



**SURVEY AND EVALUATION OF THE  
PORT COMMUNITY ADVISORY COMMITTEE  
PORT OF LOS ANGELES, CALIFORNIA  
SEPTEMBER 2006**



**U S C S E A G R A N T M A R I N E O U T R E A C H  
P R O G R A M**



**SURVEY AND EVALUATION OF THE  
PORT COMMUNITY ADVISORY COMMITTEE  
PORT OF LOS ANGELES, CALIFORNIA**

**SEPTEMBER 2006**

**Submitted to the:**

**PORT OF LOS ANGELES**

**James A. Fawcett, Ph.D.  
Sea Grant Program  
University of Southern California  
3616 Trousdale Parkway, Suite 209  
Los Angeles, CA 90089-0373**

**Published by the Sea Grant Program  
Wrigley Institute for Environmental Studies  
University of Southern California  
Los Angeles, California.**

**September 2006**

**Publication Number (USCSG-TR-04-2006)**

**University of Southern California  
Sea Grant Program  
3616 Trousdale Parkway, Room 209  
Los Angeles, CA 90089-0373  
213-740-1961  
[seagrant@usc.edu](mailto:seagrant@usc.edu)  
<http://www.usc.edu/go/seagrant>**

This study has been funded with support from the National Sea Grant College Program, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, under grant number NA 06OAR4170012. The views expressed herein do not necessarily reflect the views of NOAA or any of its sub-agencies. The U.S. Government is authorized to reproduce and distribute copies for governmental purposes.

© 2006 University of Southern California Sea Grant Program

## TABLE OF CONTENTS

Acknowledgements .....	4
Introduction to the study.....	5
Study Objectives.....	5
A Short History of the Port and its Relationship to the Community.....	6
Methodology .....	11
Findings.....	12
Analysis .....	25
Recommendations .....	33
Concluding Remarks .....	39

### APPENDICES

Appendix A, Introduction to The USC Sea Grant Program and its role in the study of the Port Community Advisory Committee.....	40
Appendix B, Interviewee Roster.....	41
Appendix C, The Survey Instrument.....	43
References.....	44

## ACKNOWLEDGEMENTS

Although acknowledgements are uncommon in technical studies, this study would not have been possible without the cooperation and support of a number of people whom I want to recognize. My USC colleagues, Dr. Linda Duguay and Phyllis Grifman were supportive of the work from the start and I have appreciated their input over the last nine months. At the harbor, more than 35 people were willing to come and talk with David Mathewson and me, each of them devoting at least an hour to our conversations. Even more laudable than a willingness to meet with us was their general ethos of cooperation and willingness to share insights about the PCAC. Without exception they talked openly about the current organization of the Port Community Advisory Committee, how it could be improved as well as those aspects of it that function well. Each had an aspiration for the organization that they were eager to discuss with us. As a researcher, I came away from the interviews impressed with the uniformity of thoughtful answers from the panel of interviewees. I also talked with Harbor Commissioners and was equally impressed with their generosity of spirit and willingness to be frank with me in their discussion of the PCAC. My interview partner, David Mathewson, Director of Planning and Environmental Affairs is the kind of professional that every public agency would aspire to have as one of its leaders. The results of this study would not have fared half so well without his wisdom and insight both in interviews and in other discussions. His secretary, Eileen Tankersley arranged all of the interviews and juggled multiple schedules with grace and skill throughout the process. Finally, I want to thank Geraldine Knatz who asked me to undertake this study almost nine months ago. She invited me to conduct the work, offered whatever support I needed and then allowed the work to proceed without further influence. It has been a pleasure to conduct this study in that environment.

## INTRODUCTION

Every organization has a life cycle. Ideas that were the genesis for the organization change over time, participants in the organization change, external conditions that brought it about change and styles of management that were perhaps salutary at one time in its life no longer serve the basic purpose of the enterprise. Moreover, the mission of the organization may have morphed into something that is quite different than what was anticipated in its formative days. So, too, is the Port Community Advisory Committee (PCAC) of the Port of Los Angeles subject to these virtually immutable laws of organizational behavior.

What follows is a management study of the mission, organization and administrative functioning of the PCAC after more than four years of operation. Dr. Geraldine Knatz, Executive Director of the Port of Los Angeles, commissioned the study. She requested an advisory report as she considers recommendations to the Board of Harbor Commissioners of the Port of Los Angeles on the future direction of the PCAC.

Dr. Knatz approached the Sea Grant Program of the University of Southern California to develop the analysis, specifically Dr. James Fawcett, the Marine Transportation and Seaports Specialist of the Sea Grant Program and an adjunct faculty member of the USC School of Policy, Planning and Development. Sea Grant is a marine science and policy research, education and outreach program sponsored by the National Oceanic and Atmospheric Administration (NOAA) and the work represented here is funded fully by USC's Sea Grant Program, not by the port.

