

**REVISED**  
**AGENDA OF THE SPECIAL MEETING OF THE**  
**LOS ANGELES BOARD OF HARBOR COMMISSIONERS 1**  
**THURSDAY, OCTOBER 15, AT 8:30 A.M.**  
**PORT OF LOS ANGELES ADMINISTRATION BUILDING**  
**425 S. PALOS VERDES STREET**  
**SAN PEDRO, CA 90731**

**BOARD OF HARBOR COMMISSIONERS**  
**President Cindy Miscikowski**  
**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. EXECUTIVE DIRECTOR REMARKS

D. REPORTS OF COMMISSIONERS

Discussion of the 2010 Board of Harbor Commissioner's Meeting Calendar.

E. BOARD COMMITTEE REPORTS

F. SPECIAL ORDER OF THE DAY

Public Hearing

- 1a. Public Hearing to receive comments pursuant to the California Coastal Act of 1976, as amended, and the Port of Los Angeles' certified Port Master Plan; and to approve a Coastal Development Permit for the Main Channel Deepening Project.

G. REPORTS OF THE EXECUTIVE DIRECTOR

Regular Item

Planning and Research

- 1b. Re: RESOLUTION NO. \_\_\_\_\_ - FOR THE ISSUANCE OF COASTAL DEVELOPMENT PERMIT NO. 09-04, A LEVEL III PERMIT, FOR THE COMPLETION OF THE MAIN CHANNEL DEEPENING PROJECT

*SUMMARY: The Los Angeles Harbor Department (Harbor Department) proposes to complete the Main Channel Deepening Project (MCD Project), which includes dredging at various locations and disposing of approximately 3 million cubic yards (cy) of material*

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1b. (Continued)

*at disposal sites within the Port of Los Angeles (Port). Staff recommends the Board of Harbor Commissioners (Board) approve Coastal Development Permit (CDP) No. 09-04, a Level III, non-appealable permit for the proposed project.*

**Recommendation:** Board resolve to (1) hold a public hearing for the proposed CDP No. 09-04; (2) find that the proposed project is consistent with the Port Master Plan and the California Coastal Act of 1976, as amended; (3) upon closure of the public hearing, resolve to approve CDP No. 09-04, a Level III, non-appealable permit, completing the MCD Project; and (4) adopt Resolution No. \_\_\_\_\_.

## **Consent Items (2- 7)**

### **Clean Truck Program**

2. Re: RESOLUTION NO. \_\_\_\_\_ - ALTERNATIVE FUEL TRUCK PROGRAM: MEMORANDUM OF AGREEMENT AND COST SHARE AGREEMENT AMONG THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT AND THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND THE PORT OF LONG BEACH

***SUMMARY:*** *The requested action is for the Board of Harbor Commissioners (Board) to approve a Memorandum of Agreement (MOA) among the South Coast Air Quality Management District (AQMD), the City of Los Angeles Harbor Department (Harbor Department) and the Port of Long Beach (POLB) that sets forth terms and conditions for the two ports to contribute \$595,000 (\$297,500 from each port) to the AQMD in support of the AQMD's Clean Fuels Program. The AQMD's Clean Fuels Program supports the development and deployment of low emissions technologies in Southern California, including the development of infrastructure to produce and distribute clean fuels such as compressed natural gas (CNG) and liquefied natural gas (LNG). AQMD, through its Clean Fuels Program, has selected the California Cartage Company (Cal Cartage) to operate two fueling facilities for a minimum 5 year period on private property in the San Pedro Bay Port area. Cal Cartage is a concessionaire at the Port of Los Angeles (Port), and currently operates the largest CNG/LNG fleet of the licensed motor carriers (LMCs) operating at the Port. The proposed Harbor Department*

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2. (Continued)

*contribution would be added to existing AQMD Clean Fuels Program funds and used to support construction of the new CNG/LNG fueling stations under a contract between AQMD and Cal Cartage. AQMD's effort to develop infrastructure to produce and distribute clean fuels is consistent with the Harbor Department's overall goal to help encourage the use of alternative fueled vehicles for heavy duty industrial operations in the Port. Since the new fueling stations are expected to be used by the up to 450 LNG trucks recently funded by the Harbor Department, POLB and the AQMD under a joint Prop 1B program solicitation, the Harbor Department would receive a benefit from this contribution to the AQMD Clean Fuels Program. Staff therefore recommends approval of this action.*

**Recommendation:** Board resolve to (1) approve a MOA among the AQMD, POLB, and Harbor Department that sets forth the terms and conditions of the parties' funding and administrative obligations in connection with contribution to the AQMD's Clean Fuels Program (Transmittal 1); (2) authorize the expenditure of \$297,500 in FY 2009-2010 for contribution to the AQMD's Clean Fuels Infrastructure Program; and (3) adopt Resolution No. 09-\_\_\_\_\_.

