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**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

**ORDINANCE AMENDING PORT OF OAKLAND ORDINANCE NO.
867 RATIFYING AND SETTING THE ANNUAL SALARY FOR THE
SECRETARY OF THE BOARD AS A NONREPRESENTED EMPLOYEE
OF THE PORT DEPARTMENT BELONGING TO PORT EMPLOYEE
REPRESENTATION UNIT H.**

WHEREAS, the Board of Port Commissioners of the City of Oakland ("Board") has reviewed and evaluated the Agenda Report for Agenda Item 6.5, dated January 26, 2023, and related agenda materials ("Agenda Report"), has received the expert testimony of Port of Oakland ("Port") staff, and has provided opportunities for and taken public comment; now, therefore

BE IT ORDAINED by the Board of Port Commissioners of the City of Oakland as follows:

Section 1. The proposed action is not subject to the California Environmental Quality Act ("CEQA") because, under Section 15378(b)(5) of the CEQA Guidelines, it is an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment and is therefore not a "project" under CEQA.

Section 2. 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 and in related agenda materials and in testimony received.

Section 3. Section 1.2998 is hereby added to Port Ordinance No. 867 to read as follows:

Section 1.2998. The salary schedule set forth in Port Ordinance No. 867 for the following position in Port Employee Representation Unit H shall be and the same is hereby amended by increasing the rate of compensation (base wages) set forth on said salary schedule by an additional five percent (5%) on, and retroactive to, the first day of the pay period containing October 26, 2022 and that the following amended salary for the referenced unrepresented employee position in Unit H is hereby ratified:

Senior Management (Unit H)

Recommended (Annual) Salary, with
5% Increase, Retroactive to the
First Day of the Pay Period
Containing October 26, 2022

Secretary of the Board

\$210,080.00

Section 4. This Ordinance shall take effect on the date of its final adoption; provided, however, that if a petition protesting the adoption of this Ordinance is timely and duly submitted to the elections official of the City of Oakland in the manner required under California Elections Code Section § 9237, the effective date of this Ordinance shall be suspended, and all actions authorized by this Ordinance shall be null and void.

DRAFT

President.

Attest: _____
Secretary.

Approved as to form and legality:

Port Attorney