



LOS ANGELES BOARD OF HARBOR COMMISSIONERS

Harbor Administration Building
425 S. Palos Verdes Street
San Pedro, California 90731

REGULAR MEETING AGENDA THURSDAY, MARCH 4, 2021 AT 9:00 AM

Board of Harbor Commissioners

President Jaime L. Lee
Vice President Edward R. Renwick
Commissioner Diane L. Middleton
Commissioner Lucia Moreno-Linares
Commissioner Anthony Pirozzi, Jr.

BOARD OF HARBOR COMMISSIONERS MEETING PROCEDURES FOR COVID-19

The following procedures are in place for the Board of Harbor Commissioners meeting as a precaution against the spread of COVID-19. Procedures may change as the situation changes so please review these procedures posted on the meeting agendas prior to the meeting taking place.

- The Port of Los Angeles Harbor Commission Board Room will NOT be accessible for public observance of the meeting or public comment pursuant to Executive Order N-29-20 issued by Gov. Newsom on March 17, 2020.
- The Board of Harbor Commissioners will participate by teleconference.
- Members of the public can observe the meeting via webcast at www.portoflosangeles.org
- Live Board meetings can also be heard at: (213) 621-2489 (Metro), (818) 904-9450 (Valley), (310) 471-2489 (Westside) and (310) 547-2489 (Harbor).

PLEASE READ THESE INSTRUCTIONS TO PARTICIPATE IN PUBLIC COMMENT

- Written comments or materials may be submitted by emailing commissioners@portla.org. All written comments or materials submitted for this meeting will be provided to the Commissioners and entered in to the official meeting record. Please submit your written comments before 4:00pm on the day before the meeting. Please limit your written comment to one page. You may attach materials in addition to your comment to be distributed to the Commissioners.
- Members of the public can provide verbal comment by calling (310) 732-3444. Commission Staff will be available to receive your call. Your comment will be provided to the Commissioners and entered into the official record. If Commission Staff is not available to receive your comment, please leave a voicemail with your name and your telephone number for a return call. All calls will be verified. Please note that phone call comments regarding Open Session can be accepted up until the item is considered by the Board.
- Due to the limitations of technology, we request that you submit all comments prior to the meeting. Requests to provide comments after the start of the meeting may prove challenging. If you have any questions regarding these temporary meeting procedures, please contact the Harbor Commission Office prior to the meeting at (310) 732-3444.
- Para sumtir su comentario en español, se puede enviar a nuestro correo electrónico: commissioners@portla.org , o puede llamar a nuestra Oficina de Comisionados al (310) 732-3444. Alguien de nuestra oficina estará disponible para traducir su comentario en inglés y entregarlo a los Comisionados del Puerto.

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ORDER OF BUSINESS

OPEN SESSION

- A. **Roll Call**
- B. **Executive Director Remarks**
- C. **Comment from the Public on Non-Agenda Items**
- D. **Report from the Neighborhood Council Representatives** – An opportunity for a Neighborhood Council to present a Resolution or Motion filed with the Los Angeles Harbor Department to be presented to the Board as it relates to any agenda item being considered or under the purview of the Harbor Department.
- E. **Reports of the Commissioners**
- F. **Board Committee Reports**
- None
- G. **Approval of the Minutes**
- Regular Meeting of February 18, 2021
- H. **Presentation**
- None
- I. **Level I Coastal Development Permit**
- None

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J. Board Reports of the Executive Director

Consent Items (1 - 4)

Government Affairs

1. RESOLUTION NO. _____ - APPROVAL OF AGREEMENT WITH KADESH AND ASSOCIATES LLS FOR FEDERAL GOVERNMENT ADVOCACY SERVICES IN WASHINGTON, D.C.

Summary: Staff requests approval of an Agreement for federal government advocacy services in Washington, D.C. for the City of Los Angeles Harbor Department (Harbor Department) with Kadesh and Associates, LLC. The firm is located in Washington, D.C. The proposed Agreement is for a one-year term with two one-year options to extend, for a total of up to three years, with a not-to-exceed amount of \$270,000, which is \$90,000 per year, resulting in a monthly fee of \$7,500. The total authority of the proposed Agreement is \$270,000 over three years. The Harbor Department is financially responsible for payment of expenses incurred under the proposed Agreement.

