NOTES SERIES A AND SERIES B FROM TIME TO TIME IN AN AMOUNT NOT TO EXCEED \$75,000,000 OUTSTANDING AT ANY ONE TIME AND CERTAIN OTHER ACTIONS."

"RESOLUTION NO. 31583

CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31584

AMENDING RESOLUTION NO. 31547 CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31585

CONCERNING CERTAIN APPOINTMENTS IN CONNECTION WITH THE PORT PAY FOR PERFORMANCE PROGRAM."

"RESOLUTION NO. 31586

APPROVING REVISED JOB SPECIFICATIONS FOR THE POSITIONS OF PORT PRINCIPAL ELECTRICAL/MECHANICAL ENGINEER, PORT SENIOR ELECTRICAL/MECHANICAL ENGINEER, PORT ELECTRICAL/MECHANICAL ENGINEER, ASSISTANT PORT MECHANICAL ELECTRICAL ENGINEER, JUNIOR PORT ELECTRICAL MECHANICAL ENGINEER."

"RESOLUTION NO. 31587

APPROVING JOB SPECIFICATION FOR THE POSITION OF EQUIPMENT SYSTEMS ENGINEER."

September 19, 1989

"RESOLUTION NO. 31588

RATIFYING GRANTING LEAVE OF ABSENCE TO VICKIE J. KAEHMS."

"RESOLUTION NO. 31589

CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 31590

AMENDING RESOLUTION 31455 WITH RESPECT TO EMPLOYEES REPRESENTED BY UNITED PUBLIC EMPLOYEES, LOCAL 790 IN REPRESENTATION UNITS A, B, AND G AND BELONGING TO THE OAKLAND MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM FIXING THE PORT'S CONTRIBUTION FOR EMPLOYEES AND THE PORT'S CONTRIBUTION FOR ANNUITANTS AT DIFFERENT AMOUNTS."

"RESOLUTION NO. 31591

AMENDING RESOLUTION NO. 31456 WITH RESPECT TO EMPLOYEES REPRESENTED BY UNITED PUBLIC EMPLOYEES, LOCAL 790 IN REPRESENTATION UNITS A, B, AND G FIXING THE PORT'S CONTRIBUTION FOR EMPLOYEES AND THE PORT'S CONTRIBUTION FOR ANNUITANTS AT DIFFERENT AMOUNTS."

"RESOLUTION NO. 31592

RATIFYING A LETTER OF UNDERSTANDING BETWEEN THE PORT OF OAKLAND AND LOCAL 790 REGARDING EMPLOYEE MEDICAL BENEFITS."

"RESOLUTION NO. 31593

AWARDING THE DISPLAY ADVERTISING CONCESSION TO IN-TER-SPACE SERVICES, INC. DBA INTERSPACE AIRPORT ADVERTISING FOR OAKLAND INTERNATIONAL AIRPORT IN ACCORDANCE WITH THEIR PROPOSAL SUBMITTED TO THE PORT ON JANUARY 31, 1989 AND REPORTED TO THE BOARD ON MAY 23, 1989."

"RESOLUTION NO. 31594

DECLARING ELECTION OF OFFICERS OF THE BOARD OF PORT COMMISSIONERS."

Amended Port Ordinance No. 2903 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 TO CREATE NEW POSITIONS AND TO RETITLE CERTAIN POSITIONS," and Port Ordinance No. 2917 being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A THIRD SUPPLEMENTAL AGREEMENT WITH EDGAR L. BUTTNER, TRUSTEE OF THE THIRD BUTTNER TRUST, AND DIRECTING RECORDATION THEREOF," and Port Ordinance No. 2918 being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A USE AGREEMENT WITH NORTHERN CALIFORNIA MARINE ASSOCIATION AND DIRECTING RECORDATION THEREOF," and Port Ordinance No. 2919 being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF TERMINAL USE AGREEMENT WITH ITALIA S.p.A. di NAVIGAZIONE AND d'AMICO SOCIETA di NAVIGAZIONE per AZIONI," and Port Ordinance No. 2920 being, "AN ORDINANCE

AUTHORIZING THE EXECUTION OF TERMINAL USE AGREEMENT WITH EAC LINES TRANS PACIFIC SERVICE LTD.," and Port Ordinance No. 2921 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 ADDING SECTIONS 5.409 AND 5.091 TO CREATE THE POSITIONS OF PORT PERMITS AND GRAPHICS SUPERVISOR AND GOVERNMENT AFFAIRS SPECIALIST," and Port Ordinance No. 2922 being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF AGREEMENT WITH SHEREX CHEMICAL COMPANY, INC., PROVIDING FOR THE PORT OF OAKLAND'S ACQUISITION OF CERTAIN REAL PROPERTY LOCATED IN THE PORT OF OAKLAND INNER HARBOR AREA, MAKING AN APPROPRIATION THEREFOR AND FINDING CERTAIN FACTS IN CONNECTION THEREWITH," and Port Ordinance No. 2923 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 FIXING THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE PORT DEPARTMENT TO ESTABLISH CERTAIN NEW SALARY GRADES 1 THROUGH 20, CREATE CERTAIN NEW POSITIONS, RETITLE ONE POSITION AND ASSIGN CERTAIN POSITIONS TO NEW SALARY GRADES IN CONNECTION WITH THE PORT PAY FOR PERFORMANCE PROGRAM," and Port Ordinance No. 2924, being, "AN ORDINANCE AMENDING SECTIONS 1, 2, 3, 4, 5 AND 6 OF PORT ORDINANCE NO. 1166 RELATING TO THE CONTRIBUTIONS OF THE PORT TOWARD THE COST OF EMPLOYEE AND RETIREE GROUP HEALTH INSURANCE," were read a second time and passed by the following vote:

Ayes: Commissioners Brady, Lockhart, Ortiz, Sweeney, Ward Allen,  
Wasserman and President Higgins - 7

Noes: None

Absent: None

Port Ordinance No. \_\_\_\_\_ being "AN ORDINANCE AMENDING PORT ORDINANCE NO. 2923 TO MAKE CERTAIN TECHNICAL MODIFICATIONS THERETO IN CONNECTION WITH THE PORT PAY FOR PERFORMANCE PROGRAM," and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LEASE WITH UNITED AIR LINES, INC., AND DIRECTING RECORDATION THEREOF," and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 CREATING SALARY SCHEDULE NO. 87.5, CREATING THE POSITION OF EQUIPMENT SYSTEMS ENGINEER, CREATING AN ADDITIONAL POSITION OF PORT PERSONNEL ANALYST, CREATING THREE ADDITIONAL POSITIONS OF GARDENER III AND TO RETITLE CERTAIN POSITIONS," and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE

AMENDING SECTION 2 OF PORT ORDINANCE NO. 1166 RELATING TO THE CONTRIBUTIONS OF THE PORT TOWARD THE COST OF EMPLOYEE AND RETIREE GROUP HEALTH INSURANCE WITH RESPECT TO EMPLOYEES REPRESENTED BY UNITED PUBLIC EMPLOYEES, LOCAL 790, REPRESENTATION UNITS A, B AND G," were read a first time and passed to print by the following vote:

Ayes: Commissioners Brady, Lockhart, Ortiz, Sweeney, Ward Allen, and  
President Higgins - 7

Noes: None

Absent: None

At the hour of 6:10 p.m. the Board entered into closed session as previously announced by President Higgins and reconvened in open session at the hour of 6:55 p.m.

The following Resolution was introduced and passed separately by the following vote:

Ayes: Commissioners Brady, Lockhart, Ortiz, Sweeney, Ward Allen, and  
President Higgins - 7

Noes: None

Absent: None

"Resolution No. 31593

AWARDING THE DISPLAY ADVERTISING CONCESSION TO IN-TER-SPACE SERVICES, INC. DBA INTERSPACE AIRPORT ADVERTISING FOR OAKLAND INTERNATIONAL AIRPORT IN ACCORDANCE WITH THEIR PROPOSAL SUBMITTED TO THE PORT ON JANUARY 31, 1989 AND REPORTED TO THE BOARD ON MAY 23, 1989"

As provided for in the By-Laws, President Higgins called for nomination for officers to serve for the coming year. Commissioner Wasserman nominated Commissioner Brady as President and Commissioner Ward Allen as Vice President. The proposed amendments to the By-Laws eliminated the Office of Second Vice-President and there were no nominations for the position. There were no further nominations and the nominees were elected on 7 affirmative votes. Commissioner Wasserman further nominated Christopher C. Marshall as Secretary of the Board and Jasmine Lim and Gerald Pope as the Assistant Secretaries of the

Board. There were no further nominations and the nominees were elected on 7 affirmative votes. The declaration of officers was approved on passage of Resolution No 31594.

The following Resolution was introduced and passed on the following votes:

Ayes: Commissioners Brady, Lockhart, Ortiz, Sweeney, Ward Allen, and President Higgins - 7  
Noes: None  
Absent: None

"RESOLUTION NO. 31594

DECLARING ELECTION OF OFFICERS OF THE BOARD OF PORT COMMISSIONERS."

At the hour of 7:15 p.m. the meeting was adjourned to Friday, September 22, 1989 at the hour of 8:00 a.m.

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The meeting was reconvened on Friday, September 22, 1989 at the hour of 8:05 a.m. in the office of the Board, room 376, 66 Jack London Square, President Brady presiding.

Commissioners present: Commissioner Higgins, Lockhart, Ortiz, Sweeney, Ward Allen, Wasserman, and President Brady - 7

Commissioners absent: None

Also present were the Acting Chief Executive Officer and Executive Director of Transportation Services, Port Attorney, Director of Engineering, and Secretary of the Board.

President Brady, informed the Board that he would call for an immediate closed session to discuss certain pending litigation as provided for under Government Code Section 54956.9 (b) and (c).

The Board entered into closed session and reconvened in open session at the hour of 10:50 a.m. at which time the meeting was adjourned and a motion duly made and seconded.

  
Secretary

REGULAR MINUTES OF THE BOARD OF PORT COMMISSIONERS  
OF THE  
CITY OF OAKLAND

The regular meeting of Tuesday, October 3, 1989 scheduled for the hour of 3:00 p.m. was adjourned by the Secretary of the Board to Tuesday, October 10, 1989 at the hour of 3:00 p.m. due to the absence of all the members of the Board.

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The meeting, formal portion, was reconvened on Tuesday, October 10, 1989 at the hour of 4:40 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Brady presiding, due written notice having been given to members of the Board. An informal portion was held during the period from 3:15 p.m. to 4:30 p.m. during which time the Board discussed the proposed changes to the By-laws and Administration Rules of the Port, and reviewed Chapter IV of the Port's Administration Manual Policies and Procedures.

Commissioners present: Higgins, Lockhart, Ortiz, Sweeney, Ward Allen,  
Wasserman and President Brady - 7

Commissioners absent: None

Also present were the Acting Chief Executive Officer and Executive Director, Transportation Services; Port Attorney; Assistant Port Attorney Thomas Clark; Director of Commercial Real Estate; Director of Aviation; Assistant Chief Engineer; Principal Electrical-Mechanical Engineer; Acting Director of Planning; General Manager, Marine Terminals; Director of Administration/Human Resources; Special Assistant to the Executive Director for Trade Relations; Media Relations Officer and Secretary of the Board.

The minutes of the regular meeting of August 1, 1989 and the regular meeting of August 15, 1989 were approved as submitted and ordered filed.

Mr. John Wilson, Port Principal Engineer, received his 20-year service award; and Ms. Hope Samaras, Construction Administrator, and Mr. Ronnie Fong, Civil Engineer, received their 10-year service awards.

BOARD OF PORT COMMISSIONERS

MEETING OF NOV 21 1989

APPROVED AS SUBMITTED AND ORDERED FILED

SECRETARY: *Christina Campbell*

President Brady informed the Board that he would call for a closed session at the conclusion of the open session for the purpose of discussing pending litigation as provided for under Government Code Section 54956.9 (b) and (c); personnel matters as provided for under Government Code Section 54957; and to instruct negotiators concerning the Airport display advertising concession and the assignment of the Carnation Terminal Outer Harbor Terminal Area as provided for under Government Code Section 54956.8.

Commissioner Ward Allen, Chair of the External Affairs Committee, informed the Board that the committee had met earlier in the day and reviewed their current agenda.

Commissioner Wasserman, Chair of the Development Committee, informed the Board that the committee had met earlier in the day and reviewed their current agenda. He emphasized the history and the large effort that had been expended on the preparation of the proposed Request for Information concerning development of certain Port lands. He noted that the Board had received a letter from members of the community in opposition to the concept, and that the letter contained several differences of opinion and fact. Commissioner Wasserman then asked that the item be removed from the Board's calendar in order to adequately respond to the letter.

President Brady thanked the committee for their efforts and removed the item from the calendar and further discussion. He noted that it appeared the item would be available for discussion at the meeting of November 14, 1989.

As a courtesy to visitors in the office of the Board, President Brady changed the order of business to provide for public appearances which normally take place after the posted business of the Board.

Mr. David Glover, representing OCCUR, appeared before the Board regarding the Request for Information to request that the community have more input into the process and that the Port acreage not be delivered to one developer. He further noted that he would like to contribute more information

on the minority equity participation in the project.

Mr. William Love, representing himself, appeared before the Board to ask for larger public input into the process for the Request for Information and Qualifications and noted that the Port's lands represent resources for the Oakland citizens of the future and not developers.

Mr. Paul Cobb, representing himself, appeared before the Board to note that the letter received earlier in the day was a joint venture of the private sector and minority community types joining together for the long term interest of the Port and the community. He further noted his personal observations concerning the use of public-private partnerships for developments in the community and the need for developing strategy and affirmative action.

President Brady thanked the members of the community for their input.

Plans and Specifications for Replacement of Existing Electric Meters

was the subject of a memo to the Board from the Director of Engineering, recommending their approval and authority to advertise for bids for the retrofitting or replacing of eleven (11) existing Port electric meters for the larger power using tenants at the Airport with new recording demand meters and installing a new electric demand recorder for the existing PG&E meter at the Airport main service equipment. The installation of the new meters and recorders will provide the Port with the required "Kilowatt-demand" data needed to better allocate the actual costs of power used. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31602.

Plans and Specifications for Refurbishing of Hangar Doors and Associated Work, Building M-110, South Airport

was the subject of a memo to the Board from the Director of Engineering, recommending their approval and authority to advertise for bids for the refurbishing of the hangar doors, painting portions

of the hangar doors, painting the catwalks and sections of the trusses above them on the north and south sides of the building, and repairing and installing neoprene weather stripping. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31601.

Approval of Change Order to Construct Window Washing Safety Rail System, Building M-102, "Second Extension of Second Floor Addition to Building M-103" was the subject of a memo to the Board from the Director of Engineering, recommending approval to issue a change order to Arntz Builders, Inc. in the amount of \$28,740.00 to furnish and install a window washing safety rail system for Building M-102. The system is required to bring the building into OSHA compliance with regard to window washers' safety. It was noted that the project was previously bid with no response and the change order to the existing contractor working at the Airport was considerably lower than the engineers estimate for a separate contract. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

Building Permit Application for United Airlines, Inc., Terminal I Building, South Airport was the subject of a memo to the Board from the Acting Director of Planning, recommending approval for the construction of an expanded baggage make-up room in Terminal I. The work includes the erection of a 5,400 square foot metal addition that will house a new baggage carousel and expanded conveyor systems; asphalt concrete pavement within the building and performance of minimal associated mechanical and electrical work. The estimated cost of the proposed work is approximately \$363,000.00. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31614.

Consent to Sublease - Custom Aircraft Services was the subject of a memo to the Board from the Director of Aviation, recommending approval for Mr. Daniel A. Miller, doing business as Custom Aircraft Services, to sublease a

portion of Building L-712, North Airport, to Oakland Flyers, Inc., a closely-held corporation partially owned by Mr. Miller, on a month-to-month basis at a monthly rental of \$400.00. Oakland Flyers plans to use the premises as an office for a flying club. The recommendation was approved on passage of Resolution No. 31615.

Supplement to License Agreement - Forty Plus was the subject of a memo to the Board from the Director of Aviation, recommending approval of a supplement to their agreement to provide for occupancy of all of Building L-802, North Airport, to accommodate the expansion of its self-help employment services. The new monthly rent for the facility would be \$2,410.36 and would be occupied in its "as is" condition. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

Agreement for Security Services for Marinas and Phase II Jack London Square was the subject of a memo to the Board from the Director of Commercial Real Estate, notifying the Board that the Waterfront Association was established under a management agreement between the Port and the Association. The Association is a non-profit corporation that was set up to administer the Jack London's Waterfront Phase I shopping area to the best advantage given the project's overall goals and objectives. In addition to promotion and the maintenance of the Phase I common area, the Association provides security within the Phase I area. The Waterfront Association has retained American Commercial Security Services, a subsidiary of American Building Maintenance Industries, Inc., to provide the security. The Port, in connection with the development of the Phase I area, has installed a security control center inside the 66 Jack London Square building. The center will eventually incorporate over 60 CCTV cameras, two-way communication systems, an access control system and the emergency aid station communication systems. The Port, independent of the Waterfront Association, is still responsible for providing security services to the Port-operated Marinas and those areas of Jack London's Waterfront that are

not within the Phase I area. To provide for overall continuity of security services it was recommended that the Port enter into an agreement with the Waterfront Association for security services at the Port-operated marinas and the Jack London Square area outside of the Waterfront Association's jurisdiction. The Port will reimburse the Waterfront Association for the direct billing costs of the security company, plus it will pay a portion of the overhead costs. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Award of Contract for Replacement of Storm Drain at Webster Street Pier, Jack London Waterfront was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the two bids received and recommending award of the contract to McGuire and Hester, the low bidder at \$66,666.00. The recommendation was approved on passage of Resolution No. 31603.

Lease Renewal - Oyster Pirates, Inc. was the subject of a memo to the Board from the Director of Commercial Real Estate, notifying the Board of the lease for the operation of a small snack bar and fishing supply store in Port View Park at the foot of 7th Street. The current lease agreement expired July 31, 1989. It was recommended that the Board approve a new three year lease. The basic terms include: The minimum rent to be increased from \$850.00 to \$1,000.00 per month against 7% of gross receipts; the Lessee would have full maintenance responsibility for the premises; and if the Port changes the use of the surrounding property, it will have the right to terminate the lease within 180-days' notice in writing. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

Pacific Plaza Hotels, Inc. - License and Concession Agreement was the subject of a memo to the Board from the Director of Commercial Real Estate, notifying the Board that the Port of Oakland's Lease Agreement with the Seabreeze Yacht Center was terminated by order of the Bankruptcy Court and the Port has since assumed total operational management of the facility.

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Pacific Plaza Hotels, Inc. currently occupies 8,000 square feet of warehouse space at the former Seabreeze facility in Building H-110, and it was recommended that the Port enter into a License and Concession Agreement with Pacific Plaza Hotels. The monthly rental rate would be \$1,350.00 plus utilities. The premises would be used for a marine engine repair shop and for general warehouse storage. The lessee would be responsible for all interior maintenance and repairs and pay all taxes and assessments. The Lessee would be required to carry public liability and property damage insurance naming the Port as additional insured. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

Container Exchange International, Inc. - Consent to Lease Assignment

was the subject of a memo to the Board from the Director of Commercial Real Estate, notifying the Board that Container Exchange International, Inc. has a five year lease with the Port for a 2.5 acre parcel on which is located a 1,152 square foot office building located at 201 Hegenberger Road. Container Exchange has requested to assign the ground lease to TGR Containers, Inc. Mr. Stanley J. Pilas, Jr., the co-owner of TGR, intends to form a new corporation upon completion of the assignment and will continue to use the premises for the storage, repair and resale of containers, as required by the use clause of the lease. It was recommended that the request be approved. The recommendation was approved on passage of Resolution No. 31616.

Agreement with Union Pacific Railroad to Provide Recapture of Port Investment in Tunnel Clearance Improvements

was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director of Transportation Services, notifying the Board that the Board previously approved an agreement with the Union Pacific Railroad whereby the Port would participate in funding construction of tunnel improvements along the UP Central Corridor rail line between Oakland and the mid-west to accommodate high cube double-stack

container rail movements. As a part of this agreement, a pricing mechanism to provide the Port with a recapture over time of Port investment in the tunnels was to be in place when the tunnel improvements were complete. The provision of adequate tunnel clearance for unrestricted movement of high cube double-stack containers over the route constitutes an enhancement of the value of the intermodal rail yard leased from the Port by UP. The Port has negotiated, as a part of UP's rail yard lease with the Port, a supplemental rent based on high cube container movements between Oakland and Salt Lake City. Based on reasonable assumptions concerning the intermodal market and utilizing the in-depth analysis and forecasts contained in the Port's recent "Intermodal Interface Planning Study," the proposed supplemental rent would be expected to provide a full recapture of the Port's \$5 million investment in the tunnels over the next 12 years. It was recommended that the Board approve the supplemental agreement. The Board asked for a report on the other provisions with American President Lines and Union Pacific concerning the investment in the tunnels. The recommendation was approved on passage of Resolution No. 31611.

Preparation of Detailed Designs and Operating Procedures for Dredged Material Disposal on Delta Islands and Associated Monitoring and Contingency Operations was the subject of a memo to the Board from the Acting Director of Planning, notifying the Board that the Central Valley Regional Water Quality Control Board voted to approve the issuance of Waste Discharge Requirements (permits) for the use of dredged sediments from the Phase I Oakland Inner Harbor Navigation Improvement Project to reinforce levees on islands in the Sacramento-San Joaquin Delta. Conditions in the permit include receipt of any other required permits; submission of Memoranda of Understanding between the Port and the Reclamation Districts that are responsible for levee maintenance; and approval by the CVRWQCB Executive Officer of detailed designs and operating procedures. The necessary permits from other agencies are in progress and the

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agreements with the Reclamation Districts are being negotiated. It was recommended that the Port enter into an agreement with Harding Lawson Associates to complete the detailed design of the dredge disposal areas on the islands, the required monitoring facilities and the prospective contingency plan facilities, and to prepare and submit operating procedures for all project activities. The estimated cost of the work is \$426,000.00 with certain additional work available at the discretion of the Chief Executive Officer. The recommendation was approved on passage of Resolution No. 31612.

Approval to Dispense with Bids for Furnishing of Portable Reefer Generator Sets, Berth 23, Outer Harbor Terminal was the subject of a memo to the Board from the Director of Engineering, notifying the Board that Sea-Land is scheduled to take over Berth 22 in the Outer Harbor Terminal effective January 1990. Sea-Land has indicated they will not require the reefer receptacles located at Berth 22 to support their operations. Stevedoring Services of America, operator of the facility, will still require the 84 reefer receptacles after the Berth 22 area is transferred to Sea-Land. As installing an additional 84 units in the Berth 23 container yard for SSA would be extremely expensive and cannot be accomplished by January of 1990, it was recommended the Board find it to be the best interest of the Port to dispense with formal bidding procedures for furnishing of four portable reefer engine generator sets and execute a contract for the procurement of equipment based on the receipt of informal bids, provided the agreement for Sea-Land taking over Berth 22 is received. Delivery time for the generator sets is approximately three months and the total estimated cost for all four of the units is \$350,000.00. The recommendation was approved on passage of Resolution No. 31629.

Approval of Contract Time Extension for Construction and Installation of Container Cranes at Seventh Street Public Container Terminal was the subject of a memo to the Board from the Director of Engineering, notifying the Board of

the contract with Kocks Crane and Marine Company for the construction and installation of two container cranes at Seventh Street Public Container Terminal. The contract completion date has been extended on previous occasions and the work in Korea has been proceeding very slowly with limited manpower being assigned to the project. As a result, Kocks was advised that progress payments would not be made until Kocks accelerates the work on the contract. The contract at this time is about seven months behind schedule. In order to accelerate the fabrication of the cranes and resolve the time extension issue, extensive negotiations have been undertaken with Kocks and Samsung Shipbuilding and Heavy Industries Company Ltd., (SHI). Because of labor unrest in Korea, which is expected to increase after the first of the year, it is essential that the cranes be shipped from Korea at the earliest possible date. It was recommended that the Board approve the time extension for each crane with the following provisions: Without recognizing the validity of Kocks' claim for a time extension, the Port will grant a conditional 214-calendar day time extension, provided that (a) Kocks completes the fabrication and operational testing of both cranes and the cranes are shipped from Korea by December 31, 1989, and (b) Kocks places an order for four new main hoist motors to replace unsatisfactory motors which have already been delivered to Korea. The delivery of the replacement motors is not expected until after the cranes are shipped to Oakland, and the exchange will be accomplished here. Subject to the approval of Kocks' bonding company, progress payments to Kocks will be resumed, provided that Kocks (a) places the order by November 1, 1989 for the four new main hoist motors; (b) furnishes a copy of an executed contract with a shipping company to transport the cranes to Oakland; (c) provides schedules for manpower and for construction, erection, and testing of the cranes and (d) meets the first two of three milestone dates established by the Chief Engineer for completing the cranes. The recommendation was approved on passage of Resolution No. 31613.

