

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

5/25/2023
Item No.: 6.3(B)
DSC/pcm

HEP

**RESOLUTION RATIFYING AND APPROVING MEMORANDUM
OF UNDERSTANDING WITH SERVICE EMPLOYEES
INTERNATIONAL UNION, LOCAL 1021 FOR A TERM
COMMENCING JULY 1, 2022 THROUGH SEPTEMBER 30,
2025.**

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 6.3, dated May 25, 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; and

WHEREAS, that in acting upon the matters contained herein, 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 materials and in testimony received; now, therefore, be it

RESOLVED, that the terms and conditions of employment and certain benefits as set forth in the Memorandum of Understanding ("MOU") between the Port of Oakland and the Service Employees International Union, Local 1021 ("SEIU"), for a term commencing July 1, 2022 through September 30, 2025, to be effective on and retroactive to July 1, 2022, as more fully described in the Agenda Report, are hereby ratified and approved; and be it

FURTHER RESOLVED, that the Executive Director is hereby authorized to execute said MOU for and on behalf of this Board, provided, however, the same shall be consistent with the terms of the Joint Recommendation for Settlement dated April 4, 2023 and approved as to form and legality by the Port Attorney; 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 Port. 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 party, there shall be no valid or effective agreement; and be it

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