Recommendation: Board resolve to (1) find that the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II Section 2(f) of the Los Angeles City CEQA Guidelines; (2) find that in accordance with the Los Angeles City Charter (Charter), Section 1022, work under the subject Agreements is temporary in nature and can be performed more feasibly by an independent contractor rather than by City of Los Angeles (City) employees; (3) approve the proposed Agreement with Kadesh and Associates, LLC. The proposed Agreement is for a one-year term with two one-year options to extend, for a total of up to three years, with a not-to-exceed amount of \$270,000, which is \$90,000 per year, resulting in a monthly fee of \$7,500. The total authority of the proposed Agreement is \$270,000 over three years; (4) authorize the Executive Director to execute, and the Board Secretary to attest to, the proposed Agreement; and (5) adopt Resolution No. _____.

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Government Affairs

2. RESOLUTION NO. _____ - APPROVAL OF AGREEMENT WITH NOSSAMAN LLP FOR FEDERAL GOVERNMENT ADVOCACY SERVICES IN WASHINGTON, D.C.

Summary: Staff requests approval of an Agreement for federal government advocacy services in Washington, D.C. for the City of Los Angeles Harbor Department (Harbor Department) with Nossaman, LLP. The firm is based in Los Angeles, and the Harbor Department's points of contact are located in Washington, D.C. The proposed Agreement is for a one-year term with two one-year options to extend, for a total of up to three years, with a not-to-exceed amount of \$270,000, which is \$90,000 per year, resulting in a monthly fee of \$7,500. The total authority of the proposed Agreement is \$270,000 over three years. The Harbor Department is financially responsible for payment of expenses incurred under the proposed Agreement.

Recommendation: Board resolve to (1) find that the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II Section 2(f) of the Los Angeles City CEQA Guidelines; (2) find that in accordance with the Los Angeles City Charter (Charter), Section 1022, work under the subject Agreements are temporary in nature and can be performed more feasibly by an independent contractor rather than by City of Los Angeles (City) employees; (3) approve the proposed Agreement with Nossaman, LLP. The proposed Agreement is for a one-year term with two one-year options to extend, for a total of up to three years, with a not-to-exceed amount of \$270,000, which is \$90,000 per year, resulting in a monthly fee of \$7,500. The total authority of the proposed Agreement is \$270,000 over three years; (4) authorize the Executive Director to execute, and the Board Secretary to attest to, the proposed Agreement; and (5) adopt Resolution No. _____.

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Executive Office

3. RESOLUTION NO. _____ - APPROVAL OF HARBOR COMMUNITY BENEFIT FOUNDATION'S HEALTHY HARBOR COMMUNITIES INITIATIVE GRANT PROGRAM AND THE TRANSFER OF PORT COMMUNITY MITIGATION TRUST FUNDS

Summary: Staff requests that the Board of Harbor Commissioners approve Harbor Community Benefit Foundation's (HCBF) selection of four projects to receive awards from the newly-created Healthy Harbor Communities Grant Program and transfer \$290,831 from the Port Community Mitigation Trust Fund (PCMTF) to HCBF. The PCMTF was established by the City of Los Angeles Harbor Department (Harbor Department) for the purpose of funding appropriate mitigation projects and grants addressing port-related impacts for the communities of San Pedro and Wilmington. The HCBF, an independent nonprofit organization established to operate the PCMTF, is responsible for identifying qualifying projects to receive grant funding from the PCMTF to be approved by the Board of Harbor Commissioners (Board). The HCBF Board of Directors has confirmed its selection of four projects to receive funding for the Healthy Harbor Communities Grant Program, and is requesting Board approval of the award recipients and transfer of funds from the PCMTF, in accordance with the requirements of the TraPac Memorandum of Understanding (MOU) and Operating Agreement of the TraPac MOU (Operating Agreement). The proposed projects have a Tidelands nexus and will address the Port of Los Angeles' (Port) impact on the local environment in Wilmington and San Pedro. Upon approval, \$290,831 will be transferred from the PCMTF to HCBF for four grant awards. Upon the transfer of funds from the PCMTF to HCBF, HCBF will be financially responsible for the disbursement of funds to grantees in accordance with the TraPac MOU, Operating Agreement and the Grant Agreements. The Harbor Department funded the original PCMTF, and no additional payments from the Harbor Department will be required to fund this request.

