



THE PORT
OF LOS ANGELES
Executive Director's
Report to the

Board of Harbor Commissioners

DATE: JUNE 19, 2013

FROM: REAL ESTATE

**SUBJECT: ORDER NO. _____ - AUTHORIZING THE DISPOSAL OF
ABANDONED VESSEL AT BERTH 204, WILMINGTON**

SUMMARY:

The City of Los Angeles Harbor Department (Harbor Department) is requesting that the Board of Harbor Commissioners (Board) declare a vessel abandoned that currently remains in dry dock storage on Harbor Department property formerly occupied by Colonial Yacht Anchorage (Colonial). The vessel has been located at this site before the closure of Colonial and bears no identifying numbers. Attempts to contact vessel owners have not been successful, despite notices posted at the premises for more than a year and the mailing of letters to possible owners. This action will formally allow proper and legal disposal of the abandoned vessel by the Harbor Department.

RECOMMENDATION:

It is recommended that the Board of Harbor Commissioners:

1. Declare the abandonment of the unidentified vessel pursuant to Port of Los Angeles Tariff No. 4, Item No. 1670;
2. Authorize the destruction and disposal of the vessel upon the expiration of the prescribed 10-day notification period; and
3. Adopt Order No. _____.

DISCUSSION:

Background/Context – On May 3, 2012, the City of Los Angeles (City) completed the eviction of Colonial and closed the marina operated at Berth 204. The City enforced a judgment for possession of Colonial's former premises against all occupants, including all owners of vessels berthed or stored at the premises. The unidentified 40-foot sailboat continues to remain at the premises today and is illegally located on City property (Transmittal 1).

Since March 22, 2012, many efforts to notify the vessel owners have occurred by Harbor Department staff through the posting of signs directly on the premises. The signs indicated that vessel storage may not occur on City property and that the vessel must be immediately removed. No owner of the vessel has contacted the Harbor Department or made any attempt to remove the vessel since the signs were posted.

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Furthermore, the former operator of the Colonial marina informed Harbor Department personnel that the vessel was transported to Colonial's former premises by an individual who identified himself as Robert Pond. Harbor Department staff sent letters addressed to Robert Pond, and Ernest Pond who may be associated with Robert Pond according to public records, at three potential addresses identified for these individuals. More than 90 days have passed since the letters were sent, and neither Robert Pond nor Ernest Pond has contacted the Harbor Department regarding the vessel. Harbor Department staff further attempted to contact Robert Pond at a telephone number identified for him. The individual who answered the call stated that she does not know Robert Pond.

Port of Los Angeles Tariff No. 4, Item No. 1670, allows the Board to declare a vessel abandoned if it is "in an unseaworthy or dilapidated condition upon tide and submerged lands in the Harbor District for a period of longer than 30 days without a watchman or other person being maintained upon or near and in charge of such property, and without the consent of the Board expressed by resolution." The vessel is unseaworthy and dilapidated after having been stored in dry dock storage in this same location, in full public view, for an extended period of time. The facts supporting the abandonment include: the failure of any owner to contact the Harbor Department despite the posting of notices at the site and the mailing of various notices; the lack of care and maintenance to the vessel; and the extended length of time the vessel has remained unattended, all without authority to be stored on City property.

Upon Board approval of the Order (Transmittal 2), Harbor Department staff will have any debris, chemicals, fuel, and oil removed from the vessel and the vessel cleaned prior to disposal.

ENVIRONMENTAL ASSESSMENT:

The proposed action is approval of an Order authorizing destruction and disposal of a dry docked vessel deemed to be abandoned at the former Colonial marina. The proposed action is being carried out pursuant to Tariff No. 4 and is therefore not considered a discretionary action under the California Environmental Quality Act (CEQA).

ECONOMIC BENEFITS:

This Board action will have no employment impact.

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FINANCIAL IMPACT:

The abandoned vessel is not expected to have any salvage value due to its current condition is not expected to be saleable in the marketplace; however, this Board Report serves as public notice that the abandoned vessel is for sale should a party express interest. Absent a sale, existing Harbor Department Construction & Maintenance Division (C&M) staff will dispose of the boat using existing budgeted resources estimated at a cost of \$4,700. There is not expected to be any additional C&M staff costs associated with the disposal other than what has already been approved in the current Fiscal Year 2012/2013 and Fiscal Year 2013/2014 adopted budgets.

CITY ATTORNEY:

The Order has been approved as to form and legality by the Office of the City Attorney.

TRANSMITTALS:

1. Photograph of Vessel
2. Order



JACK C. HEDGE
Director of Real Estate

FIS Approval: WR (initials)
CA Approval: gke (initials)



KATHRYN McDERMOTT
Deputy Executive Director

APPROVED:



GERALDINE KNATZ, Ph.D.
Executive Director

GK:KM:JH:ER:raw
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BL454raw B204 Abandoned Vessel