



THE PORT
OF LOS ANGELES
Executive Director's
Report to the
Board of Harbor Commissioners

DATE: MAY 11, 2011

FROM: EXECUTIVE OFFICE

SUBJECT: RESOLUTION NO. _____ FOR THE CONCURRENCE IN THE
SELECTION OF THREE DIRECTORS OF THE PORT COMMUNITY
MITIGATION FOUNDATION

SUMMARY:

The bylaws of the Port Community Mitigation Foundation (PCMF or Nonprofit) approved by the Board of Harbor Commissioners (Board) along with the Operating Agreement of the TraPac Memorandum of Understanding (Transmittal No. 1) require that the appointment of three of the seven Directors of the PMCF receive concurrence from the Board - the Directors selected by the TraPac Appellants with the (1) University of Southern California (USC) Keck School of Medicine and USC Program for Environmental and Regional Equity, (2) the Los Angeles County of Department of Public Health, and (3) the University of California, Los Angeles (UCLA), Department of Urban Planning. These Directors have been selected by the various entities, and this resolution recommends the Board's concurrence with these selections.

RECOMMENDATION:

It is recommended that the Board of Harbor Commissioners:

1. Concur with the selection by the TraPac Appellants, the University of Southern California Keck School of Medicine, and the University of Southern California Program for Environmental and Regional Equity of Dr. James L. Sadd as Director E;
2. Concur with the selection by the TraPac Appellants and the Los Angeles County Department of Public Health of Dr. Silvia Prieto as Director F;
3. Concur with the selection by the TraPac Appellants and the University of California, Los Angeles, Department of Urban Planning of Sean B. Hecht as Director G; and
4. Adopt Resolution No. _____.

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DISCUSSION:

TraPac Memorandum of Understanding and PCMF Background – On April 2008, the Board approved a Memorandum of Understanding (TraPac MOU) between the City of Los Angeles (City) and the TraPac Appellants. The TraPac MOU provides for the settlement of appeals to the Board's certification of the TraPac Environmental Impact Report and the establishment of a Trust Fund to be operated by a nonprofit entity established for the purpose of overseeing grants from the fund. This nonprofit entity has been named the Port Community Mitigation Foundation.

The Operating Agreement of the TraPac MOU, as approved by the Board on October 26, 2010, among the City, the TraPac Appellants and the Port Community Mitigation Foundation (PCMF or Nonprofit) includes the bylaws which govern the PCMF including selection and qualification of its seven Directors (Nonprofit Board). The initial Directors are selected as follows (emphasis added):

- Director A: This Director shall be selected by the TraPac Appellants, an unincorporated association, and shall be an individual TraPac Appellant or a member or employee of an organizational TraPac Appellant who lives or works in the community of Wilmington.
- Director B: This Director shall be selected by the TraPac Appellants and shall be an individual TraPac Appellant or a member or employee of an organizational TraPac Appellant who lives or works in the community of San Pedro.
- Director C: This Director shall be nominated by the Los Angeles City Council member representing the 15th Council District and shall work in coastal conservation, community economic development, environmental sciences, or safety.
- Director D: This Director shall be nominated by the Mayor of Los Angeles and shall have a demonstrated commitment to labor in the Los Angeles area and must have experience working in coalition with both community and environmental groups
- Director E: This Director shall be jointly selected by an officer of the USC Keck School of Medicine (Keck), an officer of the USC Program for Environmental and Regional Equity (PERE), and the TraPac Appellants, **with the concurrence of the Board of Harbor Commissioners or its designee.**

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Director F: This Director shall be jointly selected by an officer of the Los Angeles County Department of Public Health (LADPH) and the TraPac Appellants, **with the concurrence of the Board of Harbor Commissioners or its designee.**

Director G: This Director shall be jointly selected by an officer of the Luskin Center at the UCLA Department of Urban Planning (Luskin Center) and the TraPac Appellants, **with the concurrence of the Board of Harbor Commissioners or its designee.**

Selection of PCMF Directors - In accordance with the PCMF bylaws, the following selection of Directors has been made with Board concurrence requested by the TraPac Appellants and the Interim Entity. See Transmittal 2:

- TraPac Appellants, Keck, and PERE have selected Dr. James L. Sadd. Dr. Sadd has 25 years of extensive experience in the areas of research and education regarding Environmental Science and Geology. Dr. Sadd is currently a Professor of Environmental Science and the former Chair of the Department of Geology at Occidental College, Los Angeles. See resume attached as Transmittal No. 3.
- TraPac Appellants and the LADPH have selected Dr. Silvia Prieto. Dr. Prieto has over 10 years of experience in the field of Health Policy and Management and holds multiple graduate degrees from the UCLA School of Medicine and the UCLA School of Public Health and Management. Dr. Prieto is currently the Area Health Officer responsible for planning public health and clinical services for the South Bay and East Los Angeles areas. See resume attached as Transmittal No. 4.
- TraPac Appellants and the Luskin Center have selected Sean B. Hecht. Mr. Hecht has over 20 years of experience in the areas of education and advocacy regarding Environmental Law. Mr. Hecht is currently the Executive Director of the Environmental Law Center with the UCLA School of Law, a former Deputy Attorney General with the State of California Department of Justice, and has served on a variety of Advisory Boards. See resume attached as Transmittal No. 5.

Staff recommends the Board concur with these three selections.

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Additionally, the following Directors, not requiring concurrence of the Board, have been selected: TraPac Appellants Kathleen Woodfield (San Pedro) and Jesse Marquez (Wilmington) were selected by the TraPac Appellants, and Michele Prichard, who is the Director of Special Projects at the Liberty Hill Foundation in Los Angeles, with almost 30 years of experience in the area of philanthropy and community service, was selected by the Mayor of Los Angeles. The Director to be selected by the Los Angeles City Council member representing the 15th Council District has not yet been announced.

ENVIRONMENTAL ASSESSMENT:

The proposed action is considered a concurrence of appointees selected for the PCMF Board of Directors. As an administrative action, the Director of Environmental Management has determined that the proposed action is exempt from the California Environmental Quality Act (CEQA) in accordance with the Article II, Section 2(f) of the Los Angeles City CEQA Guidelines.

ECONOMIC BENEFITS:

This Board action will have no economic impact.

FINANCIAL IMPACT:

Approval of this proposed Board item is not expected to have a financial impact upon the Harbor Department.

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CITY ATTORNEY:

The Office of the City Attorney has reviewed this recommendation and has determined that no legal issues are raised at this time.

TRANSMITTALS:

1. Excerpt from Exhibit 4 of the Operating Agreement of the TraPac Memorandum of Understanding
2. Mission Infrastructure Letter
3. Dr. James L. Sadd Resume
4. Dr. Silvia Prieto Resume
5. Sean B. Hecht Resume

FIS: colp

CA: TR



MICHAEL R. CHRISTENSEN
Deputy Executive Director

APPROVED:



GERALDINE KNATZ, Ph.D.
Executive Director