



# LOS ANGELES BOARD OF HARBOR COMMISSIONERS

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

## REGULAR MEETING AGENDA THURSDAY, NOVEMBER 19, 2020 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.

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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 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](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).

### PLEASE READ THESE INSTRUCTIONS TO PARTICIPATE IN PUBLIC COMMENT

- 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 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 sumetir su comentario en español, se puede enviar a nuestro correo electrónico: [commissioners@portla.org](mailto: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. **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**
- None
- G. **Approval of the Minutes**
- Regular Meeting of November 5, 2020
- H. **Presentation**
- None
- I. **Level I Coastal Development Permit**
- None

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

**Consent Items (1 - 6)**

Port Police

1. RESOLUTION NO. \_\_\_\_\_ - MEMORANDUM OF UNDERSTANDING BETWEEN THE LOS ANGELES HARBOR DEPARTMENT AND THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT FOR PARTICIPATION ON THE TASKFORCE FOR REGIONAL AUTOTHEFT PREVENTION OPERATIONS

Summary: Staff requests approval of the Memorandum of Understanding (MOU) between the Los Angeles Harbor Department (Harbor Department) and Los Angeles County Sheriff's Department (LASD). This partner agency MOU, if approved by the Board, will establish the agreement for various duties and responsibilities of the Partner Agencies in regards to Los Angeles Port Police (LAPP) participation on the Taskforce for Regional Autotheft Prevention (TRAP). This proposed MOU is for an indefinite term commencing upon execution by LASD. Approval of this proposed MOU will have no financial impact on the Harbor Department, as there are no costs and or revenues associated with this action.

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 Memorandum of Understanding between the Los Angeles Harbor Department and the Los Angeles County Sheriff's Department to establish various duties and responsibilities for TRAP operations; (3) authorize the Executive Director to execute, and the Board Secretary to attest to, the proposed Memorandum of Understanding for and on behalf of the Board; and (4) adopt Resolution No. \_\_\_\_\_.

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Construction

2. RESOLUTION NO. \_\_\_\_\_ - AWARD AND APPROVAL OF PROCUREMENT CONTRACT NO. 39933 VENDOR: SEAFLOOR SYSTEMS, INC. ULTRA HIGH-RESOLUTION MULTI-BEAM ECHOSOUNDER WITH FULLY INTEGRATED INERTIAL NAVIGATION SYSTEMS

Summary: Staff requests approval of an award of Contract No. 39933 to Seafloor Systems, Inc. (Seafloor), to procure and install an Ultra High Density Multi-Beam EchoSounder with Fully Integrated Inertial Navigation Systems (Sonar System). The Sonar System will be utilized to chart the underwater conditions of the harbor for safe navigation of vessels. The lowest responsive bidder is Seafloor, located at 4415 Commodity Way, Shingle Springs, CA 95682. The Contract amount is \$200,613.94. 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 categorically exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with Article III, Class 1(6) of the Los Angeles City CEQA Guidelines; (2) award and approve Contract No. 39933 for Bid No. F-1091 to Seafloor in the amount of \$200,613.94 to purchase and install a Sonar System which consists of one (1) Teledyne Reson SeaBat T20-R Multi-Beam EchoSounder, one (1) Teledyne Integrated Navigation Systems Type 30 (Applanix Oceanmaster), and one (1) Trimble-Applanix POSPac Mobile Mapping Suite SmartBase Software license and maintenance; (3) authorize the Executive Director to execute and Board Secretary to attest to Contract No. 39933 for and on behalf of the Board; and (4) adopt Resolution No. \_\_\_\_\_.

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Construction

3. RESOLUTION NO. \_\_\_\_\_ - APPROVE FIRST AMENDMENT TO AGREEMENT NO. 19-3680 BETWEEN THE CITY OF LOS ANGELES AND DHS CONSULTING LLC, AN ANSER ADVISORY COMPANY FOR ON-CALL CONSTRUCTION MANAGEMENT SERVICES

Summary: Staff requests approval of the First Amendment to Agreement No. 19-3680 to change the name of the Consultant from DHS Consulting LLC, An Anser Advisory Company to Anser Advisory Management, LLC. The subject agreement was executed on December 23, 2019. DHS Consulting LLC, An Anser Advisory Company was consolidated under Anser Advisory Management, LLC effective January 3, 2020.

