



# LOS ANGELES BOARD OF HARBOR COMMISSIONERS

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

## REGULAR MEETING AGENDA THURSDAY, NOVEMBER 21, 2019 AT 9:00 A.M.

### 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.

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**BOARD MEETINGS** - The Board's Regular Meetings are the first and third Thursday of each month at 9:00 A.M. at the Harbor Administration Building Boardroom or as scheduled on the Port's website at [www.portoflosangeles.org](http://www.portoflosangeles.org). A quorum of three of five Commissioners is required to transact business and three Aye votes are required to carry a motion. Commission actions, except actions which are subject to appeal or review by the Council pursuant to other provisions of the Charter, ordinance or other applicable law, are not final until the expiration of the next five meeting days of the City Council during which the Council has convened in regular session. If the Council asserts jurisdiction during this five meeting day period the Council has 21 calendar days thereafter in which to act on the matter.

Please note that this agenda is subject to revision in accordance with the Brown Act. In the event the agenda is revised prior to the meeting, Port staff will post the revised agenda on the Port's web site (<http://www.portoflosangeles.org>). Updated agendas will also be available at the meeting. 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). As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities. Sign language interpreters, assistive listening devices, and translation services may be provided. To ensure availability, 72-hour advance notice is required. Contact the Commission Office at (310) 732-3444.

Interpretes de señas, sistemas auditivos y servicios de traducciones están disponibles. Para asegurar disponibilidad, se requiere solicitarlos con 72 horas de anticipación. Para hacer la solicitud, llame a la oficina de la Comisión al (310) 732-3444.

**OPPORTUNITIES FOR THE PUBLIC TO ADDRESS THE BOARD** - Before reaching those portions of the agenda where Board action is requested, members of the public will be given an opportunity to address the Board on items of interest within the subject matter jurisdiction of the Board (general public comment). Thereafter, members of the public will be given an opportunity to address the Board on any item on the consent or regular agendas prior to or during the Board's consideration of that item. The same opportunity will be given in open session regarding the closed session agenda prior to commencement of closed session. Members of the public who wish to speak during general public comment are to complete a speaker card so indicating. Members of the public who wish to speak regarding a particular agenda item(s) are to complete a speaker card(s) for each such item. Agendas for special meetings will permit the public to address particular agenda items even where the agenda does not include general public comment. Each speaker is allowed to speak up to 3 minutes per agenda item. The Presiding Officer shall, however, exercise discretion to determine whether such period of time should be reduced or extended based upon such factors as the length of the agenda or substance of the agenda items, the number of public comment speaker cards submitted, the need for the Board to conclude its business as expeditiously as is practicable, and whether the Board is at risk of losing a quorum, among other factors. Upon request, non-English speakers will be granted additional speaking time for translation assistance.

If you request to distribute documents to the full Commission, please present the Board Secretary with twelve (12) copies. Otherwise, your materials will simply be added to the official meeting record. Requests to distribute literature to the general public attendees of the meeting shall be placed on a literature table outside the Boardroom during and until 30 minutes after the Board meeting.

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**ORDER OF BUSINESS**

*Convene in Memory of Elmo Madawala & Phuong Nguyen*

**OPEN SESSION**

**A. Roll Call**

**B. Executive Director Remarks**

**C. Comments 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**

1. Alameda Corridor Transportation Authority Governing Board Meeting of November 15, 2019
2. Alameda Corridor Transportation Authority Audit Committee Meeting of November 15, 2019

**G. Approval of the Minutes**

1. Regular Meeting of October 3, 2019
2. Special Meetings of October 8, 2019
3. Special Meeting of November 5, 2019

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**H. Presentation**

**I. Level I Coastal Development Permit**

**J. Board Reports of the Executive Director**

**Consent Items (1 – 5)**

Cargo Marketing

1. RESOLUTION NO. \_\_\_\_\_ - APPROVAL OF THIRD AMENDMENT TO FOREIGN-TRADE ZONE DEVELOPER AGREEMENT NO. 2369 BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND INDUSTRIAL DEVELOPMENTS INTERNATIONAL, LLC. FTZ 202 SITE 20

Summary: Staff requests approval of a Third Amendment to Foreign-Trade Zone (FTZ) Developer Agreement No. 2369 between the City of Los Angeles Harbor Department (Harbor Department) and Industrial Developments International, LLC. (IDI) to continue to maintain their FTZ status and promote the FTZ Program within FTZ 202, Site 20, located in Mira Loma, California. IDI is a real estate investment firm whose principal address is located in El Segundo, California. IDI's current FTZ Developer Agreement No. 2369 will expire on February 28, 2020. The Third Amendment will extend the term of the Developer Agreement by five years to February 28, 2025. The Harbor Department needs to execute the Third Amendment to extend the Agreement, as required by the FTZ Board.