Recommendation: Board resolve to (1) find that the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II Section 2(f) of the Los Angeles City CEQA Guidelines; (2) approve Harbor Community Benefit Foundation's selection of four projects to receive awards from the Healthy Harbor Communities Grant Program, funded by the Port Community Mitigation Trust Fund; (3) authorize the Executive Director or his designee to execute a joint letter with the Harbor Community Benefit Foundation to approve the distribution of funds in one lump sum payment of \$290,831 from J.P. Morgan Private Bank to the Harbor Community Benefit Foundation to be used in accordance with Harbor Community Benefit Foundation's request; and (4) adopt Resolution No. _____.

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Goods Movement

4. RESOLUTION NO. _____ - APPROVAL OF NOTICE OF MUTUAL AGREEMENTS FOR AMENDMENTS OF ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY DISPATCHING AND POLICE AND SECURITY SERVICES AGREEMENTS

Summary: Staff requests that the Board of Harbor Commissioners adopt a Resolution approving and providing mutual agreement, via a "Notice of Mutual Agreement" (NMA), of the amendments of the Alameda Corridor Transportation Authority's (ACTA) Dispatching Agreement, and Police and Security Services Agreement (collectively referred to as Agreements). The Alameda Corridor (AC) Use and Operating Agreement (UOA) requires ACTA to have these particular Agreements for the operations of the AC. The UOA also requires that the Harbor Department, Port of Long Beach (POLB), BNSF Railway (BNSF), and Union Pacific Railroad (UPRR) collectively select the AC train operations dispatcher and security provider via an NMA. The NMA enables ACTA to proceed to enter into subsequent agreements for these services with the UPRR and BNSF (and/or other selected entities), subject to approval by its own board. These two ACTA Agreements expire on April 14, 2021, and this NMA will enable ACTA to extend their respective terms by six months, to October 14, 2021. The POLB Board approved this NMA on February 22, 2021. The UPRR and BNSF are expected to approve the NMA on or before March 5. There are no financial impacts to the City of Los Angeles Harbor Department if this NMA is approved and the ACTA Agreements are amended.

Recommendation: Board resolve to (1) find that the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II Section 2(f) of the Los Angeles City CEQA Guidelines; (2) approve NMA 2021-1 that approves the amendment of the ACTA Dispatching Agreement to extend the term for up to an additional six months, to October 14, 2021; (3) approve NMA 2021-2 that approves the amendment of the ACTA Police and Security Services Agreement for up to an additional six months, to October 14, 2021; (4) direct the Executive Director to transmit this Resolution to ACTA for further action pursuant to the Amended and Restated Alameda Corridor Use and Operating Agreement; and; (5) adopt Resolution No. _____.

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Regular Items (5 - 9)

Cargo & Industrial Real Estate

5. RESOLUTION NO. _____ - APPROVAL OF MASTER JOINT REVOCABLE PERMIT NO. 20-18 AMONG AIR PRODUCTS AND CHEMICALS, INC., CITY OF LOS ANGELES HARBOR DEPARTMENT, AND PORT OF LONG BEACH, AS JOINT OWNERS

Summary: Staff requests approval of Master Joint Revocable Permit (MJRP) No. 20-18 among Air Products and Chemicals, Inc. (Air Products), the City of Los Angeles Harbor Department (Harbor Department), and the Port of Long Beach (POLB), (collectively Ports), as joint owners, for the maintenance and operation of seven subsurface hydrogen gas pipelines and one waste water pipeline generally located along the former Union Pacific Railroad San Pedro Branch and Long Beach Lead at various locations in Los Angeles and Long Beach. The initial annual rent is \$20,312, which will be split equally between the Ports, and is subject to annual increases based on the Consumer Price Index (CPI). As a 50 percent joint owner, the Harbor Department will receive \$10,156 in rent. This MJRP includes 1) the continuation of use of existing subsurface pipelines for the transport of hydrogen gas and waste water and 2) the entitlement for an existing pipeline owned by Paramount Pipeline, LLC (Paramount), to begin transporting hydrogen gas to be operated by Air Products as Paramount's operator. As part of this action, the Harbor Department must make certain findings and determinations pursuant to the California Environmental Quality Act (CEQA) because it is considered a Responsible Agency in granting a permit for the hydrogen pipeline (Line 4) of the project. This MJRP requires approval from the Board of Harbor Commissioners of both Ports, and the POLB Board of Harbor Commissioners will consider this MJRP at its meeting on February 22, 2021.

