

**AGENDA OF THE REGULAR MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 1
THURSDAY, NOVEMBER 19, 2009, AT 6:00 P.M.
BANNING'S LANDING COMMUNITY CENTER
100 EAST WATER STREET
WILMINGTON, CA 90744**

**BOARD OF HARBOR COMMISSIONERS
President Cindy Miscikowski
Vice President Jerilyn López Mendoza
Commissioner Kaylynn L. Kim
Commissioner Douglas P. Krause
Commissioner Joseph R. Radisich**

**A. OPENING STATEMENT – AN OPPORTUNITY FOR MEMBERS OF
THE PUBLIC TO ADDRESS THIS BOARD**

**PERSONS IN THE AUDIENCE MAY ADDRESS THIS BOARD IN
CONNECTION WITH ANY AGENDA ITEM OR DURING THE PUBLIC
COMMENT PERIOD.**

**AS PROVIDED BY THE BROWN ACT, THE BOARD HAS LIMITED
EACH INDIVIDUAL'S SPEAKING TIME TO THREE MINUTES.
ANYONE DESIRING TO SPEAK DURING THE PUBLIC COMMENT
PERIOD IS REQUESTED TO COMPLETE A SPEAKER CARD AND
SUBMIT IT TO THE COMMISSION SECRETARY, VIA THE
SERGEANT AT ARMS, PRIOR TO THE START OF THE MEETING.**

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 endeavor to post the revised agenda on the Port's web site (<http://www.portoflosangeles.org>). Updated agendas also will be available in hard copy at the meeting. Live Board meetings can also be heard at: (213) 621-City (Metro), (818) 904-9450 (Valley), (310) 471-City (Westside) and (310) 547-City (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.

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B. COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

C. EXECUTIVE DIRECTOR REMARKS

D. REPORT OF THE COMMISSIONERS

E. BOARD COMMITTEE REPORTS

F. DISCUSSION

Discussion of 2010 Board meeting calendar
LA Waterfront Implementation Plan

G. PRESENTATION

Knoll Hill Community Plan

H. APPROVAL OF MINUTES

Minutes of the special meeting of March 16, 2009 and regular meeting of September 3, 2009 for approval.

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I. SPECIAL ORDER OF THE DAY

Public Hearing

- 1a. Public Hearing to receive comments pursuant to the California Coastal Act of 1976, as amended, and the Port of Los Angeles' certified Port Master Plan; and to approve a Coastal Development Permit for the completion of the China Shipping Container Terminal Project.

J. BOARD REPORTS OF THE EXECUTIVE DIRECTOR

Regular Item No. 1b

Planning and Research

- 1b. Re: RESOLUTION NO. _____ - FOR THE ISSUANCE OF COASTAL DEVELOPMENT PERMIT NO. 09-05, A LEVEL III PERMIT, FOR THE COMPLETION OF THE CHINA SHIPPING CONTAINER TERMINAL PROJECT

SUMMARY: The Los Angeles Harbor Department (Harbor Department) proposes to complete the China Shipping Container Terminal Project, which consists of a 1.2-acre fill behind the southern extension of Berth 100 and container backland development of the 1.2-acre fill and for 8 acres of existing land located at the northernmost edge of Berths 97-109. Staff recommends the Board of Harbor Commissioners (Board) approve Coastal Development Permit (CDP) No. 09-05, a Level III, non-appealable permit for the proposed project.

Recommendation: Board resolve to (1) hold a public hearing for the proposed CDP No. 09-05; (2) find that the proposed project is consistent with the Port Master Plan and the California Coastal Act of 1976, as amended; (3) upon closure of the public hearing, resolve to approve CDP No. 09-05, a Level III, non-appealable permit, to complete the China Shipping Container Terminal Project; and (4) adopt Resolution No. _____.

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CONSENT ITEMS (2 - 7)

City Attorney

2. Re: RESOLUTION NO. _____ FOURTH AMENDMENT TO AGREEMENT NO. 2477 FOR PROFESSIONAL LEGAL SERVICES BETWEEN THE CITY OF LOS ANGELES AND MAYER BROWN, LLP

SUMMARY: The City Attorney requests approval of a Fourth Amendment to Agreement No. 2477 (Agreement No. 2477) for Professional Legal Services between the City of Los Angeles and Mayer Brown, LLP (Mayer Brown), changing the law firm retained as outside counsel from Mayer Brown to Scheper Kim and Overland.