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Contract Completion, Demolition of Buildings C-226, C-227 and C-229,

Outer Harbor was the subject of a memo to the Board from the Director of Engineering, recommending that the contract with Evans Brothers, Inc. be accepted as complete as of May 11, 1989 with a contract price of \$155,086.85. The recommendation was approved on passage of Resolution No. 31617.

Plans and Specifications for Storage Yard at 7th and Ferry Streets was

the subject of a memo to the Board from the Director of Engineering, recommending their approval and authority to advertise for bids for the paving and lighting of approximately 3.06 acres, installing a storm drain system, installing security fencing, and performing other miscellaneous improvements. The project fulfills the requirements of a legal agreement between the Port of Oakland and the Navy covering a land exchange which will allow the Port to eventually complete its planned realignment of 7th Street. In the land exchange, the Port will obtain the property within the original Carnation Terminal Area, and give the Navy an area approximately the same size, immediately adjacent to, but outside the original Carnation project area. The environmental document associated with the project has previously been considered by the Board with a finding of no significant adverse effect on the environment. Because the area to be improved and given to the Navy is outside of the project area described in the FEIR, an Addendum has been prepared showing the minor nature of the change in the original development plan. The recommendation was approved on passage of Resolution No. 31618 which included review and consideration of the information contained in the Final Environmental Impact Report and Addendum.

Engineering Services for Restoration of Back-up Yard, Berths 8 and 9,

Bay Bridge Terminal was the subject of a memo to the Board from the Director of Engineering, recommending approval to enter into an agreement with Kaiser Engineers to design the restoration work and to prepare plans and specifications for a construction contract. The work involves raising the grade, replacing

utilities, replacing pavement, removing and realigning railroad tracks, rebuilding a truck loading dock, and straightening a truck ramp. The work will be accomplished in accordance with an agreement with the Army. The Port will be reimbursed for the total project cost in the form of cash refunds from rental previously paid or offsets against future rentals due. Kaiser will be reimbursed for direct salaries, fringe benefits and overhead costs, for cost of subcontractors and other miscellaneous services, and be paid a fixed fee of \$41,000.00. The maximum payment that can be made under the proposed agreement is \$406,000.00 with certain additional work available at the discretion of the Executive Director. The recommendation was approved on passage of Resolution No. 31619.

Agreement with EBMUD for Relocation of Utilities, Berth 35, Seventh Street Terminal was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the preferential assignment agreement with Mitsui O.S.K. Lines for Berth 35, Seventh Street Terminal, and that the Port will make certain improvements to the area. As part of the improvements it was recommended that the Board approve an agreement with East May Municipal Utility District to relocate water valves, meters, and fire hydrants at an estimated cost of \$35,000.00. The recommendation was approved on passage of Resolution No. 31620.

Approval to Dispense With Formal Bids for Furnishing and Installing Truck Scales, Berth 35, Seventh Street Terminal was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the preferential assignment agreement with Mitsui O.S.K. Lines for Berth 35, Seventh Street Terminal, and that MOL hopes to begin operations at Berth 35 in January, 1990. In order to meet the schedule, it was recommended that the Board find it to be in the best interest of the Port to dispense with formal bidding procedures for furnishing and installing truck scales and performing associated site work. The

estimated cost for the two scales is \$90,000.00 plus \$15,000.00 for associated site work to be performed under separate contracts. The work is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31604.

Approval to Dispense with Formal Bids for Removal of Two Underground Tanks, Berth 35, Seventh Street Terminal was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the new preferential assignment agreement with Mitsui O.S.K. Lines (MOL) for Berth 35, Seventh Street Terminal, and that they expect to begin operations at the berth in January 1990. The yard area contains two underground storage tanks which are over 20 years old and are no longer needed. To meet their schedule, it was recommended that the Board find it to be in the best interests of the Port to dispense with formal bidding procedures and remove the tanks by purchase order based on receipt of informal quotes. The work is estimated to cost \$30,000.00. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31605.

Interim Adjustment - SSA Management Agreement at the Charles P. Howard Terminal was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director of Transportation Services, recommending approval to extend the existing agreement with Stevedoring Services of America for the operation of the Charles P. Howard Terminal to January 31, 1990, at a revenue sharing of ten percent of wharfage and dockage revenue in accordance with Port of Oakland Tariff. It was noted that further negotiations will take place on the conditions of a new agreement. The recommendation was approved on passage of Resolution No. 31621.

Adjustments to Port of Oakland Tariff No. 2-A was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director of Transportation Services, recommending approval to amend the tariff to increase container crane rental rates \$25.00 per hour, and to make administrative changes

covering the infrequent shipments of prototype building units for testing purposes moving in quantities less than ten per vessel, and correct the holiday definition for Thanksgiving Day to reflect the fourth Thursday in November. The recommendation was approved on passage of an ordinance to print.

Personnel Items contained in a memo to the Board from the Director of Administration/Human Resources, recommended the appointment of Michele Heffes, as Junior Port Environmental Scientist, effective October 11, 1989 at \$2883.00 per month; Prelmer Newman, as Semi-skilled Laborer, effective October 11, 1989 at \$2556.00 per month; Nancy Damele, as Gardener III, effective October 11, 1989 at \$2,523.00 per month; Brian Carthan, as Gardener III, effective October 23, 1989 at \$2,523.00 per month; Elvira Benaventura, as Senior Typist Clerk, effective October 11, 1989 at \$2,077 per month; and Reyes Briones, as Youth Aide, "Class "AAA", effective October 16, 1989 at \$20.19 per hour. Also recommended was the amendment of appointment dates for Maria Ho and Wanda Alleje to the positions of Youth Aide, Class "A", and Legal Secretary I respectively, to reflect October 2, 1989 and October 12, 1989 respectively as their start dates. Further recommended was a military leave of absence for George W. Alston, Engineering Assistant, for 10 working days and a medical leave of absence for Teddy A. Rickner, Plumber, for 49 working days. The recommendation was approved on passage of Resolution No. 31606 for appointments; Resolution No. 31607 for amending appointment dates; and Resolution No. 31608 for leaves of absence.

Travel Authorization contained in a memo to the Board from the Director of Administration/Human Resources, recommended the travel of the Principal Electrical/Mechanical Engineer to Seoul and Pusan, Korea on or about the period September 27 - October 5, 1989 to participate in meetings in connection with the Seventh Street Cranes Contract; travel of the Manager, Analysis and Special Programs, and Lorraine Li, Marine Commercial Representative IV, to Las Vegas, Nevada, on or about the period October 11 - 15, 1989 to attend the annual WESCCON

Conference; travel of Commissioner Ortiz, Acting Chief Executive Officer and Executive Director, Transportation Services, and Director of Engineering, to Tampa Bay, Florida, on or about the period October 14-19, 1989 to attend the Annual Convention of the American Association of Port Authorities; travel of Manager, Purchasing, to Atlanta, Georgia, on or about the period October 21-26, 1989 to attend the National Conference of the National Minority Supplier Development Council; travel of Special Assistant to the Executive Director for Trade Relations, to Washington, D.C., on or about the period October 22-25, 1989 to participate on calls to the Corps of Engineers Office Management and Budget and Department of the Army and the Maritime Administration; travel of Equal Opportunity Manager to Denver, Colorado, on or about the period October 23-24, 1989 to attend the DBE Compliance Conference Planning Committee meeting; travel of Vice President Ward Allen, Commissioners Higgins and Wasserman, City Councilmember Frank Ogawa, Acting Chief Executive Officer and Executive Director of Transportation Services, and Secretary to the Board, to Hong Kong, BCC; Singapore; Taipei, Taiwan; Seoul, Korea; and Tokyo, Japan, on or about the period October 24-November 8, 1989 for calls on shipping line companies and for trade promotion purposes. The recommendation was approved on passage of Resolution No. 31609.

Approval of Supplement to Consultant Agreement for Architectural Services for Port Offices in New Port Building was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the contract with Robinson Mills & Williams as the Architect for the Port office spaces in the new Port Building. The original amount of the contract was for \$699,900.00 with an option for \$69,000.00 for full electrical-mechanical design rather than design-build specifications, and with authority for the Executive Director to approve up to \$250,000.00 in extra work. Subsequently, the Board approved an increase of \$417,450.00 to revise the completed construction drawings to accommodate the 1989 Port staff reorganization; and the Board recently approved

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an increase of \$70,000.00 for recommendations for art selections. As the construction work proceeds, it is apparent that more involvement of the Architect in construction supervision is required than anticipated in the original budget plan and in addition the new planning department requires additional work to revise the layout of the fifth floor. It was recommended that the agreement be supplemented to allow the Executive Director to approve additional work up to a maximum of \$150,000.00 including a maximum of \$15,000.00 in fixed fee. The recommendation was approved on passage of Resolution No. 31610.

Approval of Agreement for Commissioned Art for Port Spaces In the Port Building was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the procedures and committee selecting certain art work for the new Port Building. It was recommended that the Board approve the retention of Evans and Brown, Inc. for the creation, delivery, and installation of a commissioned mural for the Port Building at a cost not to exceed \$30,000.00, 50% to be paid upon execution of the agreement. The ceiling mural will be displayed above the main reception area on the second floor. The recommendation was approved on passage of Resolution No. 31622.

Approval of Supplemental Purchase Order for Herman Miller Work Station Components for Port Office Space in the New Port Building was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the purchase of Herman Miller work stations from Design Performance for the Port spaces in the new Port Building. The orders were subsequently transferred to Office Pavilion when that firm bought Design Performance. As the installation work proceeds, it is apparent that additional components and dealer services will be required and it was recommended that the Board approve preparation and execution of supplemental purchase orders with Office Pavilion for additional dealer services and Herman Miller components in an amount not to exceed \$25,000.00. The recommendation was approved on passage of Resolution No. 31623.

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Approval of Annual Contract for Electrical Testing Services was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the annual costs for electrical acceptance testing services in conjunction with the inspection of construction contracts. In order to avoid the delays in hiring an electrical testing lab for each contract, it was recommended that the Board approve entering into a contract with Electro-Test, Inc. to provide services for the annual electrical acceptance testing. The total cost for services to be performed under the agreement will not exceed \$100,000.00 per year except that the limit may be raised by \$30,000.00 per year by the written order of the Executive Director. The recommendation was approved on passage of Resolution No. 31624.

Approval of Contractual Services for Purchasing Audit was the subject of a memo to the Board from the Director of Administration/Human Resources, recommending approval to enter into an agreement with Deloitte, Haskins and Sells to conduct an audit of the Port of Oakland's purchasing functions for an amount not to exceed \$30,000.00. The recommendation was approved on passage of Resolution No. 31625.

Ratification of Extension of Contractual Services for Pay for Performance Program was the subject of a memo to the Board from the Director of Administration/Human Resources, notifying the Board of the agreements with the Wyatt Company and Sunset Associates, professional consultants, for the provision of services to develop a salary administration program for the Port of Oakland. The Board adopted the Port of Oakland's Pay for Performance Program in concept and approved of the initial implementation steps. The new salary administration program formally came into effect after approval and second readings of the program's final implementation steps at the Board meeting of September 19, 1989. During the course of the development of the Pay for Performance Program, a number of additional services were required, which were not originally identified in the contractual agreements with the Wyatt Company and Sunset Associates. The program

requires considerable explanation and training. It was recommended that the Board ratify the extension of the contractual agreements with the Wyatt Company and Sunset Associates for the provision of additional consultant services to implement the Port of Oakland's Pay for Performance Program for a cost not to exceed a total of \$55,000.00. The recommendation was approved on passage of Resolution No. 31626.

Amendment of the Equal Opportunity Policy to Include 6.9% Workforce Goals for Women in Public Works Projects was the subject of a memo to the Board from the Director of Administration/Human Resources, notifying the Board that a 6.9 percent workforce goal for women was established in 1978 by the Office of Federal Contract Compliance Programs and is in effect for all federally funded public works contracts let by the Port. The goal is consistent with the goals established for women in other state and local agencies in the Bay Area and it was recommended that the Board approve an amendment to the Equal Opportunity Policy to establish a goal for the employment of women on public works projects, on a craft-by-craft basis, of 6.9 percent, expressed as a percentage of total labor hours. The recommendation was approved on passage of Resolution No. 31627.

Authorization for Open Market Procurement of Pavement Repair Equipment was the subject of a memo to the Board from the Director of Administration/Human Resources, recommending approval to dispense with formal bidding and purchase one E-Z Power 100 Model Sealer and one Model 200 Pavement Cutter Router manufactured by Crafcro Incorporated for a cost of approximately \$20,000.00. The equipment is used to fill cracks in concrete and asphalt pavement. The recommendation was approved on passage of Resolution No. 31628.

Amendments to the By-laws and Administrative Rules of the Board of Port Commissioners was the subject of a letter to the Board from the Port Attorney, notifying the Board that Commissioner Higgins while serving as President proposed several amendments to the By-laws and Administrative Rules of the Board to

implement recommendations of the Port's management consultants and the Board's Transition Committee. The subject was discussed at two informal sessions of the Board and it was recommended that the Board amend the By-laws. The major changes are: providing for only one Vice President; and a Pro Tem Chair is provided for in the absence of the President and Vice President; Standing Committees will parallel the Management Organization and include Transportation Services; Planning and Development; External Affairs; Audit and Finance; and Executive and Management Committee. The President will make appointments to the Standing Committees. The Regular Board meeting will be held on the first Tuesday of each month with that meeting adjourned to the third Tuesday of the month, or any other time at the call of the Board's chair. Other changes relate to the titles of persons designated to serve in the absence or disability of the Chief Executive Officer and the responsibilities and reporting line of the Port Attorney. The recommendation was approved on passage of Resolution No. 31632.

The following reports were received and ordered filed:

Report of Port Attorney on Litigation Matters

Summary of Construction Contracts in Progress  
as of September 1989.

Status of Consultant Contracts in Progress  
as of September 1989.

Summary of Port Revenue and Construction Funds  
as of September 29, 1989.

Summary of Claims Paid from Various Funds  
for the Period September 13, 1989 through October 3, 1989.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Higgins, Lockhart, Ortiz, Sweeney, Ward Allen,  
Wasserman and President Brady - 7

Noes: None

Absent: None

"RESOLUTION NO. 31595

AMENDMENT OF RESOLUTION NO. 31561 MAKING CERTAIN TECHNICAL CORRECTIONS  
AND MODIFICATIONS THERETO IN CONNECCTION WITH THE PAY FOR PERFORMANCE  
PROGRAM."

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"RESOLUTION NO. 31596

APPOINTING DIRECTORS OF THE PORT OF OAKLAND PUBLIC BENEFIT CORPORATION."

"RESOLUTION NO. 31597

AUTHORIZING TERMINATION OF TENANCY OF AVIONICS SYSTEMS, INC."

"RESOLUTION NO. 31598

AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH SCOTT'S JACK LONDON SEAFOOD, INC."

"RESOLUTION NO. 31599

DESIGNATING FRANK OGAWA AS SPECIAL REPRESENTATIVE."

"RESOLUTION NO. 31600

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH NORMAN ROBERTS AND ASSOCIATES, INC., FOR PROFESSIONAL SEARCH SERVICES FOR CANDIDATES FOR THE POSITION OF MANAGER OF MANAGEMENT INFORMATION SYSTEMS CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES, AND APPROVING AND AUTHORIZING EXECUTION OF AN AGREEMENT THEREFOR."

"RESOLUTION NO. 31601

APPROVING PLANS AND SPECIFICATIONS FOR REFURBISHING OF HANGAR DOORS AND ASSOCIATED WORK, BUILDING M-110, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT."

"RESOLUTION NO. 31602

APPROVING PLANS AND SPECIFICATIONS FOR REPLACEMENT OF EXISTING ELECTRIC METERS, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT."

"RESOLUTION NO. 31603

AWARDING CONTRACT TO McGUIRE AND HESTER, FOR REPLACEMENT OF STORM DRAIN AT WEBSTER STEET PIER, JACK LONDON WATERFRONT, OAKLAND, CALIFORNIA; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDER."

"RESOLUTION NO. 31604

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO PERFORM CERTAIN PUBLIC WORK WITHOUT COMPETITIVE BIDDING AND AUTHORIZING THE PERFORMANCE THEREOF."

"RESOLUTION NO. 31605

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO PERFORM CERTAIN PUBLIC WORK WITHOUT COMPETITIVE BIDDING AND AUTHORIZING THE PERFORMANCE THEREOF."

"RESOLUTION NO. 31606

CONCERNING CERTAIN APPOINTMENTS."

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"RESOLUTION NO. 31607

AMENDING RESOLUTION 31583 CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31608

CONCERNING CERTAIN LEAVES OF ABSENCE."

"RESOLUTION NO. 31609

CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 31610

FINDING AND DETERMINING THAT A PROPOSED THIRD SUPPLEMENTAL AGREEMENT WITH ROBINSON MILLS & WILLIAMS FOR ARCHITECTURAL CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID SUPPLEMENTAL AGREEMENT."

"RESOLUTION NO. 31611

APPROVING A THIRD SUPPLEMENTAL AGREEMENT BETWEEN THE PORT OF OAKLAND AND UNION PACIFIC RAILROAD COMPANY RELATING TO ADDITIONAL RENT AND AUTHORIZING THE PRESIDENT OF THE BOARD TO EXECUTE SAID THIRD SUPPLEMENTAL AGREEMENT."

"RESOLUTION NO. 31612

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH HARDING-LAWSON ASSOCIATES FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES, AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31613

APPROVING AND AUTHORIZING ISSUANCE OF CHANGE ORDER IN CONTRACT WITH ROCKS CRANE AND MARINE COMPANY FOR CONSTRUCTION AND INSTALLATION OF CONTAINER CRANES AT SEVENTH STREET PUBLIC CONTAINER TERMINAL, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31614

GRANTING UNITED AIRLINES, INC. PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31615

CONSENTING, SUBJECT TO CONDITIONS, TO SUBLEASE BETWEEN DAN MILLER dba CUSTOM AIRCRAFT SERVICES AND OAKLAND FLYERS, INC."

"RESOLUTION NO. 31616

CONSENTING TO ASSIGNMENT OF LEASE FROM CONTAINER EXCHANGE INTERNATIONAL, INC. TO TGR CONTAINERS, INC."

"RESOLUTION NO. 31617

ACCEPTING WORK PERFORMED BY EVANS BROTHERS, INC., AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

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"RESOLUTION NO. 31618

CERTIFYING REVIEW AND CONSIDERATION OF FINAL ENVIRONMENTAL IMPACT REPORT AND ADDENDUM ON REDEVELOPMENT OF CARNATION TERMINAL AREA, MAKING CERTAIN FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH AND APPROVING PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF SEVENTH STREET STORAGE YARD, SEVENTH STREET TERMINAL, OAKLAND, CALIFORNIA AND CALLING FOR BIDS THEREFOR, (C.I.P.NO. M2-0157-01)."

"RESOLUTION NO. 31619

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH KAISER ENGINEERS (CALIFORNIA) CORPORATION, FOR ENGINEERING DESIGN CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31620

AUTHORIZING EXECUTION OF AN AGREEMENT WITH EAST BAY MUNICIPAL UTILITY DISTRICT FOR RELOCATION OF UTILITIES AT BERTH 35, SEVENTH STREET TERMINAL, OAKLAND, CALIFORNIA." "RESOLUTION NO. 31621

AUTHORIZING EXECUTION OF FIFTH SUPPLEMENTAL AGREEMENT WITH STEVEDORING SERVICES OF AMERICA."

"RESOLUTION NO. 31622

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH EVANS & BROWN, INC., FOR PAINTING A CEILING MURAL FOR THE NEW PORT BUILDING CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31623

APPROVING AND AUTHORIZING EXECUTION OF SUPPLEMENTAL PURCHASE ORDER."

"RESOLUTION NO. 31624

FINDING AND DETERMINING THAT PROPOSED SERVICES TO BE PERFORMED BY ELECTRO-TEST, INC., CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES AND MAY BE MADE WITHOUT COMPETITIVE BID, AND APPROVING AND AUTHORIZING PREPARATION AND EXECUTION OF AN AGREEMENT THEREFOR."

"RESOLUTION NO. 31625

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH DELOITTE, HASKINS & SELLS, FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31626

FINDING AND DETERMINING THAT A PROPOSED SUPPLEMENTAL AGREEMENT WITH THE WYATT COMPANY, FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31627

AMENDING SECTION III, SUBSECTIONS B, C.1, C.2, AND C.4 OF THE EQUAL OPPORTUNITY POLICY BY ADDING A 6.9% EMPLOYMENT GOAL FOR WOMEN ON PORT PUBLIC WORKS CONTRACTS."

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"RESOLUTION NO. 31628

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO PURCHASE PAVEMENT REPAIR EQUIPMENT ON THE OPEN MARKET, WITHOUT COMPETITIVE BIDDING AND AUTHORIZING PROCUREMENT OF SAME."

"RESOLUTION NO. 31629

FINDING AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE PORT TO PROCURE CERTAIN PORTABLE GENERATOR EQUIPMENT WITHOUT COMPETITIVE BIDDING AND AUTHORIZING THE PROCUREMENT THEREOF."

"RESOLUTION NO. 31630

GRANTING THE UNITED PARCEL SERVICE PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31631

\*(SEE #1 ON 10/24/89 BOARD CALENDAR)

"RESOLUTION NO. 31632

AMENDING THE BY-LAWS AND ADMINISTRATIVE RULES OF THE BOARD OF PORT COMMISSIONERS TO IMPLEMENT RECOMMENDATIONS OF THE PORT'S MANAGEMENT CONSULTANTS AND THE BOARDS'S TRANSITION COMMITTEE."

"RESOLUTION NO. 31633

FINDING AND DETERMINING THAT A PROPOSED SUPPLEMENTAL AGREEMENT WITH DIANE W. SANCHEZ, AN INDIVIDUAL, DOING BUSINESS AS SUNSET ASSOCIATES, FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

Port Ordinance No. 2925 being "AN ORDINANCE AMENDING PORT ORDINANCE NO. 2923 TO MAKE CERTAIN TECHNICAL MODIFICATIONS THERETO IN CONNECTION WITH THE PORT PAY FOR PERFORMANCE PROGRAM", and Port Ordinance No. 2926 being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LEASE WITH UNITED AIR LINES, INC., AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. 2927 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 CREATING SALARY SCHEDULE NO. 87.5, CREATING THE POSITION OF EQUIPMENT SYSTEMS ENGINEER, CREATING AN ADDITIONAL POSITION OF PORT PERSONNEL ANALYST, CREATING THREE ADDITIONAL POSITIONS OF GARDENER III AND TO RETITLE CERTAIN POSITIONS," and Port Ordinance No. 2928 being, "AN ORDINANCE AMENDING SECTION 2 OF PORT ORDINANCE NO. 1166 RELATING TO THE CONTRIBUTIONS OF THE PORT TOWARDD THE COST OF EMPLOYEE AND RETIREE GROUP HEALTH INSURANCE WITH RESPECT TO EMPLOYEES REPRESENTED BY UNITED PUBLIC EMPLOYEES, LOCAL 790, REPRESENTATION UNITS A, B AND G," were read a second time and passed by the following vote:

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Ayes: Commissioners Higgins, Lockhart, Ortiz, Sweeney, Ward Allen,  
Wasserman, and President Brady - 7

Noes: None

Absent: None

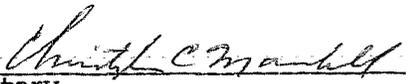
Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING PORT ORDINANCE  
NO. 2833 RELATING TO WHARFAGE RATES, CONTAINER CRANE RENTAL RATES AND DEFINITIONS  
OF TECHNICAL TERMS," was read a first time and passed to print by the following  
vote:

Ayes: Commissioners Higgins, Lockhart, Ortiz, Sweeney, Ward Allen,  
Wasserman, and President Brady - 7

Noes: None

Absent: None

At the hour of 5:57 p.m. the Board entered into closed session as  
previously announced by President Brady and reconvened in open session at the  
hour of 7:20 p.m. at which time the meeting was adjourned on a motion duly made  
and seconded with a notation that the next meeting of the Board would be on  
Tuesday, October 24, 1989.