The report is divided into eight sections: Introduction, Study Objectives, A Short History of the Port and its Relationship to the Community, Methodology, Findings, Analysis, Recommendations, and Conclusions. Three Appendices follow. Appendix A is an introduction to the USC Sea Grant Program, Appendix B is a roster of interviewees and Appendix C is the survey questionnaire.

## STUDY OBJECTIVES

Dr. Knatz set out the objectives for this study in a meeting with me on February 3, 2006. At that meeting, she was joined by Audrey Yamaki, Harbor Commission Secretary, Debra Babcock-Doherty, PCAC Administrative Assistant and Julie Wichmann Huerta, Executive Assistant to the Executive Director. The group provided background on the history of the PCAC, its mission and administration. At that time the following study objectives emerged as well as the more concrete study questions:

- Investigate the history and origins of the PCAC to understand the objectives of those who developed the idea for a community advisory committee
- Review the current structure of the PCAC by interviewing PCAC leadership.
- Interview members of the neighborhood councils, business leaders and other community leaders to develop an understanding of their experience in working on or with the PCAC
- Develop a set of findings based on those interviews

### Study Questions

- Is the PCAC an effective voice for the communities of San Pedro, Wilmington and Harbor City regarding port development and operations?
- Is the membership of the PCAC adequate to give the Board of Harbor Commissioners confidence that recommendations from the PCAC are representative of the wider communities of San Pedro, Harbor City and Wilmington?
- Does the structure of the PCAC facilitate expression of comprehensive and useful views of port-community relations?
- Based on the past four years of experience, is the scope of recommendations from the PCAC to the Board of Harbor Commissioners likely to facilitate the work of the Harbor Commission?
- Would changes in operation of the PCAC better facilitate port-community dialog regarding port operations and development?

### A SHORT HISTORY OF THE PORT AND ITS RELATIONSHIP TO THE COMMUNITY

Since a regular shipping service from San Pedro to San Francisco started in 1853 (Queenan, 1983, 9), the Port and its neighbors have developed a complex relationship over more than 150 years. There are at least four phases to the relationship of the Port of Los Angeles to the larger community of Los Angeles.

In its earliest phases, prior to the 1850's the city essentially ignored activity at the port since its facilities were so rudimentary that overland carriage of goods to the region was the primary means of transport. Moreover, the city was so small that overland carriage made good economic and logistical sense. Phineas Banning, a native of Wilmington, Delaware, saw the benefit of a seaport and bought land from Rancho Dominguez to build a wharf and shallow channel permitting access to it by 1854. Nevertheless, it was not until 1871 that the federal government began construction of a 6,700 foot-long breakwater and dredged the main channel to minus ten feet at low tide (Queenan, 13). When, in the following year, the Southern Pacific Railroad acquired rail right of way to the port, it became clear that the port had become a valuable means of moving cargo to the fledgling city. Queenan (1983) reports that the volume of cargo moving through the port had reached 50,000 tons per year by 1871 even with the modest facilities that it provided (p. 13). The advent of interest in the port by the Southern Pacific Railroad, however, marked a second phase in the regional importance of the port since, with rail and sea connections, the region had two efficient means of cargo movement of vital importance to the local economy. Despite its modest beginnings in the 19<sup>th</sup> Century, the port was now viewed as an arm of the powerful Southern Pacific Railroad that ruled transportation in Los Angeles until challenged in the mid-1890s by a coalition of downtown business leaders led by the publisher of the Los Angeles *Times*, Harrison Gray Otis.

The conflict between the two private-sector elites [Southern Pacific and the downtown business establishment] and their competing visions would be played out starting in the

mid-1890s over the construction of a an artificial deep-water harbor for Los Angeles. (Erie, 2004, 49-50)

With the decision by the US Army Corps of Engineers to build the breakwater at San Pedro in 1897 and the subsequent annexation of San Pedro and Wilmington via the "Shoestring Addition" in 1907, the beginning of a Port of Los Angeles could be seen (ibid, 54) and a third phase in cementing links between the City and the Port. Clearly, the importance of the port for the region was visible to the City of Los Angeles and its business elites. Subsequent development of the commercial fishing industry, shipbuilding and repair, dredging and increased cargo movement further cemented the notion of the port as a critical component of the region's economy. World War II and the needs of the military, already established in the mid-1850s at what later became Fort MacArthur, further strengthened the vital importance of San Pedro and its port to the entire region. Both San Pedro and Wilmington were home to thousands of workers in all manner of harbor industries. Literally, the workers lived near their jobs and the area supported one version of that oft-cited dream of urbanists, the livable, workable, if not quite sustainable community. In this phase of its history, the harbor area, while not self-sustaining, nevertheless had a self-contained feel with many of the residents living in San Pedro and Wilmington and working at nearby harbor related industries. The fishing and canning industries provided work for vast numbers of immigrants used to living near the coast in their former homelands and, for them, San Pedro provided domicile with at least some of the similarities to their origins in Italy, Yugoslavia and other European coastal cities.