Recommendation: Board resolve to (1) approve the Fourth Amendment to Agreement No. 2477 with Mayer Brown in the form attached as Transmittal 1, changing the law firm retained as outside counsel from Mayer Brown to Scheper Kim and Overland; (2) authorize the Executive Director to execute and the Board Secretary to attest to the Fourth Amendment to Agreement No. 2477; (3) adopt Resolution No. _____ and; (4) direct the Board Secretary to transmit the Fourth Amendment to Agreement No. 2477 to the City Council for its approval pursuant to Section 373 of the Charter.

Clean Truck Program

3. Re: ALTERNATIVE FUEL TRUCK PROGRAM - RESOLUTION NO. _____ - AMENDMENT TO MEMORANDUM OF UNDERSTANDING AMONG THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT AND THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND THE CITY OF LONG BEACH

TEMPORARY ORDER NO. _____ AND PERMANENT ORDER NO. _____ - AMENDING PORT OF LOS ANGELES TARIFF NO. 4, SECTION 20 – GENERAL RULES AND REGULATIONS – DRAYAGE TRUCKS

SUMMARY: The requested action is for the Los Angeles Board of Harbor Commissioners (Board) to approve an Amended and Restated Memorandum of Understanding dated November 5, 2009, amending a Memorandum of Understanding (MOU) dated July 10, 2009, among the South Coast Air Quality Management District (AQMD), the City of Los Angeles Harbor Department (Harbor Department) and the Port of Long

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3. (Continued)

Beach (POLB), which was previously approved by the Board. The proposed amendment would revise certain AQMD performance milestones in connection with its administration of the Prop 1B program to establish a process for Prop 1B applicants to be able to continue operating their trucks past the January 1, 2010, ban date while waiting for their new truck to be delivered. Under the proposed plan, the trucks would be allowed to operate until April 30, 2010, while waiting for delivery of their truck. Amendments are also proposed to make this plan permissible under Tariff No. 4 Section 20. Finally, the proposed amended and restated MOU sets forth new terms and conditions for the Harbor Department, POLB and AQMD to continue funding natural gas (CNG/LNG) trucks under certain conditions in the event Prop 1B funds are exhausted and CNG/LNG truck applicants on the AQMD's ranked list remain unfunded. This backup plan would not require additional funding from the Harbor Department.

Recommendation: Board resolve to (1) approve the Amended and Restated MOU among the AQMD, POLB, and Harbor Department regarding administration of the Prop 1B program and AQMD Alternative Fuel Program by the AQMD (Transmittal 1); (2) approve an amendment to modify Items 2000 and 2015 in Port of Los Angeles Tariff No. 4, Section 20, Clean Air Action Plan – General Rules and Regulations, subject to California Association of Port Authorities (CAPA) review and approval, and authorize the Executive Director to work with CAPA to secure this approval or proceed to take independent action in accordance with CAPA procedure (Transmittal 2); (3) adopt Temporary Order No. 09-_____ and Permanent Order No. 09-_____, to amend items 2000 and 2015 in Port of Los Angeles Tariff No. 4, Section 20, Clean Air Action Plan - General Rules and Regulations (Transmittals 3 and 4); (4) authorize the Board Secretary to certify to the adoption of the Temporary Order by the Board 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 Charter Section 653(b); (5) direct the Board Secretary to transmit to the City Council for approval the Permanent Order and proposed Ordinance (Transmittal 5) approving and authorizing the amendment to Tariff No. 4 pursuant to City Charter 653(a); (6) authorize the Board Secretary to execute the Temporary Order, Permanent Order and Ordinance amending Tariff No. 4, and upon its publication, transmit the Order and Ordinance to the Chief Wharfinger for implementation of the tariff change and posting the amended Tariff No. 4 to the Port's website as regulated by the Federal Maritime Commission; and (7) adopt the Resolution No. 09-_____.