3. Re: RESOLUTION NO. \_\_\_\_\_ - APPROVAL OF AN  
AGREEMENT WITH TETRA TECH FOR OPERATION OF  
THE JOINT PORT OF LOS ANGELES AND PORT OF  
LONG BEACH DRAYAGE TRUCK REGISTRY

**SUMMARY:** *This action recommends approval of an Agreement with Tetra Tech, Inc. (Tetra Tech), located in Pasadena, California, to provide software application maintenance, and telephonic and electronic customer support for the permanent Drayage Truck Registry (PDTR) services related to the Clean Truck Program (CTP) on behalf of the City of Los Angeles Harbor Department (Harbor Department) and the Port of Long Beach (POLB). The proposed contract also contains an optional merchant account service that would allow for collection and transmission of Concession fees to the two Ports, if Concession Fee collection is restored once the ATA lawsuit against the two Ports is resolved. Tetra Tech, the firm that is currently under contract to the Harbor Department and POLB to provide CTP Concession and Grant Administrative services, has partnered with subcontractors Natoma Technologies, Inc., (IT developer of the PDTR) and Trinium Technologies (existing operator*

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3. (Continued)

*of the CTP Day Pass System) to comprise a team to provide these services for the new PDTR. Based on the selection process and review, staff recommends that the Board of Harbor Commissioners (Board) approve the proposed Agreement with Tetra Tech. The Agreement is a three-party contract among Tetra Tech, POLB, and the Harbor Department for an amount not to exceed \$757,976 (to be equally shared between the Harbor Department and POLB) for a three (3) year term (Harbor Department share = \$126,329/yr x 3 or \$378,988). This cost includes a 5 percent contingency.*

**Recommendation:** Board resolve to (1) find that in accordance with City Charter Section 1022, work under the subject Agreement can be performed more economically or feasibly by an independent contractor than by City employees; (2) approve the Agreement (Transmittal 1), as to substantial form, with Tetra Tech, Inc. as the operator of the PDTR at an amount not to exceed \$757,976 (to be equally shared between the Harbor Department and POLB) for a three (3) year term (Harbor Department share = \$126,329/yr x 3 or \$378,988); (3) authorize the Executive Director to finalize the Exhibits to the Agreement, including revisions to the Scope of Work as may be necessary to maintain the smooth functioning of the program as well as establish administrative procedures, accounts and processes to carry-out the program; (4) authorize the Executive Director to execute and the Board Secretary to attest to the Agreement for and on behalf of the Board; and (5) adopt Resolution No. \_\_\_\_\_.

**Goods Movement**

4. Re: THIRD TEMPORARY ORDER NO. \_\_\_\_\_  
AMENDING PORT OF LOS ANGELES TARIFF NO. 4,  
SECTION 21, ITEM NO. 2105, INFRASTRUCTURE  
CARGO FEE

***SUMMARY:*** *On July 16, 2009, the Board of Harbor Commissioners (Board) approved a second temporary Order amending Port of Los Angeles Tariff No. 4, Section 21, Item No. 2105 (Transmittal 2), to amend the date of Infrastructure Cargo Fee (ICF) collection to commence on July 1, 2010, at an amount to be determined by March 31, 2010, at the latest. The second temporary Order will expire on November 4, 2009.*

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*A third temporary Order (Transmittal 1) is being proposed to allow additional time for the permanent Order to pass through the Los Angeles City Council (City Council) approval process. The permanent Order will go to City Council on October 14, 2009, and is expected to become effective on November 24, 2009.*

**Recommendation:** Board resolve to (1) adopt the temporary Order to amend the Port of Los Angeles Tariff No, 4, Section 21, Item No. 2105; and (2) authorize the Board Secretary 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).