But, technology, global economics and the vision of city elites were already moving to change the role that the Port would play in the regional economy of the late 20<sup>th</sup> Century. Wide acceptance of containerization in marine freight movement reduced the number of jobs for stevedores and longshoremen in the 1970s. The labor market absorbed further declines as major tuna canneries moved offshore, leaving empty plants on Terminal Island and thousands of cannery workers unemployed. Simultaneously, however, a tight housing market created renewed demand for new housing as residents of the region outside of the harbor area now traded longer commutes for more economical housing prices in the harbor area. San Pedro, especially, responded with hundreds of new homes on formerly vacant land at the north end of the city. Wilmington, with proximity to the port similar to its neighbor San Pedro but without the benefit of hills to provide panoramic views of the harbor complex and with a more industrial economic base suffered similar consequences as harbor industries either changed to new technologies or industries left the region.

The power elites of the region created "strategies devised to plan, finance and build one of the world's great trade-transportation complexes—the Ports of Los Angeles and Long Beach and LAX" (Erie, 2005, p. 5). However, as the complex grew, the environmental implications of growth became of ever-greater concern to the residents of its neighboring cities. Technology played a role, too, as it substituted powerful diesel engines for steam power plants in containerships and, as these ships became the norm for the harbor, their emissions excited concern from the community. Moreover, as the volume of trade increased, air emissions from ships, yard container moving equipment and roadway trucks moving containers in the region caused concern among those living close by the ports.

Responding to these concerns in the summer of 2000, Vern Hall, former Assistant General Manager of the Port of Los Angeles and resident of nearby San Pedro developed with his fellow residents a proposal for what he termed the "Port of Los Angeles Impact Mitigation Advisory Committee," (IMAC). His colleague, Noel Park, submitted the proposal to then-Los Angeles Mayor Richard Riordan in November of the same year (Park, 2000). The ambition of the proposal was for the port to constitute a committee of citizens to "provide a forum for discussing the impact of Port projects and policies **before they are carried out**. Through such a forum, open and honest dialog can be held, compromises can be reached, mitigation measures can be determined, and all parties can benefit" (Park, 2000). Failing in the effort to gain the mayor's support for the proposal, Park sent a similar letter to James Hahn, candidate for mayor in 2001 (Park, 2000). Two weeks after the letter was sent, candidate Hahn responded enthusiastically not only as a mayoral candidate but also as a fellow San Pedro resident (Hahn, 2001).

Subsequently, Hahn was elected mayor, and in August 2001, he made good on his promises to institute a citizens advisory committee. In a letter to his Harbor Commissioners-Designees (Hahn, 2001a), he urged the Harbor Commission and port staff to "implement the following recommendations immediately so that we can begin to improve communications between the Port and the community and improve the quality of life for harbor area residents:

- Committee to assess the impacts of Port developments on the harbor area communities. This committee will work closely with the soon-to-be-formed local neighborhood councils and existing community groups to enhance communication and improve our neighborhoods.
- In conjunction with the Community Advisory Committee, review all past, present and future environmental documents in an open public process to ensure that all laws—particularly those related to environmental protection—have been obeyed, all City procedures followed, and all adverse impacts upon the communities mitigated.
- In conjunction with the Community Advisory Committee, take a leadership role in creating balanced communities in Wilmington, Harbor City and San Pedro so that the quality of life is maintained and enhanced by the presence of the Port. For example, immediately evaluate how the Port can develop the proposed Promenade project and how it can participate in the proposed international business charter school." (Hahn, 2001a).

The mayor's new Board of Harbor Commissioners subsequently followed his lead and established the Port of Los Angeles Community Advisory Committee by Resolution 6039 on September 26, 2001 (Los Angeles Harbor Commission, 2001). Soon thereafter, the Board developed a nomination and selection scheme for PCAC members in its October 10, 2001 meeting and the PCAC was born.

Membership in the fledgling PCAC was established as shown in Table 1 (with minor subsequent modifications that are incorporated in this table):

TABLE 1  
PCAC AUTHORIZED VOTING MEMBERSHIP

1.	Neighborhood Council Representatives	6 votes
	Central San Pedro	1 vote
	Coastal San Pedro	1 vote
	Northwest San Pedro	1 vote
	Harbor City	1 vote
	Wilmington	2 votes
2.	Residents Groups	11 votes
	Crescent Area Residents Association	1 vote
	Dana Strand Residents Association	1 vote
	Point Fermin Residents Association	1 vote
	Rancho San Pedro Residents Association	1 vote
	San Pedro & Peninsula Homeowners Coalition	3 votes
	Wilmington Citizens Committee	1 vote
	At-large (San Pedro)	2 votes
	At-large (Wilmington)	1 vote
3.	Wilmington Community Advisory Committee	3 votes
4.	Business and Industry Groups	10 votes
	Harbor Association of Industry & Commerce	2 votes
	Harbor City/Harbor Gateway Chamber of Commerce	1 vote
	L.A. Harbor-Watts Economic Development Corp.	1 vote
	Pacific Avenue Corridor Task Force	1 vote
	San Pedro Peninsula Chamber of Commerce	1 vote
	Pacific Merchant Shipping Association	1 vote
	Wilmington Chamber of Commerce	1 vote
	Wilmington Commercial District/ Business Improvement District	1 vote
	Waterfront Business Association	1 vote
5.	Organized Labor	2 votes
	ILWU Locals 13, 63 & 94	1 vote

	Non-ILWU	1 vote
6.	At-large Members	3 votes
	Member from harbor area educational community named by Harbor Commission	1 vote
	Member named by Harbor Commission	1 vote
	Member named by Los Angeles City Council District 15	1 vote
	<b>TOTAL PCAC VOTING MEMBERS</b>	<b>35 votes</b>

In addition to the 35 voting members, each may name an alternate with full voting powers in the absence of the member. Alternates may vote in the absence of the assigned voting member.