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Engineering

4. Re: RESOLUTION NO. _____ - SOLAR POWERED CUSTOMER GENERATION INTERCONNECTION AGREEMENT BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND LOS ANGELES DEPARTMENT OF WATER AND POWER FOR THE SOLAR POWER GENERATION SYSTEM AT BERTH 93 A&B WORLD CRUISE CENTER PASSENGER BUILDING ROOFTOP

SUMMARY: The Los Angeles Harbor Department (Harbor Department) is continuing with the construction of a one-megawatt (MW) solar photovoltaic power generating system on the Berth 93 A&B Cruise Terminal passenger building rooftop.

With the installation of the above-mentioned solar project, the Harbor Department is considered to be a self-generating customer, and as such it is required for the Harbor Department to enter into a Standard Offer for Self-Generation Interconnection Agreement (Agreement) with Los Angeles Department of Water and Power (LADWP). The execution of this Agreement is required for the qualification of LADWP cost incentive program.

The proposed LADWP Solar Power Customer Interconnection Agreement is for a three (3) year term from the effective date of execution, and by signing this Agreement the Harbor Department agrees to be bound by the terms and conditions of the subject Agreement.

Recommendation: Board resolve to (1) approve the proposed three-year LADWP Solar Powered Customer Generation Interconnection Agreement for the Berths 93 A&B Cruise Terminal Solar Generation Project; (2) authorize the Executive Director and Board Secretary to execute and attest to the LADWP Solar Powered Customer Generation Interconnection Agreement; (3) adopt Resolution No. _____ approving the three-year LADWP Solar Powered Customer Generation Interconnection Agreement for the Berths 93 A&B Cruise Terminal Solar Generation Project; and (4) direct the Board Secretary to transmit two copies of the executed Agreement to LADWP for approval.

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Environmental

5. Re: RESOLUTION NO. _____ - FIRST AMENDMENT TO
AGREEMENT NO. 09-2748 WITH WEST BASIN CONTAINER
TERMINAL

SUMMARY: *West Basin Container Terminals (WBCT) is currently under contract with the City of Los Angeles Harbor Department (Harbor Department) to receive a grant of \$1.2 million to modify two existing diesel-powered rubber-tired gantry cranes (RTGs) to operate on electric power, install necessary electric infrastructure, and test these RTGs at China Shipping Container Lines Berth 97-109 Terminal. Per Agreement No. 09-2748, WBCT was to be reimbursed for expenses incurred only through June 30, 2009. Due to delays in the City of Los Angeles Building and Safety permitting process, WBCT was unable to complete the project on time. In order to complete the project the Agreement must be modified to allow WBCT to be reimbursed for expenses incurred after June 30, 2009. WBCT has expended \$671,680 of their \$1.2 million grant. Therefore, staff is recommending allocating the remaining \$528,320 from the Fiscal Year 2009/10 budget to allow them to complete the project. All other terms and conditions of the agreement remain the same.*

Recommendation: Board resolve to (1) approve the First Amendment to Agreement No. 09-2748 between the Harbor Department and WBCT to allow for the reimbursement of expenditures incurred after June 30, 2009, up to the total contract amount of \$1.2 million; (2) authorize the Executive Director to execute and the Board Secretary to attest to said First Amendment for and on behalf of the Board; and (3) adopt Resolution No. _____.

Real Estate

6. Re: ORDER NO. _____ - SETTING COMPENSATION UNDER
PERMIT NO. 120 WITH LOS ANGELES COUNTY SANITATION
DISTRICT NO. 2

SUMMARY: *Permit No. 120 (Permit) between the Los Angeles Harbor Department (Harbor Department) and Los Angeles County Sanitation District No. 2 (Sanitation District) grants the Sanitation District the right to maintain a sewage force main for a term of 50 years, located across the Harbor Department Classification Yard, north of Pacific Coast Highway in Wilmington, as depicted on the attached map (Transmittal 2). Pursuant to*

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6. (Continued)

Section 16 of the Permit, it is necessary to establish compensation for a ten-year period beginning April 12, 2008. The annual compensation for the five-year period of April 12, 2008 through April 11, 2013 shall be \$5,829. The annual compensation for the five-year period of April 12, 2013 through April 11, 2018 shall be \$6,703.

