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Deputy Executive Director

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**VICTOR UNO**  
President

**MARGARET GORDON**  
Second Vice-President

**ANTHONY A. BATARSE, JR**  
Commissioner

**PAMELA CALLOWAY**  
Commissioner

**JAMES W. HEAD**  
Commissioner

**KENNETH KATZOFF**  
Commissioner

## MINUTES

### Regular Meeting of the Board of Port Commissioners

Tuesday, May 5, 2009 - 3:00 p.m.

#### ROLL CALL

President **Uno** called the Meeting to order at 3:05 p.m., and the following Commissioners were in attendance:

Commissioner **Batarse**, Commissioner **Calloway**, Vice-President **Gordon**, Commissioner **Katzoff**, and President **Uno**.

Commissioner **Head** was excused.

#### CLOSED SESSION (3:00 p.m.)

President **Uno** convened the Board in Closed Session at the hour of 3:06 p.m. to hear the following three Items:

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

City of Oakland v. Hotel Airport Shuttle.com, et al.  
City and County of San Francisco, Case No. CGC-07-459944

2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.** Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: \_2 matter(s)

3. **CONFERENCE WITH LABOR NEGOTIATORS**

Agency Negotiator: Austris Rungis  
Employee Organizations: IBEW Local 1245, IFPTE Local 21, SEIU Local 1021,  
and Western Council of Engineers

## ROLL CALL/OPEN SESSION

President **Uno** called the Meeting back to order in Open Session at 4:32 p.m., and the following Commissioners were in attendance:

Commissioner **Batarse**, Commissioner **Calloway**, Vice-President **Gordon**, Commissioner **Katzoff**, and President **Uno**.

Commissioner **Head** was excused.

## CLOSED SESSION REPORT

The Port Attorney stated that there were no final actions taken in Closed Session.

The following individuals addressed the Board on the Closed Session Report: Steve O'Keefe, Millie Cleveland, Alfonso Loera and Nancy Watson.

## AVIATION

Vice-President **Gordon** gave an account of the April 27<sup>th</sup> Aviation Committee Meeting. She reported that the Committee had approved for forwarding to the full Board Items A-1 through A-3.

*A Motion to approve Items A-1 through A-3 was made by Vice-President **Gordon** and seconded by Commissioner **Batarse**.*

- A-1 Resolution 09060**, Approval Of A Third Supplemental Agreement With ARINC, Inc. To Provide 2<sup>nd</sup> Level Maintenance Support For The MUSE Common Use System At The Oakland International Airport For One Year For \$110,806 With The Option For A Second Year For \$112,390.
- A-2 Resolution 09061**, Approval Of First Supplemental Agreement With Stantec Consulting, Inc., To Provide As-Needed Engineering Design Services For Pavement Analysis And Improvement Projects At The Oakland International Airport, In The Amount Of \$400,000.
- A-3 Resolution 09062**, (1) Authorization To Prepare And Execute A Contract With Enovity, Inc. For Commissioning Providers (CP) Services For The Terminal 1 Renovation And The Terminal 1 Mechanical Building, In An Amount Disclosed To The Board Of Port Commissioners; And (2) If Necessary, Authorize The Executive Director To Negotiate And Execute A Contract With One Of The Remaining Short-Listed Firms In The Event An Acceptable Contract With Enovity, Inc., Cannot Be Reached.

*The Motion to approve Items A-1 through A-3 passed by the following votes: (5) Ayes: Commissioner **Batarse**, Commissioner **Calloway**, Vice-President **Gordon**, Commissioner **Katzoff**, and President **Uno**; (1) Excused: Commissioner **Head***

## OPERATIONS

### Special Executive Committee Meeting

Vice-President **Gordon** gave an account of the April 22<sup>nd</sup> Executive Committee Meeting.

### Administration Committee Meeting

Commissioner **Batarse** gave an account of the April 28<sup>th</sup> Administration Committee Meeting. He reported that the Committee had approved for forwarding to the full Board Items O-1 and O-2.

*A Motion to approve Items O-1 and O-2 was made by Commissioner **Batarse** and seconded by Commissioner **Calloway**.*

**O-1 Resolution 09063**, Extension Of The Eligible List For Port Electrician From May 15, 2009 Through May 15, 2010. (\$0)

**O-2 Resolution 09064**, Authorization For The Executive Director To Execute An Agreement To Acquire Enterprise Resource Planning (ERP) Software For An Amount Disclosed To The Board Of Port Commissioners.

*The Motion to approve Items O-1 and O-2 passed by the following votes: (5) Ayes: Commissioner **Batarse**, Commissioner **Calloway**, Vice-President **Gordon**, Commissioner **Katzoff**, and President **Uno**; (1) Excused: Commissioner **Head***

## APPROVAL OF THE MINUTES

*On a Motion by Commissioner **Batarse** seconded by Vice-President **Gordon** the Board approved by consensus the Minutes of the Special Board Meeting of April 22, 2009.*

## SUMMARY ITEMS

*A Motion to table Item S-1 was made by Commissioner **Katzoff** and seconded by Commissioner **Calloway**.*

**S-1 Port Ordinance No. 4101** An Ordinance Amending Port Ordinance No. 2833 And Approving The Amendment Of Tariff 2A Establishing An IPI Container Rate Reduction And An Ocean Common Carrier IPI Incentive Program At The Port Of Oakland ("Port").

*The Motion to Table Item S-1 passed by the following votes: (5) Ayes: Commissioner **Batarse**, Commissioner **Calloway**, Vice-President **Gordon**, Commissioner **Katzoff**, and President **Uno**; (1) Excused: Commissioner **Head***

**ELECTION OF OFFICERS**

*On a Motion by Commissioner **Katzoff** seconded by Vice-president **Gordon Catherine Uemura** was unanimously appointed Assistant Secretary of the Board. (**Resolution 09065**)*

**OPEN FORUM**

Eryn Yula, Joel Ramos and Sanjiv Handa addressed the Board in Open Forum:

**ADJOURNMENT**

There being no additional business, the Board adjourned at 5:38P.M.

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**John Betterton, Secretary**

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**Date**