At its October 24, 2001 meeting, the Board approved the structure and organization of the PCAC and designated it as a standing committee of the Board. Subsequently, The PCAC developed by-laws governing its structure and specifying the administrative mechanisms under which it would function. The by-laws have been periodically amended to reflect changes desired by the committee but its structure has remained fundamentally unchanged since it was organized in 2001.

Earlier in the summer of 2001, a group consisting of the Natural Resources Defense Council, Inc., San Pedro and Peninsula Homeowners' Coalition, San Pedro Peninsula Homeowners' United, Inc., and the Coalition for Clean Air, Inc. filed an action in the Los Angeles Superior Court against the City of Los Angeles, the Port of Los Angeles and the Board of Harbor Commissioners claiming that construction of the China Shipping Holding Co. Ltd. container terminal at Berths 97-109 was being constructed without adequate environmental review. The matter was subsequently resolved between the parties on June 14, 2004 in a stipulated judgment containing provisions regarding the future of the PCAC. The importance of the case is that it recognized the PCAC as a committee within the jurisdiction of the Board of Harbor Commissioners as well as acknowledged that it had a role to play in the future of the Port. Section IX, paragraph A of the Stipulated Judgment states:

Continued Existence of the PCAC: This Stipulated Judgment shall not become effective until the Board has adopted a resolution providing for continued existence of the PCAC subject to applicable law and for the PCAC to operate under the continued governance of the Board.

Thus, the court recognized the legitimacy of the PCAC and the agreement crafted by the plaintiffs and the Port acknowledged that the PCAC would have a continuing role to play in the Port. The nature of that role was left to the Harbor Commission to determine.

## METHODOLOGY

Evaluating an ongoing organization is fraught with confusion and every evaluation is bound to be seen as biased in one dimension or another. It is human nature to become accustomed to the structures in which we live and operate, whether physical or organizational. Moreover, when someone who is not a part of the ongoing enterprise steps in to evaluate it, we often find that his/her view of the organization is not at all what we experience. However, the purpose of any evaluation is to bring new and experienced eyes to the enterprise, and with goodwill to offer suggestions that can help the enterprise better carry out its mission. Sea Grant's role here is to identify the putative objectives of the Port in establishing the PCAC and then to assess whether those objectives are being met in its structure and operation. Certainly the history of the PCAC is broad in scope and deep in discovery; any findings and conclusions here are based in large measure on our ability to garner the best insights of those who have been willing to talk with us about the organization.

### *Format*

Early in our discussions, David Mathewson, the Port's Director of Planning and Environmental Affairs, Dr. Knatz and I agreed that the best format for looking at the PCAC would be to conduct in-depth interviews of the current PCAC leadership, former members of the PCAC and then expand the interviews into conversations with other interested parties including the business community, elected officials or their staffs and members of the Harbor Commission.

The interview panel was not a random sample of residents of the harbor area nor was it intended to be so. Evaluating a complex relationship such as that between the PCAC and the Los Angeles Harbor Department calls for an inquiry that collects the insights of knowledgeable participants who are free to respond in an open-ended fashion to an array of standard questions that serve as a matrix on which they can expand in explaining the dynamics of the relationship. In-depth personal interviews offer that opportunity for both investigator and respondent.

Mr. Mathewson and his staff contacted the interviewees and he and I commenced interviews on April 24, 2006 with David Libatique and Patricia Castellanos of Mayor Villaraigosa's office. The interviewee list grew as individuals, both members of the PCAC and others, learned about the research and wished to have their comments recorded as a part of the study. As a result of interest in the work, Mr. Mathewson and I made every attempt to include those who had a significant interaction with PCAC and who wished to be interviewed.

Each in-depth interview lasted approximately one hour. Mr. Mathewson and I each asked questions and follow-up questions from a questionnaire that we jointly created. In the interviews, our objective was to ask the question and then allow the respondent to respond to each question as he or she wished. The only constraint on their answers was that we have endeavored to keep each interview to a one-hour time limit.

### The Interview Questionnaire

The questionnaire (instrument) consisted of nine largely open-ended questions, some single-part and others multi-part. All respondents were asked precisely the same questions regardless of whether they were current or former members of the PCAC or members of the public who had no formal affiliation with the PCAC. We maintained consistency in the interviews by virtue of asking the same questions of each participant. The questionnaire is found in this report as Appendix C. A few of the questions apply more to PCAC members, both current and former, than to individuals not affiliated with PCAC. In those cases where the respondent was not a part of the PCAC, we invited discussion of their personal experience in dealing with the PCAC as an attendee at meetings or as a project applicant seeking to provide information to the PCAC.