Recommendation: Board resolve to (1) approve the Order setting compensation under the Permit with the Sanitation District for the five-year periods of April 12, 2008 through April 11, 2013, and April 12, 2013 through April 11, 2018; (2) authorize the Executive Director to execute and the Board Secretary to attest to the Order setting compensation to be paid by the Sanitation District pursuant to Section 16 of the Permit; and (3) adopt Order No. _____.

7. Re: ORDER NO. _____ - PROPOSED JOINT REVOCABLE PERMIT AMONG THE LOS ANGELES HARBOR DEPARTMENT, PORT OF LONG BEACH, AND AIR PRODUCTS AND CHEMICALS, INC. (LAHD NO. 70058)

SUMMARY: *The proposed Joint Revocable Permit (JRP) among the Los Angeles Harbor Department (Harbor Department), the Port of Long Beach (POLB), and Air Products and Chemicals, Inc. (Air Products) is for the installation of a 6-inch subsurface pipeline that will transport high-pressured hydrogen gas to be utilized as part of a refining process for making cleaner petroleum products. The proposed pipeline will travel across the jointly-owned Alameda Corridor, located in the City of Carson between Sepulveda Boulevard and the Dominguez Channel.*

Recommendation: Board resolve to (1) adopt the Order approving and authorizing the issuance of the proposed JRP allowing Air Products to install, operate, and maintain, on a non-exclusive basis, a 6-inch subsurface pipeline for the transportation of hydrogen gas within the permit area; (2) authorize the Executive Director to execute and the Board Secretary to attest to the proposed JRP; and (3) adopt Order No. _____.

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REGULAR ITEMS (8 - 12)

8. Re: RESOLUTION NO. _____ - STAFF RESPONSE TO THE PORT OF LOS ANGELES COMMUNITY ADVISORY COMMITTEE RECOMMENDATION NOS. 96, 66, AND 90

SUMMARY: This report is provided in response to the Port of Los Angeles Community Advisory Committee (PCAC) Recommendation Nos. 96, 66, and 90. These PCAC recommendations all relate to the Anchorage Road Soil Storage Site (ARSSS) and potential future uses and infrastructure improvements for the surrounding area. The Board of Harbor Commissioners (Board) previously approved PCAC Recommendation No. 73, which requested an evaluation of infrastructure improvements near the ARSSS as part of the Cerritos Channel/East Basin Marina development.

PCAC Recommendation No. 96 recommends that the Los Angeles Harbor Department (Harbor Department) conduct a land use feasibility study for the 40-acre ARSSS to identify uses that are compatible with existing recreational uses. The land use study should address all of the different uses that have been proposed since 1987 by the community. Staff proposes approval of PCAC Recommendation No. 96. The requested land use study should be incorporated into the planning process associated with PCAC Recommendation No. 73 for infrastructure improvements for the Cerritos Channel/East Basin marina development.

PCAC Recommendation No. 66 recommends that the Harbor Department: 1) find a more appropriate method/location for storing contaminated dredged material, and phase out the 31-acre ARSSS, as depicted on Transmittal No. 1; 2) restore and expand an existing wildlife habitat area; 3) provide needed water circulation within existing marinas; and 4) reduce contaminated sediments and improve water quality in the Consolidated Slip and Dominguez Channel (both of which are on the 303(d) list of impaired water bodies). Staff proposes approval of Item 1 and denial of Items 2, 3, and 4. Staff's proposal to approve PCAC Recommendation No. 96 and the previous Board approval of PCAC Recommendation No. 73 will provide the required planning document needed to determine required improvements. Therefore, denial of Items 2, 3, and 4 is necessary, as these recommendations are premature prior to the completion of the necessary planning study.

PCAC Recommendation No. 90 recommends Harbor Department staff to: 1) put forward PCAC Recommendation No. 66 regarding the storage and transport of dredged materials at and to ARSSS to the Board, and 2) request timely movement of all previously passed PCAC motions to the Board for consideration. Staff proposes approval of PCAC Recommendation No. 90.