  
Secretary

October 10, 1989

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REGULAR MINUTES OF THE BOARD OF PORT COMMISSIONERS  
OF THE  
CITY OF OAKLAND

The regular meeting of the Board of Port Commissioners scheduled for Tuesday, October 17, 1989 at the hour of 3:00 p.m. was adjourned by the Secretary of the Board to Tuesday, October 24, 1989 of 3:00 p.m. due to the absence of all the members of the Board.

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The meeting, formal portion, was reconvened on Tuesday, October 24, 1989 at the hour of 4:31 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Brady presiding, appropriate notice having been posted. An informal portion was held during the period from 3:10 p.m. to 4:25 p.m. during which time the Board received an extensive report on the damage done to the Port by the 7.1 Loma Prieta earthquake.

Commissioners present: Lockhart, Ortiz, Sweeney, Ward Allen,  
Wasserman and President Brady - 6

Commissioners absent: Higgins - 1

Also present were the Acting Chief Executive Officer and Executive Director, Transportation Services; Director of Engineering; Assistant Chief Engineer; Port Attorney; Assistant Port Attorney Thomas Clark; Director of Aviation; Chief Financial Officer; Director of Commercial Real Estate; Acting Director of Planning; Director of Administration/Human Resources; Special Assistant to the Executive Director of Trade Relations; Director of Public Affairs; Manager of Airport Properties; and Secretary of the Board.

The minutes of the regular meeting of September 5, 1989 were approved as submitted and ordered filed.

President Brady, informed the Board that he would call for a closed session at the conclusion of the open session for the purpose of discussing pending litigation as provided for under Government Code Section 54956.9 (b) and (c); and personnel matters as provided for under Government Code Section 54957.

BOARD OF PORT COMMISSIONERS  
MEETING OF DEC - 5 1989

APPROVED AS SUBMITTED AND ORDERED FILED

*Michael C. Marshall*

President Brady, informed the Board that he would call for Board meetings in November to be scheduled back to their original times of the first and third Tuesdays as the proposed Far East trip has been postponed.

Commissioner Ortiz, member of the Planning and Development Committee, informed the Board that the committee had met last week and had extensive discussion concerning the proposed Request for Information and Qualifications for the development of certain Port lands. He noted that there appears to be a conflux of issues, all of which require more study. After discussion, President Brady asked the committee to develop a time and action plan to be presented at the November 7th meeting.

President Brady, Chair of the Executive and Management Committee, informed the Board that the committee had met earlier in the day and reviewed the status of the earthquake damage. He thanked the Port staff for the major effort which was performed during the crisis period.

Commissioner Wasserman, Chair of the Transportation Committee, informed the Board that the committee had met earlier in the week and reviewed the status of the dredging project.

Approval of Lease Assignment - Oakland Syndicate was the subject of a memo to the Board from the Director of Aviation, notifying the Board that Oakland Syndicate Trust constructed Building L-105 at the North Airport under the terms of a 50-year ground lease with the Port which expires April 30, 2016. The property was leased to the Federal Aviation Administration from 1966 to 1988. The property is now vacant and the monthly rental, which is fixed for the remaining term of the ground lease, is \$93.33. Oakland Syndicate has entered into a Real Estate Purchase Agreement under which it would sell its leasehold interest in the property to Williams Street Properties, a general partnership. It was recommended that the Board approve the assignment of the lease from Oakland Syndicate Trust to Williams Street Properties, subject to restricting the use of the subject premises to aviation-related uses. The recommendation was approved on passage of Resolution No. 31639.

Approval to Dispense with Bids for Repair of Salt Water Fire Protection

System North Airport was the subject of a memo to the Board from the Director of Engineering, notifying the Board that the salt water system at the North Airport is a supplementary source of water for fire protection. The system was installed in 1951, and the system's valving and piping have generally deteriorated and the leakage rate has increased to the point that it was necessary to take the system out of operation. A study has been made of the system, and the Fire Marshal has requested that the salt water system be made operational because of the lack of sufficient fresh water at the North Airport for fire fighting purposes. It was recommended that the Board find it to be in the best interest of the Port to dispense with formal bidding procedures for the replacing of valves and piping in the salt water system and accomplish the work by purchase order based on the receipt of informal quotes. The work is estimated to cost \$40,000.00. The recommendation was approved on passage of Resolution No. 31640.

Jack London Waterfront Parking Operator Selection was the subject of a memo to the Board from the Director of Commercial Real Estate, notifying the Board of the solicitation of parking-operator proposals and that the process produced two companies that exhibited comprehensive knowledge of operating procedures and principles in mixed-use parking projects utilizing the highly sophisticated on-line revenue control equipment which will be used. It was recommended that Pansini Corporation be selected as the new parking operator for the Jack London's Waterfront Project under contract with the Port of Oakland at an annual management fee of \$271,000.00 to be effective as of January 1, 1990. It was noted that the Pansini Corporation is a San Francisco based parking management company operating parking facilities at Pier 39, the Fairmont Hotel, Japan Center and other San Francisco locations. It was further noted that Commissioner Wasserman had abstained from discussion and voting on the matter as he had previously represented one of the companies applying for the contract. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed on five affirmative votes with Commissioner Wasserman abstaining.

Jack London Waterfront Parking Rates was the subject of a memo to the Board from the Director of Commercial Real Estate, recommending approval of a new parking rate program and conditions to be effective with the Grand Opening of Phase I of the Jack London Waterfront or at an agreed upon time. The Valet Parking will not be offered by the Port's selected parking operator, but would be provided by each major establishment or by their selected third party. The valet fee would be at the discretion of the major establishment which would bear the operational and insurance costs for valet service. The retail establishment would pay the Port a fee of \$1.00 for the first three hours plus \$1.00 for each hour thereafter up to \$8.00 for each car parked in the Port facilities. The new rates for the underground garage, if validated, will be \$1.00 for the first hour and, if unvalidated, \$2.00 for the first hour with \$1.00 for each additional hour. The rates for attended lots will be, validated, free for one hour and \$1.00 each additional hour thereafter with a maximum of 12 hour period at \$8.00. For unvalidated, the first hour will be \$2.00 with each additional hour thereafter at \$1.00 with a maximum of 12 hour period at \$12.00. The validated parking for Jack London Square Marina Berthers would be \$1.00 per day with maximum use restrictions. The Automatic Ticket Machines on Surface parking Lots, Parking Meters on Alice Street and other Port Steets in Jack London Square will be \$.50 per hour. The proposed program also covers special events and monthly parking charges. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

J.W. & Barbara Silveira License Agreement Renewal was the subject of a memo to the Board from the Director of Commercial Real Estate, recommending approval to renew their agreement for 149,387 square feet of land and water area at the foot of 5th Avenue used for their marina operation at a new monthly rental of \$3,886.45. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

October 24, 1989

Jal Vue Window Corporation License Agreement Renewal was the subject of a memo to the Board from the Director of Commercial Real Estate, recommending approval to renew their agreement for 46,150 square feet of warehouse space and yard area at 6th Avenue and Embarcadero used for its window manufacturing, vinyl and aluminum siding and skylight manufacturing business at a new total monthly rent of \$5,591.00. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Jack London Village Sublease was the subject of a memo to the Board from the Director of Commercial Real Estate, recommending approval for Mr. Kah'shun S. Tai, doing business as Sentimental Values, to operate a retail gift shop specializing in portraits and products created by computer equipment, and a renewal of Albert and Cyrilla Ernst sublease to operate the Edge of the World a retail cutlery store. The recommendation was approved on passage of Resolution No. 31641.

Emergency Truck-Barge Rates for Service Between Oakland and Other Bay Area Ports was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director of Transportation Services, recommending approval to establish temporary special wharfage rates as an addendum to the Port's Tariff 2-A for domestic and international cargo out-bound from Oakland in emergency truck-barge service to any other San Francisco Bay Area Ports. The rate for all vehicles, not exceeding two axles would be \$1.00 per vehicle, and for each axle in excess of two, an additional charge of \$2.00 per axle. Government Vehicles responding to earthquake or other emergency conditions would not be charged. It was noted that it was uncertain if the service would be implemented. The recommendation was approved on passage of Resolution No. 31631.

Removal of Southern Pacific Railroad Tracks in Seventh St. Franchise Area was the subject of a memo to the Board from the Acting Director of Planning, notifying the Board that the Southern Pacific Transportation Company owns, maintains and operates certain railroad tracks located adjacent to Seventh Street

in the Outer Harbor Area. The trackage occupies Port land under franchise originally granted by the City of Oakland in 1910 and assigned to the Port under City Charter. The franchise expired in 1960 and was extended indefinitely by mutual agreement. As part of a stipulated settlement of litigation with the Navy, the Port agreed to construct a parking facility on Port lands and transfer title to the Navy. The Port will receive title to another parcel of land in return. The land exchange necessitates the removal of two S.P. owned tracks in the franchise area and it was recommended that the Board authorize the appropriate notice to Southern Pacific to remove specific tracks on Port lands within thirty calendar days. It was noted that Southern Pacific will remove the tracks themselves at no expense to the Port. The recommendation was approved on passage of Resolution No. 31642.

Rescission of Award of Contract for Structural Inspection of Crane S/N 348 (X-403) and Approval to Dispense with Formal Bids was the subject of a memo to the Board from the Director of Engineering, notifying the Board that the contract was awarded on September 19, 1989 to the low bidder, JET Technical Services Inc./G.F.C. Crane Consultants - Joint Venture (JET) for their bid price of \$46,442.00. JET has not signed the contract nor provided the required bonds and insurance and they have indicated they will not be able to obtain the bonds and insurance. It was recommended that the contract awarded to JET be rescinded and their bid security be forfeited and that the Board find it to be in the best interest of the Port to dispense with formal bidding procedures for structural inspection of crane S/N 348 (X-403) and the work be accomplished through a negotiated contract. Mr. David Diamond, the insurance broker for JET Technical Services G.F.C. crane appeared before the Board to note the difficulty in obtaining insurance for the joint venture and asked that the bid security be returned. After considerable discussion, Commissioner Wasserman moved that the item be returned to staff for appropriate review and further recommendation. The motion was seconded and passed unanimously.

October 24, 1989

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Ratification of Emergency Actions Taken as a Result of October 17, 1989

Earthquake was the subject of a memo to the Board from the Director of Engineering, notifying the Board that the earthquake which occurred in the Bay Area shortly after 5:00 P.M., October 17, 1989, resulted in substantial damage to many harbor and airport facilities in the Port of Oakland. Earth subsidence occurred in the marine terminals, resulting in settlement of the dikes surrounding the terminals and damage to crane rails, wharf structures, underground utilities and yard pavements. Approximately 3,000 feet of the South Airport runway and taxiway were removed from service, and the dike sustained substantial deformation and longitudinal cracking over a length of about 3,000 feet. Port forces were immediately mobilized to assess the damage and initiate emergency repairs and contractors were brought in on a time-and-materials basis to accomplish some of the larger efforts. Additionally structural and geotechnical engineers and other professional consultants were brought in to assist with damage assessment and to recommend repair and restoration methods. The major items contracted were repair of the Airport dike by Gallagher and Burk, Inc. at estimated cost of \$90,000.00; repair of waterlines in Marine Terminals by Underground Construction Company, Inc. at an estimated cost of \$80,000.00; construction of Ferryboat Parking Lot by Gallagher and Burk, Inc., at an estimated cost of \$60,000.00; repair of paving at Howard Terminal by O. C. Jones and Sons at an estimated cost of \$50,000.00; and Inspection and Clearing of Storm and Sanitary Sewers at Airport and Marine Terminals by Rodding-Cleaning Services, Inc., at an estimated cost of \$25,000.00. It was recommended that the Board ratify the emergency actions taken. The recommendation was approved on passage of Resolution No. 31637.

Extension of Contractual Services with CEIP Fund, Incorporated was the subject of a memo to the Board from the Director of Administration/Human Resources, notifying the Board that as a result of the Port's reorganization, the Port secured contractual services with CEIP Fund, Inc., to immediately staff the

Environmental Department until regular employees could be identified through the Civil Service process. The earthquake has disrupted the City Offices and it is unlikely that any certified Civil Service List will be received in a timely manner. It was recommended that the Board approve the extension of the current contract between the Port and CEIP Fund, Inc., for the provision of temporary employment for the Assistant Port Environmental Planner position, for a period of time from October 25, 1989 and not to exceed January 15, 1990, and an amount not to exceed \$8,000.00. The recommendation was approved on passage of Resolution No. 31643.

Personnel Items was the subject of a memo to the Board from the Director of Administration/Human Resources, recommending the appointment of Nora L. Doolittle, as Commercial Representative III-3A, effective October 25, 1989 at \$3,600.00 per month; and Thelma Y. Fajardo, as Youth Aide, Class "A", effective November 6, 1989 at \$13.55 per hour. Also recommended was a personal leave of absence for Sandra S. Bartley, Youth Aide, Class "L", for 32 working days; and a medical leave of absence for Jayne Sandoval, Intermediate Typist Clerk, for an additional 13 working days. The recommendations were approved on passage of Resolution No. 31644 for appointments; Resolution No. 31645 for leaves of absence.

Travel Authorization contained in a memo to the Board from the Director of Administration/Human Resources, recommended approval for the travel of William Thompson, Electrical/Mechanical Engineer, and Garo Sedrakian, Supervising Electrical/Mechanical Engineer, to Seattle and Tacoma Washington, on or about October 16, 1989 to inspect certain crane improvements; Karen Stevenson, Port Field Representative II, to Reno, Nevada, and Indianapolis, Indiana, on or about October 23, 1989 for Airport promotion purposes; the Equal Opportunity Manager, to Denver, Colorado, on or about October 23, 1989 to attend a meeting of FAA National Planning Committee; travel of Jack Knecht, Marine Commercial Representative V, to Atlanta, Georgia, Washington, D.C., and Memphis, Tennessee, on or about October 30 through November 3, 1989 to make trade calls on exporters and participate in the semi-annual meeting of the Foreign Trade Data Users Group. The recommendation was approved on passage of Resolution No. 31646.

Ratification of Retention of Special Counsel Regarding Earthquake  
Financial Assistance and Authorization to Pursue Disaster Relief and Emergency  
Assistance

was the subject of a letter to the Board from the Port Attorney, notifying the Board that the Port Attorney engaged two law firms; Kirkland & Ellis to provide legal advice and assistance in making necessary applications for Federal disaster relief, and the firm of Heron, Burchette, Rucket & Rothwell to assist in factoring the Port into emergency disaster assistance legislation pending before Congress. It was recommended that the Board ratify the action of the Port Attorney. It was noted that the services will be billed at their standard billing rate of \$200.00 per hour for a combined total for both firms not to exceed \$150,000.00. It was also recommended that the Board authorize the Port's CEO, Director of Engineering, Assistant Chief Engineer, Chief Financial Officer, Director of Planning and Port Attorney to submit applications to governmental agencies for disaster relief and emergency assistance, including applications to obtain Federal financial assistance from the Federal Emergency Management Agency. After discussion concerning the need for additional special counsel the recommendation was approved on passage of Resolution No. 31638.

The following reports were received and ordered filed:

Summary of Port Revenue and Construction Funds  
as of October 13, 1989.

Summary of Cash and Accounts Receivable Port Revenue Fund 770  
for the Month of September 1989.

Accounts Receivable in Arrears as of September 30, 1989.

Delinquent Accounts Referred to Legal - Reported  
as of September 30, 1989.

Summary of Claims Paid from Various Funds  
for the Period October 5, 1989 through October 16, 1989.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Lockhart, Ortiz, Sweeney, Ward Allen, Wasserman  
and President Brady - 6

Noes: None

Absent: Commissioner Higgins - 1

October 24, 1989

"RESOLUTION NO. 31631

ADOPTING TEMPORARY ADDENDUM TO PORT OF OAKLAND TARIFF NO. 2-A RELATING TO EMERGENCY TRUCK BAGE SERVICE."

"RESOLUTION NO. 31632

See 10/10/89 Board meeting.

"RESOLUTION NO. 31633

See 10/10/89 Board meeting.

"RESOLUTION NO. 31634

AUTHORIZING TERMINATION OF TENANCY OF ENGINEER MODULAR STRUCTURES, INC."

"RESOLUTION NO. 31635

APPOINTING DIRECTOR OF MARITIME ACTIVITIES."

"RESOLUTION NO. 31636

AUTHORIZING THE PUBLICATION OF SUPPLEMENTAL NOTICE OF A PUBLIC HEARING PURSUANT TO THE REQUIREMENTS OF THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982 (TEFRA) REGARDING THE ISSUANCE OF THE PORT OF OAKLAND, CALIFORNIA COMMERCIAL PAPER NOTES, SERIES A AND SERIES B."

"RESOLUTION NO. 31637

RATIFYING AND APPROVING EMERGENCY CONTRACT ACTIONS TAKEN BY THE ACTING CHIEF EXECUTIVE OFFICER AND EXECUTIVE DIRECTOR AND BY THE PORT ATTORNEY."

"RESOLUTION NO. 31638

AUTHORIZING THE ACTING CHIEF EXECUTIVE OFFICER AND EXECUTIVE DIRECTOR, THE PORT ATTORNEY, AND OTHER PORT EMPLOYEES TO SUBMIT APPLICATIONS ON BEHALF OF THE PORT FOR DISASTER RELIEF AND EMERGENCY ASSISTANCE WITH ALL APPROPRIATE FEDERAL, STATE AND LOCAL AGENCIES, TO ACT AS AUTHORIZED AGENTS OF THE PORT IN CONNECTION THEREWITH, AND RATIFYING AND APPROVING CERTAIN ACTIONS IN FURTHERANCE THEREOF."

"RESOLUTION NO. 31639

CONSENTING SUBJECT TO CONDITIONS TO ASSIGNMENT OF LEASE WITH OAKLAND SYNDICATE TRUST TO WILLIAMS STREET PROPERTIES AND AUTHORIZING EXECUTION OF AGREEMENT AMENDING THE LEASE."

"RESOLUTION NO. 31640

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO PERFORM CERTAIN PUBLIC WORK WITHOUT COMPETITIVE BIDDING AND AUTHORIZING THE PERFORMANCE THEREOF."

"RESOLUTION NO. 31641

CONSENTING TO SUBLEASES BY OAKLAND VILLAGE CORPORATION."

October 24, 1989

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"RESOLUTION NO. 31642

AUTHORIZING WRITTEN NOTICE TO SOUTHERN PACIFIC TRANSPORTATION COMPANY OF TERMINATION OF SAID COMPANY'S RIGHT TO USE CERTAIN REAL PROPERTY IN THE OUTER HARBOR AREA FOR RAILROAD OR OTHER PURPOSES."

"RESOLUTION NO. 31643

FINDING AND DETERMINING THAT AN EXTENSION OF AGREEMENT WITH CEIP FUND, INC. FOR CONTRACTUAL SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID SUPPLEMENTAL AGREEMENT."

"RESOLUTION NO. 31644

CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31645

CONCERNING CERTAIN LEAVES OF ABSENCE."

"RESOLUTION NO. 31646

CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 31647

GRANTING TRICOR CALIFORNIA, INC. PERMISSION TO PERFORM CERTAIN WORK."

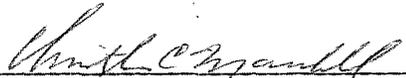
Port Ordinance No. 2929 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 2833 RELATING TO WHARFAGE RATES, CONTAINER CRANE RENTAL RATES AND DEFINITIONS OF TECHNICAL TERMS," was read a second time and passed by the following vote:

Ayes: Commissioners Lockhart, Ortiz, Sweeney, Ward Allen, Wasserman and President Brady - 6

Noes: None

Absent: Commissioner Higgins - 1

At the hour of 5:53 P.M. the Board entered into closed session as previously announced by President Brady and reconvened in open session at the hour of 6:35 P.M. at which time the meeting was adjourned on a motion duly made and seconded.

  
Secretary

October 24, 1989

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REGULAR MINUTES OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting, formal portion, was held on Tuesday, November 7, 1989 at the hour of 4:30 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Brady presiding, due written notice having been given to members of the Board. An informal portion was held during the period from 3:20 p.m. to 4:25 p.m. during which time the Board received a report on a proposed Airport promotion advertising program and a status report on the earthquake damage assessment and operational plans.

Commissioners present: Higgins, Lockhart, Ortiz, Sweeney, Ward Allen,  
Wasserman and President Brady - 7

Commissioners absent: None

Also present were the Acting Chief Executive Officer and Executive Director, Transportation Services; Port Attorney; Director of Engineering; Assistant Chief Engineer; Chief Financial Officer; Director of Aviation; Director of Commercial Real Estate; Director of Administration/Human Resources; Acting Director of Planning; Special Assistant to the Executive Director for Trade Relations; Manager of Airport Properties; Director of Public Affairs; and Secretary of the Board.

The minutes of the regular meeting of September 19, 1989 and the adjourned regular meeting of September 22, 1989 were approved as submitted and ordered filed.

President Brady, informed the Board that he would call for a closed session at the conclusion of the open session for the purpose of discussing (1) personnel matters as provided for under Government Code Section 54957; and to instruct negotiations concerning Airport Display Advertising Concession as provided for under Government Code Section 54956.8.

BOARD OF PORT COMMISSIONERS

MEETING OF JAN - 5 1990

APPROVED AS SUBMITTED AND ORDERED FILED

RETURN *Ward Allen*

Commissioner Wasserman, Chair of the Transportation Services Committee, informed the Board that the committee had met earlier and reviewed their current agenda.

Commissioner Lockhart, Chair of the External Affairs Committee, informed the Board that his committee had met earlier and reviewed their current agenda.

Commissioner Higgins, Chair of the Planning and Development Committee, informed the Board of the committee's forthcoming meeting and agenda.

Approval to Dispense with Bids for Repair of Earthquake Damage to Runway 11-29 and Ratification of Change Order to Contract for Asphalt Overlay, Runway 11-29, was the subject of a memo to the Board from the Chief Engineer, notifying the Board that the October 17, 1989 earthquake caused extensive damage to portions of Runway 11-29 and Taxiway 1 at the Airport and the westerly 3,000 feet of the runway is currently closed to operations. TSE REDCYED WEIXTS AU TSE RCIJOB SOM XREOTWB NHPONRED TSE MOUE OID EUUNYNEIT APEROTINAI AU TSE Airport and operations are currently continuing through a combination of down loading of passengers and cargo and changes in aircraft. The upcoming holidays will further compound the problem due to increased traffic during the holidays, and a runway length of 8,500 feet is needed by November 17, 1989. It was recommended that the Board find it to be in the best interests of the Port to dispense with formal bids for the work, and ratify the issuance of a change order to the O. C. Jones and Sons contract for the restoration work in the estimated amount of \$1,061,000.00. It was noted that funds for the reconstruction will be obtained in part by a grant from the Federal Aviation Administration and is part of the Board's calendar for today's action. The recommendation was approved on passage of Resolution No. 31657.

Ratification of Acceptance of Federal Aviation Administration Grant Application Offer for AIP-10 to Repair Earthquake Damage was the subject of a memo to the Board from the Director of Engineering, notifying the Board that the Port had previously submitted applications for disaster relief and emergency assistance and one of the applications was for an Airport Improvement Program Grant for

reconstruction of Airport facilities damaged by the October 17, 1989 earthquake. The FAA immediately made to the Port a Grant offer for \$8,000,000.00 under the AIP-10 discretionary funds for reconstruction of Runway 11/29. It was recommended that the Board ratify the staff's acceptance of the FAA Grant offer for \$8,000,000.00 of discretionary funds under AIP-10 and the execution of the Grant Agreement. Reconstruction of a portion of Runway 11/29 commenced immediately and is the subject of separate Board action on today's calendar. The recommendation was approved on passage of Resolution No. 31658.

