



## LOS ANGELES BOARD OF HARBOR COMMISSIONERS

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

October 27, 2021

### **SPECIAL MEETING NOTICE**

SUBJECT: THE LOS ANGELES BOARD OF HARBOR COMMISSIONERS  
SPECIAL MEETING – FRIDAY, OCTOBER 29, 2021

The Los Angeles Board of Harbor Commissioners are scheduled to virtually meet for a Special Meeting on Friday, October 29, 2021 at 9:30am.

The Board's next Regular Meeting is scheduled on Thursday, November 4, 2021 at 9:00am.

Agenda details will be available via [www.portoflosangeles.org](http://www.portoflosangeles.org) 24-hours prior to the meeting.

Amber Klesges  
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Klesges  
Date: 2021.10.27 12:48:27  
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AMBER M. KLESGES  
Commission Secretary



**LOS ANGELES BOARD OF  
HARBOR COMMISSIONERS**

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

**SPECIAL MEETING AGENDA  
FRIDAY, OCTOBER 29, 2021 AT 9:30 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.

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**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 Assembly Bill 361 approved by Gov. Newsom on September 16, 2021.
- The Board of Harbor Commissioners will participate by video conference.
- Members of the public can observe the meeting via webcast at [www.portoflosangeles.org](http://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).

**UPDATED INSTRUCTIONS TO PARTICIPATE IN PUBLIC COMMENT**

- Members of the public can provide a live comment by calling (310) 732-3444. Commission Staff will be available to receive your call and provide Zoom meeting access information. If Commission Staff is not available to receive your call, please leave a voicemail at (310) 732-3444 with your name and your telephone number for a return call. Please note that phone call comments regarding Open Session can be accepted up until the item is considered by the Board.
- 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.
- Written comments or materials may be submitted by emailing [commissioners@portla.org](mailto:commissioners@portla.org). All written comments or materials submitted for this meeting will be provided to the Commissioners and entered into the official meeting minutes. Please submit your written comments prior to 4:00pm on the day before the scheduled meeting.
- NOTICE TO PAID REPRESENTATIVES - If you are compensated to monitor, attend, or speak at this meeting, City law may require you to register as a lobbyist and report your activity. See Los Angeles Municipal Code 48.01 et seq. More information is available at [ethics.lacity.org/lobbying](http://ethics.lacity.org/lobbying). For assistance, please contact the Ethics Commission at (213) 978-1960 or [ethics.commission@lacity.org](mailto:ethics.commission@lacity.org).
- 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.
- If you have any questions regarding these temporary meeting procedures, please contact the Harbor Commission Office prior to the meeting at (310) 732-3444.

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FRIDAY, OCTOBER 29, 2021 AT 9:30 AM**

**ORDER OF BUSINESS**

**A. Roll Call**

**B. Comment from the Public on Non-Agenda Items**

**C. 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.

**D. Closed Session**

**1. 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:  
(one case)

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

**Regular Items (1 & 2)**

**Executive Office**

**1. RESOLUTION NO. \_\_\_\_\_ - APPROVE TEMPORARY ORDER TO AMEND  
PORT OF LOS ANGELES TARIFF NO. 4, SECTION TWENTY-FIVE, CONTAINER  
EXCESS DWELL FEE**

Summary: Staff requests approval of a Temporary Order to amend Port of Los Angeles (Port) Tariff No. 4, (Tariff No. 4) adding a new Section Twenty-Five, "Container Excess Dwell Fee". Beginning November 1, 2021 a Container Excess Dwell Fee shall be established that assesses a fee to the ocean common carriers for each discharged container transported under their bill of lading that dwells on marine terminals beyond a prescribed period depending on the modality of the container. The assessment and collection of this fee shall commence no earlier than November 15, 2021 and upon notice provided by the Executive Director at a public meeting of the Board. Both the Port, and the Port of Long Beach (POLB) are pursuing initiatives implementing the identical fee structure. This initiative was developed in coordination with the Biden-Harris Supply Chain Disruptions Task Force, U.S. Department of Transportation and multiple chain stakeholders. Under the proposed Tariff No. 4 amendment, the Port will assess a fee for container excess dwell time, payable by ocean common carriers responsible for discharging the specific containers falling into one of two categories. In the case of containers scheduled to move by truck (local), ocean common carriers will be charged for every container

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1. (Continued)

dwelling nine days or more following vessel discharge. For containers moving by rail (intermodal), ocean common carriers will be charged for every container dwelling six days or more following vessel discharge. Effective November 1, the ports will charge ocean carriers discharging cargo in those two categories \$100 per container, increasing in \$100 increments per container per day of excess dwell time beyond the prescribed period. It is unknown what funds this proposed amendment will generate because the number of containers dwelling on the terminals beyond the prescribed dwell period is unknown. The goal of this initiative is to reduce dwell time on both intermodal and local containers stored within a terminal.

Recommendation: Board resolve to (1) find that the Director of Environmental Management has determined that the proposed action is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Article III Class 1(31) of the Los Angeles City CEQA Guidelines; (2) approve the amendment to Port of Los Angeles Tariff No. 4 adding Section Twenty-Five, "Container Excess Dwell Fee"; subject to the California Association of Port Authorities' review and approval, and authorize the Executive Director to work with the California Association of Port Authorities to secure this approval or proceed to take independent action in accordance with the California Association of Port Authorities' procedure; (3) adopt Temporary Order No. \_\_\_\_\_ to amend Port of Los Angeles Tariff No. 4 adding Section Twenty-Five, "Container Excess Dwell Fee"; (4) authorize the Board Secretary to certify the adoption of Temporary Order by the Board of Harbor Commissioners and cause the same to be published once in a newspaper printed and published in the City of Los Angeles, to take effect prior to adoption by Ordinance for a period not-to-exceed 90 days pursuant to City Charter Section 653(b); and (5) adopt Resolution No. \_\_\_\_\_.

Construction

2. RESOLUTION NO. \_\_\_\_\_ - APPROVAL OF CHANGE ORDER NO. 13 – CARGO SUPPORT SITE IMPROVEMENTS AT FORMER LOS ANGELES EXPORT TERMINAL (LAXT) FACILITY CONTRACTOR: MANSON CONSTRUCTION CO. BERTHS 226-236 TERMINAL IMPROVEMENTS SPECIFICATION NO. 2770 – CONTRACT NO. 2311

Summary: Staff requests approval of Change Order (CO) No. 13 to Contract No. 2311, in the amount of \$2,500,000.00. The CO authorizes Manson Construction Co. (Manson) to improve an approximate 10-acre parcel within the former LAXT facility for temporary storage of chassis and containers. The improvements will provide the additional capacity to relieve congestion within the terminals, and provide for a more efficient movement of cargo to and from the terminals, thus reducing back-up of the vessels outside the San Pedro Bay ports. The City of Los Angeles Harbor Department (Harbor Department) will be responsible for all expenses associated with this Change Order.

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2. (Continued)

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, work covered under the Change Order can be performed more feasibly by an independent contractor rather than by City employees; (3) approve the CO to the Contract with Manson for a not-to-exceed amount of \$2,500,000.00 and authorize the Executive Director to execute said CO; and (4) adopt Resolution No.\_\_\_\_\_.

**F. Adjournment**