

**AGENDA OF THE SPECIAL MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 1
THURSDAY, AUGUST 21, 2008, AT 11:00 A.M., OR
AS SOON THEREAFTER AS THE COMMISSION
RECESSES ITS REGULAR MEETING
BANNING'S LANDING COMMUNITY CENTER
100 E. WATER STREET
WILMINGTON, CA 90744**

NOTICE

**SUBJECT: SPECIAL MEETING OF THE LOS ANGELES BOARD OF
HARBOR COMMISSIONERS – THURSDAY, AUGUST 21,
2008, AT 11:00 A.M. OR AS SOON THEREAFTER AS THE
COMMISSION RECESSES ITS REGULAR MEETING –
BANNING'S LANDING COMMUNITY CENTER, 100 E. WATER
STREET, WILMINGTON, CA**

**The Los Angeles Board of Harbor Commissioners has called for a
special meeting to be held on:**

***Thursday, August 21, 2008, at 11:00 a.m. or as soon
thereafter as the Commission recesses its regular
meeting
Banning's Landing Community Center
100 E. Water Street
Wilmington, CA 90744***

**The attached agenda specifies the business to be conducted at the
special meetings. NO OTHER BUSINESS WILL BE CONSIDERED.**

**ROSE M. DWORSHAK
Commission Secretary**

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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.

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B. COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

C. REPORTS OF THE EXECUTIVE DIRECTOR

Operations Bureau

- 1. Re: ORDER NO. _____ - CLEAN AIR ACTION PLAN –
CLEAN TRUCK PROGRAM – 2007 COMPLIANT TRUCK
INCENTIVE PROGRAM**

SUMMARY: The proposed action recommends that the Board of Harbor Commissioners approve additions to the Clean Truck Program and Tariff approved by the Board on March 12, 2008. These recommended changes are based on feedback from Licensed Motor Carriers and analysis by the Finance and Administrative Bureau. The additions are recommended as a cost effective means to accelerate the emission reductions identified in the Clean Truck Program and encourage USEPA 2007 compliant trucks to more quickly enter the Port drayage market. This will be accomplished by adding components to the existing funding program to promote early transition to USEPA 2007 compliant trucks, and by encouraging logistical efficiencies to make it possible to reduce the number of trucks currently needed in the system. The Amendment to Port of Los Angeles Tariff No. 4, Section 20 is being recommended in order to authorize the use of Clean Truck Program Funds for these new funding program options.

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1. (Continued)

Recommendation: Board resolve that (1) the establishment of two new incentives, (a) Compliance Incentive for Early Commitment of Privately Funded USEPA 2007 Compliant Trucks; and (b) Efficiency Incentive for Efficient Use of Privately Funded USEPA 2007 Compliant Trucks; (2) the Amendment to Tariff No. 4, Section 20, item number 2035, be approved subject to California Association of Port Authority (CAPA) review and approval, and the Executive Director be authorized to work with CAPA to secure this approval or proceed to take independent action in accordance with CAPA procedure; (3) the Order to amend item 2035 in Section 20, Clean Air Action Plan – General Rules and Regulations, of the Port of Los Angeles Tariff No. 4 be adopted; (4) the Board Secretary be authorized to certify to the adoption of the 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 Charter Section 653(b); (5) the Board Secretary be directed to transmit to the City Council for approval the Order and Ordinance approving and authorizing the Amendment to Tariff No. 4 pursuant to City Charter 653(a); and (6) the Board Secretary be authorized to execute the proposed Board Order and Ordinance amending Tariff No. 4, and upon its publication, transmit the Order and Ordinance to the Chief Wharfinger for implementation to the tariff change and posting the amended Tariff No. 4 to the Port's website as regulated by the Federal Maritime Commission.

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Clean Truck Program

2. Re: ORDER NO. _____ - AMENDING PORT OF LOS ANGELES TARIFF NO. 4, SECTION 20 – GENERAL RULES AND REGULATIONS – DRAYAGE TRUCKS

SUMMARY: The proposed action involves a series of amendments to the existing Port Tariff Number 4, to modify requirements with respect to: (i) the treatment of certain pilot program alternative fuel vehicles under the Port's truck replacement program, (ii) clarification of the pre-1989 truck ban requirements regarding the banning of truck model year versus engine model year; (iii) establishment of a day pass program for long haul truckers that are infrequent visitors to the Ports; (iv) changing the language in the Drayage Truck Registry to require that trucks be entered "prior to the time of entry" as opposed to 31 days in advance; (v) recommending an extension of enforcement of the truck ban that starts on October 1, 2008 for operators of trucks that have submitted early Port grant applications or have confirmed privately funded truck sales orders; (vi) correcting the amount of the application fee from \$2,000 to \$2,500 as previously approved by the Board of Harbor Commissioners, changing the nomenclature for such fee from Application Fee to Concession Fee; (vii) providing notice that the concession application and agreement are available at the Port and on the Port's website; and (viii) modifying the definition of Licensed Motor Carrier to allow operation under a United States Department of Transportation issued MX number along with USDOT number.

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2. (Continued)

Recommendation: Board resolve that (1) the Amendment to Tariff No. 4, Section 20, item number 2000, 2010, 2020, 2025, 2030, 2035, 2040 and 2050, be approved subject to the California Association of Port Authority (CAPA) review and approval, and the Executive Director be authorized to work with CAPA to secure this approval or proceed to take independent action in accordance with CAPA procedure; (2) the Order to amend items 2000, 2010, 2020, 2025, 2030, 2035, 2040 and 2050 in Section 20, Clean Air Action Plan – General Rules and Regulations, of the Port of Los Angeles Tariff No. 4 be adopted; (3) the Board Secretary be authorized to certify to the adoption of the 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 Charter Section 653(b); (4) the Board Secretary be directed to transmit to the City Council for approval the Order and Ordinance approving and authorizing the Amendment to Tariff No. 4 pursuant to City Charter 653(a); and (5) the Board Secretary be authorized to execute the proposed Board Order and Ordinance amending Tariff No. 4, and upon its publication, transmit the Order and Ordinance to the Chief Wharfinger for implementation of the tariff change and posting the amended Tariff No. 4 to the Port's website as regulated by the Federal Maritime Commission.

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3. Re: RESOLUTION NO. _____ - AGREEMENT WITH
EMODAL.COM FOR INFORMATION TECHNOLOGY
PRODUCTS AND SERVICES FOR THE CLEAN TRUCK
PROGRAM

SUMMARY: The proposed action recommends that the Board of Harbor Commissioners approve a shared contract with the Port of Long Beach for eModal to conduct the initial development of the electronic Drayage Truck Registry (DTR). The contract period will be six months with additional extensions possible if the DTR has not been transitioned to the concession administrator during the initial contract period.

Recommendation: Resolve that (1) the Board find that in accordance with the City Charter Section 1022, work under the subject Agreement can be performed more feasibly by an independent consultant than by City employees; (2) the Agreement with eModal.com for an initial term of 180 calendar days, with an option for renewal, not-to-exceed one and one-half (1½) calendar years, from the end of the initial term, and a not-to-exceed amount of \$1,083,400 to be equally shared with the Port of Long Beach. As a shared contract, the maximum cost to the Port of Los Angeles for the initial period and extensions is \$541,700 (Transmittal 1) be approved; (3) the Executive Director and the Board Secretary be authorized to execute and attest to said Agreement for and on behalf of the Board; and (4) Resolution No. _____ be adopted.