The questionnaire was not shown to respondents prior to the interview and we did not give the instrument to respondents at the conclusion of the interviews. We believe that this confidentiality provided us with essentially fresh insights from each of our respondents. In only one case did we interview a group of individuals. Otherwise, all interviews were conducted with a single person. Mr. Mathewson interviewed former Commissioner Camilla Townsend accompanied by Dr. Knatz in his office. Otherwise, in all but the last four interviews, both Mr. Mathewson and I jointly engaged the respondents. I interviewed Commissioners Freeman, López Mendoza, Kim and Krause by telephone (however, all Commissioners were invited to be interviewed at their convenience).

### Interview Venues

Mr. Mathewson and I conducted eight of the ten initial interviews at the Boardwalk Café, Berth 77, outside of the Harbor Department's offices, to encourage free discussion outside the building. It became clear, however, that our interviews would be equally effective conducted in the convenience of the Harbor Department building. Subsequent interviews were conducted behind closed doors either in a conference room or in Mr. Mathewson's office.

## FINDINGS

The advantage of in-depth interviews using open-ended questions is that a respondent is free to expand upon a question or redirect an answer to a matter perhaps unanticipated by the researcher. That is no less true in this case where we have used a consistent research instrument. As a result, the following findings do not comport on a one-to-one basis with the survey questions. Rather, they reflect the directions in which respondents took the discussion. In most cases, a response is noted as a "finding" only if it was noted by more than one interviewee. I have quoted the interviewees but not attributed the quotes and that is done purposefully to honor the commitment made to interviewees at the start of each interview not to attribute their comments in our report. In a very few cases, the comments of a single person seemed so insightful or important that they are shown as findings. Good insights, indeed, are often good precisely because they are unique.

The findings are divided into four large groups: comments on the scope of work of the PCAC, its structure, its membership and finally, its operations.

1.0 Scope of Work

1.1 The Harbor Commission should set the scope of work for the PCAC

The PCAC has more control over its agenda than a number of both PCAC members and non-members would prefer and some members end up, “frustrated with the PCAC not focusing and prioritizing their work.” This same respondent noted that, “[A] small number of members control motions brought forward.” Cited another, “[l]ots of motions come forward without full factual information.” The implicit result is that time is wasted in this way. The PCAC “should be an advisory group to the Port [and] focus on how the Port impacts the community.” But, the PCAC, “should have their work prioritized for them, [they should] make constructive comments and be less combative (within the PCAC and with the Board).”

1.2 The PCAC should focus both on Port projects and policies

This was a split decision. When asked whether advice to the Harbor Commission on policy or projects had more importance, 32% of respondents thought that a project orientation was more important, 40% favored a policy focus and the remaining 28% emphasized that both policy and project orientations were essential.

The numerical distribution however, fails to account for a diversity of opinions on the reasons for a focus on projects, policy or both. For many current members of the PCAC, policy is important in order to provide the Port with guidance for its future actions. For these respondents, giving attention to port projects misses the essential rationale for the PCAC, that is, setting a community standard especially on environmental matters by which the Port should abide. As one interviewee told us, “the real role of the PCAC is to recommend policy to the Board of Harbor Commissioners.”

As well, some of the current members of PCAC emphasized that the PCAC needs to be vigilant both on policy and projects. Citing the experience with the Cabrillo Marina Phase I, one respondent noted, “The history has been that the original efforts were on a project basis but when that didn’t work, it became clear that [the PCAC] needed to expand to policy in general.” Another told us that, “the PCAC is more like the NASA Challenger Commission or the 9/11 Commission,” where the “fundamental goal is policy shaping as well as a project focus.”

A project focus was generally favored more by those who are not affiliated with the PCAC. Both industry and Neighborhood Council representatives favored a project focus. One explained, “PCAC should advise the Board on projects because there’s a lot more expertise in the community on projects [than on Port policy].” A number of respondents who favored this orientation reported that the

job of setting policy more appropriately belonged to the Board of Harbor Commissioners, not the PCAC.

In general, the current members of PCAC were more supportive of either a focus on policy or on both policy and projects. In contrast, generally those not affiliated with PCAC favored a focus exclusively on projects.

1.3 The PCAC developed its scope of work, in part, because of a reluctance to rely on the vigilance of port staff to environmental impacts of port development

A number of the respondents who are members of the PCAC felt that it was necessary to focus on the details of port operations because they did not trust the port staff to be adequately vigilant to the environmental impacts of port projects. We heard responses such as, “[POLA] engineering doesn’t understand the community’s interests or how to coordinate with them,” as a justification for PCAC involvement in a wide range of port issues. One respondent advised that the constituency of the PCAC was, indeed, the entire State of California and that because of that responsibility, the PCAC needed to be involved in a wide variety of issues. Generally, members active in PCAC had notions of a more expansive role for the Committee. Those respondents who are not members of PCAC had a more constrained view of PCAC’s role.

