

**AGENDA OF THE SPECIAL MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 1
THURSDAY, NOVEMBER 15, 2007, AT 2:30 P.M.
PORT OF LOS ANGELES ADMINISTRATION BUILDING
425 S. PALOS VERDES STREET
SAN PEDRO, CA 90731**

BOARD OF HARBOR COMMISSIONERS

President S. David Freeman

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.

**AGENDA OF THE SPECIAL MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 2
THURSDAY, NOVEMBER 15, 2007, AT 2:30 P.M.
PORT OF LOS ANGELES ADMINISTRATION BUILDING
425 S. PALOS VERDES STREET
SAN PEDRO, CA 90731**

B. COMMENTS FROM THE PUBLIC

C. REPORT OF THE EXECUTIVE DIRECTOR

D. REPORTS OF COMMISSIONERS

E. PRESENTATION

- 1. Port Evacuation Exercise, Chief Lou Roupoli**

F. BOARD COMMITTEE REPORTS

AGENDA OF THE SPECIAL MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 3
THURSDAY, NOVEMBER 15, 2007, AT 2:30 P.M.
PORT OF LOS ANGELES ADMINISTRATION BUILDING
425 S. PALOS VERDES STREET
SAN PEDRO, CA 90731

G. REPORTS OF THE EXECUTIVE DIRECTOR

Consent Items (1-8)

Real Estate Division

1. Re: MEMORANDUM OF UNDERSTANDING BETWEEN THE PORTS OF LOS ANGELES AND LONG BEACH REGARDING PROPOSED INTERNATIONAL LONGSHORE AND WAREHOUSE UNION HIRING FACILITY

SUMMARY: The purpose of the proposed Memorandum of Understanding (MOU) between the Ports of Los Angeles and Long Beach (POLA and POLB) is to identify a nine-acre, POLA-owned parcel to be used in the future for the proposed International Longshore and Warehouse Union (ILWU) hiring facility; establish procedural steps whereby POLB may purchase 50% interest in the parcel if it is used as a hiring facility; and require POLA and POLB to share equally in the cost for appraisals of the parcel.

Recommendation: Adoption of the Order approving the MOU between POLA and POLB regarding the proposed ILWU hiring facility.

AGENDA OF THE SPECIAL MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 4
THURSDAY, NOVEMBER 15, 2007, AT 2:30 P.M.
PORT OF LOS ANGELES ADMINISTRATION BUILDING
425 S. PALOS VERDES STREET
SAN PEDRO, CA 90731

2. Re: ACQUISITION OF PRIVATELY-OWNED PROPERTY
LOCATED AT 711 NORTH FRONT STREET, KNOLL
HILL – LOTS 80 AND 81 OF TRACT NO. 2817 – APN
7448-035-032

SUMMARY: Over the years, the Harbor Department has acquired title to both improved and unimproved parcels of land on Knoll Hill, and has title to 147 of the 153 parcels, or 12.67 acres out of a total of 13.13. acres. With the purchase of the subject property, the following three properties will remain to be acquired, totaling 16,989 square feet: a single family residence, mechanic shop, and 1 parcel of vacant land as depicted on the attached map.

Recently, a certain privately-owned property located at 711 North Front Street was offered for sale to the Port, and it is proposed to acquire the privately owned property, as part of the voluntary purchase program of properties on Knoll Hill.

Recommendation: Board resolve that (1) the Resolution authorizing the acquisition of the private property located at 711 North Front Street, Knoll Hill, described as Lot 80 and 81 of Tract 2817, for a purchase price of \$525,000, and the expenditure of an additional \$4,500 approximately for escrow and title fees, or a total of \$529,500 be adopted; and (2) the Executive Director be authorized to execute the Agreement and Joint Escrow Instructions for the Acquisition of the Real Property and all other documents necessary to complete the transaction between Taki Yoshiyuki, Seller, and the Port of Los Angeles, Buyer. First American Title Insurance Company is the escrow holder.

