



Executive Director's

Report to the

Board of Harbor Commissioners

**DATE: NOVEMBER 30, 2022**

**FROM: CARGO & INDUSTRIAL REAL ESTATE**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ - APPROVAL OF JOINT REVOCABLE PERMIT NO. 21-09 AMONG THE COUNTY OF LOS ANGELES, CITY OF LOS ANGELES HARBOR DEPARTMENT, AND PORT OF LONG BEACH, AS JOINT OWNERS**

**SUMMARY:**

Staff requests approval of Joint Revocable Permit 21-09 (JRP) among the County of Los Angeles (L.A. County), the City of Los Angeles Harbor Department (Harbor Department), and the Port of Long Beach (POLB) as joint owners (collectively Ports), for two temporary construction platforms suspended above the Alameda Corridor.

Under the JRP L.A. County will be allowed to construct and occupy two temporary platform areas totaling 140 square feet and 160 square feet each, suspended above the Ports' railroad corridor for the purpose of repairing broken concrete bridge structures. This work is expected to be completed within 60 days of the effective date of the JRP.

There will be no rent collected for this JRP because the entitlement is being issued for temporary maintenance construction purposes for the benefit and safety of the public. Furthermore, much of the bridge repair work will take place within areas containing easement rights held by L.A. County.

This JRP requires approval from the Board of Harbor Commissioners of both Ports. The POLB Board of Harbor Commissioners approved this JRP at its meeting on March 14, 2022.

**RECOMMENDATION:**

It is recommended that the Board of Harbor Commissioners (Board):

1. Find that the Director of Environmental Management has determined that the proposed action is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Section 15301 of the State CEQA Guidelines;
2. Approve Joint Revocable Permit No. 21-09 among the County of Los Angeles and the City of Los Angeles Harbor Department and Port of Long Beach, as joint owners;
3. Authorize the Executive Director to execute and the Board Secretary to attest to Joint Revocable Permit No. 21-09; and
4. Adopt Resolution No. \_\_\_\_\_.

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**DISCUSSION:**

Background - On December 22, 1994, the Harbor Department and POLB jointly purchased rail properties as part of the Alameda Corridor Transportation Authority (ACTA) construction project. The properties contain the former Southern Pacific Railroad and Union Pacific Railroad (UPRR) right-of-way (ROW) within the County of Los Angeles and are held by the Ports as tenants-in-common, with each holding an undivided 50 percent interest in the properties. In addition, the Ports became responsible for the issuance of all railroad agreements, leases, and licenses related to the acquired railroad ROW.

L.A. County needs to construct two temporary aerial platform areas measuring 140 square feet and 160 square feet each over jointly-owned property in order to repair concrete bridges that have incurred damage from vehicle accidents and ordinary wear and tear. This work is expected to be completed within 60 days of the effective date of the JRP. See Transmittal No. 1 for a depiction of the locations. The platforms are necessary to support workers and equipment while repairs are completed, and to prevent debris and other objects from falling onto the railroad tracks and freight traffic beneath the construction zones.

The proposed JRP (Transmittal No. 2) would allow L.A. County the necessary entitlement and access to properly maintain its bridges which span the railroad ROW.

Material terms of JRP 21-09 are provided below:

<u>Provisions</u>	<u>Terms - Description</u>
Real Estate Entitlement	Joint Revocable Permit
Permittee	County of Los Angeles
Permitted Use	Construction and occupancy of two temporary maintenance platforms
Term	Month-to-month
Termination	Either party may terminate with 60-days' written notice
Effective Date	The effective date is upon last execution by the Executive Directors of the respective Harbor Departments of the Cities
Premises	The premises are comprised of two platforms totaling 300 square feet of area (Transmittal No. 1)
Compensation	None

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Maintenance	Permittee is responsible for maintaining the premises and all improvements, at its sole cost and expense
Insurance	Insurance requirements include all standard insurance requirements
Security Deposit	None

**ENVIRONMENTAL ASSESSMENT:**

The proposed action is approval of RP 21-09 with L.A. County and the Ports for two temporary construction platforms suspended above the Alameda Corridor, which is an activity involving the permitting of existing facilities involving negligible or no expansion of existing or former use. Therefore, the Director of Environmental Management has determined that the proposed action is categorically exempt from the requirements of the CEQA in accordance with Section 15301 of the State CEQA Guidelines.

**FINANCIAL IMPACT:**

Approval of the proposed JRP will not have a financial impact on the Harbor Department. The proposed entitlement will be issued on a rent-free basis in the interest of public safety. Furthermore, all costs associated with construction and removal of the temporary platforms will be borne by L.A. County.

**CITY ATTORNEY:**

The Office of the City Attorney has reviewed and approved the proposed Joint Revocable Permit No. 21-09 as to form and legality.

**TRANSMITTALS:**

1. Premises Map
2. Joint Revocable Permit No. 21-09

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 Director, Cargo & Industrial Real Estate

FIS Approval: *MB*  
 CA Approval: *SO*

*Michael DiBernardo*  
 MICHAEL DiBERNARDO  
 Deputy Executive Director

APPROVED:

*Marla Bleavins* For  
 EUGENE D. SEROKA  
 Executive Director