Recommendation: Board resolve to (1) find the continuation of use of existing subsurface pipelines for the transport of hydrogen and waste water is categorically exempt from the requirements of CEQA in accordance with Section 15301 of the California State CEQA Guidelines; (2) find, for the entitlement to begin transporting hydrogen gas in an existing pipeline Line 4: that since certification of the Final Environmental Impact Report by the City of Carson (State Clearinghouse No. 2020059038), there have been (1) no substantial changes to the Project which would require major revisions of the Final Environmental Impact Report, (2) no substantial changes with respect to the circumstances under which the Project is being undertaken which would require major revisions in the Final Environmental Impact Report, and (3) no new information has become available which was not known or could have been known at the time the Final Environmental Impact Report was certified as complete; (3) adopt the Findings of Fact and Statement of Overriding Considerations; (4) adopt the mitigation measures contained in the Mitigation Monitoring and Reporting Plan that pertain to the operation of the Line 4 project element of the certified Final Environmental Impact Report; (5) authorize the Environmental Management Division to file the Notice of Determination with the Los Angeles County Clerk and the State Clearinghouse;

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5. (Continued)

(6) find that the Director of Environmental Management has determined that the proposed action has been previously assessed in the Air Products Hydrogen Pipeline Environmental Impact Report (State Clearinghouse No. 2020059038), certified by the City of Carson on November 10, 2020 ; (7) approve Master Joint Revocable Permit No. 20-18 among Air Products and Chemicals, Inc. and the City of Los Angeles Harbor Department and Port of Long Beach, as joint owners, which has incorporated the measures contained in the Mitigation Monitoring and Reporting Plan that pertain to the operation of the Line 4 project element of the certified Final Environmental Impact Report; (8) authorize the Executive Director to execute and the Board Secretary to attest to Master Joint Revocable Permit No. 20-18; and (9) adopt Resolution No._____.

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Cargo & Industrial Real Estate

6. RESOLUTION NO. _____ - APPROVAL OF MASTER JOINT REVOCABLE PERMIT NO. 21-01 AMONG PARAMOUNT PIPELINE, LLC, CITY OF LOS ANGELES HARBOR DEPARTMENT, AND PORT OF LONG BEACH, AS JOINT OWNERS

Summary: Staff requests approval of Master Joint Revocable Permit (MJRP) No. 21-01 among Paramount Pipeline, LLC (Paramount), the City of Los Angeles Harbor Department (Harbor Department), and the Port of Long Beach (POLB), (collectively Ports), as joint owners, for the maintenance and operation of ten subsurface pipelines and four valve box appurtenant facilities generally located along the former Union Pacific Railroad San Pedro Branch at various locations in Los Angeles and Long Beach. The initial annual rent is \$174,248, which will be split equally between the Ports, and is subject to annual increases based on the Consumer Price Index (CPI). As a 50 percent joint owner, the Harbor Department will receive \$87,124 in rent. This MJRP includes (1) the continuation of use of existing subsurface pipelines for the transport of petroleum and (2) the entitlement for an existing pipeline to begin transporting hydrogen gas. As part of this action, the Harbor Department must make certain findings and determinations pursuant to the California Environmental Quality Act (CEQA) because it is considered a Responsible Agency in granting a permit for the hydrogen pipeline (Line 4) of the project. This MJRP requires approval from the Board of Harbor Commissioners of both Ports, and the POLB Board of Harbor Commissioners will consider this MJRP at its meeting on February 22, 2021.

Recommendation: Board resolve to (1) find the continuation of use of existing subsurface pipelines for the transport of petroleum is categorically exempt from the requirements of CEQA in accordance with Section 15301 of the California State CEQA Guidelines; (2) find, for the entitlement to begin transporting hydrogen gas in an existing pipeline: that since certification of the Final Environmental Impact Report by the City of Carson (State Clearinghouse No. 2020059038), there have been (1) no substantial changes to the Project which would require major revisions of the Final Environmental Impact Report, (2) no substantial changes with respect to the circumstances under which the Project is being undertaken which would require major revisions in the Final Environmental Impact Report, and (3) no new information has become available which was not known or could have been known at the time the Final Environmental Impact Report was certified as complete; (3) adopt the Findings of Fact and Statement of Overriding Considerations; (4) adopt the mitigation measures contained in the Mitigation Monitoring and Reporting Plan that pertain to the operation of Line 4 project element of the certified Final Environmental Impact Report; (5) authorize the Environmental Management Division to file the Notice of Determination with the Los Angeles County Clerk and the State Clearinghouse; (6) find that the Director of Environmental Management has determined that the proposed action has been previously assessed in the Air Products Hydrogen Pipeline Environmental Impact Report (State Clearinghouse No. 2020059038), certified by the City of Carson on November 10, 2020 ; (7) approve Master Joint Revocable Permit No. 21-01 among Paramount Pipeline, LLC and the City of Los Angeles Harbor Department and Port of Long Beach, as joint owners, which has incorporated the measures contained in the Mitigation Monitoring and Reporting Plan that pertain to the operation of Line 4 project element of the certified Final Environmental Impact Report;