**AGENDA OF THE SPECIAL MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 5
THURSDAY, NOVEMBER 15, 2007, AT 2:30 P.M.
PORT OF LOS ANGELES ADMINISTRATION BUILDING
425 S. PALOS VERDES STREET
SAN PEDRO, CA 90731**

**3. Re: PROPOSED FIRST AMENDMENT TO THE PORT OF
LOS ANGELES LEASING POLICY AND PROCEDURES**

SUMMARY: The purpose of the proposed First Amendment to the Port of Los Angeles Leasing Policy and Procedures is to modify Leasing Policy Directive No. 2, Lease Requirement No. 4, concerning Port environmental lease requirements in order to be consistent with the San Pedro Bay Clean Air Action Plan (CAAP). Also, Section 3.3 of the Procedures to Implement the Leasing Policy would be amended in order to develop procedures for posting tenant solicitation and selection materials on the Port's website, while ensuring that legally confidential or proprietary data is not made publicly available.

Recommendation: Adoption of the Order approving the First Amendment to the Port of Los Angeles Leasing Policy and Procedures.

**4. Re: AGREEMENT FOR LANDING AND TEMPORARY
STORAGE OF CRANES BETWEEN THE PORT OF LOS
ANGELES AND TRAPAC, INC. AND NOTIFICATION OF
NAME CHANGE**

SUMMARY: The proposed agreement would authorize TraPac, Inc. to land and temporarily store two new container cranes at Berths 208-209 if the environmental document for the proposed expansion of TraPac's Berths 136-147 facility is not certified in sufficient time to allow for the delivery of the cranes to the terminal. This report shall also serve as formal notification to the Board of the tenant's name change.

Recommendation: Board resolve that (1) the Order approving the Agreement for Landing and Temporary Storage of Cranes between the Port of Los Angeles and TraPac, Inc. be adopted; and (2) the transfer of funds in the amount of \$1,940,000 from the Land Acquisitions Budget Account 59993 Center 1800 to Real Estate Operating Budget Property Rental Account 59955 Center 0424 be authorized.

AGENDA OF THE SPECIAL MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 6
THURSDAY, NOVEMBER 15, 2007, AT 2:30 P.M.
PORT OF LOS ANGELES ADMINISTRATION BUILDING
425 S. PALOS VERDES STREET
SAN PEDRO, CA 90731

5. Re: PROPOSED LEASE NO. 867 GRANTED BY THE CITY OF LOS ANGELES HARBOR DEPARTMENT TO THE PORT OF LOS ANGELES HIGH SCHOOL

SUMMARY: Proposed Lease No. 867, between the City of Los Angeles, Harbor Department (Department), and the Port of Los Angeles High School (POLAHS) is for a five-year term, commencing December 1, 2007, for use of Department property located at 250 W. 5th Street, San Pedro. POLAHS is a public charter high school, granted through the Los Angeles Unified School District, with an emphasis on education in international trade and maritime commerce.

Recommendation: Adoption of the Order authorizing the Executive Director to execute Lease No. 867 granted by the Department to POLAHS for a term not to exceed five years, commencing December 1, 2007. Base rent for the first year of Lease No. 867 shall be \$20,068 per month, for use of approximately 36,486 s.f. of Department property. As referenced in the Discussion section, the base rent will be subject to a rent deferral program, 25% discount for adjacent construction activities and an \$11,000 per month payment for school specific improvements.