Airport Taxicab Operating Permits and Trip Fees was the subject of a memo to the Board from the Director of Aviation, notifying the Board of the increasing congestion on the terminal access roadways and curbsides and the proliferation of off-Airport commercial vehicle activity. In order to alleviate some of the congestion and enhance the taxicab revenue base, it is proposed to establish a taxicab staging area, with a capacity of fifty cabs in the current "Park and Pay" lot. The staging area will accommodate all cabs currently occupying curb space in front of the Terminal, as well as any other cabs holding City of Oakland and Oakland Airport permits. Each cab will pay \$120.00 per year, prorated to the end of the calendar year, for an operating permit which allows access to the staging area. In addition, there will be a fee of \$1.25 for every revenue trip. The revenue is estimated to be approximately \$100,000.00 per year compared with the \$58,000.00 anticipated from the present fee arrangement. It was recommended that the Board establish its new fee schedule effective December 1, 1989. The recommendation was approved on an ordinance passed to print.

Approval of Supplement to Consultant Agreement for Repair of Earthquake Damage to Pedestrian Bridge Between M-102 and M-103, Terminal I, Oakland Airport was the subject of a memo to the Board from the Director of Engineering, notifying the Board that the recent earthquake damaged the structural supports for the pedestrian bridge between the Tower Building and the Finger Building. The work to investigate and design the repair of the columns was initiated under a purchase

order for \$15,000.00. Additional ground movement since the earthquake of October 17, has increased the damage to the area and it was discovered that additional columns, along with cross beams in the ramp area and the shear wall were also damaged and are in need of repair. It was recommended that the Board approve the execution of a supplement to the consultant agreement with VBN Corporation for the inspection and repair of earthquake damage to the pedestrian bridge area between Buildings M-102 and M-103, including an inspection report; and a thorough structural inspection of Terminal I. The scope of the work will increase to \$30,000.00. The recommendation was approved on passage of Resolution No. 31659.

Cancellation of Receipt of Bids on November 22, 1989 for Refurbishing of Hangar Doors and Associated Work, Building M-110, South Airport was the subject of a memo to the Board from the Director of Engineering, notifying the Board that the uncertainties associated with the recent earthquake with respect to the Port's financial position suggest that certain projects be eliminated and the funds used for earthquake repairs. It was recommended that the Board cancel receipt of bids due on November 22, 1989 for the project until further determinations have been made. The recommendation was approved on passage of Resolution No. 31651.

Authorization to Dispense with Bids for and Approval of Change Order to Remodel Rm. 241, Bldg. M-102, "Second Extension of Second Floor Addition to Bldg. M-103 was the subject of a memo to the Board from the Director of Engineering, notifying the Board that United Airlines desires to lease additional space in Terminal I for use as their V.I.P.-Red Carpet Room by January 1990. The area is presently occupied by the Port Air Terminal Services group and it is necessary to relocate the personnel as soon as possible to Room 241 of Tower Building M-102. Due to the small size of the project it was recommended that the Chief Engineer be given authorization to dispense with normal bidding procedures for the remodelling of Room 241 and issue a change order to the Second Extension of Second Floor Addition to Building M-103 contract, Arntz Builders, Inc., for \$17,694.00 to

remodel Room 241 for the Port Air Terminal Services Group. The recommendation was approved on passage of Resolution No. 31660.

Adjustment in Airport Sterile Concourse Security Enforcement Facility

Use Fee was the subject of a memo to the Board from the Director of Aviation, notifying the Board that the Federal Aviation Administration Airport Security requirements determine that a second police officer must be on duty in the Terminal complex in order for an officer to be able to respond within five minutes to security alerts which might occur at the same time at either of the security screening points located in Terminals I and Terminal II. To fulfill the requirement, the Oakland Police Airport detail will be increased from four officers to eight officers. The cost of the Oakland Police staffing, which is reimbursed to the City by the Port, is funded by an airport facility use charge assessed against the airlines based upon number of passengers each enplanes at the Airport. It was recommended that the Board approve an ordinance establishing charges for the use of the sterile concourse security enforcement facilities at the Oakland Airport at \$0.25 per passenger enplaning, up from \$0.19 per passenger, effective December 1, 1989. The recommendation was approved on an ordinance passed to print.

License Agreement Renewal - Artisan Manufacturing was the subject of a memo to the Board from the Director of Aviation, recommending approval to renew their agreement for two years for space at Building L-643 North Airport used for their general machining and aircraft parts repair business at a new monthly rental of \$951.26. The rent for the second year will be adjusted in accordance with the percentage change in the Consumer Price Index. The recommendation was approved on a motion by Commissioner Higgins, seconded and passed unanimously.

Port Office Building (F-107) Rehabilitation was the subject of a memo to the Board from the Director of Commercial Real Estate, notifying the Board that the Port Building was acquired as surplus property from the State of California

as a result of the construction of the tunnel under the Estuary to Alameda. The building was originally a three story warehouse. The Port rehabilitated the interior and exterior in 1957 to accommodate retail space on the ground floor, office space on the second and third floors, and a new restaurant addition on the roof. The Port is now vacating 66 Jack London Square and relocating to 530 Water Street and the radio station tenant on the second floor has given notice that it will vacate by March 1, 1990. In order to market and lease the building, the exterior needs to be remodelled. The structural frame has to be reinforced to comply with current seismic codes and cure the damage caused by the earthquake, and the interior space will be rebuilt. It is estimated that the cost to rehabilitate the building is \$7.5 million not including asbestos removal or costs of financing. As it is not desirable at this time for the Port to use its operating funds to finance the rehabilitation, it is proposed that the Port obtain a conventional mortgage secured by a leasehold interest. It was recommended that the Board approve the concept of conventional financing for Port Building F-107, and a possible lease to the Port of Oakland Public Benefit Corporation and fund the up-front rehabilitation costs. The recommendation was approved on a motion by Commissioner Higgins, seconded and passed unanimously.

Supplemental Agreement with ERM-West for Additional Services Relating to The Embarcadero Cove Superfund Site was the subject of a memo to the Board from the Acting Director of Planning, notifying the Board that the California Department of Health Services issued Remedial action Order HSA87/88002RA to the Port of Oakland and Monsanto Chemical Company as Respondents, which required the respondents to conduct extensive site characterization of hazardous materials at the site and to follow California superfund procedures to clean-up the site. In response to the Order, the Port executed agreements with ERM-West, an environmental consultant, to perform the necessary field studies, prepare reports for submittal to the State, and conduct other activities that are required to

comply with the Order. As the project has progressed, it has become clear that the scope-of-work, as described in existing agreements with ERM-West, is now inadequate to address all of the necessary tasks that the Port requires. It was recommended that the Board authorize the negotiation of a supplemental agreement with ERM-West to provide for additional services associated with the Embarcadero Cove California Superfund Site in an amount not to exceed \$200,000.00 above the existing project budget of \$918,000.00. The additional professional services identified include: the preparation of an Interim Response Action; research pertaining to other remedial action activities and preparation of issue papers addressing various regulatory strategy scenarios; technical assistance related to negotiations and meetings with Monsanto; and continued groundwater monitoring for another year of data. It was noted that the Port has been negotiating with Monsanto to share the cost and Monsanto will pay at least 50% and perhaps a higher percentage depending on development of a rational allocation formula. The recommendation was approved on passage of Resolution No. 31661.

Tidewater Properties — Amendment to Lease Option Agreement was the subject of a memo to the Board from the Director of Commercial Real Estate, notifying the Board of the lease option with Tidewater Properties, for the development of incubator warehouse facilities on 5.6 acres of vacant land on Tidewater Avenue at Lessor Street. It was recommended that the option agreement be amended to provide for an additional two month extension during which period the optionee will provide the following: Loan documents in final form and an indication that all conditions of the loan documents can be satisfied prior to the exercise of the option; evidence of satisfactory liability insurance; and receipt of evidence that building plans have been submitted to the City of Oakland for plan check and the Builders' Risk Insurance would be provided by Tidewater Properties prior to the start of construction rather than prior to the exercise of the option as required. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Joan Lamphier — New License Agreement was the subject of a memo to the Board from the Director of Commercial Real Estate, recommending approval of a new agreement to cover 590 square feet of office space in Port building #F-201, 77 Jack London Square, Suite K. The office space will be used in her urban planner/environmental consultant business. The rent will be \$678.50 per month with a performance deposit in the amount of \$2,035.50. The tenant would receive 2 months free rent to offset tenant's cleanup costs, painting, and carpet replacement. The recommendation was approved on a motion by Commissioner Higgins, seconded and passed unanimously.

Change Order for Drain Lines & Sewer Lines for "Construction of Berthing Facilities & Land Improvements, Embarcadero Cove Marina, Union Point Basin" was the subject of a memo to the Board from the Director of Engineering, recommending approval to issue a change order to Conco Cement Company in the amount of \$18,024.77 for the excavation and backfill for drain lines and sewer lines in the new Marina area. The recommendation was approved on passage of Resolution No. 31662.

Forfeiture of Bid Security and Approval to Negotiate a Contract for Structural Inspection of Crane S/N 348 (X-403), Outer Harbor Terminal was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the contract awarded to JET Technical Services, Inc./G.F.C. Crane Consultants - a Joint Venture at their bid price of \$46,442.00 for the work. The contractor has refused to sign the contract and it was recommended that the Executive Director be authorized to execute a contract for the work based on negotiations with the other previous bidders. It was noted that the bid security, which is a cashier's check in the amount of \$4,644.20, is forfeited by their failure to execute the contract. The recommendation was approved on passage of Resolution No. 31652.

November 7, 1989

Laboratory Testing and Technical Analysis of Potential for Heavy Metal Release from Oakland Harbor Sediments Placed in an Upland Environment was the subject of a memo to the Board from the Acting Director of Planning, notifying the Board of the difficulties in acquiring regulatory agency permits for aquatic disposal of dredged sediments and that attempts to develop upland disposal alternatives have been hampered by questions about the environmental suitability of placing dredged sediments in an upland environment. It was recommended that the Board enter into an agreement with Dr. William H. Patrick, Jr., a wetland soil scientist and director of the Louisiana State University Laboratory for Wetland Soils and Sediments, to perform a study concerning the environmental suitability of upland disposal for sediments to become acidic when exposed to the air making the constituent heavy metals more soluble and hence more likely to be released to surface and groundwaters. The study would include Phase I Inner Harbor dredging to -38'; portions of the Inner Harbor Turning Circle; Phase Ia Outer Harbor dredging to -40'; and Berth deepening to conform to channel deepening. The cost of the proposed work as relates to the Inner Harbor sediments is \$92,000.00, and the study can be extended to other Port dredging projects. It was also recommended that the proposed agreement contain a provision for up to \$20,000.00 for additional services as required. The recommendation was approved on passage of Resolution No. 31663.

Approval to Dispense with Formal Bids for Structural Inspection of Cranes X-421, X-422 and X-423 at Seventh Street Terminal was the subject of a memo to the Board from the Director of Engineering, notifying the Board that three Port owned container cranes at the Seventh Street Terminal where the landside crane rail girder dropped over one foot during the earthquake have not been moved since the quake and there is considerable concern about the structural integrity of the vintage cranes. It was recommended that the Board find it to be in the best interest of the Port to dispense with formal bids for inspecting, testing and

repairing the cranes as soon as possible and accomplish the work based on receipt of informal bids. The work is estimated to cost \$100,000.00. The recommendation was approved on passage of Resolution No. 31653.

Cancellation of Receipt of Bids on November 22, 1989 for Construction of Seventh Street Storage Yard, Seventh Street Terminal was the subject of a memo to the Board from the Director of Engineering, recommending that the receipt of bids due on November 22, 1989, for the project be cancelled. It was noted that the project will be suspended to allow for the resources to be transferred to earthquake related concerns. The recommendation was approved on passage of Resolution No. 31664.

Approval to Dispense with Bids for Restoration of 300 Feet of Wharf and Crane Rail, Berth 35, and Temporary Repairs to Crane Rail, Berths 36 and 37, Seventh Street Terminal was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the considerable damage done to the wharves and crane rails at the Seventh Street Terminal by the earthquake. The two new cranes to be placed at the Public Container Terminal are due to arrive from Korea in mid-January 1990, and it is necessary to restore 300 feet of Berth 35 wharf and crane rail to receive the new cranes. In order to accomplish the work as soon as possible, it was recommended that the Board find it to be in the best interest of the Port to dispense with formal bids and authorize the Executive Director to negotiate and execute contracts with J. H. Pomeroy & Co., Inc. and Seaworks, Inc. The J. H. Pomeroy & Company will construct 300 feet of a new, pile-supported girder and rear crane rail and structural repair of the same length of wharf estimated to cost approximately \$1 million. A separate contract will be negotiated with Seaworks, Inc., for the temporary repairs to the crane rail at Berth 37 and the westerly half of Berth 36 estimated to cost \$300,000.00. The recommendation was approved on passage of Resolution No. 31665.

November 7, 1989

Consideration of Negative Declaration for Harbor Area Power Systems

Improvement Project was the subject of a memo to the Board from the Acting Director of Planning, notifying the Board of the project to upgrade the power supply at the Outer Harbor and Seventh Street marine terminals. The project includes constructing a Port substation approximately .7 mile from the Seventh Street and Outer Harbor terminals to eliminate voltage drops, modifications to the existing substation "C", installation of overhead and underground power lines, and minor electrical modifications to the existing system to accommodate the upgraded power. The Port expects to share certain construction costs with the Department of the Navy for portions of the project. The appropriate environmental document has been prepared and circulated for public review. The 30-day public review period has expired with minor comments received and it was recommended that the Board consider the Negative Declaration and find that there is no substantial evidence that the project will have an adverse significant effect on the environment. The recommendation was approved on passage of Resolution No. 31666.

Matson Terminals Supplemental Agreement was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director of Transportation Services, notifying the Board that the Port has two separate Agreements with Matson Terminals, one for the Marine Terminal and the other for the Freight Station. Both Agreements are for a base 20-year term until December 31, 1988 with a provision that allows Matson Terminals to exercise two separate options to extend the term ten years each. Matson Terminals has exercised the option for both 10 year term extensions covering the period January 1, 1989 until December 31, 2008. Negotiations with Matson have reached agreement on new land area value of \$7.75 per square foot and water area value of \$3.875 per square foot. The Port will also be reimbursed for maintenance dredging and place insurance coverage at actual cost. It was recommended that the Board approve the supplemental agreements covering the option period. The recommendation was approved on passage of Resolution No. 31667 and Resolution No. 31668.

November 7, 1989

Supplemental Agreements with Mitsui O.S.K. Lines and Nippon Liner System

was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director, Transportation Services, notifying the Board of a License Agreement with Mitsui O.S.K. Lines and Nippon Liner System for the lease of a Container Freight Station facility located contiguous to the 7th Street Public Container Terminal. It was recommended that the agreement be amended to modify the compensation terms for automobiles which will assess charges at the rate of two TEUs for every three automobiles loaded; and amend the hold over provisions concerning rental during the period. The recommendation was approved on passage of Resolution No. 31669 and Resolution No. 31670.

Award of Contract for Demolition of Buildings C-517, C-518 and Portion of C-516, Seventh Street Terminal was the subject of a memo to the Board from the Director of Engineering, recommending award of the contract to Iconco of California, Inc., the second low bidder, at \$85,000.00. It was noted that the apparent low bidder, Thomas D. Eychner Company, Inc., at \$70,427.00, would not provide the Port with any documentation of his firm's good faith efforts to achieve the Port's minority subcontractor participation goal. The recommendation was approved on passage of Resolution No. 31654.

Approval to Dispense with Bids for Construction of Temporary Storage Yard, Outer Harbor Terminal was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the move of Hanjin Lines to Transbay Container Terminal in the Outer Harbor from the Seventh Street Public Container Terminal due to the earthquake damage. There is an immediate need for the installation of a temporary storage area of approximately four acres adjacent to the Transbay Container Terminal on the site formerly occupied by the Carnation plant. It was recommended that the Board find it to be in the best interest of the Port to dispense with formal bidding and accomplish the work by negotiated purchase order contracts. The work is estimated to cost \$120,000.00. The recommendation was approved on passage of Resolution No. 31671.

Approval to Amend Agreement for Structural Engineering Services for Container Cranes was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the agreement with Liftech Consultants, Inc., to provide structural engineering services for Port-owned container cranes. Due to the earthquake there is a need for considerably more structural engineering assistance than was anticipated when the present agreement was prepared. It was recommended that the agreement with Liftech Consultants, Inc., be amended to provide for an increase in total compensation payable to \$60,000.00. The recommendation was approved on passage of Resolution No. 31672.

Personnel Items contained in a memo to the Board from the Director of Administration/Human Resources recommended the appointment of Larry J. Watson as Port Environmental Manager, effective December 4, 1989 at \$5,417.00 per month; Robert A. Jones, Extra Position No. 1, Commercial Representative III-A, effective November 8, 1989 at \$3,600.00 per month; Elizabeth E. Donnerstag, as Marine Billing and Traffic Assistant, effective November 8, 1989 at \$2,397.00 per month; and Jose Juan Luna, as Youth Aide, Class "B", effective November 8, 1989 at \$10.63 per hour. Also recommended was creation of one additional position of Commercial Representative III-A, within Salary Grade 10; the examination announcement for the promotional appointment for Port Electrical/Mechanical Engineer; military leave of absence for Sharon L. Hunter, Principal Clerk, for 10 working days; and a personal leave of absence for Catherine S. McKown, for 260 working days. The recommendations were approved on passage of Resolution No. 31673 for appointments; Resolution No. 31674 for examination announcement; Resolution No. 31675 for leaves of absence; and on an ordinance passed to print for creation of position.

Travel Authorization contained in a memo to the Board from the Director of Administration/Human Resources, recommended the travel of the General Manager, Marine Terminals to Seattle, Washington, on or about November 6, 1989 to attend the Western States Coalition Public Forum meeting; travel of Marine Commercial

Representative IV, Yasushi Yamada, to Wichita, Kansas; Omaha, Nebraska; and Chicago, Illinois, on or about November 6 through 10, 1989 to meet with shipping line clients; travel of the Acting Chief Executive Officer and Executive Director, Transportation Services, and Manager, Marine Marketing, to Hong Kong; Singapore; Seoul, South Korea; and Tokyo, Japan, on or about November 8 through 18, 1989 to meet with shipping line clients. The recommendation was approved on passage of Resolution No. 31655.

Application of Trans Continental Airlines, Inc. for Oakland - Honolulu Service D.O.T. Docket 46573 was the subject of a letter to the Board from the Port Attorney, notifying the Board that Trans Continental Airlines, Inc. filed an application with the Department of Transportation for an emergency exemption to commence sales activity with respect to proposed scheduled air service between Oakland and Honolulu commencing December 15, 1989. It is not certain that the request for a shortened answer time will be granted by DOT however, it was recommended that the Board ratify the filing of a answer supporting the application. The recommendation was approved on passage of Resolution No. 31656.

At the hour of 4:45 p.m. Commissioner Wasserman was excused from the meeting.

The following reports were received and ordered filed:

Report of Port Attorney on Litigation Matters.

Status of Construction Contracts in Progress  
as of October 1989.

Status of Consultant Contracts in Progress  
as of October 1989.

Summary of Port Revenue and Construction Funds  
as of October 27, 1989.

Summary of Claims Paid from Various Funds  
for the Period October 17, 1989 through October 30, 1989.

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The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Higgins, Lockhart, Ortiz, Sweeney, Ward Allen, and President Brady - 6

Noes: None

Absent: Commissioner Wasserman - 1

"RESOLUTION NO. 31648

OF CONDOLENCE UPON THE PASSING OF EDWARD G. BROWN."

"RESOLUTION NO. 31649

DECLARING AN EMERGENCY IS FOUND TO EXIST UNDER TERMS OF GOVERNMENT CODE SECTION 54956.5 REQUIRING BOARD TO RESPOND TO THE MAYOR'S REQUEST FOR EMERGENCY TEMPORARY EARTHQUAKE SHELTER FOR THE HOMELESS."

"RESOLUTION NO. 31650

REPEALING PORT RESOLUTION NO. 31635."

"RESOLUTION NO. 31651

RESCINDING RESOLUTION NO. 31601 ADOPTED OCTOBER 10, 1989, AND CANCELLING APPROVAL OF PLANS AND SPECIFICATIONS FOR REFURBISHING OF HANGAR DOORS AND ASSOCIATED WORK, BUILDING M-110, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND CALIFORNIA; AND CANCELLING NOTICE CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 31652

RESCINDING AWARD OF CONTRACT TO J.E.T. TECHNICAL SERVICES, INC./G.F.C. CRANE CONSULTANTS-JOINT VENTURE, FOR STRUCTURAL INSPECTION OF CRANE S/N 348 (X-403) BERTH 22, OUTER HARBOR TERMINAL, OAKLAND, CALIFORNIA; FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO PERFORM SAID PUBLIC WORK WITHOUT FURTHER COMPETITIVE BIDDING; AND AUTHORIZING THE PERFORMANCE THEREOF."

"RESOLUTION NO. 31653

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO PERFORM CERTAIN PUBLIC WORK WITHOUT COMPETITIVE BIDDING AND AUTHORIZING THE PERFORMANCE THEREOF."

"RESOLUTION NO. 31654

FINDING THOMAS D. EYCHNER CO., INC., NOT TO BE LOWEST RESPONSIBLE BIDDER AND AWARDED CONTRACT TO ICONCO OF CALIFORNIA, INC., FOR DEMOLITION OF BUILDINGS C-517, C-518 AND PORTION OF C-516, SEVENTH STREET TERMINAL, OAKLAND, CALIFORNIA; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

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"RESOLUTION NO. 31655

CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 31656

RATIFYING THE FILING BY THE PORT ATTORNEY OF ANSWER IN PROCEEDING BEFORE THE DEPARTMENT OF TRANSPORTATION IN THE APPLICATION OF TRANS CONTINENTAL AIRLINES, INC. RE OAKLAND - HONOLULU SERVICE."

"RESOLUTION NO. 31657

FINDING AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE PORT TO CONTRACT FOR RESTORATION OF THE FIRST 1,500 FEET OF EARTHQUAKE DAMAGE RUNWAY 11-29, AND FOR ACQUISITION OF LIGHTING EQUIPMENT FOR THE RUNWAY CENTERLINE AND FOR REPLACEMENT OF EDGE LIGHTING, ALL WITHOUT COMPETITIVE BIDDING, APPROVING AND RATIFYING A CONTRACT WITH O. C. JONES AND SONS FOR SAID RESTORATION WORK AND AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND ENTER INTO A CONTRACT FOR ACQUISITION OF SAID LIGHTING EQUIPMENT AND EDGE LIGHTING."

"RESOLUTION NO. 31658

ACCEPTING GRANT OFFER OF THE UNITED STATES OF AMERICA AND AUTHORIZING EXECUTION OF GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION UNDER PROJECT NO. 3-06-0170-10, CONTRACT NO. DTFA08-90-C-30417."

"RESOLUTION NO. 31659

FINDING AND DETERMINING THAT A PROPOSED FIRST SUPPLEMENTAL AGREEMENT WITH VBN CORPORATION FOR ARCHITECTURAL DESIGN AND COORDINATION SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID FIRST SUPPLEMENTAL AGREEMENT."

"RESOLUTION NO. 31660

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO DISPENSE WITH COMPETITIVE BIDS FOR THE REMODELING OF ROOM 241 IN BUILDING M-102, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT AND APPROVING THE ISSUANCE OF A CHANGE ORDER WITHOUT TIME EXTENSION FOR "SECOND EXTENSION OF SECOND FLOOR ADDITION TO BUILDING M-103, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31661

FINDING AND DETERMINING THAT A PROPOSED FIFTH SUPPLEMENTAL AGREEMENT WITH ERM CONSULTANTS, INC. FOR ENVIRONMENTAL CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID SUPPLEMENTAL AGREEMENT."