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6. (Continued)

(8) authorize the Executive Director to execute and the Board Secretary to attest to Master Joint Revocable Permit No. 21-01; and (9) adopt Resolution No._____.

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Cargo & Industrial Real Estate

7. RESOLUTION NO. _____ - APPROVAL OF REVOCABLE PERMIT NO. 20-22 BETWEEN PARAMOUNT PIPELINE, LLC AND THE CITY OF LOS ANGELES HARBOR DEPARTMENT

Summary: Staff requests approval of Revocable Permit (RP) No. 20-22 between Paramount Pipeline, LLC (Paramount) and the City of Los Angeles Harbor Department (Harbor Department) for maintenance and operation of a subsurface hydrogen pipeline located along the westerly perimeter of the Intermodal Container Transfer Facility (ICTF) in Wilmington. The pipeline is owned by Paramount and will be operated by Air Products and Chemicals, Inc. (Air Products). The initial annual rent is \$81,270.00 and is subject to annual increases based on the Consumer Price Index (CPI). As part of this action, the Harbor Department must make certain findings and determinations pursuant to the California Environmental Quality Act (CEQA) because it is considered a Responsible Agency in granting a permit for the hydrogen pipeline (Line 4) of the project.

Recommendation: Board resolve to (1) find that since certification of the Final Environmental Impact Report by the City of Carson (State Clearinghouse No. 2020059038), there have been (1) no substantial changes to the Project which would require major revisions of the Final Environmental Impact Report, (2) no substantial changes with respect to the circumstances under which the Project is being undertaken which would require major revisions in the Final Environmental Impact Report, and (3) no new information has become available which was not known or could have been known at the time the Final Environmental Impact Report was certified as complete; (2) adopt the Findings of Fact and Statement of Overriding Considerations; (3) adopt the mitigation measures contained in the Mitigation Monitoring and Reporting Plan that pertain to the operation of Line 4 project element of the certified Final Environmental Impact Report; (4) authorize the Environmental Management Division to file the Notice of Determination with the Los Angeles County Clerk and the State Clearinghouse; (5) find that the Director of Environmental Management has determined that the proposed action has been previously assessed in the Air Products Hydrogen Pipeline Environmental Impact Report (State Clearinghouse No. 2020059038), certified by the City of Carson on November 10, 2020; (6) approve Revocable Permit No. 20-22 between Paramount Pipeline, LLC and City of Los Angeles Harbor Department, which has incorporated the measures contained in the Mitigation Monitoring and Reporting Plan that pertain to the operation of Line 4 project element of the certified Final Environmental Impact Report; (7) authorize the Executive Director to execute and the Board Secretary to attest to Revocable Permit No. 20-22; and (8) adopt Resolution No. _____.

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Waterfront & Commercial Real Estate

8. RESOLUTION NO. _____ - APPROVE ASSIGNMENT OF PERMIT NO. 930 FROM THE JANKOVICH COMPANY TO TJC CA, LLC; NORTHSTAR ENERGY, LLC'S GUARANTY; AND REVOCABLE PERMIT NO. 12-11 TERMINATION AGREEMENT

