

**PORT ORDINANCE NO. 4728
ORDINANCE AMENDING PORT OF OAKLAND ORDINANCE NO. 867
TO SET THE ANNUAL SALARY FOR THE CHIEF REAL ESTATE
OFFICER AT \$298,000 AND FOR THE DIRECTOR OF
ENVIRONMENTAL PROGRAMS AND PLANNING AT \$263,616.**

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 November 9, 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 requested 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 8.19 of Port Ordinance No. 867 is hereby amended to add the following language for the Chief Real Estate Officer classification:

Salary

\$298,000.00

Section 4. Section 1.2999 of Port Ordinance No. 867 is hereby amended to add the following language for the Director of Environmental Programs and Planning classification:

| <u>Senior Management (Unit H)</u> | <u>Recommended Annual Salary</u> |
|---|---|
| Director of Environmental Programs and Planning | \$263,616.00 |

Section 5. 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 § 9237, the effective date of this Ordinance shall be suspended, and all actions authorized by this Ordinance shall be null and void.

The Board of Port Commissioners, Oakland, California, November 9, 2023. Passed to print for one day by the following vote: Ayes: Commissioners Cluver, Colbruno, Dominguez Walton, Lee, Martinez, Myres, and President Leslie - 7. Noes: 0.

Daria Edgerly,

Secretary of the Board