



**THE PORT  
OF LOS ANGELES**

Executive Director's  
Report to the  
Board of Harbor Commissioners

**DATE: NOVEMBER 9, 2011**

**FROM: WHARFINGER**

**SUBJECT: ORDER NO. \_\_\_\_\_ AUTHORIZE DISPOSAL OF ABANDONED  
FISHING VESSEL, SOKAM**

**SUMMARY:**

The City of Los Angeles Harbor Department (Harbor Department) is requesting that the Board of Harbor Commissioners (Board) declare the vessel SOKAM, Official No. 299-047 abandoned, and allow the Harbor Department to dispose of the vessel. The SOKAM is a 40-foot wood fishing vessel built in 1964 and powered by a single diesel engine. The sole owner of the vessel, SOKAM, Mr. Ken Makos, died on November 9, 2009. Wharfinger staff has been in contact with the owner's family members since his death and on September 28, 2011, received written consent from Mr. Makos' sister agreeing to the vessel being declared abandoned by the Harbor Department and destroyed.

The vessel is not seaworthy and has been removed from the water. The vessel started taking on water while docked at Fish Harbor, Berth 268, and was in danger of sinking. Therefore, for safety and to prevent the creation of a navigational hazard, the Harbor Department removed the boat from the water and onto Construction and Maintenance's deck barge on September 1, 2011 for storage.

**RECOMMENDATION:**

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

1. Find and declare the abandonment of the fishing vessel, SOKAM (Official Number 299-047), pursuant to Port of Los Angeles Tariff No. 4, Item No. 1670;
2. Authorize the sale or destruction and disposal of the vessel upon the expiration of the prescribed 10-day notification period; and
3. Adopt Order No. \_\_\_\_\_.

**DATE: NOVEMBER 9, 2011**

**PAGE 2 OF 4**

**SUBJECT: AUTHORIZE DISPOSAL OF ABANDONED FISHING VESSEL**

**DISCUSSION:**

In June 1996, the Harbor Department issued a dockage permit to Ken Makos for the fishing vessel SOKAM. Public records indicate that Mr. Makos died in November 2009. The last billing for moorage for the vessel was processed by the Wharfinger Division in December 2009. The vessel has remained abandoned and unclaimed for almost two years.

The Harbor Department is requesting Board action declaring the vessel SOKAM, Official No. 299-047, abandoned which will allow the Harbor Department to dispose of the vessel (Transmittal 1). Several attempts have been made by Wharfinger Division to determine if Mr. Makos' family members were willing to claim interest in the vessel. Wharfinger Division was in contact with Mr. Makos' sisters Jeannie and Ellen Makos and brother Scott Makos regarding possibly transferring ownership of the vessel. All three family members were unable to complete transfer of ownership or go through the probate process.

The following is a chronology confirming that Mr. Ken Makos' family is no longer claiming an interest in SOKAM. On August 27, 2010, Ellen Makos sent a letter to the Wharfinger Office indicating that she no longer wants any involvement with the vessel and to remove her name and address as a contact. On September 2010, Scott Makos was diagnosed with cancer and has recently passed away. On September 28, 2011, Jeannie Makos signed a statement indicating that neither she nor the estate of Ken Makos claims any interest in the fishing vessel SOKAM (Transmittal 2). The statement also indicates that she is not aware of any other person that claims an ownership interest in SOKAM. She further states that she has no objection to the vessel being declared abandoned by the Harbor Department and understands that such a declaration will result in the vessel being destroyed.

An Abstract of Title produced by the United States Coast Guard's National Vessel Documentation Center reflects Mr. Makos as the sole owner of the vessel. The Certificate of Ownership expired on March 31, 2010.

Port of Los Angeles Tariff No. 4, Item No. 1670, allows the Board of Harbor Commissioners to declare a vessel abandoned if it is "in an unseaworthy or dilapidated condition upon tide and submerged lands in the Harbor District for a period of longer than 30 days without a watchman or other persons being maintained upon or near and

**DATE: NOVEMBER 9, 2011**

**PAGE 3 OF 4**

**SUBJECT: AUTHORIZE DISPOSAL OF ABANDONED FISHING VESSEL**

in charge of such property, and without the consent of the Board expressed by resolution." The facts supporting the abandonment include the failure of the estate to contact the Harbor Department, the lack of care and maintenance to the vessel, the extended length of time the vessel has remained unattended and without authority to moor in the harbor, and the disinterest shown by Mr. Makos' family. If the Board takes no action and the vessel were to remain abandoned in Fish Harbor and subsequently sink, the estimated cost to raise and abate could exceed \$50,000.

Upon Board approval and Order, Harbor Department staff will destroy and dispose of vessel properly.

**ENVIRONMENTAL ASSESSMENT:**

The proposed action is adoption of an Order declaring the fishing vessel SOKAM abandoned and authorizing the sale or destruction and disposal of the vessel. The vessel will be disposed of in accordance with the Vessel Disposal Program which is a part of the Responsible Marina Program. As an activity involving the maintenance of an existing marina, the Director of Environmental Management has determined that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with Article III Class 1(3) of the Los Angeles City CEQA Guidelines.

**ECONOMIC BENEFITS:**

This Board action will have no employment effect.

**FINANCIAL IMPACT:**

The abandoned fishing boat is not expected to have any salvage value due to its current condition and therefore is not expected to be saleable in the marketplace; however this Board report serves as public notice that the abandoned boat is for sale should an interested party appear. Absent a sale, existing Port Construction & Maintenance (C&M) staff will dispose of the boat using existing budgeted resources estimated at a cost of \$13,000. There is not expected to be any additional C&M staff costs associated with the disposal than what has already been approved in the current FY 2011/2012 budget.

DATE: NOVEMBER 9, 2011

PAGE 4 OF 4

SUBJECT: AUTHORIZE DISPOSAL OF ABANDONED FISHING VESSEL

CITY ATTORNEY:

The proposed Order declaring the vessel abandoned was approved as to form and legality by the Office of the City Attorney.

TRANSMITTALS:

1. Board Order
2. Written consent from Jeannie Makos

FIS Approval: edj (initials)

CA Approval: IM (initials)



DIANE BOSKOVICH  
Chief Wharfinger



JOHN HOLMES  
Deputy Executive Director

APPROVED:



GERALDINE KNATZ, Ph.D.  
Executive Director

JH:DB:my  
Author: M. Yamamoto