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**DATE: APRIL 22, 2025**

**FROM: OFFICE OF THE CITY ATTORNEY**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ WAIVING THE POTENTIAL CONFLICT OF INTEREST FOR REMY MOOSE MANLEY LLP'S ENVIRONMENTAL REVIEW SERVICES FOR PHILLIPS 66 REFINERY SITE REDEVELOPMENT PROJECT IN WILMINGTON, CALIFORNIA**

**SUMMARY:**

The Office of the City Attorney (Office) requests approval of a waiver (Waiver) of a potential conflict-of-interest with the law firm Remy Moose Manley LLP (Remy) and consent to their continued representation of the City of Los Angeles Harbor Department (Harbor Department). Approval of the Waiver will allow Remy to potentially assist Phillips 66 Los Angeles Refinery (Phillips 66) and its development partners, Catellus Development Corporation and Deca Companies (collectively the Phillips 66 Team), in the environmental peer review process for the redevelopment of the 450-acre Phillips 66 refinery site in Wilmington (Wilmington Project). Remy currently represents the Harbor Department as outside counsel for various California Environmental Quality Act (CEQA) matters, to include work on the Berths 148-151 (Phillips 66) Marine Oil Terminal and Wharf Improvement Project. Approval of the proposed waiver is not anticipated to have a financial impact on the Harbor Department.

**RECOMMENDATION:**

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

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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 Los Angeles City CEQA Guidelines;
2. Formally waive any potential conflicts of interest that might arise from Remy Moose Manley LLP's work on reviewing CEQA documents and advising the Phillips 66 team regarding CEQA compliance for the Wilmington Project;
3. Consent to the continued representation of the Harbor Department as outside counsel for various CEQA matters, to include work on the Berths 148-151 (Phillips 66) Marine Oil Terminal and Wharf Improvement Project;
4. Authorize the Office of the City Attorney to execute a written conflict waiver; and
5. Adopt this Resolution No. \_\_\_\_\_.

**DISCUSSION:**

Remy Moose Manley's Harbor Department Matters - Remy represents and advises the Harbor Department regarding the City's compliance with the CEQA and other land use laws for public and private development projects. Currently, Remy is representing the Harbor Department as outside counsel on the Berths 148-151 (Phillips 66) Marine Oil Terminal and Wharf Improvement Project. Remy is not aware of any actual or pending conflict between the environmental review for the Wilmington Project and its representation of the Harbor Department. Further Remy does not anticipate there being any direct conflict resulting from simultaneous representation of the Harbor Department in the Berths 148-151 (Phillips 66) Marine Oil Terminal and Wharf Improvement Project and its potential environmental review services for the Wilmington Project.

Phillips 66 Refinery Site Environmental Review Project – Remy has been contacted by the Phillips 66 Team to potentially assist them in the environmental peer review process for the redevelopment of the 450-acre Phillips 66 refinery site in Wilmington. The project proposes ending refinery activities and redeveloping the site with mixed uses. The project will require approval from the City of Los Angeles.

Remy's Conflict Waiver Request - Remy has requested approval of a waiver of the potential conflict of interest with respect to Remy's environmental review for the Wilmington Project and consent to the continued representation of the Harbor Department as outside counsel on various CEQA matters, to include work on the Berths 148-151 (Phillips 66) Marine Oil Terminal and Wharf Improvement Project.

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The Office has reviewed the requested waiver and recommends its approval by the Board. The proposed matter in which Remy would assist Phillips 66 and its development partners for redevelopment of the Wilmington refinery site would consist of reviewing CEQA documents and advising the Phillips 66 team regarding CEQA compliance only. Remy would not be interacting with City planning or other City staff (unless the City requested interaction), as those interactions would be handled by the development team. Remy would set up an ethical wall so that none of the firm's attorneys working with the Harbor Department will work on behalf of Phillips 66 and its development partners.

**ENVIRONMENTAL ASSESSMENT:**

The proposed action is the approval of a proposed waiver of any potential conflict of interest that might arise from Remy's environmental review services for Wilmington Project and consent to the firm's continued representation of the Harbor Department on various CEQA matters, to include the Berths 148-151 (Phillips 66) Marine Oil Terminal and Wharf Improvement Project, 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:**

The proposed action is the approval of a proposed waiver of any potential conflict of interest that might arise from Remy's environmental review services for the Wilmington Project and consent to the firm's continued representation of the Harbor Department on various CEQA matters, to include the Berths 148-151 (Phillips 66) Marine Oil Terminal and Wharf Improvement Project. Approval of the proposed resolution will not have a financial impact on the Harbor Department.

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**CITY ATTORNEY:**

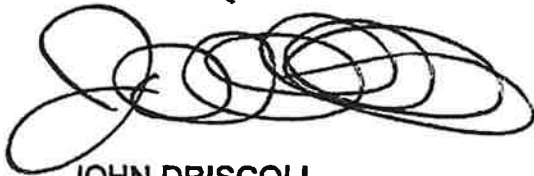
The Office has reviewed Remy's request for waiver of potential conflict of interest and finds the Board can make the decision to waive potential conflicts of interest for the firm's proposed environmental review services for the Wilmington Project, while continuing to represent the Harbor Department on various CEQA matters, to include the Berths 148-151 (Phillips 66) Marine Oil Terminal and Wharf Improvement Project

**TRANSMITTAL:**

1 Conflict Waiver Request

FIS Approval: 

CA Approval: 



JOHN DRISCOLL  
Deputy City Attorney

APPROVED:

By   
STEVEN OTERA  
General Counsel, Harbor Department

APPROVED:

By  for  
EUGENE D. SEROKA  
Executive Director