



**THE PORT
OF LOS ANGELES**

Executive Director's
Report to the
Board of Harbor Commissioners

DATE: AUGUST 9, 2018

FROM: CARGO MARKETING

**SUBJECT: RESOLUTION NO. _____ - APPROVING TEMPORARY ORDER
AMENDING PORT OF LOS ANGELES TARIFF NO. 4, SECTION TWO,
ITEM NO. 255 – “FURNISHING REQUIRED DOCUMENTS” IN
SUPPORT OF THE PORT’S COMMON USER DATA PORTAL**

SUMMARY:

Staff requests approval of a Temporary Order to amend Port of Los Angeles (Port) Tariff No. 4 (Tariff), Section Two, Item No. 255 “Furnishing Required Documents”, adding a requirement that Marine Terminal Operators electronically transmit to the City of Los Angeles Harbor Department (Harbor Department) specific information on containers handled at the Port. The amended provisions of Item No. 255 would take effect upon compliance with California Association of Port Authorities tariff modification procedures. Marine Terminal Operators would have until September 30, 2018 to electronically transmit data to the Harbor Department.

This Tariff amendment supports the Harbor Department’s first-of-its-kind common user Portal development by providing a single information window to support enhanced maritime supply chain performance. Since the Portal pilot program was launched, it has become clear that there is a lack of industry standardization in how electronic data messages are created. This Tariff amendment, if approved, will define the scope of data needs and format.

This Board of Harbor Commissioners (Board) action does not result in additional costs to the Harbor Department.

RECOMMENDATIONS:

It is recommended that the Board of Harbor Commissioners:

1. Find that the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II Section 2(f) of the City of Los Angeles CEQA Guidelines;
2. Approve the amendment to Port of Los Angeles Tariff No. 4 revising Section Two, Item No. 255 “Furnishing Required Documents”, subject to the California Association of Port Authorities’ review and approval, and authorize the Executive Director to

SUBJECT: TEMPORARY ORDER - TARIFF NO. 4, SECTION TWO, ITEM NO. 255
– FURNISHING REQUIRED DOCUMENTS

work with California Association of Port Authorities to secure this approval or process to take independent action in accordance with California Association of Port Authorities procedure;

3. Adopt Temporary Order No. _____ to amend Section Two of the Port of Los Angeles Tariff No. 4, Item No. 255, "Furnishing Required Documents";
4. Authorize the Board Secretary to certify the adoption of the Temporary Order by the Board of Harbor Commissioners and cause the same to be published once in a newspaper printed and published in the City of Los Angeles, to take effect prior to adoption by Ordinance for a period not-to-exceed 90 days pursuant to City Charter Section 653(b); and
5. Adopt Resolution No. _____.

DISCUSSION:

Background and Context – On November 3, 2016, the Board approved Agreement No. 16-3425 with General Electric Transportation (GET) to develop a first-of-its-kind common user Portal that, once implemented, provides early visibility to cargo containers arriving and departing on vessels scheduled to call at Port container terminals. This early visibility allows for improved planning and subsequent cargo velocity through the Port. The agreement with GET was amended on August 17, 2017, to expand the pilot program into a first-of-its-kind information window to support enhanced maritime supply chain performance across the San Pedro Bay Ports. In addition, the Board approved Revenue Allocation Agreement No. 17-3518 between the Harbor Department and General Electric Company for the data portal project.

The agreements with GET are the basis for the project now called the Port Optimizer. In working on the expansion of the portal project, collecting data in a consistent format has become challenging in part due to the lack of standardization in the way each maritime industry collects and processes data.

The Tariff provides a vehicle to drive data flow standardization, and thus an amendment to the Tariff is recommended (Transmittal 1), which will create a standard set of data points and timelines needed to ensure the portal is effective.

Reasonable technical delays in providing this electronic information by this date shall be excused upon written request and a showing of good cause, in a manner and for a period of time determined in the sole and absolute discretion of the Executive Director.

The proposed Temporary Order will add requirements for the marine terminals to electronically deliver the container status and specified activities within a maximum of

DATE: AUGUST 9, 2018

PAGE 3 OF 4

**SUBJECT: TEMPORARY ORDER - TARIFF NO. 4, SECTION TWO, ITEM NO. 255
– FURNISHING REQUIRED DOCUMENTS**

30 minutes, depending on the activity, of such events taking place within their respective terminals.

Pursuant to the Los Angeles City Charter, the Board has authority to make changes to Tariff No. 4 for a period of 90 days by Temporary Order. A companion action to this Resolution recommends a Permanent Order and Ordinance for approval by the Board and City Council, which are required to make changes to Tariff No. 4 beyond the Temporary Order's 90-day effective period.

ENVIRONMENTAL ASSESSMENT:

The proposed action is the approval of a Temporary Order to amend Item No. 255 in the Port of Los Angeles Tariff No. 4, Section Two, "Furnishing Required Documents," which is an administrative activity. Therefore, the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of CEQA in accordance with Article II Section 2(f) of the Los Angeles City CEQA Guidelines.

FINANCIAL IMPACT:

Staff does not anticipate any financial impact to the Harbor Department due to approval of this resolution. As part of the FY 2019 budget adoption process, funds have been allocated to the GET Port Optimizer project, and this funding incorporates costs borne by the Harbor Department associated with data collection. This proposed Board action does not result in additional costs to the Harbor Department related to data collection associated with the GET Port Optimizer project.

DATE: AUGUST 9, 2018

PAGE 4 OF 4

SUBJECT: TEMPORARY ORDER - TARIFF NO. 4, SECTION TWO, ITEM NO. 255
– FURNISHING REQUIRED DOCUMENTS

CITY ATTORNEY:

The Office of the City Attorney has reviewed and approved the proposed Temporary Order as to form and legality.

TRANSMITTALS:

1. Temporary Order
2. Amended Tariff No. 4, Section Two, Item No. 255

FIS Approval: MB
CA Approval: gml



ERIC CARIS
Director of Cargo Marketing



MICHAEL DIBERNARDO
Deputy Executive Director

APPROVED:



EUGENE D. SEROKA
Executive Director

ES:MD:EC:ms
Author: Eric Caris