

**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

**RESOLUTION APPROVING AND AUTHORIZING  
EXECUTION OF THE MODIFICATION TO THE  
EMPLOYMENT AGREEMENT WITH DANNY W. WAN  
CONSISTENT WITH THE TERMS DESCRIBED IN THE  
AGENDA REPORT AND SUBJECT TO THE PORT  
ATTORNEY'S APPROVAL AS TO FORM AND  
LEGALITY.**

**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Item 2.3 dated December 12, 2019 ("Agenda Report"), and related agenda materials, has received the expert testimony of Port of Oakland ("Port") staff, and has provided opportunities for and taken public comment;

**WHEREAS**, the Board, by Resolution, appointed Danny W. Wan as the Executive Director and authorized the execution of an Employment Agreement ("Agreement") with Mr. Wan setting forth the terms and conditions of his employment;

**WHEREAS**, the Board and Mr. Wan desire to modify the Agreement and its provisions for base salary increases; now, therefore, be it

**RESOLVED**, that the Board hereby approves the Modification to the Employment Agreement with Danny W. Wan ("Modification") which eliminates the 3% base salary increases effective the first pay period containing January 1, 2020; January 1, 2021; and, January 1, 2021 and instead provides for 3% base salary increases effective the pay period containing November 14, 2020 and the pay period containing November 14, 2021; and be it

**FURTHER RESOLVED**, that the Board hereby approves and authorizes the Board President to execute the Modification consistent with the terms described in the Agenda Report and subject to the Port Attorney's approval as to form and legality; and be it

**FURTHER RESOLVED**, that in acting upon the matters contained herein, the Board has exercised its independent judgment based upon 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.