

AMENDED PUBLIC ACCESS INVESTMENT PLAN

April 6, 2023

- I. **PURPOSE:** This plan provides City of Los Angeles Harbor Department (Harbor Department) staff with broad guidelines to plan and budget LA Waterfront projects and community benefits.
- II. **FUNDING FOR PUBLIC ACCESS PROJECTS (CAPITAL):** The plan allocates a minimum of ten percent (10%) of the Harbor Department's annual Operating Income to build LA Waterfront public access projects and provide Port-related community benefits.
- III. **PROJECT PLANNING:** The Harbor Department shall engage the City Council Office of the 15th District (CD15) on an annual basis no later than March of each year to determine the scope, range and budget of Public Access Projects of the next fiscal year, consistent with the Tideland Trust. CD15 shall engage in a public process to report back on community recommendations for the Public Access Projects to the Harbor Department.

The report on community recommendations for the Public Access Projects shall then be considered and incorporated in the Harbor Department's annual budget planning process. The Harbor Department and CD15 Office shall endeavor to plan for multi-year expenditures and projects, to the extent permissible by law and this policy.
- IV. **FUNDING FOR PUBLIC BENEFITS (NON-CAPITAL):** The plan continues funding investments in non-capital public benefits to:
 - Operate and maintain high quality, safe, public access facilities
 - Activate the LA Waterfront through public access events/programs
 - Provide Port-related community programs (e.g. education, workforce development)
- V. **OPERATING INCOME:** For purposes of calculating Operating Income for this plan, Revenue does not include purpose-directed funds collected from third parties. Examples include, but are not limited to, environmental document reimbursements, Marine Oil Terminal Engineering and Maintenance Standards reimbursements, Clean Truck Program Fees, and Harbor Maintenance Tax funding.
- VI. **CAPITAL IMPROVEMENT PROGRAM:** Harbor Department reporting and selection of Public Access Investment Plan projects shall be aligned with the Harbor Department's overall five-year Capital Improvement Program budget process. The process includes community input on project selection, consistent with the process outlined above. The community input process will continue with annual reporting and engagement coupled with more in depth project prioritization processes when necessary based on status of budgetary allocation for existing projects and funding availability for new projects.

- VII. ANNUAL BUDGET PROCESS: Implementation of the plan and its guidelines are subject to the Board of Harbor Commissioners approval. The percentage of Operating Income allocated annually and specific amount allocated to projects per year will be determined by the Board of Harbor Commissioners with consideration of the Section III Project Planning process during the Harbor Department's annual budget process with consideration to the Harbor Department's economic and financial outlook, pursuant to Sections IX and X.
- VIII. EXISTING CONTRACTS AND MITIGATION PROJECTS ARE SEPARATE: Previously approved contractual and mitigation projects including Alta Sea, China Shipping settlement projects, and TraPac Memorandum of Understanding will be separate from the Plan to the maximum extent possible.
- IX. PLAN MODIFICATION: In the event of needs to modify the plan as proposed including, without limitation, general economic trends, declining financial outlook, legal issues, and the extent that public access projects are needed, the Harbor Department will notify public stakeholders to facilitate public comment, and may subsequently take Board action to adjust the percentage of operating income downward.
- X. BOARD AUTHORITY NOT LIMITED: Consistent with the Los Angeles City Charter, the Plan does not limit Board authority, including annual Board budget allocations and ongoing project approvals. The Board retains full discretion to set budget and project priorities to best manage the Harbor Department's assets and funds.