**Marketing**

5. Re: RESOLUTION NO. \_\_\_\_\_ - ALTERNATIVE  
MARITIME POWER ELECTRICAL POWER SERVICE  
INTERRUPTION AGREEMENT BETWEEN THE CITY OF  
LOS ANGELES DEPARTMENT OF WATER AND POWER  
AND THE LOS ANGELES HARBOR DEPARTMENT

*SUMMARY: Alternative Maritime Power (AMP) allows vessels to be powered by shore-supplied electrical power while at berth. The Los Angeles Board of Harbor Commissioners (Board) established a special low-cost AMP rate through the Los Angeles Department of Water and Power (LADWP). A reduced electrical rate for AMP services was established on the condition that LADWP be able to interrupt the electrical power service when needed. For the AMP rate to apply, LADWP requires the Los Angeles Harbor Department (Harbor Department) to purchase and install equipment enabling LADWP to remotely interrupt the AMP service.*

*In February 2009, it was determined that LADWP Industrial Stations (IS) serving Port of Los Angeles (Port) container terminal AMP installations, did not have equipment installed enabling the remote interruption of AMP service. In order for LADWP to apply the AMP rate, the Harbor Department, prior to installing the remote interruption equipment, would agree to perform the interruption of AMP service based on a telephone call notification from LADWP.*

**Recommendation:** Board resolve to (1) approve the proposed LADWP Electrical Power Service Interruption Agreement for vessels

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connected to shore power at AMP berths; (2) authorize the Executive Director or designee to act as the authorized representative for the purpose of adding AMP facilities to the Electrical Power Service Interruption Agreement, as required; (3) instruct the Board Secretary to transmit the Board Report and Agreement to the Department of Water and Power Board for approval, and; (4) authorize the Executive Director to execute and Board Secretary to attest to the LADWP Electrical Power Service Interruption Agreement for and on behalf of the Board; and (5) adopt Resolution No.\_\_\_\_\_.

Engineering

6. Re: RESOLUTION NO. \_\_\_\_\_ PERSONAL SERVICES AGREEMENTS FOR ON-CALL CIVIL ENGINEERING DESIGN CONSULTING SERVICES WITH THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND CH2M HILL, INC., DEAN RYAN CONSULTANTS & DESIGNERS, INC., HARRIS & ASSOCIATES, HUITT-ZOLLARS, INC., AND VCA ENGINEERS, INC.

*SUMMARY: The subject five Agreements with the City of Los Angeles Harbor Department and CH2M Hill, Inc. – Los Angeles, California; Dean Ryan Consultants & Designers, Inc. – Los Angeles, California; Harris & Associates – Irvine, California; Huitt-Zollars, Inc. – Westlake Village, California; and VCA Engineers, Inc. – Los Angeles, California (Consultants) will provide on-call, as-needed civil engineering design support services. This action will authorize five professional services Agreements (CH2M Hill, Inc., Dean Ryan Consultants & Designers, Inc., Harris & Associates, Huitt-Zollars, Inc., and VCA Engineers, Inc.) for three-year terms in the amount of \$750,000 each, for a total of \$3,750,000.*

Recommendation: Board resolve to (1) find that in accordance with the City Charter Section 1022, work under the subject Agreements is temporary in nature and can be performed more feasibly by independent consultants rather than by City employees; (2) approve the five subject three-year Agreements with CH2M Hill, Inc., Dean Ryan Consultants & Designers, Inc., Harris & Associates, Huitt-Zollars, Inc., and VCA Engineers, Inc.; for a total amount not-to-exceed \$3,750,000 (not-to-exceed amount of \$750,000 for each Agreement) and approve the aforementioned not-to-exceed expenditures as needed; (3) authorize the Executive Director to

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execute and the Board Secretary to attest to said Agreements for and on behalf of the Board; and (4) adopt Resolution No. \_\_\_\_\_.

7. Re: RESOLUTION NO. \_\_\_\_\_ PERSONAL SERVICES AGREEMENT FOR ON-CALL ARCHITECTURAL AND BUILDING SUPPORT DESIGN SERVICES WITH THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND ANIL VERMA ASSOCIATES, INC., MVE INSTITUTIONAL, INC., TETRA DESIGN, INC., AND TFO ARCHITECTURE, INC.