AGENDA OF THE SPECIAL MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 7
THURSDAY, NOVEMBER 15, 2007, AT 2:30 P.M.
PORT OF LOS ANGELES ADMINISTRATION BUILDING
425 S. PALOS VERDES STREET
SAN PEDRO, CA 90731

Environmental Management

6. Re: AGREEMENT WITH ANCON MARINE, CLEAN HARBORS ENVIRONMENTAL SERVICES, O.C. VACUUM ENVIRONMENTAL SERVICE, AND OCEAN BLUE ENVIRONMENTAL SERVICES, INC. FOR EMERGENCY RESPONSE AND HAZARDOUS WASTE MANAGEMENT SERVICES

SUMMARY: The Port of Los Angeles manages emergency environmental services, such as the disposal of hazardous materials found on Port properties, through emergency services consultants. Services include, but are not limited to, emergency response from accidental hazardous material releases to land and harbor waters, lead-based paint and asbestos abatement, onsite chemical testing for hazard categorization and waste characterization, and hazardous waste disposal services. Staff is recommending approval of four consultant agreements to conduct emergency hazardous waste management services. Each agreement is for a term of three years. The combined total of all four agreements is not-to-exceed \$7,000,000.

Recommendation: Resolve that (1) find that in accordance with the City Charter Section 1022, work under the subject Agreements can be performed more feasibly by independent consultants rather than by City employees; (2) four agreements for a term of three years each, for a combined total, not-to-exceed \$7,000,000 be approved and awarded as listed on the Board report; and (3) the Executive Director and Board Secretary be authorized to execute and attest to said Agreements, for and on behalf of the Board.

**AGENDA OF THE SPECIAL MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 8
THURSDAY, NOVEMBER 15, 2007, AT 2:30 P.M.
PORT OF LOS ANGELES ADMINISTRATION BUILDING
425 S. PALOS VERDES STREET
SAN PEDRO, CA 90731**

Homeland Security

**7. Re: ACCEPTANCE OF COOPERATIVE AGREEMENT AWARD
NO. 2007-GB-T7-K429 UNDER ROUND SEVEN
SUPPLEMENTAL OF THE FEDERAL PORT SECURITY
GRANT PROGRAM**

SUMMARY: Following the allocation of Round Seven of the Federal Port Security Grant Program, the U.S. Department of Homeland Security has provided additional funding directly to high risk port regions. These supplemental allocations will expand port-wide partnerships and regional management of risk. Additionally, these allocations will support a strategic port region focus, providing funding for the development and implementation of port wide risk mitigation plans.

The procedures for distribution of these funds will be different than in the previous rounds of Federal port security grants. Instead of making awards to individual applicants, the Department of Homeland Security has allocated predetermined amounts of money for specific port regions. The Los Angeles/Long Beach port region has been allocated \$8,053,509. Projects to be funded with this money will be selected by the Area Maritime Security Committee, under the leadership of the U.S. Coast Guard Sector Los Angeles/Long Beach Commander. The AMSC includes representative of federal, state, and local law enforcement and emergency response agencies, port authorities, terminals, the longshore union, and elected officials. As a member of the AMSC, POLA will participate in the selection of project to be funded. Any awarded projects will be brought before the Board of Harbor Commissioners for acceptance in separate board letters.

POLA has been requested by the U.S. Coast Guard and has agreed to act as the Fiduciary Agent for the distribution of these funds. As Fiduciary Agent, POLA will monitor the progress of individual funded projects and submit documentation to FEMA for reimbursement. POLA's responsibilities will be administrative only. POLA will not be responsible for providing "upfront" funding for any granted projects, except those awarded to POLA. All other project funding will be on a reimbursement basis and will be the responsibility of the grantee.

**AGENDA OF THE SPECIAL MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 9
THURSDAY, NOVEMBER 15, 2007, AT 2:30 P.M.
PORT OF LOS ANGELES ADMINISTRATION BUILDING
425 S. PALOS VERDES STREET
SAN PEDRO, CA 90731**

7. (Continued)

Recommendation: Board resolve that (1) the U.S. Department of Homeland Security Cooperative Agreement Award No. 2007-GB-T7-K096 in the amount of \$8,053,509, between the City of Los Angeles Harbor Department and the U.S. Department of Homeland Security be accepted; and (2) the Deputy Executive Director of Operations be authorized to execute the attached Cooperative Agreement on behalf of the Board.