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 the proposed Third Amendment to Foreign-Trade Zone Developer Agreement No. 2369 between the City of Los Angeles Harbor Department and International Developments International, LLC.; (3) direct the Board Secretary to transmit the proposed Third Amendment to Foreign-Trade Zone Developer Agreement No. 2369 to the Los Angeles City Council for approval pursuant to Section 373 of the Charter of the City of Los Angeles and Section 10.5 of the Los Angeles Administrative Code; (4) authorize the Executive Director to execute and the Board Secretary to attest to the proposed Third Amendment to Foreign-Trade Zone Developer Agreement No. 2369; and (5) adopt Resolution No. \_\_\_\_\_.

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Cargo Marketing

2. RESOLUTION NO. \_\_\_\_\_ - APPROVAL OF THIRD AMENDMENT TO FOREIGN-TRADE ZONE GENERAL PURPOSE OPERATING AGREEMENT NO. 09-2346 BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND CITIZEN WATCH COMPANY OF AMERICA, INC. FTZ 202 SITE 7D

Summary: Staff requests approval of a Third Amendment (Third Amendment) to Foreign-Trade Zone (FTZ) Operating Agreement No. 09-2346 between the City of Los Angeles Harbor Department (Harbor Department) and Citizen Watch Company of America, Inc. (Citizen) to continue operating its facility within FTZ 202, Site 7D, located at 1000 West 190th Street, Torrance, CA 90502. The Harbor Department, as the FTZ grantee, establishes General Purpose Operating Agreements with FTZ site operators to oversee their FTZ operations. Citizen's current FTZ Operating Agreement No. 09-2346 will expire on January 4, 2020. The term of the agreement is five years with three, five-year renewal options. Citizen requests to continue operating its warehouse as an FTZ warehouse and exercise its third renewal option. The Harbor Department needs to execute the Third Amendment to extend the Agreement, as required by the FTZ Board. Site 7D consists of 129,934 square feet of warehouse and office space on 5.69 acres located approximately six miles north of the Port of Los Angeles. Citizen will operate its warehouse under FTZ procedures as a single-usage site. This proposed Third Amendment will not require funding by the Harbor Department. If the proposed amendment is approved, the Harbor Department will receive \$10,000 annually from Citizen (per FTZ Tariff No. 2).

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 the proposed Third Amendment to Foreign-Trade Zone Operating Agreement No. 09-2346 between the City of Los Angeles Harbor Department and Citizen Watch Company of America, Inc.; (3) direct the Board Secretary to transmit the proposed Third Amendment to Foreign-Trade Zone Operating Agreement No. 09-2346 to the Los Angeles City Council for approval pursuant to Section 373 of the Charter of the City of Los Angeles and Section 10.5 of the Los Angeles Administrative Code; (4) authorize the Executive Director to execute and the Board Secretary to attest to the proposed Third Amendment to Foreign-Trade Zone Operating Agreement No. 09-2346; and (5) adopt Resolution No. \_\_\_\_\_.

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Engineering

3. RESOLUTION NO. \_\_\_\_\_ - PROPOSED FIRST AMENDMENT TO PERSONAL SERVICES AGREEMENT BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT, AND T.Y. LIN INTERNATIONAL FOR ENGINEERING, ARCHITECTURAL, AND LANDSCAPING DESIGN SERVICES FOR THE WILMINGTON WATERFRONT PEDESTRIAN BRIDGE