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8. (Continued)

Recommendation: Board resolve to (1) consider and approve PCAC Recommendation No. 96, (2) consider and approve PCAC Recommendation No. 66, Item 1; (3) consider and deny PCAC Recommendation No. 66, Items 2, 3, and 4; (4) consider and approve PCAC Recommendation No. 90, as conditioned in PCAC Recommendation No. 66; and (5) adopt Resolution No. _____.

9. Re: RESOLUTION NO. _____ - APPROVAL OF PROPOSED PERMIT NO. 882 WITH MILLENNIUM MARITIME, INC.

SUMMARY: Millennium Maritime, Inc. (MMI) is currently under a sublease with WWL Vehicle Services America, Inc. (WWL), occupying office space at 300 Water Street in Wilmington, California as well as wharf and water space at Berth 195 for its tug and barge operations and maintenance. The Los Angeles Harbor Department Port Police (Port Police) requires the use of the office, wharf, and water space currently occupied by MMI. Proposed Permit No. 882 (Permit) provides an interim replacement location and terms for MMI to continue its operations at the Port of Los Angeles (Port) until their planned permanent premises are developed at Berths 87-90. The proposed Permit is compliant with all applicable measures of the San Pedro Bay Clean Air Action Plan.

Recommendation: Board resolve to (1) approve the proposed Permit with MMI (See Transmittal 1); (2) direct the Board Secretary to transmit the proposed Permit to the City Council for approval pursuant to Section 606 of the City Charter; (3) authorize the Executive Director to execute and the Board Secretary to attest to the proposed Permit upon approval by City Council; and (4) adopt Resolution No. _____.

10. Re: RESOLUTION NO. _____ - PROPOSED SIXTH AMENDMENT TO PREFERENTIAL BERTH ASSIGNMENT NO. 77-34 WITH WALLENIUS WILHELMSSEN LOGISTICS VEHICLE SERVICES AMERICA, INC.

SUMMARY: Preferential Berth Assignment No. 77-34 (PBA 77-34), between the Los Angeles Harbor Department (Harbor Department) and Wallenius Wilhelmsen Logistics Vehicle Services America, Inc. (WWL), grants a nonexclusive preferential berth assignment (PBA) at Berths 195 - 199 to operate a vehicle import/export processing terminal. PBA 77-34 is

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10. (Continued)

for a term of 25 years and expires on October 31, 2011. PBA 77-34 also allowed the tenant to build an 18,000 square foot headquarters building at 300 Water Street in Wilmington, California. After many years of utilizing the building, WWL moved its headquarters out of state in 2006 and subleased the second floor of the building to Harley Marine Services, Inc., aka Millennium Maritime, Inc. (MMI). In 2007, WWL subleased the first floor to the Los Angeles Port Police (Port Police) for its Wilmington Substation. As determined by a 2007 Strategic Plan for Safety and Security, the Port Police will require use of the entire building and its surrounding grounds (1.5 acres), as well as an additional adjacent 1.7 acres (Property) currently under WWL's PBA, for a Wilmington substation including landside and waterborne operations. The Proposed Sixth Amendment will accommodate the Port Police's space needs, and in exchange, will grant replacement premises to accommodate WWL's needs (Transmittal 1).

Recommendation: Board resolve to (1) approve the proposed Sixth Amendment to PBA 77-34; (2) direct the Board Secretary to transmit the proposed Sixth Amendment to PBA 77-34 to the City Council for approval pursuant to Section 606 of the City Charter; (3) authorize the Executive Director to execute and the Board Secretary to attest to the proposed Sixth Amendment upon approval by City Council; and (4) adopt Resolution No. _____.