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 First Amendment to Agreement No. 19-3680, changing the name of the consultant from DHS Consulting LLC, An Anser Advisory Company to Anser Advisory Management, LLC.; (3) authorize the Executive Director to execute and the Board Secretary to attest said Amendment for and on behalf of the Board; and (4) adopt Resolution No. \_\_\_\_\_ - authorize and direct the Board Secretary to forward the Amendment to the City Council for its approval pursuant to Section 373 of the City Charter.

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Office of the City Attorney

4. RESOLUTION NO. \_\_\_\_\_ - APPROVE THIRD AMENDMENT TO AGREEMENT No. 15-3310 BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND THE SOHAGI LAW GROUP PLC

Summary: The Office of the City Attorney requests approval of the Board of Harbor Commissioners (Board) for a Third Amendment to Agreement No. 15-3310 (Third Amendment) with The Sohagi Law Group PLC (Sohagi). The Third Amendment extends the term of the Agreement by three years through February 28, 2024 and increases the compensation by \$250,000 for a total authority of \$1,383,547. The term extension and additional compensation are necessary due to ongoing professional legal services for environmental matters. The City of Los Angeles Harbor Department (Harbor Department) is financially responsible for payment of expenses under the proposed Amendment.

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 Third Amendment to Agreement No. 15-3310 with The Sohagi Law Group, extending the three-year term to a total of nine years with \$250,000 additional compensation; (3) authorize and direct the Board Secretary to forward the Third Amendment to the City Council for its approval pursuant to Section 373 of the City Charter 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 Second Amendment to Agreement No. 15-3310; and (5) adopt Resolution No. \_\_\_\_\_.

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Office of the City Attorney

5. RESOLUTION NO. \_\_\_\_\_ - AMENDMENTS TO AGREEMENTS BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND ALVARADOSMITH PC (AG 19-3675), BERGMAN DACEY GOLDSMITH PLC (AG 19-3676) AND NOSSAMAN LLP (AG 19-3668) FOR REAL ESTATE MATTERS

Summary: The Office of the City Attorney (Office) requests the Board of Harbor Commissioners (Board) approve First Amendments to Agreements between the City of Los Angeles Harbor Department (Harbor Department) and AlvaradoSmith PC (AlvaradoSmith) and Bergman Dacey Goldsmith PLC (Bergman), and a Second Amendment to the Agreement between the Harbor Department and Nossaman LLP (Nossaman) for legal services for real estate matters, to add a provision requiring Commercial General Liability Insurance. While the Harbor Department is financially responsible for payment for legal services rendered under the proposed Amendments, the provision adding a requirement that the firms provide Commercial General Liability Insurance is an obligation of the firms under contract and will not increase the scope of the Harbor Department's financial responsibilities.

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 First Amendments to Agreement No. 19-3675 (AlvaradoSmith) and 19-3676 (Bergman), amending the general conditions to include Commercial General Liability Insurance; (3) approve the Second Amendment to Agreement No. 19-3668 (Nossaman), amending the general conditions to include Commercial General Liability Insurance; (4) authorize the Executive Director and Board Secretary to execute and attest to the First Amendments to Agreement No. 19-3675 (AlvaradoSmith) and 19-3676 (Bergman); (5) authorize the Executive Director and Board Secretary to execute and attest to the Second Amendment to Agreement No. 19-3668 (Nossaman); and (6) adopt Resolution No. \_\_\_\_\_.

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Construction & Maintenance

6. RESOLUTION NO. \_\_\_\_\_ - AWARD OF CONTRACT NO. 39934 TO DSM CONSTRUCTION FOR WATERPROOFING THE WATER FEATURE AT THE WATERFRONT GATEWAY

Summary: Staff requests approval of Contract No. 39934, with DSM Construction of Chico, California for the waterproofing of the water feature at the Waterfront Gateway on Harbor Boulevard. The Contract amount is \$350,217, and the Contract will continue until this project is complete since this is a one-time purchase order. Expenses incurred under the Contract are 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 categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Article III Class 1(1) of the Los Angeles City CEQA Guidelines; (2) find that in accordance with Los Angeles City Charter Section 1022, work under the subject agreement (waterproofing the water feature at the Waterfront Gateway) can be performed more feasibly by an independent contractor than by City employees; (3) approve Contract No. 39934 with DSM Construction in the amount of \$350,217; (4) authorize the Executive Director to execute and Board Secretary to attest to Contract No. 39934 for and on behalf of the Board; and (5) adopt Resolution No. \_\_\_\_\_.