Summary: Staff requests approval of a First Amendment to Agreement No. 17-3463 (Agreement) with T.Y. Lin International (T.Y. Lin). The proposed First Amendment will extend the Agreement by four additional years, for a total of seven years, to February 20, 2024. The total compensation under this Agreement will increase by \$665,346 for a total of \$2,189,375. The proposed First Amendment also modifies the agreement to reflect updated insurance provisions. The First Amendment is required at this time in order to accommodate delays to the design and implementation schedule for the Wilmington Waterfront Pedestrian Bridge project and to provide continuity of engineering design and engineering support services during construction. Payment of expenses incurred under the 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 the First Amendment to extend Agreement No. 17-3463 with T.Y. Lin International by four additional years, for a total of seven years and increase the compensation by \$665,346, for a total of \$2,189,375; (4) direct the Board Secretary to transmit the First Amendment to Agreement No. 17-3463 to the Los Angeles City Council for approval pursuant to Section 373 of the Charter of the City of Los Angeles and Section 10.5 of the Los Angeles Administrative Code; (5) authorize the Executive Director to execute and Board Secretary to attest to the said First Amendment for and on behalf of the Board of Harbor Commissioners; and (6) adopt Resolution No. \_\_\_\_\_.

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Engineering

4. RESOLUTION NO. \_\_\_\_\_ - APPROVAL OF CONTINGENCY FOR EXISTING CONTRACT NO. 39884 WITH UNISOURCE SOLUTIONS FOR THE PURCHASE OF NEW HAWORTH, INC. MODULAR OFFICE FURNITURE SYSTEMS FOR THE HARBOR ADMINISTRATION BUILDING (4TH AND 5TH FLOORS), AND AMENDMENT NO. 1 FOR ADDITIONAL MOVING SERVICES

Summary: The Board of Harbor Commissioners (Board) awarded Annual Contract (Bid No. F-1042), Contract No. 39884 with Unisource Solutions for the purchase of 275 new Haworth, Inc. modular office furniture systems for the 4th and 5th floors at the Harbor Administration Building (HAB) in the amount of \$3,631,929.49 at their meeting of May 16, 2019. Staff requests approval to add the \$150,000 contingency to Contract No. 39884 for any unforeseen conditions, added or revised scope, extra removals or installations, and any additional related services during the installation of the new furniture systems on the 4th and 5th floors of the HAB. Staff omitted the contingency amount of \$150,000 shown as Item No. 42.1 on Page 17 of Contract No. 39884 when the Board approved the contract amount of \$3,631,929.49. Staff also requests approval of Purchase Order Change No. 1 (PO Change) in the amount of \$310,431.87 for moving services, rental of temporary workstations, and storage fees for City of Los Angeles Harbor Department (Department) purchased materials. If the Board approves this resolution the total revised contract amount would be \$4,092,361.36. The Department will be financially responsible for payment of expenses incurred under the proposed PO Change. Any unspent monies at the expiration of this contract remain with 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 Los Angeles City Charter Section 1022, the services proposed to be contracted could be more feasibly performed by an outside contractor than by City employees; (3) approve a contingency in the amount of \$150,000 to Annual Contract (Bid F-1042) Contract 39884 with Unisource Solutions for the purchase of 275 new Haworth, Inc. modular office furniture systems to replace the 4th and 5th floor workspaces of the Harbor Administration Building; (4) approve Purchase Order Change No. 1 in the amount of \$310,431.87 to Annual Contract (Bid F-1042), Contract No. 39884 with Unisource Solutions for moving services, rental of temporary workstations, and storage fees; (5) authorize the Executive Director to execute and Board Secretary to attest to the said contract increase to Annual Contract (Bid No. F-1042) for and on behalf of the Board of Harbor Commissioners; and (6) adopt Resolution No. \_\_\_\_\_.

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Commission Office

5. RESOLUTION NO. \_\_\_\_\_ - ADOPTION OF THE 2020 BOARD OF HARBOR COMMISSIONERS MEETING CALENDAR

Recommendation: Board resolve to (1) adopt Subject Resolution No.\_\_\_\_\_.

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**Regular Items (6 – 14)**

Environmental Management

6. RESOLUTION NO. \_\_\_\_\_ - APPROVAL OF A REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND SAN PEDRO PUBLIC MARKET, LLC

Summary: Staff requests approval of a proposed Reimbursement Agreement (Agreement) with San Pedro Public Market, LLC (SPPM) to reimburse the City of Los Angeles Harbor Department (Harbor Department) 100% of staff and consultant costs associated with the preparation of an environmental assessment to determine any changes in environmental impacts associated with the development of a concert venue at the San Pedro Public Market (proposed Project). The proposed Agreement is for a term of three-years with an estimated amount of \$375,000.

