

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

04/24/2025
Item No.: 6.5
KIM/pm



RESOLUTION: (1) AUTHORIZING THE RENEWAL OF THE PORT OF OAKLAND'S ("PORT") INSURANCE POLICIES TO BE PLACED AND PAID THROUGH PRIME INSURANCE BROKERS (WITH PARTICIPATION BY SMALL AND LOCAL BUSINESSES), INCLUDING COVERAGE FOR AIRPORT LIABILITY, AUTOMOBILE LIABILITY, AUTOMOBILE PHYSICAL DAMAGE (AIRPORT BUSES AND MARITIME ELECTRIC BUS), CAPA UMBRELLA, CRANE INSURANCE (ALL RISK INCLUDING EARTHQUAKE), CRANE BOILER AND MACHINERY, CRANE TERRORISM, EXCESS WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY, FOREIGN LIABILITY PACKAGE, PUBLIC OFFICIALS ERRORS AND OMISSIONS (INCLUDING EMPLOYMENT PRACTICES LIABILITY), EARTHQUAKE ON 530 WATER STREET (BUILDING AND CONTENTS), ELECTRONIC DATA PROCESSING EQUIPMENT FLOATER, FIDELITY (INCLUDING COVERAGE FOR IMPERSONATION FRAUD), FIDUCIARY LIABILITY, PROPERTY INSURANCE INCLUDING TERRORISM (EXCLUDING CRANES), BOILER AND MACHINERY (EXCLUDING CRANES), CYBER LIABILITY INSURANCE, AND MOBILE EQUIPMENT (FIRE TRUCKS/COBUS) PHYSICAL DAMAGE, AT AN AMOUNT NOT TO EXCEED \$8,500,000; AND (2) DELEGATING TO THE PORT'S RISK MANAGER THE AUTHORITY TO APPROVE REASONABLE SUBSTITUTIONS OF INSURERS AND TO EXECUTE ALL NECESSARY DOCUMENTS AND FINDING THAT THE PROPOSED ACTION IS EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated Agenda Report Item No. 6.5, dated April 24, 2025, ("Agenda Report") and related agenda materials, has received the expert testimony of Port of Oakland ("Port") staff, and has provided opportunities for and taken public comment; now, therefore, be it

RESOLVED, that the Board finds that the proposed action is not subject to the California Environmental Quality Act ("CEQA") under the general rule exclusion under Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that the proposed action will not have a significant effect on the environment and therefore is not a "project" under CEQA; and be it

FURTHER RESOLVED, that in acting upon this matter, the Board has exercised its independent judgment based on substantial evidence in the record and adopts and relies upon the facts, data, analysis, and findings set forth in the Agenda Report, in related agenda materials, and in testimony received; and be it

FURTHER RESOLVED, that the Board hereby authorizes the renewal of the Port's insurance policies including participation in two group insurance programs as follows: 1) California Association of Port Authorities ("CAPA") for Umbrella Excess; and 2) Alliant Property Insurance Program ("APIP"); and be it

FURTHER RESOLVED, that said insurance policies shall be placed and paid through the following prime brokers (with participation by small and local businesses): 1) Alliant Insurance Services, Inc. in Seattle office (for CAPA Umbrella Excess); 2) Alliant Insurance Services, Inc. in San Francisco office (for APIP); and 3) Marsh Risk & Insurance Services in San Francisco office (for all other insurance policies); and be it

FURTHER RESOLVED, that said insurance shall include coverage for Airport Liability, Automobile Liability, Automobile Physical Damage (Airport Buses and Maritime Electric Bus), CAPA Umbrella, Crane Insurance (All Risk including Earthquake), Crane Boiler and Machinery, Crane Terrorism, Excess Workers' Compensation and Employers' Liability, Foreign Liability Package, Public Officials Errors and Omissions (including Employment Practices Liability), Earthquake on 530 Water Street (Building and Contents), Electronic Data Processing Equipment Floater, Fidelity (including coverage for Impersonation Fraud), Fiduciary Liability, Property Insurance including Terrorism (excluding Cranes), Boiler and Machinery (Excluding Cranes), Cyber Liability Insurance, and Mobile Equipment (Fire Trucks/COBUS) Physical Damage, in accordance with the Agenda Report, provided; however, that said insurances shall be subject to the Port Attorney's review as to form and legality; and be it

FURTHER RESOLVED, that said renewals to insurance policies in said Agenda Report shall not exceed the total amount of \$8,500,000; and be it

FURTHER RESOLVED, that the Board delegates to the Port's Risk Manager the authority to approve reasonable substitutions of insurers from those that are listed in Exhibit A to Agenda Report Item No. 6.5 dated April 24, 2025, and to execute all necessary documents; and be it

FURTHER RESOLVED, that the Board hereby finds and determines that said insurance program is in such amounts and against such risks as are, in the judgment of the Board, prudent and reasonable taking into account, but not being controlled by, the amounts and types of insurance or self-insured programs provided by similar ports; and be it

FURTHER RESOLVED, that this resolution shall become effective immediately upon adoption by the Board.