*SUMMARY: The subject four Agreements with the City of Los Angeles Harbor Department, and Anil Verma Associates, Inc. – Los Angeles, California; MVE Institutional, Inc. – Irvine, California; Tetra Design, Inc. – Los Angeles, California; and TFO Architecture, Inc. – Los Angeles, California will provide on-call, as-needed architectural and building support design services. This action will authorize four professional services Agreements with Anil Verma Associates, Inc., MVE Institutional, Inc., Tetra Design, Inc., and TFO Architecture, Inc. (Consultants) for three-year terms in the amount of \$750,000 each, for a total of \$3,000,000.*

Recommendation: Board resolve to (1) find that in accordance with the City Charter Section 1022, work under the four subject Agreements is temporary in nature and can be performed more feasibly by independent consultants rather than by City employees; (2) approve the four subject three-year Agreements with Anil Verma Associates, Inc.; MVE Institutional, Inc.; Tetra Design, Inc., and TFO Architecture, Inc. for a total amount not-to-exceed \$3,000,000 (not-to-exceed amount of \$750,000 for each Agreement) and approve the aforementioned not-to-exceed expenditures as needed; (3) authorize the Executive Director to execute and the Board Secretary to attest to said Agreements for and on behalf of the Board; and (4) adopt Resolution No. \_\_\_\_\_.

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**Regular Items (8-14)**

**Commission Office**

8. Re: RESOLUTION NO. \_\_\_\_\_ - APPOINTMENT OF  
PRESIDENT CINDY MISCIKOWSKI TO GOVERNING  
BOARD OF THE ICTF JOINT POWERS AUTHORITY  
*SUMMARY: On May 3, 2007, the Board of Harbor Commissioners appointed S. David Freeman as a member of the Governing Board of the ICTF for a term ending May 2, 2012. This resolution removes S. David Freeman, who resigned his position as a member of the Board of Harbor Commissioners and appoints President Cindy Miscikowski as a member of the Governing Board of the ICTF.*  
**Recommendation:** Adoption of the subject Resolution.

9. Re: RESOLUTION NO. \_\_\_\_\_ - APPOINTMENT OF  
PRESIDENT CINDY MISCIKOWSKI TO THE AUDIT  
COMMITTEE OF THE LOS ANGELES BOARD OF  
HARBOR COMMISSIONERS  
*SUMMARY: On September 28, 2005, the Board of Harbor Commissioners appointed S. David Freeman to the Audit Committee. This resolution removes S. David Freeman, who resigned his position as a member of the Board of Harbor Commissioners and appoints President Cindy Miscikowski to the Audit Committee of the Board of Harbor Commissioners.*  
**Recommendation:** Adoption of the subject Resolution.

**Environmental**

10. Re: RESOLUTION NO. \_\_\_\_\_ - FUNDING OF THE  
PORT COMMUNITY MITIGATION TRUST FUND FOR  
CHINA SHIPPING PROJECT  
*SUMMARY: On April 2, 2008, the Board of Harbor Commissioners (Board) approved a Memorandum of Understanding (MOU) between the City of Los Angeles (City) and the Appellants of the TraPac Environmental Impact Report. The MOU provided for the establishment of the Community Mitigation Trust Fund (Trust Fund) to be funded upon construction of specified Port development projects. The Trust Fund is invested by City of Los Angeles Treasury pending further discussions with the Appellants and restricted in use to the purposes specified in the MOU. With approval of construction of the China Shipping Terminal, staff now*

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*recommends transfer of \$4,017,300 from the Harbor Revenue Fund into the Trust Fund in accordance with the MOU. Upon deposit of the China Shipping Project funds, the Trust Fund will have a balance of \$15,257,300.*

**Recommendation:** Board resolves to (1) authorize the transfer of \$4,017,300 from the Harbor Revenue Fund to the “Community Mitigation Trust Fund”; (2) adopt Resolution No. \_\_\_\_\_ transferring the \$4,017,300; and (3) direct the Board Secretary to transmit the Resolution to the Mayor for approval pursuant to Section 343(b) of the City Charter.

11. Re: RESOLUTION NO. \_\_\_\_\_ - CHINA SHIPPING  
PORT COMMUNITY AESTHETIC MITIGATION PROJECT  
– AGREEMENT WITH THE DEPARTMENT OF  
RECREATION AND PARKS TO FUND THE PLAZA PARK  
REDEVELOPMENT PROJECT

***SUMMARY:*** *On December 18, 2008, the Board of Harbor Commissioners (Board) authorized the Executive Director to negotiate an agreement to fund the Plaza Park Redevelopment project in an amount not-to-exceed \$5,000,000. Plaza Park is located in San Pedro between Seventh and Sixteenth Streets and Beacon Street and Harbor Boulevard. The City of Los Angeles Department of Recreation and Parks (Department of Recreation and Parks) will be responsible for completing the design, construction, and maintenance of the project. It is recommended that the Board approve the agreement to fund the Plaza Park Redevelopment Project between the Department of Recreation and Parks and the City of Los Angeles Harbor Department (Harbor Department) in an amount not-to-exceed \$5,000,000 for a term of three years.*

**Recommendation:** Board resolve to (1) approve the Agreement with the Department of Recreation and Parks substantially as to the form attached hereto in an amount not-to-exceed \$5,000,000 for a term of three years; (2) authorize the Executive Director and the Board Secretary to execute and attest to said Agreement, for and on behalf of the Board; (3) instruct the Board Secretary to transmit the Board Report and Agreement to the Department of Recreation and Parks Board for approval at which time the Department of Recreation and Parks will forward the Agreement to City Council for action; and (4) adopt Resolution No. \_\_\_\_\_.