1.4 The PCAC is an effective link between the community and the Port

There was virtual unanimity that the proper role of the PCAC was to provide an effective link between the Port and the community. Some thought that the role of the PCAC was to consolidate community opinion and present it to the Harbor Commission in a comprehensive manner. The difference of opinion among respondents was over how well the PCAC represents the community and over the PCAC’s perception of its mission.

More than one respondent expressed dismay that the PCAC, “feels like its role is to run the Port,” a notion disparaged as an incorrect perception of its mandate by these same respondents.

1.5 Economic blight is treated very casually by the PCAC when compared to environmental blight

Both current and former members of the PCAC emphasized that the PCAC was more concerned with environmental issues than jobs. A few characterized the PCAC as “anti-business.” One noted that, “business is always outvoted on the PCAC. Business in general is hurt but the effects are especially notable on smaller businesses.” Another characterized “the clique” of influential PCAC members as, “social and political friends who wield the results of the China Shipping lawsuit like a hammer. They act like bullies, environmental bullies.” Yet another characterized the influential group within PCAC as, “about ten people

who are 'no growth' environmentalists." The respondent wants, "economic growth and a clean environment and they are not mutually exclusive." [Some respondents refer to the group as "the clique" and they are an important force within PCAC. More specifically, they are a core group of PCAC members who are notably represented as chairs of sub-committees and who sit on the PCAC Steering Committee.]

## 2.0 Structure

### 2.1 The Harbor Commission must write the By-Laws for the PCAC

Since the Port Community Advisory Committee is a standing committee of the Harbor Commission, the Commission, not the PCAC should write the by-laws for the PCAC, observed one current PCAC member. "Because the PCAC is advisory to the [Harbor Commission], it is up to the Board of Harbor Commissioners to set the by-laws, agenda and marching orders for the PCAC."

### 2.2 The PCAC should have more guidance and leadership from the Harbor Commission

Related to Issue 1.1, multiple respondents suggested that, because the PCAC sets its own agenda, there is too little leadership from the Harbor Commission. The substance of the criticism is that, were the Harbor Commission to set the agenda for the PCAC, then the Committee would have guidance as to the issues needing attention and would not be inclined to invest its time either in areas where the Port Staff has already done work or in areas that are merely interesting to the PCAC but that the Harbor Commission does not consider important to port operations. Respondents told us that, since the PCAC is a standing committee of the Harbor Commission, the Commission has the authority to develop its charge and set its agenda. These respondents feel that it wastes the time of the PCAC not to know the priorities of the Harbor Commission. One interviewee suggested that while the PCAC, "has given a voice to the community," the "Port is not now as effective in telling the PCAC what [the Port] needs."

Nevertheless, there were those with whom we talked who, while discouraged about PCAC operations, felt that the PCAC ought to be able to, "Advise the Harbor Commission by talking to it and then reporting to it [after it had discussed the issue with the group that appointed that representative and later reported back to the Harbor Commission]." The PCAC ought to be able to study, "Not merely what's asked of them by the Harbor Commission but also self-generated comments and ideas."

### 2.3 Harbor Commissioner as a member of PCAC

While we did not ask the question directly, where the issue arose in discussion, most members of the PCAC favored having a sitting Harbor Commissioner as a

member. One respondent observed, “[It is] helpful to have the commissioner involved. That’s because the commissioner could just call the POLA staff and get some of the stuff fixed. Even a senior staff member could do this. It’s always better to have a token commissioner there.” Another twist on this theme from a former PCAC member, “maybe the port needs a community ombudsman at a high level within the port.”

Nevertheless, there were other views. One current PCAC member thought that, “having a commissioner as co-chair doesn’t make much difference [in terms of accomplishing the work of the PCAC].”

#### 2.4 Neighborhood Councils should have more influence on the PCAC

Naturally, those respondents who were active in their Neighborhood Councils thought that the Neighborhood Councils had a better chance of reflecting accurately community opinions on the work of the Port than the PCAC. Because of the elected nature of the Neighborhood Councils, their representatives felt better able to represent the public than the appointed members of the PCAC. One suggested that the PCAC be constituted only of Neighborhood Council members because of their legitimacy. Another expressed a similar view except that the Neighborhood Council members should be augmented by “the ILWU, shipping industry (PMSA), San Pedro Chamber of Commerce and Wilmington Chamber of Commerce.” Two Neighborhood Council members emphasized that the Councils have strict representation requirements and that the PCAC’s appointing scheme is too lax.

Generally, all but one of the Neighborhood Council representatives expressed the view that they were more capable than the PCAC of representing community opinion to the Harbor Commission. One said that, “PCAC would have been set up differently if the Neighborhood Councils were already in place. PCAC could [then] be the body to consolidate the views of the Neighborhood Councils for the port, but not in its [PCAC’s] current format.” Still another advised, “[a]sk the four Neighborhood Councils (three from San Pedro and one from Wilmington) to advise the Port. The Neighborhood Councils are representative in themselves and should be the constituents of PCAC. Wilmington should have more weight because they’re only [a single] Neighborhood Council.”