"RESOLUTION NO. 31662

APPROVING ISSUANCE OF CHANGE ORDER FOR CONTRACT FOR CONSTRUCTION OF BERTHING FACILITIES AND LAND IMPROVEMENTS, EMBARCADERO COVE MARINA, UNION POINT BASIN, OAKLAND, CALIFORNIA."

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"RESOLUTION NO. 31663

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH DR. WILLIAM H. PATRICK, JR., FOR ENVIRONMENTAL CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES AND MAY BE MADE WITHOUT COMPETITIVE BID, AND APPROVING AND AUTHORIZING EXECUTION OF AN AGREEMENT THEREFOR."

"RESOLUTION NO. 31664

CANCELING RECEIPT OF BIDS ON NOVEMBER 22, 1989 FOR CONSTRUCTION OF SEVENTH STREET STORAGE YARD, SEVENTH STREET TERMINAL."

"RESOLUTION NO. 31665

FINDING AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE PORT TO RESTORE 300 FEET OF EARTHQUAKE DAMAGE CRANE RAIL ON BERTH 35 OF THE PUBLIC CONTAINER TERMINAL, SEVENTH STREET TERMINAL, AND MAKE TEMPORARY REPAIRS TO THE CRANE RAIL AT BERTH 37 AND THE WESTERLY HALF OF BERTH 36 OF THE PUBLIC CONTAINER TERMINAL, SEVENTH STREET TERMINAL WITHOUT COMPETITIVE BIDDING, AND AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND ENTER INTO CONTRACTS FOR SUCH WORK."

"RESOLUTION NO. 31666

CERTIFYING REVIEW, CONSIDERATION AND APPROVAL OF NEGATIVE DECLARATION FOR PORT OF OAKLAND PROPOSED HARBOR AREA POWER SYSTEMS IMPROVEMENT PROJECT, MAKING CERTAIN FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH AND GRANTING CONCEPTUAL APPROVAL FOR SAID PROJECT SUBJECT TO CERTAIN CONDITIONS."

"RESOLUTION NO. 31667

AUTHORIZING EXECUTION OF SECOND SUPPLEMENTAL AGREEMENT WITH MATSON TERMINALS, INC."

"RESOLUTION NO. 31668

AUTHORIZING EXECUTION OF SEVENTH SUPPLEMENTAL AGREEMENT WITH MATSON TERMINALS, INC."

"RESOLUTION NO. 31669

AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH MITSUI O.S.K. LINES, LTD. AND NIPPON LINER SYSTEM (NORTH AMERICA), INC."

"RESOLUTION NO. 31670

AUTHORIZING EXECUTION OF SECOND SUPPLEMENTAL AGREEMENT WITH MITSUI O.S.K. LINES, LTD. AND NIPPON SYSTEM (NORTH AMERICA), INC."

"RESOLUTION NO. 31671

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO CONTRACT FOR THE CONSTRUCTION OF A TEMPORARY STORAGE YARD, OUTER HARBOR TERMINAL, WITHOUT COMPETITIVE BIDDING, AND AUTHORIZING ACCOMPLISHMENT OF THE WORK BY NEGOTIATED PURCHASE ORDER CONTRACTS."

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"RESOLUTION NO. 31672

FINDING AND DETERMINING THAT A PROPOSED FIRST SUPPLEMENTAL AGREEMENT WITH LIFTECH CONSULTANTS, INC. FOR STRUCTURAL ENGINEERING CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID FIRST SUPPLEMENTAL AGREEMENT."

"RESOLUTION NO. 31673

CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31674

APPROVING EXAMINATION ANNOUNCEMENT FOR THE POSITION OF PORT ELECTRICAL/MECHANICAL ENGINEER."

"RESOLUTION NO. 31675

CONCERNING CERTAIN LEAVES OF ABSENCE."

"RESOLUTION NO. 31676

GRANTING FORTY PLUS OF NORTHERN CALIFORNIA PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31677

AUTHORIZING EXECUTION OF LICENSE AND CONCESSION AGREEMENT WITH PACIFIC BELL."

"RESOLUTION NO. 31679

AUTHORIZING EXECUTION OF LICENSE AGREEMENT WITH INTERSPACE AIRPORT ADVERTISING."

Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 2833 RELATING TO WHARFAGE RATES," and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE ESTABLISHING PERMIT FEES AND REVENUE TRIP FEES FOR TAXI CABS AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA," and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING SECTION 10.5 OF PORT ORDINANCE NO. 1149 RELATING TO CHARGES FOR USE OF FACILITIES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT," and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 CREATING AN ADDITIONAL POSITION OF COMMERCIAL REPRESENTATIVE III-A," were read a first time and passed to print by the following vote:

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Ayes: Commissioners Higgins, Lockhart, Ortiz, Sweeney, Ward Allen and President Brady - 6

Noes: None

Absent: Commissioner Wasserman - 1

At the hour of 5:25 p.m. the Board entered into closed session as previously announced by President Brady and reconvened in open session at the hour of 5:41 p.m.

The following resolution was introduced and passed separately by the following vote:

Ayes: Commissioners Higgins, Lockhart, Ortiz, Sweeney, Ward Allen and President Brady - 6

Noes: None

Absent: Commissioner Wasserman - 1

"RESOLUTION NO. 31679

AUTHORIZING EXECUTION OF LICENSE AGREEMENT WITH INNER SPACE AIRPORT ADVERTISING."

The Board then reconvened in closed session at the hour of 5:45 p.m. and reconvened in open session at the hour of 7:10 p.m. during which time Commissioner Wasserman rejoined the meeting.

Commissioner Ortiz informed the Board that Mayor Wilson had convened an emergency earthquake housing task force for the citizens of Oakland and that an immediate priority was to find housing for displaced homeless people. He noted that one of the sites for potential housing, to be administered by the Red Cross, was the old Navy barracks on the North Airport. He asked that the Board approve the concept of using the barracks for the emergency relief.

President Brady informed the Board that the emergency action would require an affirmative vote to place the proposed action on the Board's agenda for action at today's meeting, as public notice had not been given. He called for the introduction of the appropriate resolution and Resolution No. 31649 was passed. Commissioner Ortiz further discussed the issue and requested approval to enter into negotiations for the emergency earthquake housing. The request was approved on passage of Resolution No. 31678.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Higgins, Lockhart, Ortiz, Sweeney, Ward Allen, Wasserman and President Brady - 7

Noes: None

Absent: None

"RESOLUTION NO. 31649

DECLARING AN EMERGENCY IS FOUND TO EXIST UNDER TERMS OF GOVERNMENT CODE SECTION 54956.5 REQUIRING THE BOARD TO RESPOND TO EMERGENCY REQUEST FOR EMERGENCY TEMPORARY EARTHQUAKE SHELTER FOR THE HOMELESS."

"RESOLUTION NO. 31678

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE AMERICAN RED CROSS/OR WITH ANY OTHER APPROPRIATE AGENCY FOR EMERGENCY TEMPORARY EARTHQUAKE SHELTER IN BARRACKS, BUILDING L-729, NORTH AIRPORT, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT."

At the hour of 7:25 p.m. the meeting was adjourned to Tuesday, November 21, 1989 at the hour of 3:00 p.m. in the office of the Board, Room 376, 66 Jack London Square.

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The adjourned regular meeting scheduled for 3:00 p.m. Tuesday, November 21, 1989 was adjourned by the Secretary of the Board due to the absence of all the members of the Board.

President Brady, had called for a special meeting of the Board to commence at 2:00 p.m. on Tuesday, November 21, 1989 to add additional time to the Port's business discussions.

  
Secretary

November 7, 1989  
November 21, 1989

SPECIAL MINUTES OF THE BOARD OF PORT COMMISSIONERS  
OF THE  
CITY OF OAKLAND

On Friday, November 17, 1989 President Brady called for a special meeting to be held on Tuesday, November 21, 1989 at the hour of 2:00 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California. The purpose of the meeting would be to start the adjourned regular meeting one hour earlier to allow for extended discussion of the Board's agenda.

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The special meeting was held on Tuesday, November 21, 1989 at the hour of 2:15 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Brady presiding, due written notice having been appropriately given.

Commissioners present: Higgins, Lockhart, Ortiz, Sweeney, Ward Allen, Wasserman and President Brady - 7

Commissioners absent: None

Also present were the Acting Chief Executive Officer and Executive Director, Transportation Services; Port Attorney; Assistant Port Attorney Thomas Clark; Director of Engineering; Assistant Chief Engineer; Director of Commercial Real Estate; Chief Financial Officer; Director of Aviation; Acting Director of Planning; Director of Administration/Human Resources; Special Assistant to the Executive Director for Trade Relations; and Secretary of the Board.

The minutes of the regular meeting of October 3, 1989 and the adjourned regular meeting of October 10, 1989 were approved as submitted and ordered filed.

President Brady informed the Board that he would call for a closed session during the meeting and again at the conclusion of the open meeting for the purpose of discussing pending litigation involving items on the report of the Port Attorney on litigation matters as provided for under Government Code Section 54956.9 (a) and pending litigation as provided for under Government Code Section 54956.9 (b) and (c).

BOARD OF PORT COMMISSIONERS  
MEETING OF JAN - 5 1990  
APPROVED AS SUBMITTED BY ORDER OF

The Acting Chief Executive Officer and Executive Director, Transportation Services, introduced the Board to Mr. Fumio Iriguchi and Mr. Hiroji Hemmi from the Port and Harbor Bureau of Hakata, a City and port affiliation of Fukuoka, Japan. He noted that the Port of Hakata had sent the two engineers to the Port to provide help and assistance in the earthquake recovery process.

The Chief Financial Officer, at the request of Commissioner Ortiz, Chair of the Audit and Finance Committee, informed the Board of the results of the first quarter's operating statement for the fiscal year. He noted that the figures were very encouraging; however, he noted that all of the figures were produced prior to the earthquake of October 17, 1989.

Commissioner Higgins, Chair of the Planning and Development Committee, informed the Board that his committee had met earlier and reviewed their agenda. He informed President Brady that the committee had extensive discussions on certain aspects of the proposed Request for Information and Qualifications for a master developer and that the committee was recommending that the Board establish a separate, or committee of the whole, to make recommendations concerning minority equity participation in the development program. He further noted that the subject was part of a major effort by the City to develop appropriate guidelines for private-public partnerships. President Brady responded that the suggestion would be taken under advisement and that he would review the efforts of the City's task force and the Port's needs before duplicating efforts.

Commissioner Wasserman, Chair of the Transportation Committee, informed the Board that the committee had met earlier and reviewed their agenda which included an Airport advertising program, a travel agent incentive program, and the Airport master plan. He also provided an update on the earthquake repairs, and the Apostleship of the Sea situation. He further noted that Mr. Alan Furth has accepted the Chair of an Environmental Task Force which will be assisting the Port in that area. The subject will be on the Board's calendar at a later meeting.

As a courtesy to visitors in the audience, President Brady asked for discussion on Properties One, which recommended that certain findings and determinations relative to certain provisions in the contract between the Waterfront Association and the Port and was the subject of an appropriate memo to the Board from the Director of Commercial Real Estate. The memo notified the Board that since the initial conception of Jack London Square - Phase I Development Program in 1985, an association was contemplated to promote and manage the very unique district. The association members would consist of the Port and its long term direct tenants each of whom would contribute on a square foot of improvement basis. This provision has been included in each of the six leases with Oakland Portside Associates; and Scott's Restaurant and El Caballo Restaurant have agreed to contribute .8% of gross receipts, and the Boatel will contribute 1% of gross from room receipts and .8% from restaurant receipts. The tenants have agreed to share the promotion and common area maintenance costs with the Port recognizing that such services are not separate unrelated activities but part of the overall marketing program for the Waterfront. The Management Agreement states that the Waterfront Association "shall operate the common area and shall be responsible for cleaning, janitorial, gardening, relamping, parking facility restriping and other such general maintenance functions in the common area". During the construction phase, the Waterfront Association was only involved in promotion activities. Beginning in July 1988, the Waterfront Association undertook the maintenance responsibilities as specified by the Agreement. Now that the construction of the common areas and the building shells are essentially complete, the Waterfront Association can implement its full maintenance program. As part of the process the Waterfront Association has requested that the Board make a finding pursuant to the requirements of the Charter of the City of Oakland Section 802(e), entitled "The Competitive Service", that services performed by contract, regardless of nature or term,

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are in the public interest because of economy or better performance, provided that no such contract for service shall result in the loss of employment or salary by any person having permanent status in the competitive service. It is expected that better performance is a certainty as the on-site promotion activities, special events and interface with tenants will be controlled and coordinated by the Waterfront Association's own supervisory personnel and contractors, thereby eliminating the need for scheduling and coordination through Port forces who have many other responsibilities and duties that may take precedence. The Port personnel that had previously provided service in the Phase I Area have been reassigned at no loss of employment or salary. It was recommended that the Board find and determine that the performance of general maintenance services by contract in the common area of the Jack London Square - Phase I Area, as specified in the Management Contract with the Waterfront Association, is in the public interest because of economy and/or better performance and that the Board ratify and approve the contract let for such services by the Waterfront Association.

Ms. Dianna Doughty, representing Local 790, appeared before the Board to request that the finding not be made as the subject is before an arbitrator at present and the Waterfront Association would continue to take away jobs from her union, Local 790, which represents Port employees. She further noted that although no jobs would be lost there would be no growth for her represented employees. She further noted that the same approach was being used at the airport.

Mr. Glen Issacson, General Partner of the Oakland Portsite Associates, appeared before the Board to ask for approval of the findings. He noted that all successful mixed use retail complexes operated under one management and it would be impossible to have small parts of the complex under a different authority.

November 21, 1989

After considerable discussion, Commissioner Sweeney asked for the vote. Commissioner Wasserman then moved to table, which was seconded and passed on the following vote:

Ayes: Commissioners Wasserman, Higgins, Lockhart, and President Brady - 4

Noes: Commissioner Sweeney, Ortiz and Ward Allen - 3

It was noted that a motion to untable the subject would be required prior to any more discussion.

Mr. Richard Lee and Mr. Bill Morgan, representing the United Services Organization, appeared before the Board to note that the facility at the Oakland Airport was in much need of more funding. Mr. Morgan noted that the facility was operating on reduced hours and although it was receiving free rent from the Port, he asked for more assistance. President Brady took the request under advisement and asked the Director of Aviation to review the situation.

Mr. Alfonse Loera, a Port employee, and representing Local 790, appeared before the Board to note that his constant request for information regarding aviation fuel delivery charges which were used to justify self-fueling activities by the air cargo carriers at the Airport had just been received by Local 790. The Chief Financial Officer, informed the Board that the delivery charges were scheduled to be reviewed quarterly and the information was just completed and that the information suggested a reduction in costs as suspected. The recommendation for the establishment of the fees appeared on the Board's calendar for later action and no further comments were received on the subject.

At the hour of 3:15 p.m. the Board entered into closed session as previously announced by President Brady and reconvened in open session at the hour of 4:32 p.m.

Adjustment in Aviation Fuel Delivery Charges was the subject of a memo to the Board from the Director of Aviation, notifying the Board that the quarterly review of actual Port expenses accruing over the first full three

months of Consortium self-fueling activities indicates Port fueling costs can be recovered by reducing the charge to \$0.0343 per gallon. This compares with a charge of \$0.04 per gallon necessary to recover Port costs when the Port was accomplishing all airline related fueling activities. It compares also with the charge of \$0.035 established last July, based on estimates of Port costs made shortly after the Consortium assumed air cargo fueling responsibilities. It was noted that the air cargo carriers at the Airport formed a fueling consortium to reduce costs and that the move appears to be successful. It was recommended that the Board approve an ordinance establishing charges for the delivery and dispensing of contract arranged fuel into Airline Fuel Consortium members' aircraft at a new fee of \$0.0343 per gallon for single deliveries of more than 500 gallons, and \$17.15 for each single delivery of less than 500 gallons. The recommendation was approved on an ordinance passed to print.

Airport Promotion Contract was the subject of a memo to the Board from the Director of Aviation, recommending approval to enter into an agreement with Carol Williams Advertising Company to develop and implement a proposed Airport Advertising Campaign using radio and print advertising efforts in the first six months of 1990. The cost of the six-month radio and print media campaign is \$135,000.00. The theme of the campaign is "Take the Easy Way Out - Fly Oakland International". The theme will appear on all printed material, including billboards, car cards, newspapers, brochures, collateral materials and be the focal point of radio ads. After review, the program could be expanded to the television media. The recommendation was approved on passage of Resolution No. 31682.

Commission Agreement - AT&T was the subject of a memo to the Board from the Director of Aviation, notifying the Board of the numerous public telephones at the Airport and that Public Technology, Inc., a nonprofit, research and

development arm of the National League of Cities and International City Management Association has signed an agreement with AT&T permitting those eligible to earn higher commissions on the long distance service of pay phones. It was recommended that the Board approve an agreement with AT&T providing for the new higher commissions. It was estimated that the Port will initially receive a commission of 14% on revenues generated by the Airport pay telephones or an estimated \$60,000.00 annually, and it is expected to increase to a minimum of 16% by June 25, 1990. It was noted that a study will be done during the year reviewing the alternative long distance providers for pay telephones. The recommendation was approved on passage of Resolution No. 31683.

New Lease - FAA/ALSF 2 was the subject of a memo to the Board from the Director of Aviation, recommending approval to enter into a new lease for the new approach lighting system for Runway 29, known as Approach Lighting System with Sequenced Flashers Substation (ALSF 2). The term would be for one year and cover approximately 8.38 acres on the South Airport and adjacent pier. As with other FAA leases, there is no rent paid to the Port. The recommendation was approved on passage of Resolution No. 31684.

Supplement to License Agreement - Marvin Ace Darrah was the subject of a memo to the Board from the Director of Aviation, recommending approval to add additional office space in Building L-142, North Airport, to his agreement for a new total monthly rental of \$1,007.30. The premises are used for his aircraft leasing business. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

New License Agreement - Alaska Airlines was the subject of a memo to the Board from the Director of Aviation, recommending approval of a new two year agreement covering Building L-814, North Airport, which will be used for the storage and maintenance of its ground service equipment in support of its operations in Hangar 6, at a new monthly rental of \$1,816.50. The rent for the

second year will be increased to \$2,412.00 per month. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously.

Assignment of Marriott Corporation Lease for In Flight Catering

Facility was the subject of a memo to the Board from the Director of Aviation, notifying the Board of the present lease with Marriott Corporation for Building M-1111 at the Airport used for its in-flight catering operations which expires October 31, 1990 with options to extend for ten years. Marriott Corporation has recently entered into an agreement to transfer its airline catering division, Marriott In-Flight Services, to a new company, Caterair International Corporation, which is owned by senior management of Marriott and other investors. Marriott Corporation has requested the Port's consent to assignment of the in-flight catering facility lease. It was recommended that the Board consent to the assignment of the lease which involves an initial assignment to Caterair Holdings Corporation for further assignment by them to the operating entity Caterair International Corporation. It was noted that the assignment does not release Marriott from its obligations under the lease. The recommendation was approved on passage of Resolution No. 31685.

Building Permit Application, Interceptor Monitoring Station,

Intersection of Doolittle Drive and Swan Way, North Airport was the subject of a memo to the Board from the Acting Director of Planning, recommending approval for the construction of a monitoring station to be located adjacent to the Port's Airport Facilities Equipment Storage Yard. The purpose of the station is to provide early warning of wastewater quality prior to reaching EBMUD'S main wastewater treatment plant. The proposed work would consist of the construction of an underground reinforced concrete vault with associated pumping, sensing, piping and electrical work. The estimated cost of the project is \$100,000.00. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31693.

Agreement for Consulting Services to Evaluate PG&E's Wholesale Electric Rate at MOIA was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the previous "Power Sale Agreement" with PG&E to purchase electrical power at the Airport at wholesale rates. The agreement contains a provision giving PG&E the right to apply to the Federal Energy Regulatory Commission for an increase in the present rates under their rules and regulations provided that no such rate increase shall become effective before January 1, 1990. PG&E has given the Port written notice of its intention to increase the present wholesale rates and has also expressed interest in negotiating a new long-term wholesale power contract with the Port. It was recommended that the Board enter into an agreement with R. W. Beck and Associates to evaluate PG&E's proposed rate increase to ensure that such increase conforms to the rate formula specified in the agreement and to assist the Port in negotiating a new contract with PG&E. The firm will be paid at their published per hour rates plus reimbursement of direct expenses with a maximum payment of \$60,000.00, with certain additional work available at the discretion of the Executive Director. The recommendation was approved on passage of Resolution No. 31686.

Approval to Dispense With Bids for Repair of Certain Earthquake Damage to the Administration Building and to Portions of the Container Yard at American President Lines, Middle Harbor Terminal was the subject of a memo to the Board from the Director of Engineering, notifying the Board of various non-structural damages to American President Lines Administration Building at Middle Harbor Terminal. The earthquake also caused extensive damage to the pavement and utilities in the APL container yard severely limiting the use and operations of the yard. It was recommended that the Board find it to be in the best interest of the Port to dispense with formal bidding and accomplish the work based on quotations in the open market. The estimated cost for the safety work

in the building is \$150,000.00 and the repair work to the yard is estimated to cost \$100,000.00. The recommendation was approved on passage of Resolution No. 31680.

Engineering Services for Installation of Cable Reel System for Crane Power at Seventh Street Terminal was the subject of a memo to the Board from the Director of Engineering, recommending approval to enter into an agreement with Kennedy/Jenks/Chilton Engineers to provide specialized engineering services to convert the new and existing cranes over from picking up power from an underground bus to cable reels, and in designing the new terminal facilities needed with the cable reel system. The firm will be compensated at their published billing rates with a maximum amount of \$300,000.00 with certain additional work available at the discretion of the Executive Director. It was noted that due to the earthquake it is now advantageous to move the schedule up for converting the crane power pick-up system to fit it in with the yard repair work schedule. This will allow for the underground work that has to be done as part of the power pick-up system conversion to be done in conjunction with yard repairs avoiding cutting up the yard later and interfering with operations. The recommendation was approved on passage of Resolution No. 31681.

Supplemental Agreements with International Transportation Service, Inc. was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director, Transportation Services, notifying the Board of the Nonexclusive Preferential Assignment Agreement with International Transportation Service for the operation of Outer Harbor Berths 25 and 26 which is known as the Transbay Container Terminal. At the time of the negotiations of the agreement with ITS in 1986 it was recognized that there would likely be certain expansion projects that would increase the wharf length and container yard area of the TBCT Terminal and also the possibility of realigning the terminal boundaries between TBCT and the adjacent terminal Berth 24 which is the Maersk Line Container

Terminal. ITS has completed major improvements to the terminal and has experienced unforeseen delays in completing the transtainer runway improvements with associated cost overruns now estimated to cost \$1,000,000.00 as compared to the original \$600,000.00 estimate. It was recommended that the Board approve a revision to the reimbursement provisions to the transtainer runway improvement costs. The revised provisions effective January 1, 1990 provide for ITS to retain \$50,000.00 per quarter for K Line and Senator Linie wharfage activity that is currently estimated to provide about 50% of the total reimbursement requirement by the end of the current agreement June 30, 1992. ITS may also retain all the Port's secondary use revenue sharing for any new secondary use activity not associated with the reassignment of water carriers as a result of the earthquake of October 17, 1989. If ITS does not receive full reimbursement for the transtainer runway improvements by the end of the Agreement term of June 30, 1992 and the Port negotiates a new agreement with ITS for the TBCT, the Port agrees to allow ITS to retain 15% revenue sharing from K Line wharfage activity and 13.5% of Senator Linie wharfage activity over a base point level of activity of 700,000 revenue tons for K Line and 186,381 revenue tons for Senator Linie and also may continue to receive all the Port's secondary use revenue sharing for any new secondary use activity not associated with any reassignment of water carriers as a result of the earthquake. If ITS should use another container facility following the expiration of the current agreement on June 30, 1992, the Port will recognize the situation and review the outstanding balance due ITS. It was also recommended that the Board approve realigning the terminal boundaries to accommodate the berthing and container yard requirements of Maersk Line which will delete 2.8 acres from the TBCT and add the newly constructed wharf and container yard area of 2.1 acres into the TBCT terminal premises. A further additional 1.4 acres will also be added when 7th Street is relocated to accommodate the construction of the Carnation Terminal. The recommendation

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was approved on passage of Resolution No. 31687 concerning reimbursement and on a passage of an ordinance to print concerning new boundaries.