Recommendation: Board resolve to (1) find that the Director of Environmental Management has determined that the proposed action is administratively exempt from the California Environmental Quality Act (CEQA) in accordance with Article II Section 2(f) of the Los Angeles City CEQA Guidelines; (2) approve the proposed Agreement with San Pedro Public Market, LLC to reimburse the City of Los Angeles Harbor Department for preparation costs of the environmental assessment associated with the development of a concert venue at the San Pedro Public Market for a contract term of three years and for an estimated amount of \$375,000; (3) authorize the Executive Director to execute and the Board Secretary to attest to, said Agreement for and on behalf of the Board; and (4) adopt Resolution No. \_\_\_\_\_.

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Waterfront & Commercial Real Estate

7. RESOLUTION NO. \_\_\_\_\_ - APPROVE FIRST AMENDMENT TO LEASE NO. 915 AND INDEMNIFICATION AGREEMENT WITH SAN PEDRO PUBLIC MARKET, LLC

Summary: Staff requests approval of the First Amendment to Lease No. 915 (Lease) between the City of Los Angeles Harbor Department (Harbor Department) and San Pedro Public Market, LLC (SPPM). Lease No. 915 was referred to as Permit No. 915 in Resolution No. 16-7946 but shall be referred as Lease No. 915. The proposed First Amendment modifies lease terms and provisions to align the Lease with updated development elements, design, plans, timing and phasing of the overall project. Modifications in the First Amendment include increasing the lease term, adjusting premises boundaries as well as amending construction milestones and development obligations. Staff also requests approval of the Indemnification Agreement between the Harbor Department and SPPM related to the California Environmental Quality Act activities required for approval of the proposed First Amendment.

Recommendation: Board resolve to (1) consider the Addendum to the previously adopted Final Environmental Impact Statement/Environmental Impact Report for the San Pedro Waterfront Project; (2) find that, in accordance with the provision of the California Environmental Quality Act (CEQA) Guidelines Section 15164, the proposed Amendment to Lease No. 915 will not result in any new significant environmental effects or any substantially more severe effects than previously analyzed in the adopted Final Environmental Impact Statement/Environmental Impact Report for the San Pedro Waterfront Project; (3) authorize the Environmental Management Division to file a Notice of Determination with the Los Angeles County Clerk and the Los Angeles City Clerk; (4) approve the Indemnification Agreement with San Pedro Public Market, LLC; (5) authorize the Executive Director to execute and the Board Secretary to attest to the Indemnification Agreement; (6) delegate authority to the Executive Director to revise Exhibits B-1(a) through C-2 and E(a) through H(a) on behalf of the Board, as necessary, during the period of construction of City Improvements as set forth in the First Amendment and in accordance with the Los Angeles City Charter; (7) approve the proposed First Amendment to Lease No. 915 with San Pedro Public Market, LLC; (8) direct the Board Secretary to transmit the First Amendment to Lease No. 915 to the City Council pursuant to Charter Section 607; (9) authorize the Executive Director to execute and the Board Secretary to attest to the First Amendment to Lease No. 915 upon approval by City Council; and (10) adopt Resolution No. \_\_\_\_\_.

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Waterfront & Commercial Real Estate

8. RESOLUTION NO. \_\_\_\_\_ - APPROVE AMENDED ACCESS AGREEMENT TEMPLATE WITH SAN PEDRO PUBLIC MARKET, LLC

Summary: Staff requests approval to amend the Access Agreement Template with San Pedro Public Market, LLC (SPPM) and the City of Los Angeles Harbor Department (Harbor Department) to use areas described in Lease No. 915 (Lease). The proposed action will modify the term duration of the Access Agreement, Exhibit L of the lease, from 30 days to up to 12 months. The Access Agreement allows SPPM to access the area for site preparation and pre-construction work prior to their possession of the premises.

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 Environment Quality Act (CEQA) under Article II Section 2(f) of the Los Angeles City CEQA Guidelines; (2) approve the amended Access Agreement template; (3) authorize the Executive Director to grant Access Agreements on the approved amended template to San Pedro Public Market, LLC; and (4) adopt Resolution No. \_\_\_\_\_.