#### 2.5 POLA staff should be more outspoken at PCAC meetings

Interviewees wanted the POLA staff to take a more outspoken stand at PCAC meetings to dispel confusion over Port policies. More than one suggested that staff members could be helpful in communicating to a PCAC plenary session or a sub-committee that the Port would not entertain a motion from the PCAC on a given issue. Part of this issue was expressed by one respondent, a current PCAC member, who stated, “The POLA staff has to be able to tell the PCAC the constraints that [the Port] is working under.” The speaker was frustrated that the

staff failed to speak up if only to give the PCAC and its sub-committees a “reality check” on the circumstances under which the Port operates. The speaker continued, “The POLA staff needs to discuss the merits of PCAC motions at PCAC meetings to help them understand what’s acceptable to the Harbor Commission.” Another respondent observed that some of the matters that the PCAC studies, “could be resolved with a phone call from a staff member present at the meeting [to abate the problem in the Port],” but that it doesn’t happen because the staff members are too intimidated by PCAC’s members.

#### 2.6 Voting procedure in sub-committees

Procedurally, issues are developed in sub-committees and upon a favorable vote of the sub-committee, brought before the full PCAC for a vote. Multiple respondents, usually PCAC members, explained that when it was clear that a vote on an issue would be taken at a sub-committee meeting, that the meeting would often be “packed” by voting PCAC members “because all members and alternates can vote at any sub-committee meeting [even if they are not members of that sub-committee]. Also people can come and vote without any prior background on the issues.” One PCAC member suggested, “Maybe there ought to be a by-law change to allow non-participants [in the sub-committee] to be excluded from [sub-committee voting].”

#### 2.7 Educational seminars or meetings on science and technology for PCAC, Neighborhood Councils and Port staff

One of the questions in the survey asked, “Would you be supportive of joint staff/PCAC seminars to learn about current science and technological developments related to port operations?” The question had two purposes: first, to determine the willingness of interviewees to engage one another in a joint learning environment; but, second, to also assess a practical willingness to share common knowledge about new science and technology with the objective of reducing squabbling between the Port and the PCAC over matters that could be objectively verified. The notion was that while there might be differences of opinion as to the application of a technology or science, at least there might be agreement about the basic facts, operation or process.

The idea found widespread support. Some respondents cited earlier examples of similar efforts that were successful as well as a planned version of the idea that Stacy Jones had proposed on green technologies. A number of respondents, however, commented that an obstacle in implementation would be trust. And trust issues were seen as reciprocal between the Port and the PCAC. As one member put it, “The problem is trust, but there’s potential in it. Done in good faith, it’s likely to work.” One member suggested that the PCAC and Port staff should jointly agree on seminar issues and the experts that would be asked to present information on the issues. A version of that view was that the seminars might start off with a lot of skepticism but if they were done well, “they would

probably work.” Others suggested that there was a model in the construction industry for jointly working out issues, termed “partnering,” that seemed to work well in many cases. Still another array of comments had to do with when seminars would be scheduled. Most respondents felt that weekends would be best with a few others in favor of evening meetings. A few respondents suggested that seminars be recorded on video and that DVDs be distributed to those who could not attend the meetings.

Taking another tack, a couple of respondents suggested “technology fairs” hosted by the Port to explain to the community at large the projects that were being planned as well as new technology. One respondent replied enthusiastically that, “A weekend Port fair for the public could work.”

But, not everyone liked the idea. One respondent suggested that when his company tried them, they were not effective. And another suggested, “it seems like a futile approach; there’s too much animosity from the clique.” “It would probably only work on big issues,” responded another. In general, where there was skepticism, both pro-Port and pro-PCAC partisans anticipated the response of the other party to the idea.

## 2.8 Consultants facilitate the process of evaluating issues

Both PCAC members and others interviewed generally favored the use of consultants to assist the PCAC. Comments ranged from a desire to, “have a consultant train PCAC sub-committee chairs on [proper committee] process,” to using consultants for substantive support of the PCAC. On the substantive issues, “consultants have a lot of credibility with the Air Quality Sub-Committee,” commented one respondent. In terms of credibility, “trust of Port staff is better when consultants confirm the position of Port staff (both findings and the opinions of Port staff),” said another PCAC member. With a shrug, one respondent said, “Some consultants have been helpful in issues like noise; the Port would have hired the consultant anyway.” On a procedural level, one respondent felt that, “consultants make it easier for the Port because they make it easier to herd the wild cats of PCAC.” And, a non-PCAC member cited another beneficial reason for using consultants: “Consultants at times correct misinformation at sub-committee meetings.”

Yet, from another point of view, commenting both on the sub-committee structure and the use of consultants, a current PCAC member said, “The Port provides its own opposition the tools to organize and develop the information to carry out opposition to the Port. The structure that provides consultants and a forum just makes the situation worse.”