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**Regular Items (7 & 8)**

**Cargo & Industrial Real Estate**

7. RESOLUTION NO. \_\_\_\_\_ - APPROVE JOINT REVOCABLE PERMIT AND MASTER JOINT REVOCABLE PERMIT TEMPLATES FOR USE WITH JOINTLY-OWNED RAIL PROPERTIES WITH THE PORT OF LONG BEACH

Summary: Staff requests the Board of Harbor Commissioners to 1) approve the proposed Joint Revocable Permit (JRP) and Master Joint Revocable Permit (MJRP) templates, and 2) delegate authority to the Executive Director to execute JRPs and MJRPs so long as the compensation is charged and does not exceed \$50,000 per year per permit. JRPs and MJRPs are month-to-month real estate entitlements granted by the City of Los Angeles Harbor Department (Harbor Department) and the Port of Long Beach (POLB), as joint owners of rail properties located along the former Southern Pacific Railroad and Union Pacific Railroad right-of-way in the County of Los Angeles. This approval and delegation will streamline administrative processing of the revocable permits that fall under the annual compensation threshold of \$50,000 per permit.

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 Class 2(f) of the Los Angeles City CEQA Guidelines; (2) approve the Joint Revocable Permit and Master Joint Revocable Permit templates; and (3) adopt Resolution No. \_\_\_\_\_, which authorizes the use of the Joint Revocable Permit and Master Joint Revocable Permit templates for jointly owned rail properties with the Port of Long Beach and delegates authority to the Executive Director to execute such permits where compensation is charged but does not exceed \$50,000 per year per permit and the permits do not materially deviate from the approved templates unless the deviations provide for more stringent or restrictive tenant obligations than those provided in the templates.

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Goods Movement

8. RESOLUTION NO. \_\_\_\_\_ - APPROVAL OF CALENDAR YEAR 2021 (CY 2021) ALAMEDA CORRIDOR MAINTENANCE OF WAY AND OPERATIONS AND MAINTENANCE BUDGETS

Summary: Staff requests approval of a Resolution accepting and providing mutual agreement to the Calendar Year (CY) 2021 Alameda Corridor Maintenance of Way (MOW) and Operations and Maintenance (O&M) budgets in the amount of \$19,419,644. The source of funds for this budget will be from the two railroads operating on the Alameda Corridor and from the Alameda Corridor Transportation Authority (ACTA) Reserve Account. There is no anticipated financial responsibility for the Harbor Department to fund the proposed action.

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 and provide Mutual Agreement for the CY 2021 Alameda Corridor Maintenance of Way (MOW) and Operations and Maintenance (O&M) budgets in the amount of \$19,419,644; (3) approve and provide Mutual Agreement authorizing the Executive Director or designee with delegated authority to approve the allocation and use of contingency funds and to approve the transfer of amounts from one Maintenance of Way (MOW) Budget item to another as needed to accomplish work; (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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**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)

Natural Resources Defense Council, et al. v. City of Los Angeles, et al.  
Los Angeles Superior Court Case No. BS070017

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. 20STCP02978

4. 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

5. 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

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**K. (Continued)**

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

Provide instructions to its real estate negotiators with respect to Permit 581 with Robert W. Nizich & Nino J. Rosini:

Property:	1190 Nagoya Way, San Pedro
City Negotiator:	Michael Galvin
Tenant Negotiator:	Nino Rosini
Negotiating Parties:	City and Robert W. Nizich & Nino J. Rosini
Under Negotiation:	Price and Terms

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

Provide instructions to its real estate negotiators with respect to Permit 884 with San Pedro Fish Market:

Property:	1195 Nagoya Way, San Pedro
City Negotiator:	Michael Galvin
Tenant Negotiator:	Mike Ungaro
Negotiating Parties:	City and San Pedro Fish Market
Under Negotiation:	Price and Terms

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**K. (Continued)**

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, Inc.:

Property: Berth 44, San Pedro

City Negotiator: Michael Galvin

Tenant Negotiator: Joe Uberoth

Negotiating Parties: City and Bellwether Financial Group, Inc.

Under Negotiation: Price and Terms

9. 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)

**L. Adjournment**