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Waterfront & Commercial Real Estate

9. RESOLUTION NO. \_\_\_\_\_ - CONSENT TO TRANSFER REPRESENTING A CHANGE OF CONTROL OF SAN PEDRO PUBLIC MARKET, LLC. UNDER LEASE NO. 915

Summary: Staff requests approval of a proposed consent to transfer for Lease No. 915 (Lease) between the City of Los Angeles Harbor Department (Harbor Department) and San Pedro Public Market, LLC (SPPM). SPPM, wholly owned by SPPM Managing Member, LLC (Managing LLC), will assign its interest as the sole owner of SPPM to a newly-formed entity known as SPPM Development, LLC (Development LLC), wherein Osprey Investors, LLC (Osprey) will receive a maximum 80 percent ownership interest. Managing LLC has negotiated the receipt of a \$30,000,000 equity commitment by Osprey in exchange for ownership interest in the San Pedro Public Market Project (SPPM Project).

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 Environment Quality Act (CEQA) under Article II Section 2(f) of the Los Angeles City CEQA Guidelines; (2) approve the Order to consent to the transfer representing a 100 percent change of ownership of SPPM from Managing LLC to Development LLC, wherein Osprey is a limited partner with 80 percent ownership and Managing LLC retaining 20 percent ownership as general partner under Lease No. 915; (3) authorize and direct the Board Secretary to transmit to the Los Angeles City Council for approval pursuant to Section 606 of the Charter of the City of Los Angeles the consent to the proposed transfer for 80 percent ownership of SPPM Development LLC that owns SPPM LLC, the Lessee of the City of Los Angeles Harbor Department under Lease No. 915, as amended; (4) authorize the Executive Director to execute and the Board Secretary to attest to the Order to consent to the transfer; and (5) adopt Resolution No. \_\_\_\_\_.

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Construction

10. RESOLUTION NO. \_\_\_\_\_ - AWARD AND APPROVAL OF CONSTRUCTION CONTRACT CONTRACTOR: GRIFFITH COMPANY SAN PEDRO WATERFRONT BERTHS 74-84 PROMENADE AND TOWN SQUARE SPECIFICATION NO. 2807

Summary: Staff requests that the Board of Harbor Commissioners approve the award of a contract (Contract) to Griffith Company, to construct the San Pedro Waterfront Berths 74-84 Promenade and Town Square (Project) as part of the overall San Pedro Public Market Development. The Project consists of a 1.9 acre, 30-foot wide public promenade, 4-acre town square, and restroom building. The lowest responsive and responsible bidder is Griffith Company, located at 12200 Bloomfield Ave., Santa Fe Springs, California. The Contract amount of \$33,059,812.50, plus a 10% contingency, is \$36,365,793.75, and the Contract duration is 540 calendar days. Payment of expenses incurred under the Contract is 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(i) of the Los Angeles City CEQA Guidelines; (2) find that, in accordance with the Los Angeles City Charter Section 1022, work under the subject Contract can be performed more feasibly by an independent contractor rather than by City employees; (3) find that the bid proposal from the apparent low bidder, National Demolition Contractors, Inc. (National), did not include a unit price or total amount for Contingency Bid Item Nos. 78 through 85 in Section 00030-11, pages 72 through 74 of the Specification No. 2807, and therefore is deemed non-responsive; (4) award and approve, Specification No. 2807 for Item Nos. 1 through 96 of the proposal schedule to Griffith Company for the amount of \$33,059,812.50; that a 10% contingency not included in the original Contract amount be applied for a total authorization of \$36,365,793.75; and authorize payment from the Harbor Department Construction Account. The Contract time for performance of the work shall be 540 calendar days from the Notice to Proceed; (5) authorize the Executive Director to execute and the Board Secretary to attest to this Contract for and on behalf of the Board; (6) in accordance with City Charter Section 655 (g), delegate and authorize the Executive Director to adjust the final bid quantities and accept the construction Contract upon its completion; and (7) adopt Resolution No. \_\_\_\_\_.

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Waterfront & Commercial Real Estate

11. RESOLUTION NO. \_\_\_\_\_ - APPROVE PUBLIC ACCESS INVESTMENT PLAN ADDENDUM: PROJECT EVALUATION CRITERIA

Summary: Staff requests approval of the Public Access Investment Plan (PAIP) Addendum: Project Evaluation Criteria (Criteria). The Criteria would be used by City of Los Angeles Harbor Department (Harbor Department) staff in the evaluation of proposed projects to be included for the second round of PAIP funding. Staff evaluation and project selection based on the Criteria would then be presented to the Board of Harbor Commissioners and public for additional input. The Criteria are developed to be consistent with the original 2015 PAIP and areas of broad agreement with community input received related to project selection. The objectives identified in the Criteria are: Public Trust Consistency, Building Upon Existing Waterfront Project EIRs, Public Access, Connectivity, Activation, and Facilitating Private Investment. The proposed action is administrative in nature and is not anticipated to change the Harbor Department's previously approved financial commitments under the PAIP.