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12. Re: RESOLUTION NO. \_\_\_\_\_ - CHINA SHIPPING  
PORT COMMUNITY AESTHETIC MITIGATION PROJECT  
– AGREEMENT TO FUND THE YMCA AQUATICS  
CENTER AND RELATED PROGRAMS

***SUMMARY:*** *On February 21, 2008, the Board of Harbor Commissioners (Board) approved the YMCA Aquatics Center and Related Programs project and allocated China Shipping Community Aesthetic Mitigation funding for this project. It is now recommended that the Board approve the agreements necessary to fund the Wilmington YMCA Aquatics Center and Related Programs in an amount not-to-exceed \$2,723,762 for a term of three years.*

***Recommendation:*** Board resolve to (1) approve the Agreement with the YMCA substantially as to the form attached hereto in an amount not-to-exceed \$2,723,762 for a term of three years; (2) authorize the Executive Director and the Board Secretary to execute and attest to said Agreement, for and on behalf of the Board; (3) approve the Escrow Agreement substantially as to the form attached hereto to release payments to the YMCA as identified in Section V.D. (page 4) of the subject agreement; (4) authorize the Executive Director and the Board Secretary to execute and attest to said Escrow Agreement, for and on behalf of the Board; (5) approve the transfer of \$2,723,762 to Escrow Agent as required in the Escrow Agreement; and (6) adopt Resolution No. \_\_\_\_\_.

Government Affairs

13. Re: RESOLUTION NO. \_\_\_\_\_ - THIRD AMENDMENT TO  
AGREEMENT NO. E6505 WITH THE GEPHARDT GROUP  
FOR FEDERAL GOVERNMENT ADVOCACY SERVICES

***SUMMARY:*** *This action recommends approval of a Third Amendment to Agreement No. E6505 with The Gephardt Group (TGG), of Washington, DC. Agreement No. E6505 was approved by the Executive Director on May 27, 2009, with an initial expiration date of October 26, 2009. A First Amendment clarifying the timing of compensation was approved by the Executive Director on July 15, 2009, and a Second Amendment extending the term of the Agreement was approved by the Executive Director on September 30, 2009, extending the term three months to January 26, 2010. The current Agreement is for \$150,000. Total compensation paid under the current contract as of September 30, 2009 was \$145,500, leaving \$4,500 in remaining expenditure authority. The current contract was awarded as a sole source due to the time constraints to implement*

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*the legislative action necessary to ensure that the City of Los Angeles Harbor Department (Harbor Department) was well represented in development of language for bills pending in Congress that could potentially affect the Clean Truck Program (CTP). These bills are still pending, and the need for enhanced federal advocacy remains urgent for the foreseeable future. Government Affairs will soon be conducting a competitive selection process for comprehensive federal lobbying services, which could potentially include any work related to the CTP; but, due to the time required for the competitive selection process, we will not be able to conclude the process until early 2010. TGG remains the best firm to continue current efforts because of their policy experience and knowledge of the Harbor Department and its urgent issue related to the CTP. The proposed Third Amendment reduces the monthly compensation by \$8,500 and increases the total contract compensation by \$55,500 for a not-to exceed amount of \$205,500 without changing the term of the Agreement.*

**Recommendation:** Board resolve to (1) Find that in accordance with the City Charter Section 1022, work under the subject Third Amendment can be performed more feasibly by independent consultants rather than by City employees; (2) Approve the Third Amendment to Agreement No. E6505 with The Gephardt Group to increase the total compensation amount by \$55,500 for a total amount not to exceed \$205,500; (3) authorize the Executive Director to execute, and the Board Secretary to attest to, the proposed Amendment; and (4) adopt Resolution No. \_\_\_\_\_.

