

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

**RESOLUTION APPROVING AND AUTHORIZING THE
EXECUTIVE DIRECTOR TO RENEW OR MODIFY
CERTAIN EMPLOYEE HEALTH AND WELFARE BENEFIT
PLAN CONTRACTS FOR FIVE YEARS, ENDING
DECEMBER 31, 2023, IN AN AMOUNT NOT TO
EXCEED 10% INCREASES OVER THE PREVIOUS
YEAR'S CONTRACT RATE.**

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 2.2, dated October 25, 2018 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 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;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. Based upon the information contained in the Agenda Report and in testimony received, the Board finds and determines that the requested action is exempt from the California Environmental Quality Act ("CEQA") under Sections 15060(c)(3) and 15378(b)(2) of the CEQA Guidelines because the requested Board actions are not projects under CEQA and therefore no environmental review is required.

Section 2. The Board hereby approves and authorizes the Executive Director to renew or modify certain employee health and welfare benefit plan contracts for a period of five years ending December 31, 2023, as long as the administrative fee rate or premium rate, as the case may be, does not exceed 10% over those rates in the prior year's contract, provided that there is no material change in the terms and conditions, and as further described in the Agenda Report, provided that all agreements are approved as to form and legality by the Port Attorney.

Section 3. 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 a contract in accordance with the terms of this resolution. Unless and until a separate written contract 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 other contracting party, there shall be no valid or effective contract.

Section 4. This resolution shall be effective immediately upon adoption by the Board.

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