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 the Public Access Investment Plan Addendum: Project Evaluation Criteria; and (3) adopt Resolution No. \_\_\_\_\_.

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Executive Office

12. RESOLUTION NO. \_\_\_\_\_ - APPROVAL OF HARBOR COMMUNITY BENEFIT FOUNDATION'S AIR QUALITY MITIGATION PROGRAM, ROUND 1 GRANT AND THE TRANSFER OF AIR QUALITY MITIGATION PROGRAM FUNDS

Summary: Staff requests that the Board of Harbor Commissioners (Board) approve Harbor Community Benefit Foundation's (HCBF) selection of Effenco to receive funding from the Air Quality Mitigation Program, Round 1 and transfer \$823,050 from the Air Quality Mitigation Fund (AQMF) to HCBF. The AQMF was established by the City of Los Angeles Harbor Department (Harbor Department) for the purpose of funding appropriate mitigation projects which address port-related air emissions. The HCBF, an independent nonprofit organization established to operate the AQMF, is responsible for identifying qualifying projects to receive grant funding from the AQMF to be approved by the Board. The HCBF Board of Directors has selected Effenco to receive funding from the Air Quality Mitigation Program, Round 1 grants and is requesting Board approval of the award recipients and transfer of funds from the AQMF, in accordance with the requirements of the China Shipping Memoranda of Agreements (MOA). The proposed projects have a Tidelands nexus and will mitigate air emissions impacts on the local communities of Wilmington and San Pedro. HCBF may seek Board approval at a future time for one additional project from the Round 1 grant process. Upon the transfer of funds from the AQMF to HCBF, HCBF will be financially responsible for the proposed projects and for the disbursement of funds to grantees in accordance with the China Shipping MOA and the Grant Agreements. The Harbor Department funded the original AQMF, 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 Effenco to receive awards from the Air Quality Mitigation Program Round 1, funded by the Air Quality Mitigation 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 \$823,050 from City National 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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Engineering

13. RESOLUTION NO. \_\_\_\_\_ - PROPOSED SECOND AMENDMENT TO PERSONAL SERVICES AGREEMENTS BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT, AECOM TECHNICAL SERVICES, INC. AND JACOBS ENGINEERING GROUP, INC. FOR THE ON-CALL ENGINEERING SERVICES FOR MARINE OIL TERMINAL ENGINEERING AND MAINTENANCE STANDARDS (MOTEMS) PROGRAM

Summary: Staff requests approval of Second Amendments to Agreement No. 17-3470 with AECOM Technical Services, Inc. (AECOM) and Agreement No. 17-3471 (collectively, the Agreements) with Jacobs Engineering Group Inc. (Jacobs). The proposed Second Amendments will extend the Agreements by three additional years, for a total of six years, to March 20, 2023. The total compensation under these Agreements remains unchanged at \$7,750,000. The Second Amendments are required at this time in order to accommodate delays to the design and implementation schedule for the Marine Oil Terminal Engineering and Maintenance Standards (MOTEMS) program and to provide continuity of engineering design and engineering support services during construction. Payment of expenses incurred under the Agreements 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 Charter Section 1022, the work proposed to be contracted could be more feasibly performed by a contractor than by City employees. Since this proposed amendment does not add a new labor component and the original 1022 determination elements are still accurate, a new 1022 determination is not required; (3) approve the Second Amendment to extend Agreement No. 17-3470 with AECOM Technical Services, Inc. by three additional years, for a total of six years; (4) approve the Second Amendment to extend Agreement No. 17-3471 with Jacobs Engineering Group Inc. by three additional years, for a total of six years; (5) direct the Board Secretary to transmit the Second Amendment to Agreement No. 17-3470 to the Los Angeles City Council for approval pursuant to Section 373 of the Charter of the City of Los Angeles and Section 10.5 of the Los Angeles Administrative Code; (6) direct the Board Secretary to transmit the Second Amendment to Agreement No. 17-3471 to the Los Angeles City Council for approval pursuant to Section 373 of the Charter of the City of Los Angeles and Section 10.5 of the Los Angeles Administrative Code; (7) authorize the Executive Director to execute and Board Secretary to attest to the said Second Amendments for and on behalf of the Board of Harbor Commissioners; and (8) adopt Resolution No. \_\_\_\_\_.