**AGENDA OF THE SPECIAL MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 10
THURSDAY, NOVEMBER 15, 2007, AT 2:30 P.M.
PORT OF LOS ANGELES ADMINISTRATION BUILDING
425 S. PALOS VERDES STREET
SAN PEDRO, CA 90731**

**8. Re: AWARD OF CONTRACT TO PACIFIC MARITIME
FREIGHT, INC. FOR THE DEPLOYMENT OF
WATERBORNE PERIMETER SECURITY BARRIER**

SUMMARY: The Homeland Security Division recommends the approval of a contract award to Pacific Maritime Freight, Inc. of San Diego, CA, with operations located at 1512 W. Pier C Street, Long Beach, CA. The Port of Los Angeles requires services on an occasional basis to deploy, retrieve, and maintain waterborne perimeter security barrier.

In October 2006 POLA purchased 5,000 feet of waterborne barrier (two hundred 25 foot sections). This purchase was reimbursed through the Federal Port Security Grant Program. The barrier will be deployed to protect high consequence vessels, facilities or critical port infrastructure during heightened security levels. It may also be deployed as part of security exercises. When deployed, the barrier will provide a physical deterrent against waterborne attacks. These sections of barrier are currently being stored on shore at Berth 46.

Pacific Maritime Freight, Inc. was one of two responsive proposals submitted by the deadline of April 19, 2007. Pacific Maritime Freight, Inc. quoted an estimate of \$195,955 for each deployment and recovery of the waterborne barrier. The other bidder quoted a price well in excess of \$195,955. The proposals were evaluated based on the bidder's experience and qualifications, personnel, quality assurance, local presence, and compliance with administrative requirements.

Under this contract, the Homeland Security Division will issue project directives for the deployment, retrieval, and maintenance of the waterborne barrier. This action will authorize a one-year contract term from the date of execution, with two (2) one-year renewal options, for an amount not to exceed \$500,000. The Port intends to conduct one deployment exercise in the current fiscal year. However, additional funds will be committed should subsequent deployments be necessary. An evaluation of the initial deployment will determine the need for future exercises.

**AGENDA OF THE SPECIAL MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 11
THURSDAY, NOVEMBER 15, 2007, AT 2:30 P.M.
PORT OF LOS ANGELES ADMINISTRATION BUILDING
425 S. PALOS VERDES STREET
SAN PEDRO, CA 90731**

8. (Continued)

Recommendation: Board resolve that (1) the subject agreement with Pacific Maritime Freight, Inc., San Diego, CA 92113, for the deployment, retrieval, and maintenance of the waterborne perimeter security barrier be approved. The agreement is for a one-year term with two (2) one-year renewal options for a total amount not to exceed \$500,000; and (2) the Executive Director, or designee, be authorized to execute the agreement on behalf of the Board.

**AGENDA OF THE SPECIAL MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 12
THURSDAY, NOVEMBER 15, 2007, AT 2:30 P.M.
PORT OF LOS ANGELES ADMINISTRATION BUILDING
425 S. PALOS VERDES STREET
SAN PEDRO, CA 90731**

H. CLOSED SESSION

1. Discussion of pending litigation entitled: The United States of America ex rel. State of California ex rel. Stanley Mosler v. City of Los Angeles, et al., United States District Court Case No. 02-02278-SJO, pursuant to subdivision (a) of Section 54956.9 of the California Government Code.
2. Discussion of pending litigation entitled: Natural Resources Defense Council, Inc., et al. v. City of Los Angeles, et al., Los Angeles Superior court Case No. BS070017, pursuant to subdivision (a) of Section 54956.9 of the California Government Code.
3. Discussion with legal counsel concerning significant exposure to litigation [one (1) potential case], pursuant to subdivision (b)(f1) of Section 54956.9 of the California Government Code.