Personnel Items was the subject of a memo to the Board from the Director of Administration/Human Resources, recommending the appointment of Susan D. Colman as Associate Port Environmental Scientist, effective December 4, 1989, at \$3,550.00 per month; and the creation of classifications for three positions: three positions of Port Staff Accountant I, one position of Port Staff Accountant II, and four positions of Port Senior Accountant. Also recommended was approval of the revision to class specifications for Port Accounting Supervisor and the class specifications for Port Staff Accountant I, Port Staff Accountant II, and Port Senior Accountant. The recommendations were approved on passage of Resolution No. 31688 for appointments; Resolution No. 31689 for job specifications; and on an ordinance passed to print for creation of positions.

Contract with WorkGroup Resources, Inc. to Provide Employees Computer Training was the subject of a memo to the Board from the Chief Financial Officer, recommending approval to enter into an agreement with WorkGroup Resources, Inc., to provide training for The Coordinator - a software package used extensively by Port employees which provides tools for workgroup productivity and electronic mail. Their current proposal would provide classroom sessions for approximately 50 new computer users and refresher/transition training for an additional 150 employees who have been using an earlier version of the software. The firm will be paid \$28,500.00 over a period of two to three months to provide all the training. The recommendation was approved on passage of Resolution No. 31690.

Sale of Surplus Concrete Pile was the subject of a memo to the Board from the Director of Administration/Human Resources, recommending approval to sell one pile to Deep Water Contracting Co. for \$1,700.00 plus tax. The pile, which is in storage at the manufacturers facility in Napa, is the last of six purchased about one year ago. The other five were used to complete an emergency

repair at Berth 23. The recommendation was approved on passage of Resolution No. 31691.

Claim of Desiree O. Cox was the subject of a memo to the Board from the Port Attorney, notifying the Board of a claim in an unspecified amount of damages for alleged injuries resulting from a fall from the second floor on premises occupied by Metropolitan Yacht Club of Oakland at 1853 Embarcadero. The Claimant was a member or guest of a ski club which rented the premises from Metropolitan Yacht Club of Oakland for an evening event. As the claim is not a proper charge against the Port, it was recommended that the claim be rejected. The recommendation was approved on passage of Resolution No. 31692.

The following reports were received and ordered filed:

Summary of Port Revenue and Construction Funds  
as of November 10, 1989.

Summary of Cash and Accounts Receivable Port Revenue Fund 770  
For the Month of October 1989.

Accounts Receivable in Arrears  
as of October 31, 1989.

Delinquent Accounts Referred to Legal - Reported as of  
October 31, 1989.

Summary of Claims Paid from Various Funds  
For the Period October 31, 1989 through November 13, 1989.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Higgins, Lockhart, Ortiz, Sweeney, Ward Allen,  
Wasserman and President Brady - 7

Noes: None

Absent: None

"RESOLUTION NO. 31680

FINDING AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE PORT TO REPAIR EARTHQUAKE DAMAGED WALLS IN BUILDING E-221, AND CONTAINER YARD PAVEMENT AND UTILITIES AT MIDDLE HARBOR TERMINAL WITHOUT COMPETITIVE BIDDING, AND AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND ENTER INTO CONTRACTS FOR SUCH WORK."

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"RESOLUTION NO. 31681

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH KENNEDY/JENKS/CHILTON ENGINEERS FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES, AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31682

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH CAROL H. WILLIAMS ADVERTISING FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31683

AUTHORIZING EXECUTION OF AN AGREEMENT WITH AMERICAN TELEPHONE & TELEGRAPH."

"RESOLUTION NO. 31684

AUTHORIZING EXECUTION OF AGREEMENT WITH THE UNITED STATES OF AMERICA."

"RESOLUTION NO. 31685

CONSENTING TO ASSIGNMENT OF LEASE WITH MARRIOTT CORPORATION TO CATERAIR INTERNATIONAL CORPORATION AND AUTHORIZING EXECUTION OF CONSENT TO ASSIGNMENT."

"RESOLUTION NO. 31686

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH R. W. BECK AND ASSOCIATES FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31687

AUTHORIZING EXECUTION OF FOURTH SUPPLEMENTAL AGREEMENT WITH INTERNATIONAL TRANSPORTATION SERVICES, INC."

"RESOLUTION NO. 31688

APPOINTING SUSAN D. COLEMAN TO THE POSITION OF ASSOCIATE PORT ENVIRONMENTAL SCIENTIST."

"RESOLUTION NO. 31689

APPROVING JOB SPECIFICATIONS FOR THE POSITIONS OF PORT STAFF ACCOUNTANT I AND PORT STAFF ACCOUNTANT II AND APPROVING REVISED JOB SPECIFICATION FOR THE POSITION OF PORT ACCOUNTING SUPERVISOR."

"RESOLUTION NO. 31690

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH WORKGROUP RESOURCES, INC., FOR COMPUTER TRAINING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31691

FINDING AND DETERMINING THAT ONE CONCRETE PILE OWNED BY THE PORT IS NO LONGER REQUIRED FOR PORT USE AND AUTHORIZING AND APPROVING ITS SALE TO DEEP WATER CONTRACTING CO., INC."

"RESOLUTION NO. 31692

REJECTING CLAIM OF DESIREE O. COX."

"RESOLUTION NO. 31693

GRANTING EAST BAY MUNICIPAL UTILITY DISTRICT PERMISSION TO PERFORM CERTAIN WORK."

Port Ordinance No. 2930 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 2833 RELATING TO WHARFAGE RATES," and Port Ordinance No. 2931 being, "AN ORDINANCE ESTABLISHING PERMIT FEES AND REVENUE TRIP FEES FOR TAXI CABS AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA," and Port Ordinance No. 2932 being, "AN ORDINANCE AMENDING SECTION 10.5 OF PORT ORDINANCE NO. 1149 RELATING TO CHARGES FOR USE OF FACILITIES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT," and Port Ordinance No. 2933 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 CREATING AN ADDITIONAL POSITION OF COMMERCIAL REPRESENTATIVE III-A," were read a second time and passed by the following vote:

Ayes: Commissioners Higgins, Lockhart, Ortiz, Sweeney, Ward Allen, Wasserman and President Brady - 7

Noes: None

Absent: None

Port Ordinance No. \_\_\_\_ being, "AN ORDINANCE AMENDING SECTIONS 18 AND 19 OF PORT ORDINANCE NO. 1149 RELATING TO CHARGES FOR DELIVERY OF AVIATION FUEL AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT," and Port Ordinance No. \_\_\_\_ being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF FIFTH SUPPLEMENTAL AGREEMENT WITH INTERNATIONAL TRANSPORTATION SERVICE, INC.," and Port Ordinance No. \_\_\_\_ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 TO CREATE CERTAIN NEW POSITIONS AND TO REVISE THE SECTION NUMBER FOR THE CLASSIFICATION OF PORT ENVIRONMENTAL COMPLIANCE SUPERVISOR," were read a first time and passed to print by the following vote:

Ayes: Commissioners Higgins, Lockhart, Ortiz, Sweeney, Ward Allen, Wasserman and President Brady - 7

Noes: None

Absent: None



REGULAR MINUTES OF THE BOARD OF PORT COMMISSIONERS  
OF THE  
CITY OF OAKLAND

The meeting, formal portion, was held on Tuesday, December 5, 1989 at the hour of 4:50 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Brady presiding, due written notice having been given to members of the Board. An informal portion was held during the period from 3:20 p.m. to 4:45 p.m. during which time the Board received a report on the development of a standard container crane for use on the West Coast, and a report on the Outer Harbor Transportation alternatives.

Commissioners present: Higgins, Lockhart, Ortiz, Ward Allen,  
Wasserman and President Brady - 6

Commissioners absent: Commissioner Sweeney - 1

Also present were the Acting Chief Executive Officer and Executive Director, Transportation Services; Port Attorney; Director of Engineering; Assistant Chief Engineer; Chief Financial Officer; Director of Commercial Real Estate; Director of Aviation; Special Assistants to the Executive Director, George Watson and Gerald Pope; Director of Administration/Human Resources; Director of Public Affairs; and Secretary of the Board.

The minutes of the regular meeting of October 17, 1989 and the adjourned regular meeting of October 24, 1989 were approved as submitted and ordered filed.

Mr. William West, Manager of Airport Properties received his 15-year service award.

President Brady informed the Board that he would call for a closed session at the conclusion of the open session for the purpose of discussing personnel matters as provided for under Government Code Section 54957.

President Brady informed the Board that the Executive and Management Committee had met earlier in the day and reviewed their agenda.

BOARD OF PORT COMMISSIONERS

MEETING OF FEB - 6 1990

APPROVED AS SUBMITTED AND ORDERED FILED

SECRETARY *[Signature]*

Commissioner Wasserman informed the Board that the Transportation Services Committee had met earlier and reviewed their agenda. He informed the Board that he would ask Special Assistant to the Port, Mr. Frank Ogawa, to represent the Port on the Ad Hoc Ferry Service Committee that was being formed.

Ratification of Acceptance of FAA Grant Amendment No. 1 to AIP-10 and Ratification of Issuance of Change Order to Provide Aircraft Turnaround on Runway 11-29 was the subject of a memo to the Board from the Director of Engineering, notifying the Board that the Board had previously ratified the execution of the FAA Airport Improvement Program Grant Agreement AIP-10 which offered \$8 million for repairs to earthquake damages on Runway 11-29 and the Board ratified the issuance of a change order to the contract with O.C. Jones & Sons, to restore approximately 1500 feet of damaged runway before Thanksgiving at an estimated cost of \$1,061,000.00. The air carriers and the FAA tower personnel have now requested that a 747 turnaround pad, that will allow powered turns without tugs to minimize operational delays, be added to the repaired runway. It was recommended that the Board ratify the Director of Engineering's acceptance and execution of the Federal Aviation Administration's AIP-10 Grant Amendment No. 1, which provides for a change in scope of the work. It was also recommended that the Board ratify the change order issued to O. C. Jones & Sons, in an amount estimated to be \$250,000.00 to provide aircraft turnaround capability on Runway 11-29. The recommendation was approved on passage of Resolution No. 31710 for Grant Amendment and Resolution No. 31711 for change order.

Substitution of Electrical Subcontractor for "Construction of Five and Relocation of One Aircraft Passenger Loading Bridges, Terminal I Gates 10, 11, 12, 14, 15, & 17" was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the contract with Jetway Systems for the construction of the passenger loading bridges and that the electrical

subcontractor, Comet Electric, is unable to perform their work due to earthquake damage. It was recommended that Jetway be allowed to substitute Monarch Electric Company as the listed electrical subcontractor. The recommendation was approved on passage of Resolution No. 31712.

Award of Contract for Replacement of Existing Electric Meters, MOIA was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the three bids received and recommended award of the contract to Precision Electrical Design-Build, Inc., the low bidder at \$75,600.00. The recommendation was approved on passage of Resolution No. 31713.

Contract Completion, Replacement and Repair of Air Conditioning Units at George P. Miller Aviation Center, Bldg. M-110, South Airport was the subject of a memo to the Board from the Director of Engineering, recommending that the contract with N. V. Heathorn, Inc. be extended for four calendar days and accepted as complete as of September 1, 1989, with a contract price of \$53,774.60. The recommendation was approved on passage of Resolution No. 31714.

Approval of Change Order for Correction of Unstable Soil for "Construction of Aircraft Washing Facility, Miller Aviation Center, South Airport was the subject of a memo to the Board from the Director of Engineering, recommending approval to issue a change order to Monterey Mechanical Company in the amount of \$67,667.47 and a time extension of 16 calendar days to correct the soil conditions for the sanitary sewer trench which extends from the west side of the Miller Aviation Center apron to the Air Cargo Roadway and is approximately 1500 feet in length. The recommendation was approved on passage of Resolution No. 31715.

Building Permit Application, Hangar 6, Alaska Airlines, Inc., North Airport was the subject of a memo to the Board from the Acting Director of Planning, recommending approval for the construction of certain exterior and interior improvements to the hangar. The exterior improvements include

construction of several concrete slabs for the installation of new facilities and storage. The interior improvements also include concrete slabs within the hangar and renovation of interior office space. The estimated cost of the proposed improvements is \$700,000.00. The project is categorically exempt and does not require the preparation of an environmental document. Alaska is also requesting a rental credit not to exceed \$34,000.00 for the replacement of the concrete apron pavement. The recommendation was approved on passage of Resolution No. 31697 for building permit, and on a motion by Commissioner Wasserman, seconded and passed unanimously for rental credit.

Consulting Agreement with Keiser and Associates for Air Cargo Marketing Assistance was the subject of a memo to the Board from the Director of Aviation, notifying the Board of an agreement with Keiser and Associates to perform air cargo marketing services and recommending approval to extend their agreement for an additional \$20,000.00, for a total of \$35,000.00 for the fiscal year. The firm will assist with the implementation of the air cargo marketing strategy; provide recommendations with regard to air cargo facility requirements for both the short-term and long-term and provide evaluations of emerging trends in the air cargo industry. The recommendation was approved on passage of Resolution No. 31728.

Consulting Agreement with Roberts and Associates, Inc. for Support of Passenger Services Marketing Program was the subject of a memo to the Board from the Director of Aviation, notifying the Board of the agreement with Roberts and Associates, Inc. and recommending approval to extend their agreement for an additional \$20,000.00 for a total of \$35,000.00 for the fiscal year. The firm will develop origin, destination and connecting passenger data in support of service between Oakland, Honolulu, Chicago, Dallas, Atlanta and other metropolitan areas; identify commuter market opportunity to support a commuter

hub and feeder system; and perform other Airport marketing services as directed by the Port's Director of Aviation. The recommendation was approved on passage of Resolution No. 31729.

Jack London Village Sublease - Telimena Boutique was the subject of a memo to the Board from the Director of Commercial Real Estate, recommending approval to renew the sublease for Alina Bialobrodski, dba Telimena Boutique, operating a retail ladies boutique in the Village. The recommendation was approved on passage of Resolution No. 31704.

Application to the State Department of Transportation for Funding through Transit Capital Improvement Program for Ferry Service Projects was the subject of a memo to the Board from the Director of Commercial Real Estate, notifying the Board that the State of California Department of Transportation has now included passenger ferries and terminals as eligible projects under the Transit Capital Improvement Program administered by CalTrans. The program provides 50% matching grants to public entities for approved project planning, development, improvement or acquisition for public mass transit guideways and their related fixed facilities. Permanent ferry service from Jack London's Waterfront would be a beneficial activity for the existing commercial tenants and the retail tenants for the Phase I project, and it was recommended that the Board approve an appropriate application to the State for grant funds for the construction of a ferry terminal facility in Jack London Square. At present the Port would apply for funds to provide additional surface parking; provide a pedestrian walkway linkage between parking area and the ferry dock at the foot of Franklin Street; provide a space-frame-weather-shelter-terminal with wind screening, a ferry float with ramp, utilities and ticketing facilities; provide for the construction of additional parking space; and associated engineering, design, administration, planning and environmental. The total cost included in the grant application would be \$2,312,900.00. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

Change Order for Temporary Repairs of Berth 37 and Permanent Repairs to a Portion of Berth 35, Seventh Street Terminal was the subject of a memo to the Board from the Director of Engineering, notifying the Board that the Board had previously dispensed with bids for the emergency earthquake repairs to the Berths 35 and 37 wharves and authorized negotiations to perform the work. The repairs to Berth 37 were relatively straight forward and the work would be performed by Seaworks, Inc., under a time and materials change order to their existing contract for the construction of shoreline public access and guest berthing at the Boatel, Jack London Square. Seaworks also had the best proposal for work at Berth 35 and was instructed to proceed with the work. It was recommended that the Board ratify a change order to Seaworks, Inc., to perform temporary repairs as directed to the rear crane at Berth 37 at an estimated total cost of \$150,000.00 and construct permanent repairs to the easterly 300' of Berth 35 at an estimated total cost of \$1,300,000.00. The recommendation was approved on a motion by Commissioner Wasserman, seconded and passed unanimously.

Consultant Services Agreement, Intermodal Interface Demonstration Project was the subject of a memo to the Board from the Director of Engineering, notifying the Board that the Board previously authorized an agreement with Vickerman-Zachary-Miller to prepare a study of the Port's Intermodal Interface System and its potential enhancement. The preliminary engineering and preliminary project management assistance for the Intermodal Interface Demonstration Project has been completed. A review of the project issues has determined that a more detailed analysis of the traffic impact on Port tenants operating in the Outer Harbor terminal and recommendations for possible revisions of existing entrance gates are necessary for implementation of the design phase of the project. It was recommended that the agreement with Vickerman-Zachary-Miller be amended to include detailed traffic impact analysis and recommended gate layouts. The maximum compensation under the agreement would

not exceed \$130,000.00 with \$20,000.00 of additional work available at the discretion of the Executive Director. All work under the second amendment would be authorized by the Chief Engineer on a case-by-case, work order basis. The recommendation was approved on passage of Resolution No. 31718.

Terminal Use Agreement with European Carriers was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director, Transportation Services, notifying the Board that Hapag-Lloyd Euro Pacific, Compagnie Generale Maritime, Incotrans, Trans Freight Lines and Sea-Land Service have a five year term Terminal Use Agreement with the Port that expires December 31, 1989. The five shipping lines operate a joint European service under a Federal Maritime Commission approved Space Charter and Sailing Agreement and call at the Charles P. Howard Terminal operated by Stevedoring Services of America. The Port has recently concluded negotiations for a new five year term agreement with the European lines commencing January 1, 1990 through December 31, 1994, and it was recommended that the agreement be approved. The basic provisions of the agreement include the use of the Charles P. Howard Terminal as the lines' regularly scheduled northern California port-of-call with the Port having the right to relocate the lines to another Port facility subject to notice provisions in the agreement. The lines may retain 20% of the tariff wharfage rate at the time of the cargo activity subject to a minimum guarantee of 8,500 loaded TEU's annually. The lines will also be eligible for an additional wharfage refund at the conclusion of the contract year based upon the line achieving certain volume levels. The Port will charge the European lines \$10.00 per empty TEU loaded to or discharged from vessels subject to an allowance of \$15% of the total loaded and empty TEU's loaded to and discharged from vessels during the contract year. As the lines make double port vessel calls, a dockage cap is provided which allows the European lines to pay for 70% of the annual vessel calls at 90% of the prevailing tariff dockage rate. It was also noted that the agreement represents

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an alternative form of use agreement which includes a minimum guarantee of containers annually to the Port, provides incentives for the lines to generate increased cargo volumes while minimizing the number of empty container movements and facilitates the Port staff's administration of such agreements. The recommendation was approved on an ordinance passed to print.

Approval to Bind Contingent Crane Insurance was the subject of a memo to the Board from the Chief Financial Officer, notifying the Board that the contract with Kocks Crane and Marine Company requires that Kocks insure the two new Post-Panamax Cranes during manufacture, in transit and while being installed at Seventh Street Public Container Terminal for \$6,000,000.00 each. When the Port ordered a third Post-Panamax Crane, the price rose from \$6,000,000.00 to \$7,940,000.00 and to properly insure the full estimated replacement cost of the cranes being shipped December 1989, it was recommended that the Board approve the placement of additional insurance with Lloyds of London for a premium of approximately \$42,000.00 for coverage during transit and during a three month installation period. The insurance policy provides a limit of \$2,500,000.00 for each crane in excess of the policy provided by Kocks of \$6,000,000.00 for each crane while in transit and being installed at Seventh Street. The recommendation was approved on passage of Resolution No. 31705.

Building Permit Application, Matson Terminals, Inc., Emergency Wharf Pile Repairs, Berths 32 and 33, Seventh Street Terminal, Oakland was the subject of a memo to the Board from the Acting Director of Planning, recommending approval for the short-term emergency repairs of Matson Wharf piles at the Seventh Street Terminal, which were damaged during the recent earthquake. Approximately 100 wharf piles at Berths 32 and 33 are damaged. The proposed work would consist of sealing lightly cracked piles; reconnecting detached piles to the concrete deck; repairing a 6,000 square foot portion of shoreline embankment;

removing the damaged asphaltic concrete pavement; recompacting the subgrade material and repaving the area. The estimated cost of the proposed work is \$200,000.00. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31698.

Professional Services Contract for Chairman, Environmental Task Force

was the subject of a memo to the Board from the Acting Director of Planning, recommending approval to enter into an agreement with Mr. Alan Furth to serve as Chairman of the Environmental Task Force. Mr. Furth will report directly to the Chief Executive Officer and assist management in assembling consultant members of the Environmental Task Force, and will direct their efforts in developing strategies and action plans for the resolution of the dredging disposal issue. The contract with Mr. Furth will be for one year, at a rate of \$125.00 per hour, with direct compensation not to exceed \$100,000.00. The recommendation was approved on passage of Resolution No. 31719.

Personnel Items contained in a memo to the Board from the Director of Administration/Human Resources, recommended the appointment of Emily C. Regnier, as Commercial Representative IV, effective January 16, 1990 at \$3,916.00 per month; Mary Holloway, as Youth Aide "BB-1", effective December 6, 1989 at \$12.32 per hour; Jon Stark, as Youth Aide "BB", effective December 6, 1989 at \$12.08 per hour. Also recommended was approval of the examination announcements for Marine Statistics Clerk and Marine Billing and Traffic Assistant and the appropriate revisions to the class specifications for Marine Billing and Traffic Assistant and Marine Statistics Clerk. Further recommended was a medical leave of absence for Marie Tso, Port Personnel Technician, for 29 working days; and a medical leave of absence for Jayne Sandoval, Intermediate Typist Clerk, for 31 additional working days. The recommendations were approved on passage of Resolution

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No. 31699 for appointments; Resolution No. 31700 for examination announcements; Resolution No. 31701 for job specifications; and Resolution No. 31702 for leaves of absence.

Travel Authorization contained in a memo to the Board from the Director of Administration/Human Resources, recommended approval for the travel of Commissioner Douglas J. Higgins to Seattle, Washington, on November 27, 1989 to attend a Pacific Coast Association of Port Authorities Board of Directors meeting; travel of the Executive Director, Transportation Services and Acting Chief Executive Officer to New York City and Washington, D.C., on or about November 29 through December 2, 1989 to meet with Federal agencies, Port Association staff and shipping line clients; and the travel of John Nolan, Assistant Port Attorney, to Washington, D.C., on or about December 10, 1989 to attend the Airport Operators Council International Air Transportation Service Seminar on bilateral service negotiations. The recommendation was approved on passage of Resolution No. 31720.

Professional Services Contract for an Interim Planning Manager was the subject of a memo to the Board from the Acting Director of Planning, notifying the Board that the position of Planning Manager was created, by the Board as part of the reorganization, to manage the Planning and Compliance Department within the Port Planning Division. The Department is responsible for implementation of the capital project approval process; support and guidance of the strategic planning process; updating, modification, and operation of the Economic Impact Model; initiation of the overall master planning program; completion of the Airport Master Plan; and improving and conducting the Port's building permit process. As it is necessary to fill the position on an interim basis prior to the retention of other Port staff, it was recommended that the Board approve an agreement with Mr. Afif Kanafani for professional services to manage the Planning and Compliance Department for a period of six months at a cost not to exceed \$40,000.00. The recommendation was approved on passage of Resolution No. 31721.

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Amendment to Master Trust Indenture for Port of Oakland Revenue Bonds regarding Special Facilities Revenue was the subject of a memo to the Board from the Chief Financial Officer, recommending that the Board approve a Fourth Supplemental Indenture amending Section 5.07 of the Master Trust Indenture to permit Special Facilities Revenues to be available as Pledged Revenues following payment of debt service on Special Facilities Bonds, operating and maintenance expenses for such facilities, and reserve fund payments, with the form of such Fourth Supplemental Indenture to be approved by the Port Attorney. It was noted that the amendment will allow for reserve fund payments to be available to pay debt service on Port revenue bonds or to provide coverage for the Port's bonding capacity. The recommendation was approved on passage of Resolution No. 31722.

