

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 19-14

**RESOLUTION APPROVING AND AUTHORIZING EXECUTION
OF A SETTLEMENT AGREEMENT AND RELEASE WITH
RESPECT TO THE OAKLAND ARMY BASE RISK MANAGEMENT
PLAN LOCATION 158 WITH INDIAN HARBOR INSURANCE
COMPANY IN THE AMOUNT OF \$375,000.**

RESOLVED that the Board of Port Commissioners ("Board") hereby approves and authorizes the Executive Director to execute for and on behalf of the Board a Settlement Agreement and Release With Respect to the Oakland Army Base Risk Management Plan Location 158 with Indian Harbor Insurance Company ("XL") whereby, among other matters, XL will pay the Port of Oakland \$375,000 concerning environmental contamination at the Oakland Army Base Risk Management Plan Location 158; and be it

FURTHER RESOLVED that this resolution is not evidence of and does not create or constitute (a) a contract, or the grant of any right, entitlement or property interest, or (b) any obligation or liability on the part of the Board or any officer or employee of the Board. This resolution approves and authorizes the execution of an agreement in accordance with the terms of this resolution. Unless and until a separate written agreement is duly executed on behalf of the Board as authorized by this resolution, is signed as approved as to form and legality by the Port Attorney, and is delivered to the other contracting parties, there shall be no valid or effective agreement; and be it

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

At the regular meeting held on March 14, 2019

Passed by the following vote:

Ayes: Commissioners Colbruno, Cluver, Lee, Leslie, Martinez, Story and
President Butner – 7

Noes: 0