Summary: Staff requests approval of (i) an assignment of Permit No. 930 with The Jankovich Company (Jankovich) to TJC CA, LLC (TJC), (ii) guaranty furnished by NorthStar Energy, LLC (NorthStar), and (iii) a termination agreement with Jankovich for Revocable Permit No. 12-11 (RP 12-11). TJC is a Washington Limited Liability Company wholly owned by NorthStar, which is 100 percent owned by Saltchuk, a privately-owned family of diversified transportation and distribution companies headquartered in Seattle, WA. Permit No. 930 was granted to Jankovich for a term of 20 years effective November 6, 2017; RP 12-11 became effective July 9, 2013. These permits entitle Jankovich the right to use City of Los Angeles Harbor Department (Harbor Department) land, subsurface, and water areas at Berths 73A & B and Berth 74 in San Pedro for operating and maintaining a retail marine fueling service station that sells fuel and lubricants, including the operation of a small commercial watercraft mooring facility and purposes incidental thereto; the use of an office building and storage; truck access and storage; and docking of barges and for purposes incidental thereto. Jankovich relocated from Berth 74 under RP 12-11 to Berth 73A & B, as requested by the Harbor Department to accommodate the redevelopment of Ports O' Call. The remediation of Berth 74 is substantially completed. The RP 12-11 premises will require continued ground water monitoring and potential further remediation depending on the results of monitoring. Through the termination agreement Jankovich has agreed to perform ground water monitoring and provide the Harbor Department a \$350,000 security deposit to secure future monitoring and remediation.

Recommendation: Board resolve to (1) find that the Director of Environmental Management has determined that the proposed actions are administratively exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II Section 2(f) of the Los Angeles City CEQA Guidelines; (2) approve the Assignment and Assumption of Permit No. 930 and Consent Thereto from The Jankovich Company to TJC CA, LLC; (3) approve the Order consenting to assignment of Permit No. 930 from The Jankovich Company to TJC CA, LLC; (4) approve the parent guaranty provided by NorthStar Energy, LLC for Permit No. 930; (5) authorize the Executive Director to execute and the Board Secretary to attest to the Assignment and Assumption and Consent Thereto of Permit No. 930; (6) authorize the Executive Director to execute and the Board Secretary to attest to the Order consenting to assignment of Permit No. 930; (7) authorize the Executive Director to execute and the Board Secretary to attest to the parent guaranty provided by NorthStar Energy, LLC; and (8) authorize the Executive Director to execute and the Board Secretary to attest to the Order consenting to the Termination Agreement for Revocable Permit No. 12-11; and (9) adopt Resolution No. _____ and Order No. _____.

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Engineering

9. RESOLUTION NO. _____ - APPROVE AMENDMENT NO. 1 TO AGREEMENT NO. 18-3618 BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND MARK THOMAS & COMPANY, INC. TO PREPARE PLANS, SPECIFICATIONS, AND ESTIMATES (PS&E) FOR THE STATE ROUTE 47(SR-47)/VINCENT THOMAS BRIDGE AND FRONT STREET/HARBOR BOULEVARD INTERCHANGE RECONFIGURATION PROJECT

Summary: Staff requests the Board of Harbor Commissioners (Board) adopt a Resolution approving Amendment No. 1 to Agreement No. 18-3618 (Agreement) between the City of Los Angeles Harbor Department (Harbor Department) and Mark Thomas & Company, Inc. (Consultant) of Irvine, California, to prepare Plans, Specifications, and Estimates (PS&E) for the State Route 47 (SR-47)/Vincent Thomas Bridge and Front Street/Harbor Boulevard Interchange Reconfiguration Project (Project). The original agreement was approved by the Board on November 15, 2018 for the amount of \$2,999,986. Amendment No. 1 will allow the Harbor Department to complete the PS&E's for the Project with the same Engineer of Record, adds professional services to the Agreement to include unforeseen engineering design work, and adds \$1,997,887 in compensation for a total not-to-exceed amount of \$4,997,873. The term remains at three years. Staff will seek separate Board approval to add four years to the term. Payment of expenses incurred under this agreement will continue to be the financial responsibility of the Harbor Department.

Recommendation: Board resolve to (1) find that the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II, Section 2(f), of the Los Angeles City CEQA Guidelines; (2) find that in accordance with the City Charter Section 1022, the services required can be performed more feasibly by an outside contractor than by City employees; (3) approve Amendment No. 1 to Agreement No. 18-3618 between the City of Los Angeles Harbor Department and Mark Thomas & Company, Inc. to prepare and complete the Plans, Specifications, and Estimates (PS&E) for the State Route 47 (SR-47)/Vincent Thomas Bridge and Front Street/Harbor Boulevard Interchange Reconfiguration Project (Project) utilizing the same Engineer of Record by adding \$1,997,887 to the compensation for a total not-to-exceed amount of \$4,997,873; (4) authorize the Executive Director to execute and the Board Secretary to attest to said Amendment for and on behalf of the Board; and (5) adopt Resolution No. _____.