Approval of Investment of Grant Monies in an Escrow Account with Security Pacific National Bank under the Port's Tax Exempt Commercial Paper Program was the subject of a memo to the Board from the Chief Financial Officer, recommending approval for the establishment of certain escrow accounts with Security Pacific National Bank for the deposit and investment of grant proceeds received by the Port to the extent Notes were issued in anticipation of such grants, subject to investment and use restrictions necessary to maintain the Federal tax exemption on the particular Note series as approved by the Port Attorney. The procedure is designed to assist the Port in meeting its cash flow needs while awaiting grants for earthquake repair, although it is not restricted to earthquake related grants. In order to maintain the tax-exemption on the particular Notes issued under such circumstances, the proceeds of such grants must be invested in tax-exempt obligations immediately upon receipt by the Port. The recommendation was approved on passage of Resolution No. 31723.

Designation of Additional Authorized Board Representative for the Port's Revenue Bonds and Tax Exempt Commercial Paper Program was the subject of a memo to the Board from the Chief Financial Officer, notifying the Board that the

Master Trust Indenture for the Port's revenue bonds designates the Chief Executive Officer and Executive Director, and the Chief Financial Officer as Authorized Board Representatives to deliver certain certificates and perform certain duties. It was recommended that the Board designate Charles R. Roberts, Director of Engineering, as an additional Authorized Board Representative for the purposes set forth in the Indenture. The recommendation was approved on passage of Resolution No. 31724.

Authorization to Purchase Motor Grader was the subject of a memo to the Board from the Director of Administration/Human Resources, recommending approval to purchase one Caterpillar 140G motor grader at a cost not to exceed \$110,400.00 on the open market and declare the Port's existing grader as surplus and authorize its sale. The recommendation was approved on passage of Resolution No. 31725.

Streamlining Board Procedures was the subject of a letter to the Board from the Port Attorney, notifying the Board of certain steps designed to improve productivity regarding Board/staff relations. The recommendations have been developed to reduce copying costs through a reduction in the paperwork between Board and staff; improve relations between Board and staff including the reinstatement of the chain of command principle and delegation of authority; increase Board time which can be spent on policy or planning related items; improve the responsiveness of the Port to its tenants; and eliminate unnecessary steps in approval processes and maintain the necessary controls and responsibilities as designated by Charter. At present the recommended proposals deal with 1) renewal of short term license and concession agreements; 2) form of renewal of L&C Agreement; 3) leave requests mandated by State Law, including military leave and workers' compensation leave, and administrative leave without pay; 4) examination announcements and job specifications; 5) travel within

approved budget, or authorized by public works contract, or reimbursed by others; 6) building permit approvals; 7) conceptual design approval; 8) Port Attorney's monthly status report; 9) change orders; 10) bid limits; and 11) acceptance of contracts, imposing liquidated damages and granting time extensions. Several of the proposals require the action of other authorities and will be presented before the Board at a later date. The suggestions were implemented by passage of Resolution No. 31727 amending the by-laws.

Joseph J. Brecher for Special Counsel, Environmental Law Matters was the subject of a letter from the Port Attorney, recommending approval to retain Mr. Brecher for the purposes of special counsel and provide litigation support on environmental law actions at a rate of \$100.00 per hour not to exceed \$45,000.00 including expenses. The recommendation was approved on passage of Resolution No. 31709.

The following reports were received and ordered filed:

Report of Port Attorney on Litigation Matters

Summary of Construction Contracts in Progress  
as of November 1989.

Status of Consultant Contracts in Progress  
as of November 1989.

Summary of Port Revenue and Construction Funds  
as of November 24, 1989.

Summary of Claims Paid from Various Funds  
for the Period November 14, 1989 through November 27, 1989.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Higgins, Lockhart, Ortiz, Ward Allen,  
Wasserman and President Brady - 6

Noes: None

Absent: Commissioner Sweeney - 1

"RESOLUTION NO. 31694

RECOMMENDATION TO ADOPT A RESOLUTION TO SUPPORT CONTINUED FERRY SERVICE  
AT JACK LONDON'S WATERFRONT."

"RESOLUTION NO. 31695

SETTING JUST COMPENSATION IN THE MATTER OF CLEAR ZONE ACQUISITION AT  
NORTH AIRPORT."

"RESOLUTION NO. 31696

APPROVING APPRAISAL OF THE FAIR MARKET VALUE OF CERTAIN REAL PROPERTY ADJACENT TO THE PRIVATE ROAD BETWEEN SEVENTH STREET AND MIDDLE HARBOR ROAD IN THE CITY OF OAKLAND, ESTABLISHING JUST COMPENSATION THEREFOR AND DIRECTING THE EXECUTIVE DIRECTOR TO MAKE AN OFFER TO ACQUIRE SAID REAL PROPERTY AT FAIR MARKET VALUE."

"RESOLUTION NO. 31697

GRANTING ALASKA AIRLINES, INC. PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31698

GRANTING MATSON TERMINALS, INC. PERMISSION TO PERFORM CERTAIN WORK."

RESOLUTION NO. 31699

CONCERNING CERTAIN APPOINTMENTS.

"RESOLUTION NO. 31700

APPROVING EXAMINATION ANNOUNCEMENT FOR THE POSITIONS OF MARINE BILLING AND TRAFFIC ASSISTANT AND MARINE STATISTICS CLERK."

"RESOLUTION NO. 31701

APPROVING JOB SPECIFICATIONS FOR THE POSITION OF MARINE BILLING AND TRAFFIC ASSISTANT AND THE POSITION OF MARINE STATISTICS CLERK."

"RESOLUTION NO. 31702

CONCERNING CERTAIN LEAVES OF ABSENCE."

"RESOLUTION NO. 31703

AUTHORIZING EXECUTION OF A CERTAIN LICENSE AND CONCESSION AGREEMENT WITH SAN FRANCISCO-OAKLAND TELEVISION."

"RESOLUTION NO. 31704

CONSENTING TO SUBLEASE BY OAKLAND VILLAGE CORPORATION TO ALINA BIALOBRODSKI."

"RESOLUTION NO. 31705

APPROVING AND AUTHORIZING PLACEMENT OF PROPERTY INSURANCE FOR CONTAINER CRANES."

"RESOLUTION NO. 31706

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO PURCHASE ONE CATERPILLAR MOTOR GRADER FROM PETERSON TRACTOR COMPANY, WITHOUT COMPETITIVE BIDDING, AND AUTHORIZING PROCUREMENT OF SAME."

"RESOLUTION NO. 31707

ASSIGNING CERTAIN EMPLOYEES TO SALARY RATES WITHIN SALARY GRADES 17, 16 AND 15."

"RESOLUTION NO. 31708

ADJUSTING CERTAIN SALARY DETERMINATIONS AND ASSIGNMENTS IN CONNECTION WITH THE PORT PAY FOR PERFORMANCE PROGRAM."

"RESOLUTION NO. 31709

RATIFYING AND APPROVING APPOINTMENT AND EMPLOYMENT OF SPECIAL COUNSEL."

"RESOLUTION NO. 31710

ACCEPTING AMENDMENT TO GRANT OFFER OF THE UNITED STATES OF AMERICA AND AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION UNDER PROJECT NO. 3-06-0170-10, CONTRACT NO. DTFA08-90-C-30417."

"RESOLUTION NO. 31711

FINDING AND DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PORT TO CONTRACT FOR CONSTRUCTION OF AIRCRAFT TURNAROUND CAPABILITIES ON RUNWAY 11-29, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, WITHOUT COMPETITIVE BIDDING, APPROVING AND RATIFYING A CONTRACT WITH O. C. JONES AND SONS FOR SAID CONSTRUCTION WORK".

"RESOLUTION NO. 31712

CONSENTING TO SUBSTITUTING MONARCH ELECTRIC COMPANY AS SUBCONTRACTOR IN PLACE OF COMET ELECTRIC COMPANY FOR ELECTRICAL WORK IN CONSTRUCTION OF FIVE AND RELOCATION OF ONE AIRCRAFT PASSENGER LOADING BRIDGES, (BUILDING M-103) GATES 10, 11, 12, 14, 15 AND 17, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA. (A.I.P. 3-06-0170-04).

"RESOLUTION NO. 31713

AWARDING CONTRACT TO PRECISION ELECTRICAL DESIGN-BUILD, INC., FOR REPLACEMENT OF EXISTING ELECTRIC METERS, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, OAKLAND, CALIFORNIA; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 31714

ACCEPTING WORK PERFORMED BY N. V. HEATHORN, INC., EXTENDING TIME FOR PERFORMANCE OF CONTRACT AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31715

APPROVING ISSUANCE OF CHANGE ORDER FOR CONTRACT FOR CONSTRUCTION OF AIRCRAFT WASHING FACILITY, MILLER AVIATION CENTER, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT."

"RESOLUTION NO. 31716

EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH MONTEREY MECHANICAL COMPANY."

"RESOLUTION NO. 31717

APPROVING AND RATIFYING APPLICATION TO STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR GRANT FUNDS FOR THE CONSTRUCTION OF A FERRY TERMINAL FACILITY IN JACK LONDON SQUARE."

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"RESOLUTION NO. 31718

FINDING AND DETERMINING THAT A PROPOSED SECOND AMENDED AGREEMENT WITH VICKERMAN-ZACHARY-MILLER, FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31719

FINDING AND DETERMINING THAT A PROPOSED CONSULTING AGREEMENT WITH ALAN FURTH, FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO 31720

CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 31721

FINDING AND DETERMINING THAT A PROPOSED CONSULTING AGREEMENT WITH AFIF KANAFANI, FOR CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31722

AUTHORIZING AMENDMENT OF TRUST INDENTURE DATED AS OF APRIL 1, 1989 BY AND BETWEEN THE BOARD OF PORT COMMISSIONERS OF THE CITY OF OAKLAND AND SECURITY PACIFIC NATIONAL BANK."

"RESOLUTION NO. 31723

APPROVING INVESTMENT OF GRANT MONIES IN AN ESCROW ACCOUNT WITH SECURITY PACIFIC NATIONAL BANK IN CONNECTION WITH THE TAX-EXEMPT COMMERCIAL PAPER PROGRAM."

"RESOLUTION NO. 31724

DESIGNATING DIRECTOR OF ENGINEERING AS AN AUTHORIZED BOARD REPRESENTATIVE UNDER THE TRUST INDENTURE DATED AS OF APRIL 1, 1989 BY AND BETWEEN THE BOARD OF PORT COMMISSIONERS OF THE CITY OF OAKLAND AND SECURITY PACIFIC NATIONAL BANK."

"RESOLUTION NO. 31725

FINDING AND DETERMINING THAT ONE MOTOR GRADER OWNED BY THE PORT IS NO LONGER REQUIRED FOR PORT USE AND AUTHORIZING AND APPROVING ITS SALE ON THE OPEN MARKET."

"RESOLUTION NO. 31726

GRANTING BRENT AND MARY HENNEFER PERMISSION TO PERFORM CERTAIN WORK"

"RESOLUTION NO. 31727

AMENDING THE BY-LAWS AND ADMINISTRATIVE RULES OF THE BOARD OF PORT COMMISSIONERS."

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"RESOLUTION NO. 31728

AUTHORIZING AMENDMENT OF CONSULTING AGREEMENT WITH KEISER AND ASSOCIATES FOR AIR CARGO MARKETING ASSISTANCE."

"RESOLUTION NO. 31729

AUTHORIZING AMENDMENT OF CONSULTING AGREEMENT WITH ROBERTS AND ASSOCIATES, INC. FOR SUPPORT OF PASSENGER SERVICES MARKETING PROGRAM."

"RESOLUTION NO. 31730

APPOINTING EXECUTIVE DIRECTOR, PORT DEVELOPMENT."

Port Ordinance No. 2934, being, "AN ORDINANCE AMENDING SECTIONS 18 AND 19 OF PORT ORDINANCE NO. 1149 RELATING TO CHARGES FOR DELIVERY OF AVIATION FUEL AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT," and Port Ordinance No. 2935, being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF FIFTH SUPPLEMENTAL AGREEMENT WITH INTERNATIONAL TRANSPORTATION SERVICE, INC.," and Port Ordinance No. 2936, being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 TO CREATE NEW POSITIONS AND TO REVISE THE SECTION NUMBER FOR THE CLASSIFICATION OF PORT ENVIRONMENTAL COMPLIANCE SUPERVISOR," were read a second time and passed by the following vote:

Ayes: Commissioners Higgins, Lockhart, Ortiz, Ward Allen, Wasserman and President Brady - 6

Noes: None

Absent: Commissioner Sweeney - 1

Port Ordinance No. \_\_\_\_\_, being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH HARRISON'S BOAT CENTER, INC., AND DIRECTING RECORDATION THEREOF," and Port Ordinance No. \_\_\_\_\_, being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH JOSEPH LUCERO, DOING BUSINESS AS LUCERO PRINTING," and Port Ordinance No. \_\_\_\_\_, being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF TERMINAL USE AGREEMENT WITH EURO-PACIFIC SERVICE, COMPAGNIE GENERALE MARITIME, INCOTRANS B.V., SEA LAND SERVICE, INC. AND TRANS FREIGHT LINES," and Port Ordinance No. \_\_\_\_\_, being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 1606 FORMULATING AND ESTABLISHING CONDITIONS AND PROCEDURES FOR BIDDING, CONTRACTING AND PURCHASING," and Port Ordinance No. \_\_\_\_\_, being, "AN ORDINANCE AMENDING

PERSONNEL RULES AND PROCEDURES OF THE PORT OF OAKLAND IN PORT ORDINANCE NO. 2199 RELATING TO APPROVAL OF JOB SPECIFICATIONS, EXAMINATION ANNOUNCEMENTS AN LEAVES OF ABSENCE," were read a first time and passed to print by the following vote:

Ayes: Commissioners Higgins, Lockhart, Ortiz, Ward Allen, Wasserman and President Brady - 6

Noes: None

Absent: Commissioner Sweeney - 1

At the hour of 5:08 p.m. the Board entered into closed session as previously announced by President Brady and reconvened in open session at the hour of 5:52 p.m. at which time the meeting was adjourned to 3:00 p.m. Tuesday, December 19, 1989.

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The meeting, formal portion, was reconvened on Tuesday, December 19, 1989 at the hour of 4:14 p.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Brady presiding, due written notice having been given to members of the Board. An informal portion was held during the period from 3:15 p.m. to 4:05 p.m. during which time the Board received a report on the Airport Master Plan Public Review Process and a report on the Criteria Governing Testing for Dredged Material Disposal.

Commissioners present: Higgins, Lockhart, Ortiz, Sweeney, Ward Allen, and President Brady - 6

Commissioners absent: Commissioner Wasserman - 1

Also present were the Acting Chief Executive Officer and Executive Director, Transportation Services; Port Attorney; Assistant Port Attorney, Thomas Clark; Chief Financial Officer; Director of Aviation; Director of Commercial Real Estate; Senior Commercial Representative; Acting Director of Planning; Director of Administration/Human Resources; and Secretary of the Board.

President Brady informed the Board that he would call for a closed session at the conclusion of the open session for the purpose of discussing pending litigation as provided for under Government Code Section 54956.9(b) and (c).

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Commissioner Higgins, Chair of the Development Committee, informed the Board that his committee had met earlier and reviewed their current agenda.

New Lease - FAA/VORTAC Was the subject of a memo to the Board from the Director of Aviation, recommending approval of a new lease with the Federal Aviation Administration for the location of the Very High Frequency Omni Range and Tactical Air Navigational Components (VORTAC). The term would be ten months, renewable annually by the FAA for four one-year periods and consists of .11 acres on the North Airport. In consideration for the FAA providing and maintaining the VORTAC, no rent is being paid to the Port. The recommendation was approved on passage of Resolution No. 31739.

New Lease - FAA/ILS was the subject of a memo to the Board from the Director of Aviation, recommending approval of a new lease with the Federal Aviation Administration for the location of an Instrument Landing System. The term would be ten months, renewable annually by the FAA for four one-year periods, consisting of approximately .37 acres on the South Airport and adjacent pier. In consideration for the FAA providing and maintaining the ILS, no rent is being paid to the Port. The recommendation was approved on passage of Resolution No. 31740.

New License Agreement - American Airlines Bldg. M-128 was the subject of a memo to the Board from the Director of Aviation, recommending approval of a new two year agreement for approximately 2,267 square feet of space in Building M-128 which will be used for their vehicle maintenance activity, at a new monthly rent of \$1,5586.90. The rent for the second year will be adjusted in accordance with the percentage change in the Consumer Price Index. The recommendation was approved on passage of Resolution No. 31741.

New License Agreement - United Airlines Bldg. M-101 was the subject of a memo to the Board from the Director of Aviation, recommending approval of a new

agreement for approximately 5,900 square feet of adjoining land to their baggage make-up area at Building M-101 in Terminal I, at a new monthly rent of \$737.50. United will construct certain improvements on the site in association with their increased flight activity. The recommendation was approved on passage of Resolution No. 31742.

License Agreement Renewal - Savage Magneto Service was the subject of a memo to the Board from the Director of Aviation, recommending approval to renew for a two year period his agreement covering space in Building L-737 and land under Building L-629, North Airport, used for his magneto service and overhaul business, at a new monthly rental of \$889.00. The rent for the second year will be adjusted in accordance with the percentage change in the Consumer Price Index. The recommendation was approved on a motion by Commissioner Higgins, seconded and passed unanimously.

Plans and Specifications for Modification of First Floor Restrooms at Gridline 29 in Terminal I, Building M-103, for Handicap Access South Airport was the subject of a memo to the Board from the Director of Engineering, recommending their approval and authority to advertise for bids for the improvements to the restrooms located below gate 6 in the Finger Building of Terminal I. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31743.

Building Permit Application, Improvements to Existing Vehicle Maintenance Facility, Rollins Leasing Corporation, 295 Hegenberger Road, Oakland Airport Business Park was the subject of a memo to the Board from the Acting Director of Planning, recommending approval for the construction of certain improvements to their leased area which services their truck fleet. The improvements consist of construction of a fuel spillage retaining dike; concrete slab for truck wash equipment; fuel island; installation of fuel tanks;

installation of a prefabricated attendant's booth with gates; remodeling of administrative offices; installation of new area lights; relandscaping and planting; associated electrical, plumbing and other improvements. As a condition to the permit, the Rollins Leasing Corporation would also provide a Spill Prevention Control and Counter Measure Plan; a Business Plan, as per the California Health and Safety Code; and a statement of compliance with East Bay Municipal Utility District concerning effluent from the truck wash facility. The estimated cost of the proposed improvements is \$400,000.00. The project is categorically exempt and does not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31744.

Building Permit Application, Antenna Tower and Building, GTE California, Inc., Between CalTrans Service Road and EBMUD Outfall Sewer Easement, Outer Harbor Area, Oakland was the subject of a memo to the Board from the Acting Director of Planning, recommending approval for the installation of a transmitting and receiving facility for cellular telephone systems. The facility will be located approximately 300 feet east of the existing Port billboard near the Oakland end of the Bay Bridge. The proposed facility would consist of the construction of a 26 foot deep by 6 foot diameter concrete foundation pier for a monopole; construction of a concrete foundation slab for a prefabricated building; reinforced concrete stairs; a slab for one fuel tank and a generator; installation of a 75 foot high monopole; installation of generator equipment with one 150 gals fuel tank and associated fuel lines from fuel tank to generator; and other improvements associated with the transmitting site. The estimated cost of the proposed improvements is \$30,000.00. An initial study and subsequent Negative Declaration was prepared and distributed for public review. As part of the conditions of the Port's lease agreement with GTE Mobilnet, GTE will install an automatic leak detection alarm system for the on-site fuel tank; remove and dispose of any excavated soil which may be determined to be contaminated; and provide the Port

with a copy of a "Notice of Proposed Construction or Alteration" which has been approved by the Federal Aviation Administration. The recommendation was approved on passage of Resolution No. 31745.

East Bay Group Lease Option Agreement was the subject of a memo to the Board from the Director of Commercial Real Estate, notifying the Board of the option agreement with East Bay Group for the development of a hotel on Embarcadero and 16th Avenue. The last option term extension was granted to allow the developer enough time to complete the loan transaction. The developer was stopped in his attempts to finalize his loan documentation when it was discovered that the land boundary information he received from his civil engineer conflicted with Port maps. It is now necessary to re-submit the development plan to the BCDC Design Review Board. Additionally, following the October 17, 1989 earthquake, the developer's geotechnical engineers re-evaluated their original findings and conducted additional subsoil tests which indicated a redesign of the foundation plan is necessary. It was recommended that the Board approve a three month extension of the option agreement with monthly option payments of \$5,000.00 to be applied as a rental credit if the option is exercised. The recommendation was approved on passage of Resolution No. 31746.

G.K.W. Lease Amendment was the subject of a memo to the Board from the Director of Commercial Properties, notifying the Board that the corporation is the ground lessee of the complex on the west side of Embarcadero between Livingston and the Port's Central Basin of the Embarcadero Cove Marina. The premises includes Quinn's Lighthouse Restaurant, various Victorian houses converted to offices, a marina, a boat brokerage, the former Victoria Station Restaurant and other uses. The site is divided into four parcels with parcel two used by the former Victoria Station as an overflow parking lot. Due to the distant location of the lot, it was rarely used; and it was recommended that parcel two containing approximately 25,396 square feet be deleted from the lease with an appropriate reduction in rent

of \$571.00 per month. The recommendation was approved on passage of Resolution No. 31747.

Oakland Portside Associates Request for Approval of Space Plans and Building Standards, The Food Pavilion, 79 Jack London Square was the subject of a memo to the Board from the Acting Director of Planning, recommending approval of the Space Plan and Building Standards for the Food Pavilion located at 79 Jack London Square. Both the Space Plan and the Building Standards will be used in connection with the construction, alterations, remodeling, demolition or repair of interior partitions including associated utility connections. The Board's granting approval of the Space Plan and of the Building Standards would facilitate subsequent approvals of tenant's proposed improvements or changes within the leased premises. The recommendation was approved on passage of Resolution No. 31748.

Oakland Portside Associates - Amendments to Ground Leases and the Office Space Sublease was the subject of a memo to the Board from the Director of Commercial Real Estate, recommending approval of certain changes to assist OPA in simplifying the accounting and compliance of their ground leases. The major changes include a uniform start date of July 1, 1989, for the payment of minimum ground rent for the buildings; removal of the restriction on the upper limit of construction costs; an increase in the goals from 15% in the separate leases to 30% for the whole project for good faith effort to contract professional services with minority business enterprises; approval of certain changes in the ground leases regarding certain requirements that the retail subtenants must comply with; the due date for a five-year plan for maintenance of capital items in each of the buildings will be provided to the Port beginning July 1, 1990; the establishment of construction completion dates for the Water Street One building and the Pavilion building; and an amendment to the sublease to include the sixth floor in the Port building. The recommendation was approved on passage of Resolution No. 31749.