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Engineering

14. RESOLUTION NO. \_\_\_\_\_ - APPROVAL OF PERSONAL SERVICES AGREEMENTS WITH AECOM TECHNICAL SERVICES, INC.; D R CONSULTANTS & DESIGNERS, INC.; JACOBS ENGINEERING GROUP; KPFF CONSULTING ENGINEERS; AND WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS FOR ON-CALL ENGINEERING SERVICES

Summary: Staff requests approval of personal services agreements (Agreements) with AECOM Technical Services, Inc. (AECOM); D R Consultants & Designers, Inc. (DRCD); Jacobs Engineering Group (Jacobs); KPFF Consulting Engineers (KPFF); and Wood Environment & Infrastructure Solutions, Inc. (Wood) to provide on-call engineering services supporting the City of Los Angeles (City) Harbor Department's Capital Improvement Program (CIP), and Maintenance Improvement Program (MIP). The five Agreements are for three-year terms in the amount of \$3,000,000 each for a total of \$15,000,000. The Harbor Department will be financially responsible for payment of expenses incurred under the proposed Agreements.

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) in accordance with Article II Section 2(f) of the Los Angeles City CEQA Guidelines; (2) find that in accordance with the City Charter Section 1022, work under the subject Agreements can be performed more feasibly by independent consultants rather than by City employees; (3) approve the five Personal Services Agreements for a term of three-years each, with a combined contract total of \$15,000,000 as follows: a. AECOM Technical Services, Inc. (Orange, CA) for \$3,000,000; b. D R Consultants & Designers, Inc. (Los Angeles, CA) for \$3,000,000; c. Jacobs Engineering Group (Los Angeles, CA) for \$3,000,000; d. KPFF Consulting Engineers (Long Beach, CA) for \$3,000,000; e. Wood Environment & Infrastructure Solutions, Inc. (Los Angeles, CA) for \$3,000,000; (4) authorize the Executive Director to execute and the Board Secretary to attest to said Agreements, for and on behalf of the Board; and (5) adopt Resolution No. \_\_\_\_\_.

**REGULAR MEETING AGENDA  
THURSDAY, NOVEMBER 21, 2019**

**K. Closed Session**

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

City of Los Angeles v. Tetra Design, Inc., et al.,  
Los Angeles Superior Court Case No. NC061384

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

City of Los Angeles v. Wilmington Marine Service, Inc., Los Angeles Superior  
Court Case No. BC559959

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 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

5. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
(Subdivision (b) of Government Code Section 54956.9)

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

**REGULAR MEETING AGENDA  
THURSDAY, NOVEMBER 21, 2019**

**K. (Continued)**

6. CONFERENCE WITH LEGAL COUNSEL – INITIATE LITIGATION  
(Subdivision (d)(4) of Government Code Section 54956.9)

Initiation of litigation pursuant to subdivision (d)(4) of Section 54956.9:  
(one case)

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

Provide instructions to its real estate negotiators with respect to a proposed permit with Vopak Terminal Los Angeles Inc.:

Property: Berths 187-191, Wilmington, California

City Negotiator: Michael Galvin

Tenant Negotiator: Michael LaCavera

Negotiating Parties: City and Vopak Terminal Los Angeles Inc.

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 Bellwether Financial Group:

Property: Berth 44, San Pedro

City Negotiator: Michael Galvin

Tenant Negotiator: Joseph McCarthy

Negotiating Parties: City and Bellwether Financial Group

Under Negotiation: Price and Terms

**REGULAR MEETING AGENDA  
THURSDAY, NOVEMBER 21, 2019**

**K. (Continued)**

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

Provide instructions to its real estate negotiators with respect to Permit 904 with AltaSea at the Port of Los Angeles:

Property: City Dock 1, San Pedro

City Negotiator: Michael Galvin

Tenant Negotiator: Tim McOsker

Negotiating Parties: City and AltaSea at the Port of Los Angeles

Under Negotiation: Price and Terms

**L. Adjournment**