

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF
THE CITY OF LOS ANGELES AUTHORIZING THE EXECUTIVE
DIRECTOR TO APPROVE AND EXECUTE CONTRACTS ON BEHALF
OF THE LOS ANGELES HARBOR DEPARTMENT

WHEREAS, the City of Los Angeles (City) is a chartered city duly organized and existing under and pursuant to the provisions of the Constitution of the State of California and the Charter of the City (Charter); and

WHEREAS, the Los Angeles Harbor Department (Harbor Department) is a Proprietary Department of the City, established and provided for by the Charter, having control of its own revenues and funds and under the management and control of a Board of Harbor Commissioners (Board); and

WHEREAS, Section 651, subsection (a), of the Charter provides that the Board shall have possession, management, and control of all lands and waters known as the Harbor District and all harbor and port improvements, works, utilities, facilities, and watercraft owned, controlled, or operated by the Harbor Department known as the Harbor Assets; and

WHEREAS, Section 506, subsection (c), of the Charter provides that any action by the Board authorizing the approving of contracts which obligate the City for a longer period of time than as provided by ordinance, or which involve consideration reasonably valued in excess of such monetary limitation as provided by ordinance, shall be taken by the Board by order or resolution; and

WHEREAS, Section 604, subsection (c), of the Charter allows the Board to authorize the Executive Director to contract on behalf of the Harbor Department where the contract does not involve payment or receipt of money or consideration reasonably valued in excess of a monetary limit provided by ordinance; and

WHEREAS, Section 10.1.1., subsections (a) and (c), of the Los Angeles Administrative Code provides that the Board may authorize the Executive Director to approve and execute on behalf of the Harbor Department personal service contracts which do not obligate the City for a longer period of time than one year and contracts which are not personal service contracts and do not obligate the City for a longer period of time than three years, provided such contracts do not involve consideration reasonably valued in excess of One Hundred-Fifty Thousand Dollars (\$150,000) annually; and

WHEREAS, Resolution 13-7574 currently limits the authority of the Executive Director to approve and execute on behalf of the Harbor Department personal service contracts which do not obligate the City for a longer period of time than one year and do

not exceed One Hundred-Fifty Thousand Dollars (\$150,000) for any one project and only procurement contracts which do not obligate the City for a longer period of time than three years and do not exceed One Hundred-Fifty Thousand Dollars (\$150,000), as well as construction contract change orders which do not cumulatively exceed twenty-five percent (25%) of the contract amount, or a lesser percentage specified in the construction contract, so long as no individual change order exceeds One Hundred-Fifty Thousand Dollars (\$150,000); and

WHEREAS, consistency with applicable law and administrative efficiency would be improved by authorizing the Executive Director, or his designee, to approve and execute contracts on behalf of the Harbor Department to the full extent provided for under Los Angeles Administrative Code Section 10.1.1., subsections (a) and (c).

NOW, THEREFORE, BE IT RESOLVED by the Board of Harbor Commissioners of the City of Los Angeles, as follows:

1. The Executive Director of the Harbor Department, or his or her designee, is hereby authorized to approve and execute on behalf of the Harbor Department:

a. Personal service contracts which do not obligate the City for a longer period of time than one year and which do not involve consideration reasonably valued in excess of One Hundred-Fifty Thousand Dollars (\$150,000) annually; and

b. Contracts that are not for personal services which do not obligate the City for a longer period of time than three years and which do not involve consideration reasonably valued in excess of One Hundred-Fifty Thousand Dollars (\$150,000) annually.

2. Resolution No. 13-7574 is rescinded, no longer of any effect, and is superseded by this Resolution.

3. The authority delegated to the Executive Director of the Harbor Department under this Resolution shall not apply to any franchise, concession, permit, license, or lease within the meaning of Charter Sections 605 and 606.

4. Resolution Nos. 11-7230 and 11-7239, which authorize the use of the current Revocable Permit template and delegate authority to the Executive Director to approve and execute Revocable Permits that do not materially deviate from the current Revocable Permit template and are valued at or below or provide for compensation not to exceed One Hundred-Fifty Thousand Dollars (\$150,000) annually, are not rescinded and remain in full force and effect.

5. Resolution Nos. 17-8046 and 17-8047, which authorize the use of the current Temporary Entry and Use Permit (TEUP) template and delegate authority to the Executive Director to execute TEUPs that do not materially deviate from the current TEUP template, are valued at or below or provide for compensation not to exceed One Hundred-Fifty Thousand Dollars (\$150,000) annually, and are for a fixed term not to exceed sixty (60) days, are not rescinded and remain in full force and effect.

6. Resolution No. 20-9728, which authorizes the use of the Joint Revocable Permit and Master Joint Revocable Permit templates for jointly owned rail properties with the Port of Long Beach and delegates authority to the Executive Director to execute such permits where compensation is charged but does not exceed Fifty Thousand Dollars (\$50,000) annually, is not rescinded and remains in full force and effect.

7. Resolution No. 22-10064, which authorizes the use of the current Revocable License template and delegates authority to the Executive Director to execute Revocable Licenses that do not materially deviate from the current Revocable License template, are valued at or below or provide for compensation not to exceed One Hundred-Fifty Thousand Dollars (\$150,000) annually, and are for a fixed term not to exceed three hundred sixty-five (365) days, is not rescinded and remains in full force and effect.

I HEREBY CERTIFY THAT the foregoing Resolution was adopted by the Board of Harbor Commissioners of the City of Los Angeles at its meeting held on _____.

AMBER M. KLESGES
Board Secretary

APPROVED AS TO FORM AND LEGALITY

April 5, 2023
HYDÉE FELDSTEIN SOTO, City Attorney
STEVEN Y. OTERA, General Counsel

By Janet Karkanen
JANET KARKANEN, Deputy