Clean Truck Program

11. Re: RESOLUTION NO. _____ - SUPPLEMENTAL AGREEMENT TO AGREEMENT E6482 WITH PROJECT CONTROL CONSULTING, INC.

SUMMARY: *During the period from October 10, 2008 through April 5, 2009, Project Control Consulting, Inc. (PCCI) provided support to the Clean Truck Program (CTP) under Executive Director Agreement No. E6482 (Agreement E6482). The PCCI scope of work was to assist with the processing of the City of Los Angeles Harbor Department (Harbor Department) Clean Truck Incentive Program. In January 2009, funding under Agreement E6482 was exhausted, as the level of effort required to process and pay the incentives was far more than anticipated. Because time was very much of the essence, PCCI continued work to process incentives until the end of March 2009, as the Clean Truck Incentive Program was a driving force in bringing clean trucks into Port of Los*

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11. (Continued)

Angeles (Port) service. This action requests approval of a supplement to Agreement E6482 (Supplemental Agreement) to compensate PCCI for their work during the period from January 9, 2009 through March 27, 2009. The total value of services rendered during this period that is requested for the Supplement Agreement is \$90,000.

Recommendation: Board resolve to (1) find that in accordance with the City Charter Section 1022, as of January 2009, work under the subject Supplemental Agreement could be performed more feasibly by independent consultants rather than by City employees; (2) ratify and approve a Supplemental Agreement in the amount of \$90,000 authorizing payment for services rendered by PCCI that exceeds the \$150,000 limit of Agreement No. E6482; (3) authorize the Executive Director to execute and the Board Secretary to attest to the Supplemental Agreement for and on behalf of the Board; and (4) adopt Resolution No. _____.

Engineering

12. Re: RESOLUTION NO. _____ AMENDMENT NO. 1 OF THE PROJECT COOPERATION AGREEMENT BETWEEN THE DEPARTMENT OF THE ARMY AND THE CITY OF LOS ANGELES FOR THE PORT OF LOS ANGELES CHANNEL DEEPENING PROJECT AGREEMENT NO. 2236

SUMMARY: Approval of Amendment No. 1 and authorization of the transfer of funds will allow for completion of construction activities for the Port of Los Angeles Channel Deepening Project. Total funding for the Port of Los Angeles Channel Deepening Project is requested to increase from \$202 million to \$298 million. The funds will be forwarded to the Department of the Army, US Army Corps of Engineers, as periodically requested, to fund project costs in accordance with the amended Project Cooperation Agreement.

Recommendation: Board resolve to (1) approve Amendment No. 1 to the Project Cooperation Agreement (PCA), Agreement No. 2236, between the Department of the Army and City of Los Angeles in substantial conformance with the draft transmittal; (2) authorize the Executive Director to execute and the Board Secretary to attest to Amendment No.1 in substantial conformance with the draft transmittal on behalf of the Board; (3) authorize the increase of funding for the Port of Los Angeles Channel Deepening Project from \$202 million to \$298 million and authorize the Executive Director to transfer funds as requested by the Department of the Army; and (4) adopt Resolution No. _____.

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K. CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
(Subdivision (a) of Government Code Section 54956.9)
American Trucking Associations, Inc. v. City of Los Angeles, et al.,
United States District Court Case No. 08-04920-CAS, and United
States Court of Appeals for the Ninth Circuit Case No. 08-56503
2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
(Subdivision (a) of Government Code Section 54956.9)
City of Riverside v. City of Los Angeles, et al., Orange County
Superior Court Case No. 30-2009-00123216
3. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
(Subdivision (a) of Government Code Section 54956.9)
Jesse Marquez v. City of Los Angeles, et al., Los Angeles Superior
Court Case No. BS120716
4. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
(Subdivision (a) of Government Code Section 54956.9)
The United States of America ex rel. State of California ex rel.
Stanley D. Mosler v. City of Los Angeles, et al., United States
District Court Case No. 02-02278-SJO
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 [one (1) potential case]

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CLOSED SESSION (Continued)

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

Provide instructions to its real estate negotiators with respect to lease negotiations with Plains LPG Services LP concerning proposed Revocable Permit No. 09-19:

Property: Subsurface petroleum pipelines previously owned by AmeriGas Propane, L.P. and shown as Parcel Nos. 1 through 5 on Port of Los Angeles Drawing No. 45015-4, Parcel No. 6 on Exhibit A of Port of Los Angeles Lease Audit No. 173105, and Parcel No. 7 on Port of Los Angeles Drawing No. 5-4327.

**City Negotiator: Michael Galvin
Tenant Negotiator: Rick Gorman
Negotiating Parties: City and Plains LPG Services LP
Under Negotiation: Price and Terms**