**Executive Director**

14. Re: RESOLUTION NO. \_\_\_\_\_ - APPROVAL OF  
MEMORANDUM OF UNDERSTANDING BETWEEN  
HARBOR DEPARTMENT AND COUNCIL DISTRICT  
FIFTEEN FOR LIAISON STAFF SERVICES

***SUMMARY:*** *The proposed Memorandum of Understanding (“MOU”) between the City of Los Angeles Harbor Department (“Harbor Department”) and Council District Fifteen (CD15) provides for interdepartmental assistance and staff services by funding a dedicated liaison staff position. The intent of this MOU is to (i) bolster and foster communications between the Harbor Department and CD15; (ii) develop and strengthen its business relationship; and*

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*(iii) provide up-to-date information to and from CD15 on various and complex Harbor Department related matters. The term of the MOU is one year plus two one-year renewal options, for a total term of up to three years. The maximum compensation is \$100,000 per year for a total aggregate compensation amount not-to exceed \$300,000. Both the Harbor Department and CD15 retain the right to terminate and cancel this MOU upon giving a ten (10) day advance written notice. Nothing in this MOU guarantees a full three year term or use of all funds. Approval by the Los Angeles City Council ("City Council") authorizing CD15 to execute this MOU is subject to City Council consideration and further processing by CD15.*

**Recommendation:** Board resolve to (1) approve the MOU between the Harbor Department and CD15 for a period of one year plus two one-year renewal options, for a total term of up to three years, and a maximum compensation not-to-exceed amount of \$100,000 per year for a total aggregate compensation amount not-to exceed \$300,000; (2) authorize the Executive Director or designee to approve, at her discretion, up to two one year renewal options to extend the term of the MOU at each annual renewal period; (3) authorize the Executive Director to execute and the Board Secretary to attest to the MOU; (4) authorize and direct the Board Secretary to forward the MOU to CD15 for further processing; and (5) adopt Resolution No.\_\_\_\_\_.

H. CLOSED SESSION

1. Discussion of pending litigation entitled: American Trucking Associations, Inc. v. City of Los Angeles, et al., United States District Court Case No. 08-04920-CAS, and United States Court of Appeals for the Ninth Circuit Case No. 08-56503, pursuant to subdivision (a) of Section 54956.9 of the California Government Code.
2. Discussion of pending litigation entitled: City of Riverside v. City of Los Angeles, et al., Orange County Superior Court Case No. 30-2009-00123216, pursuant to subdivision (a) of Section 54956.9 of the California Government Code.
3. Discussion of pending litigation entitled: Jesse Marquez v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BS120716, pursuant to subdivision (a) of Section 54956.9 of the California Government Code.

**REVISED**  
**AGENDA OF THE SPECIAL MEETING OF THE**  
**LOS ANGELES BOARD OF HARBOR COMMISSIONERS 14**  
**THURSDAY, OCTOBER 15, AT 8:30 A.M.**  
**PORT OF LOS ANGELES ADMINISTRATION BUILDING**  
**425 S. PALOS VERDES STREET**  
**SAN PEDRO, CA 90731**

**(Closed Session Continued)**

- 4. Instructions to negotiators relating to lease negotiations with APM Terminals Pacific Ltd. concerning Permit No. 827, pursuant to Section 54956.8 of the California Government Code. Instructions to negotiators will concern price and terms of payment. The negotiator for APM Terminals Pacific Ltd. will be Alan McCorkle. The negotiator for the Port of Los Angeles will be Michael Galvin.**
  
- 5. Instructions to negotiators relating to lease negotiations with Royal Caribbean Cruises, Ltd. concerning Permit No. 842, pursuant to Section 54956.8 of the California Government Code. Instructions to negotiators will concern price and terms of payment. The negotiators for Royal Caribbean Cruises, Ltd. will be Dustin Nason and Juan Trescastro. The negotiator for the Port of Los Angeles will be Michael Galvin.**
  
- 6. Instructions to negotiators relating to lease negotiations with Princess Cruise Lines, Ltd. dba Princess Cruises concerning Permit No. 850, pursuant to Section 54956.8 of the California Government Code. Instructions to negotiators will concern price and terms of payment. The negotiators for Princess Cruise Lines, Ltd. dba Princess Cruises will be Dean Brown and Bruce Krumrine. The negotiator for the Port of Los Angeles will be Michael Galvin.**
  
- 7. Instructions to negotiators relating to lease negotiations with Port of Los Angeles High School concerning Permit No. 867, pursuant to Section 54956.8 of the California Government Code. Instructions to negotiators will concern price and terms of payment. The negotiator for the Port of Los Angeles High School will be Jim Cross. The negotiator for the Port of Los Angeles will be Michael Galvin.**