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Authorization to Commence Shipping Line Negotiations for the Carnation and Seventh Street Marine Container Terminal was the subject of a memo to the Board from the Acting Chief Executive Officer and Executive Director, Transportation Services, notifying the Board that as a result of the Port's aggressive capital improvement program and limited additional bonding capacity, the Port encouraged terminal assignees to guarantee the financing of such terminal facilities. This encouragement was included for interested parties in the assignment of the Carnation Marine Container Terminal. The Port identified twelve prospective assignees and sent to each a detailed packet of information. A multi-disciplined staff Review Committee was appointed and was charged with the task of conducting the Pre-submittal Conference, answering all questions of prospective assignees in developing submittals, designing an evaluation matrix, evaluating all proposals and making a detailed comprehensive assessment of the proposals submitted. It was stressed that the Port was seeking potential assignees who were not only prepared to guarantee the terminal financing, but whose written proposals were determined to be most responsive to the following items: terminal operating capabilities and experience; detailed cargo forecast; comprehensive business plan on how the cargo forecast would be achieved; revenue sharing potential for the Port; land rental payments with periodic adjustments; lease term; buy out provision by the Port. Submittals were received from Hyundai Merchant Marine/International Transportation Services (joint proposal); Mitsui OSK Lines and NYK Line. The Port recognizes the need to accommodate the long-term expansion requirements of all three lines that submitted proposals. The impact of the recent earthquake on the 20 year old Seventh Street Marine Container Terminal presents an opportunity for the Port to rebuild the Seventh Street Marine Container Terminal to meet current terminal specifications and seismic standards. The rebuilt Seventh Street Marine Container Terminal would be available in approximately one year consisting of approximately 60 acres of container yard,

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three berths with a total length of 3,143 feet and six container cranes. Considering the current circumstances that exist at the Seventh Street Marine Container Terminal as a result of the earthquake and the interest of the Port in satisfying the terminal requirements of shipping lines submitting proposals for the Carnation Marine Container Terminal, it was recommended that the Board authorize staff to enter into exclusive negotiations for a period of approximately 90 days with Mitsui OSK Lines for the assignment of the Carnation Marine Container Terminal and authorize staff to commence discussions regarding the availability of the Seventh Street Marine Container Terminal in conjunction with the terminal operator presently assigned at that facility with other shipping lines that have expressed an interest in entering into long-term preferential terminal assignments with the Port under arrangements that would maximize Port revenues. The procedure will allow participation by such shipping lines in developing operational design criteria for the Seventh Street Marine Container Terminal as it is rebuilt to current standards. The recommendation was approved on a motion by Commissioner Sweeney, seconded and passed unanimously. Commissioner Ortiz noted that the Carnation Terminal presently included the Apostleship of the Sea Building and that the Board would be addressing the Apostleship situation during the negotiations.

Contract Completion, Replacement of HVAC Unit, Bldg. C-130, Outer Harbor Terminal was the subject of a memo to the Board from the Director of Engineering, recommending that the contract with Van-Mulder Sheet Metal, Inc. be accepted as complete as of November 1, 1989 with a contract price of \$21,743.18. The recommendation was approved on passage of Resolution No. 31750.

Engineering Design Services for Repair of Earthquake Damage to Wharves at Berth 35 to 38 and Berth 40, Seventh Street Marine Terminal was the subject of a memo to the Board from the Director of Engineering, recommending approval to enter into a contract with Ben C. Gerwick, Inc. to design the repairs for the

earthquake damaged wharves. The proposed engineering work will be divided into three phases. The first phase will provide for final design of the northerly 300' of wharf at Berth 35 in order to be ready for delivery of a new container crane in January and for design of temporary repairs to 1000 feet of wharf at Berths 36 and 37 in order to give the tenant an area to operate in until permanent repairs can be effected; the second phase will provide for design of permanent restoration of the Berth 35, 36, 37 and 38 wharves; and the third phase will provide for the design of repairs for the Berth 40 wharf. The firm will be compensated for direct salaries, fringe benefits and overhead costs, and costs of other consultants for specialized portions of the work and other miscellaneous services and the firm will be paid a fixed fee of \$64,800.00. The maximum payment that can be made under the proposed agreement is \$713,000.00 with certain additional work available at the discretion of the Chief Executive Officer. The recommendation was approved on passage of Resolution No. 31751.

Approval to Dispense with Formal Bids for Constructing Miscellaneous Yard Improvements at Berth 35, Seventh Street Terminal was the subject of a memo to the Board from the Director of Engineering, notifying the Board that Mitsui O.S.K. Lines plans to begin operations at Berth 35 in February 1990. With the earthquake repair and other existing contracts proceeding in the area, it was recommended that the Board find it to be in the best interest of the Port to dispense with formal bidding procedures for constructing miscellaneous yard improvements at Berth 35. The miscellaneous work includes relocating fences, light poles, fire hydrants, and utilities, and constructing a guardhouse, a ramp at the CFS building, handicap ramps at the modular offices, communications conduits, pavement seal coat, pavement markings, and signs. The estimated cost for the work is \$300,000.00. The landside improvements proposed under the Preferential Assignment Agreement are categorically exempt and the project does

not require the preparation of an environmental document. The recommendation was approved on passage of Resolution No. 31752.

Amended Agreement for Professional Land Surveying Services was the subject of a memo to the Board from the Director of Engineering, notifying the Board of an agreement with Bissell and Karn, Inc. to provide professional land surveying services and related work. The consultant is compensated for time and expenses in accordance with their standard rate schedule up to a maximum of \$320,000.00. The term of the agreement will expire on May 19, 1990. The original scope of the work included the preparation of Records of Surveys, Parcel Maps, Boundary Surveys, and a limited number of legal descriptions. During the course of the work it became increasingly evident that much of the Port's work was exceedingly complex and expensive. The complex nature of the work can be attributed to unresolved boundaries, unretraceable record boundaries and other related record problems. It was recommended that the Board approve a supplemental agreement to extend the terms of the agreement to May 19, 1992 and increase the compensation which may be paid under the agreement by \$600,000.00. The recommendation was approved on passage of Resolution No. 31753.

Request for Authorization to Purchase Office Automation Equipment was the subject of a memo to the Board from the Chief Financial Officer, notifying the Board of improvements in efficiency and streamlining work-flow throughout Port offices which includes Fax, Telex, modem, electronic mail as well as links to the Port's HP-3000 minicomputer system. The present portwide system consists of approximately 260 microcomputers and related equipment used by over 350 Port employees. In order to assure compatibility and standardization among the Port's microcomputer equipment, it was recommended that the Board dispense with formal bids and purchase approximately \$682,000.00 worth of microcomputer workstations, related equipment, software and employee training. This authorization will add 90

new microcomputer work stations and peripheral equipment. The recommendation was approved on passage of Resolution No. 31754.

Personnel Items contained in a memo to the Board from the Director of Administration/Human Resources, recommended the appointment of Karen Alverson, as Senior Secretary, effective December 20, 1989 at \$2,326.00 per month; Myrna Brocius, as Senior Secretary, effective December 20, 1989 at \$2,326.00 per month; Sabrina Del Favero, as Youth Aide Class "A-1", effective December 20, 1989 at \$13.83 per hour; Rosario Cisneros, as Youth Aide Class "A", effective December 20, 1989 at \$13.55 per hour; Sharifah Ihsan, as Youth Aide Class "BB-1", effective December 20, 1989 at \$12.32 per hour; Myrrah Owens, as Youth Aide Class "BB-1", effective December 20, 1989 at \$12.32 per hour; Suzanne Lucas, as Youth Aide Class "BB", effective December 20, 1989 at \$12.08 per hour; Ignacia Heredia, as Youth Aide Class "B-1", effective December 20, 1989 at \$10.83 per hour. Also recommended was approval to amend the appointment of Mr. Jon Stark to the position of Youth Aide Class "BB", to delete the section which reads "for a period not to exceed six months"; amendment of salary rate assignment for Susan Colman to the position of Associate Port Environmental Scientist to reflect \$3,750.00 per month within Salary Grade 10 to be effective December 4, 1989; amendment of Salary Grade Assignment for the position of Airport Operations Manager to Salary Grade 13 in accordance with the revised scope of work for the position; and amendment to the Ordinance to include the position of Manager, General Aviation in the Aviation Division, within Salary Grade 12, and the Office Services Manager in the Administration/Human Resources Division within Salary Grade 12. Further recommended was a rescission of appointment of Mr. Larry J. Watson from the position of Port Environmental Manager as he has declined the position; and the creation of one position of Port Controller within Salary Grade 14 in the Finance Division, and the creation of the position of Aviation Division

Finance Manager in the Aviation Division, and the related authority to retain Howard Karr and Associates, Inc. for search and recruitment services for the Port Controller position. Additionally recommended was a medical leave of absence for Jack R. Trollinger, Semi-skilled Laborer, for 83 working days. The recommendations were approved on passage of Resolution No. 31755 for appointments; Resolution No. 31756 amending Resolution No. 31673 appointment, and Resolution No. 31757 amending appointment Resolution No. 31688; Resolution No. 31758 for leave of absence; Resolution No. 31759 retaining search firm; and on an ordinance passed to print for salary adjustments and new positions.

**Second Extension of Contractual Services with CEIP Fund, Incorporated**

was the subject of a memo to the Board from the Director of Administration/Human Resources, notifying the Board that the Port secured appropriate staffing to meet operational needs through the CEIP Fund, Inc., an engineering personnel agency who provided an Assistant Port Environmental Planner. The Environmental Department anticipates that the contractual amount of \$15,000.00 will be exhausted by January 5, 1990. It was recommended that the Board approve a second extension of the current contract between the Port and CEIP Fund, Inc. for the provision of temporary personnel for the Assistant Port Environmental Planner position, for a period of time from January 8, 1990 and not to exceed March 15, 1990 for an amount not to exceed \$6,870.00. The recommendation was approved on passage of Resolution No. 31760.

**Approval of Additional Funding for Moving of Port Staff Office Contents**

**to New Port Building** was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the selection of NOR-CAL Moving Services for moving of the Port staff office contents to the new offices in the Port Building. It was recognized that the actual moving activities and timing would be different, and for that reason a time-and-materials contract was used to provide maximum

flexibility. It was recommended that the Board approve up to an additional \$45,000.00 for the NOR-CAL service contract based on the Port's experience to date for one half of the move. The recommendation was approved on passage of Resolution No. 31761.

Approval of Additional Funding for Installation of Office Work Stations in New Port Building was the subject of a memo to the Board from the Director of Engineering, notifying the Board of the selection of Officeworks, Inc., as the work station installation contractor, for the new Port Building. Because the full extent of the work was unknown at the time of the contract, the contractor is to be paid on a time-and-materials basis except for assembly of the actual stations for which a unit price has been established. It was recommended that the Board approve up to an additional \$50,000.00 for the Officework contract for work station installations which is based on the experience to date which projects a total cost of \$200,000.00, an increase of \$50,000.00. The recommendation was approved on passage of Resolution No. 31762.

Authorization to Purchase New Motor Vehicles and Sell Surplus was the subject of a memo to the Board from the Director of Administration/Human Resources, recommending approval to dispense with formal bidding procedures and authorize the acquisition of twenty-seven vehicles, through State of California contract and other means to meet Port requirements, at a cost of approximately \$339,000.00 plus taxes and fees. It was also recommended that the Board declare the twenty-five vehicles scheduled for replacement as surplus and authorize their sale. The recommendation was approved on passage of Resolution No. 31763.

Ratification of Letter of Understanding Between the Port of Oakland and the Western Council of Engineers Regarding Retiree Medical Benefits, and the Provision of Retiree Medical Benefits for Unrepresented Employees was the subject of a memo to the Board from the Director of Administration/Human Resources,

recommending approval to ratify the December 12, 1989 Letter of Understanding regarding the Retiree Medical Benefits effective September 1, 1989 through and including June 30, 1992; authorize the establishment of a similar retiree medical benefits program for unrepresented Port employees effective December 1, 1989 through and including June 30, 1992; and authorize the preparation of amendments of Port resolutions and ordinances as may be necessary to implement the administration of the retiree medical benefits programs for the Western Council of Engineers and the unrepresented employees of the Port of Oakland. Based on an actuarial study, the program provides a contribution of \$60.00 per month to September 1, 1989; contribution not greater than the amount of \$76.00 per month to August 1, 1990; and effective August 1, 1991, a contribution not greater than the amount of \$76.00 per month, with this level of contribution projected to remain constant until the year 2009. The Letter of Understanding provides for a WCE Retiree Medical Benefit program to be in effect from September 1, 1989 through and including June 30, 1992. The Port shall contract with PERS to provide medical insurance for all active employees and retirees. Eligibility of retirees shall be in accordance with PERS regulations. The Port shall contribute \$20.00 per month to PERS on behalf of each active employee. The Port shall contribute \$1.00 per month on behalf of each eligible retiree who subscribes to PERS for medical coverage. This amount shall be increased annually at the current minimum rate of 5% required by PERS regulations until reaching the total amount of \$20.00 per month. The Port shall establish an Employee Benefits Account for each active employee eligible for medical coverage, enrolled in one of the PERS medical programs. The recommendation was approved on passage of Resolution No. 31764.

Mr. Don Wylie, Chairman, East Bay Harbor Traffic Committee, appeared before the Board to note that the committee was formed to express the concerns of the committee that the congestion and other roadway problems in the Harbor area

are not receiving adequate attention in light of the recent demolition of the Cypress elevated highway and other earthquake damaged roadways. He further noted that the West Oakland community against the rebuilding of the Cypress Structure had little or no knowledge of the transportation needs of the harbor area. He asked that the Board go on record in opposition to any temporary re-routing of Highway 880 to use harbor streets as the main route.

Commissioner Higgins noted that he was in agreement with the concerns of Mr. Wylie's committee and he asked the Board to approve a resolution which urged creation of a total transportation plan for the City of Oakland and address more than the one area of immediate concern. After discussion which included the addition of certain specific language concerning the temporary re-routing of Highway 880, Resolution No. 31731 was passed urging the creation of a total transportation plan for the City of Oakland.

The following reports were received and ordered filed:

Summary of Port Revenue and Construction Funds  
as of December 8, 1989.

Summary of Cash and Accounts Receivable Port Revenue Fund 770  
for the Month of November 1989.

Accounts Receivable in Arrears  
as of November 30, 1989.

Summary of Claims Paid from Various Funds  
for the Period November 28, 1989 through December 12, 1989.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Higgins, Lockhart, Ortiz, Sweeney, Ward Allen,  
and President Brady - 6

Noes: None

Absent: Commissioner Wasserman - 1

"RESOLUTION NO. 31731

URGING CREATION OF A TOTAL TRANSPORTATION PLAN FOR THE CITY OF OAKLAND."

"RESOLUTION NO. 31732

THIS NUMBER NOT USED."

"RESOLUTION NO. 31733

AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH D. WAYNE SMITH DBA AUDIOLOGY AND SPEECH SERVICES."

"RESOLUTION NO. 31734

APPROVAL OF FILING OF A COMPLAINT AGAINST POWER-PAC ENGINEERING CORPORATION (BREACH OF CONTRACT).

"RESOLUTION NO. 31735

RATIFYING AND APPROVING APPOINTMENT AND EMPLOYMENT OF SPECIAL COUNSEL (FOR TERMINATION OF TENANCY OF ENGINEERED MODULAR STRUCTURES)."

"RESOLUTION NO. 31736

AUTHORIZING TERMINATION OF A SITE LEASE, EQUIPMENT LEASE AND AN ASSIGNMENT AGREEMENT IN CONNECTION WITH THE DEFEASANCE OF THE PORT OF OAKLAND 1987 SUBORDINATED REVENUE OBLIGATIONS AND OTHER MATTERS RELATED THERETO."

"RESOLUTION NO. 31737

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH NORMAN ROBERTS & ASSOCIATES FOR EXECUTIVE SEARCH CONSULTING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES, AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31738

AMENDING RESOLUTION NO. 23936 RELATING TO USE OF EMPLOYEE-OWNED AUTOMOBILES ON PORT OF OAKLAND BUSINESS."

"RESOLUTION NO. 31739

AUTHORIZING EXECUTION OF LEASE WITH THE UNITED STATES OF AMERICA. (VORTAC)"

"RESOLUTION NO. 31740

AUTHORIZING EXECUTION OF LEASE WITH THE UNITED STATES OF AMERICA. (Instrument Landing System)"

"RESOLUTION NO. 31741

AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH AMERICAN AIRLINES, INC., RATIFYING THE ACTING CHIEF EXECUTIVE OFFICER AND EXECUTIVE DIRECTOR OF TRANSPORTATION SERVICES' APPROVAL OF A RIGHT OF ENTRY AGREEMENT AND AUTHORIZING THE ACTING CHIEF EXECUTIVE OFFICER AND EXECUTIVE DIRECTOR OF TRANSPORTATION SERVICES TO EXTEND THE RIGHT OF ENTRY AGREEMENT PENDING EXECUTION OF THE LICENSE AND CONCESSION AGREEMENT."

"RESOLUTION NO. 31742

AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH UNITED AIRLINES, INC., RATIFYING THE ACTING CHIEF EXECUTIVE OFFICE AND EXECUTIVE DIRECTOR OF TRANSPORTATION SERVICES APPROVAL OF A RIGHT OF ENTRY AGREEMENT AND AUTHORIZING THE ACTING CHIEF EXECUTIVE OFFICER AND EXECUTIVE DIRECTOR OF TRANSPORTATION SERVICES TO EXTEND THE RIGHT OF ENTRY AGREEMENT PENDING EXECUTION OF THE LICENSE AND CONCESSION AGREEMENT."

"RESOLUTION NO. 31743

APPROVING PLANS AND SPECIFICATIONS FOR MODIFICATION OF FIRST FLOOR RESTROOMS AT GRIDLINE 29 IN TERMINAL I, BUILDING M-103, FOR HANDICAP ACCESS, SOUTH FIELD, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT."

"RESOLUTION NO. 31744

GRANTING ROLLINS LEASING CORPORATION, PERMISSION TO PERFORM CERTAIN WORK SUBJECT TO CONDITIONS."

"RESOLUTION NO. 31745

GRANTING GTE MOBILNET OF CALIFORNIA PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31746

APPROVING AND AUTHORIZING EXECUTION OF SEVENTH AMENDED LEASE OPTION AGREEMENT WITH EAST BAY GROUP."

"RESOLUTION NO. 31747

APPROVING AND AUTHORIZING EXECUTION OF SUPPLEMENTAL AGREEMENT TO LEASE WITH G.K.W."

"RESOLUTION NO. 31748

APPROVING SPACE PLANS AND BUILDING STANDARDS FOR PREMISES UNDER PAVILION BLOCK LEASE WITH OAKLAND PORTSIDE ASSOCIATES."

"RESOLUTION NO. 31749

APPROVING AND AUTHORIZING EXECUTION OF AMENDMENTS TO LEASE AGREEMENTS WITH OAKLAND PORTSIDE ASSOCIATES."

"RESOLUTION NO. 31750

ACCEPTING WORK PERFORMED BY VAN-MULDER SHEET METAL, INC., AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 31751

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH BEN C. GERWICK, INC. FOR ENGINEERING DESIGN SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31752

FINDING AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE PORT TO ACCOMPLISH MISCELLANEOUS YARD IMPROVEMENTS AT BERTH 35, SEVENTH STREET TERMINAL WITHOUT COMPETITIVE BIDDING, AND AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO CONTRACTS FOR SUCH WORK BASED ON RECEIPT OF INFORMAL BIDS."

"RESOLUTION NO. 31753

FINDING AND DETERMINING THAT A SUPPLEMENTAL AGREEMENT WITH BISSEL AND KARN, INC. FOR PROFESSIONAL LAND SURVEYING SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID SUPPLEMENTAL AGREEMENT."

"RESOLUTION NO. 31754

FINDING AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE PORT TO PURCHASE CERTAIN OFFICE AUTOMATION EQUIPMENT AND PROVIDE FOR EMPLOYEE TRAINING THEREON WITHOUT COMPETITIVE BIDDING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE IN THE OPEN MARKET FOR THE PURCHASE THEREOF."

"RESOLUTION NO. 31755

CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31756

AMENDING RESOLUTION NO. 31673 CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 31757

AMENDING RESOLUTION NO. 31688."

"RESOLUTION NO. 31758

RATIFYING GRANTING LEAVE OF ABSENCE TO JACK R. TROLLINGER."

"RESOLUTION NO. 31759

FINDING AND DETERMINING THAT A PROPOSED AGREEMENT WITH HOWARD KARR & ASSOCIATES, INC. FOR PROFESSIONAL SEARCH SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID AGREEMENT."

"RESOLUTION NO. 31760

FINDING AND DETERMINING THAT A SECOND EXTENSION OF AGREEMENT WITH CEIP FUND, INC. FOR CONTRACTUAL SERVICES CONSTITUTES PROFESSIONAL OR SPECIALIZED SERVICES; AND AUTHORIZING EXECUTION OF SAID SUPPLEMENTAL AGREEMENT."

"RESOLUTION NO. 31761

APPROVING ADDITIONAL FUNDING FOR MOVING SERVICES TO THE NEW PORT OFFICE BUILDING, JACK LONDON SQUARE, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31762

AUTHORIZING ADDITIONAL FUNDING FOR INSTALLATION OF OFFICE WORK STATION SYSTEM IN THE NEW PORT OFFICE BUILDING, JACK LONDON SQUARE, OAKLAND, CALIFORNIA."

"RESOLUTION NO. 31763

AUTHORIZING THE PURCHASE OF NEW MOTOR VEHICLES AND THE SALE OF SURPLUS MOTOR VEHICLES."

"RESOLUTION NO. 31764

RATIFYING LETTER OF UNDERSTANDING WITH WESTERN COUNCIL OF ENGINEERS."

"RESOLUTION NO. 31765

GRANTING SEA-LAND SERVICE, INC. PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 31766

APPOINTING CHIEF EXECUTIVE OFFICER AND EXECUTIVE DIRECTOR."

Port Ordinance No. 2937, being "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH HARRISON'S BOAT CENTER, INC., AND DIRECTING RECORDATION THEREOF," and Port Ordinance No. 2938, being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH JOSEPH LUCERO, DOING BUSINESS AS LUCERO PRINTING," and Port Ordinance No. 2939, being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF TERMINAL USE AGREEMENT WITH EURO-PACIFIC SERVICE, COMPAGNIE GENERALE MARITIME, INCOTRANS B.V., SEA LAND SERVICE, INC. AND TRANS FREIGHT LINES," and Port Ordinance No. 2940, being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 1606 FORMULATING AND ESTABLISHING CONDITIONS AND PROCEDURES FOR BIDDING, CONTRACTING AND PURCHASING," were read a second time and passed by the following vote:

Ayes: Commissioners Higgins, Lockhart, Ortiz, Sweeney, Ward Allen and President Brady - 6

Noes: None

Absent: Commissioner Wasserman - 1

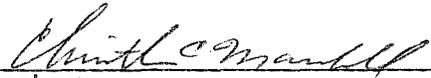
Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH J. F. McRAE AERO-CRAFT, INC., AND DIRECTING RECORDATION THEREOF," and Port Ordinance No. \_\_\_\_\_ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 867 TO REVISE THE SALARY GRADE FOR AIRPORT OPERATIONS MANAGER, TO ESTABLISH SALARY GRADES FOR MANAGER, GENERAL AVIATION AND MANAGER OF OFFICE SERVICES, TO CREATE NEW POSITIONS OF PORT CONTROLLER AND AVIATION DIVISION FINANCE MANAGER AND TO RENUMBER THE SECTION COVERING PORT SENIOR ACCOUNTANT, were read a first time and passed to print by the following vote:

Ayes: Commissioners Higgins, Lockhart, Ortiz, Sweeney, Ward Allen  
and President Brady - 6

Noes: None

Absent: Commissioner Wasserman - 1

At the hour of 4:40 p.m. the Board entered into closed session and reconvened in open session at the hour of 5:35 p.m. at which time the meeting was ajourned on a motion duly made and seconded.

  
Secretary

SPECIAL MINUTES OF THE BOARD OF PORT COMMISSIONERS  
OF THE  
CITY OF OAKLAND

On Tuesday, December 12, 1989, President Brady called for a special meeting of the Board to be held on Thursday, December 14, 1989 at the hour of 8:00 a.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, for the purpose of entering into closed session on personnel matters as provided for under Government Code Section 54957.

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The special meeting was held on Thursday, December 14, 1989 at the hour of 8:12 a.m. in the office of the Board, Room 376, 66 Jack London Square, Oakland, California, President Brady presiding, appropriate notice having been posted.

Commissioners present: Higgins, Lockhart, Ortiz, Sweeney, Ward Allen, Wasserman and President Brady - 7

Commissioners absent: None

Also present were the Acting Chief Executive Officer and Executive Director, Transportation Services; Port Attorney; and Secretary of the Board.

At the hour of 8:13 a.m. President Brady informed the Board that he would call for a closed session as noticed in the call for a Special Meeting of the Board.

The Board entered into closed session and reconvened in open session at the hour of 9:22 a.m. at which time the meeting was adjourned as a motion duly made and seconded.

  
Secretary

BOARD OF PORT COMMISSIONERS  
MEETING OF FEB - 6 1990  
APPROVED AS PER ORDERED FILED  
SECRETARY 