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K. Closed Session

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Subdivision (d)(1) of Government Code Section 54956.9)

City of Los Angeles v. Certain Underwriters at Lloyd's, London and Other London Market Insurers, et al., Los Angeles Superior Court Case No. BC588876
2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Subdivision (d)(1) of Government Code Section 54956.9)

Harbor Performance Enhancement Center, LLC v. City of Los Angeles Harbor Department, et al., United States District Court Case No. 2:20-cv-03251
3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Subdivision (d)(1) of Government Code Section 54956.9)

Natural Resources Defense Council, et al. v. City of Los Angeles, et al.
Los Angeles Superior Court Case No. BS070017
4. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Subdivision (d)(1) of Government Code Section 54956.9)

Natural Resources Defense Council, et al. v. City of Los Angeles, et al.
Los Angeles Superior Court Case No. 20STCP02978
5. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Subdivision (d)(1) of Government Code Section 54956.9)

South Coast Air Quality Management District v. City of Los Angeles, et al.
Los Angeles Superior Court Case No. 20STCP02985
6. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Subdivision (d)(2) of Government Code Section 54956.9)

Significant exposure to litigation pursuant to subdivision (d)(2) of Section 54956.9:
(two cases)

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K. (Continued)

7. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code Section 54956.8)

Provide instructions to its real estate negotiators with respect to Permit 999 with China Shipping Holding Company, Ltd.:

Property:	Berths 100-103, San Pedro
City Negotiator:	Michael DiBernardo
Tenant Negotiator:	Paul Nazzaro
Negotiating Parties:	City and China Shipping Holding Company, Ltd.
Under Negotiation:	Price and Terms

8. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code Section 54956.8)

Provide instructions to its real estate negotiators with respect to a proposed permit with San Pedro Fish Market:

Property:	Berths 93C, D, E, San Pedro
City Negotiator:	Michael Galvin
Tenant Negotiator:	Michael Ungaro
Negotiating Parties:	City and San Pedro Fish Market
Under Negotiation:	Price and Terms

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K. (Continued)

9. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code Section 54956.8)

Provide instructions to its real estate negotiators with respect to Revocable Permit 91-35 with Roberta Landon Skaggs:

Property: 126 North Marine Avenue, Wilmington

City Negotiator: Michael Galvin

Tenant Negotiator: Roberta Landon Skaggs

Negotiating Parties: City and Roberta Landon Skaggs

Under Negotiation: Price and Terms

10. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code Section 54956.8)

Provide instructions to its real estate negotiators with respect to Revocable Permit 96-09 with Jack Balch:

Property: Signal Street & 22nd Street, San Pedro

City Negotiator: Michael Galvin

Tenant Negotiator: Vince Balch

Negotiating Parties: City and Jack Balch

Under Negotiation: Price and Terms

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K. (Continued)

11. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code Section 54956.8)

Provide instructions to its real estate negotiators with respect to Revocable Permit 95-32 with Joe Utovac:

Property: Sampson Way & Berth 73, San Pedro

City Negotiator: Michael Galvin

Tenant Negotiator: Joe Utovac

Negotiating Parties: City and Joe Utovac

Under Negotiation: Price and Terms

12. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code Section 54956.8)

Provide instructions to its real estate negotiators with respect to Revocable Permit 93-19 with Kelly Marine:

Property: 2114 South Mesa Street, San Pedro

City Negotiator: Michael Galvin

Tenant Negotiator: Joseph B. Kelly

Negotiating Parties: City and Kelly Marine

Under Negotiation: Price and Terms

**REGULAR MEETING AGENDA
THURSDAY, MARCH 4, 2021 AT 9:00 AM**

K. (Continued)

13. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code Section 54956.8)

Provide instructions to its real estate negotiators with respect to Revocable Permit 1733 with O'Donnell Oil Company:

Property: C Street & Fries Avenue, Wilmington

City Negotiator: Michael Galvin

Tenant Negotiator: Pat O'Donnell

Negotiating Parties: City and O'Donnell Oil Company

Under Negotiation: Price and Terms

14. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code Section 54956.8)

Provide instructions to its real estate negotiators with respect to Revocable Permit 98-17 with Nick Guglielmo:

Property: North of the Parking Lot at Sampson Way & 22nd Street, San Pedro

City Negotiator: Michael Galvin

Tenant Negotiator: Nick Guglielmo

Negotiating Parties: City and Nick Guglielmo

Under Negotiation: Price and Terms

L. Adjournment