### 3.0 Membership

#### 3.1 Quality of representation rather than absolute numbers should be the test of PCAC size

We asked respondents whether the size of the PCAC inhibited its ability to function well. Current PCAC members tended to reply that the current size of the committee (about 35) was adequate. In one case, a member thought that the PCAC would function better with 40-45 members. Some of the current members felt that 35 members was too large but did not articulate what an optimum size might be.

Non-members of PCAC or former members were generally convinced that the PCAC was too large to function well. The answers of this group tended strongly to cluster on a committee size of 10 to 20 with a median value of 15 as the optimum. Still a third group of respondents, both current and former or non-members of PCAC held strongly to the view that absolute size was not the issue, rather that "fairness" or "who is represented" is a more important evaluation criterion. When asked to expand on this notion, both current PCAC members and non-members holding this view expressed concerns that the current membership over-represented homeowner's groups, especially those from the south side of San Pedro. Others felt that Wilmington was under represented because it had only one Neighborhood Council and San Pedro has three.

Regarding membership, one respondent told us that "you can break the organization into quarters: one quarter never shows up, another quarter does all the work and the remaining half flows back and forth." When asked if this was curable, the response was that this was probably typical of most volunteer organizations. This respondent also favored an expanded PCAC.

#### 3.2 There should be term limits for PCAC members

About half of the respondents favored term limits, with only two exceptions, those favoring term limits settled on two years as an appropriate term. There was general feeling that it takes up to a year to become familiar with the issues and that after two years, someone else should have a chance to serve on the PCAC.

Nevertheless, there was an equally large group of both PCAC members and non-members who did not favor term limits. One on hand, a number of this group felt that term limits were unnecessary since the organizations sending representatives to PCAC could recall their own members whenever they wished. Similarly, since the Harbor Commission ratifies PCAC membership, it could also either withhold ratification or rescind ratification if a member did not make a useful contribution to PCAC. We did not ask how often the Harbor Commission has removed members.

Another view held that term limits would be of no use because either the same members would be reappointed or someone of a similar point of view would be appointed to replace the retiring member.

A few respondents expanded on the point to note that sub-committee chairs should be subject to term limits while others dismissed the notion because of an expectation that the chairs would merely rotate among like-minded members (presumably with whom the respondent disagreed).

### 3.3 The PCAC membership is not representative of the community at large

A number of respondents said that they felt that the PCAC was not truly representative of the community and that its policies did not reflect their views. Structurally, their view was that the PCAC leadership was strongly biased toward homeowner's groups in on the south side of San Pedro and that these members of PCAC had effectively "captured" the organization. One respondent articulated the notion this way: "the PCAC is run by a small group of steering committee members...The Steering Committee *is* the problem; they think [that] they run the port." Comments such as "a small group claims to speak out for 'the community' and does not really do so," were heard from many respondents, both members and non-members of PCAC. The notion that homeowner's groups were disproportionately represented was captured by a number of comments such as, "It's too one-sided with too many homeowner's representatives. The homeowners representatives outnumber the elected Neighborhood Council representatives [to the detriment of adequate representation of the community]." One current PCAC member told us, "Originally, the PCAC well represented the interests of the community." The past tense implied that it no longer does so. "[The PCAC was a] chance for the community and the port to work together but that not what it's become," averred another current PCAC member. Still another complained that, "[representatives of] four homeowner's groups dominate all the sub-committees.

On the other side of the issue, a current PCAC member advised that, "a vocal minority [in PCAC] speaks for the silent majority." This respondent also indicated that the PCAC works OK as it is and that the, "problem is that the Port doesn't want to hear what the PCAC has to say."

### 3.4 Businesses are not well represented in sub-committees or in the PCAC at large

We sought to discern whether business was a "player" in PCAC proceedings on a procedural—as opposed to substantive—level. We found that the sub-committee schedule (meeting times either early morning or late afternoon) as well as the frequency of sub-committee meetings made it difficult for businesses to send representatives to these frequent meetings. Business representatives indicated that they could not easily spare staff time to attend meetings and, therefore, tended not to participate much in PCAC. This tended to be characteristic of larger rather

than smaller businesses. Smaller, community-owned businesses tended to be more able to participate in PCAC. We also heard from one business representative that, "the PCAC needs better representation from business, but the agendas are not relevant to the business community."

3.5 Business feels that participation in PCAC is a waste of its time

In terms of substantive participation in PCAC, one business member who is not a member of PCAC said that participation in a PCAC sub-committee demands too much time of business and because PCAC is not run in a businesslike manner that it is not worth the time it takes to participate. The same individual felt that it was "discouraging to participate in PCAC" because "people are intimidated by [outspoken members of the PCAC]." The respondent does not want his employees to participate in PCAC because "it's too discouraging [to them]." Another told us, "Business is so frustrated [with the PCAC] that they have quit participating."

3.6 When organizations are represented on PCAC there should be documentation of the viability of the organization and certification of the representative from that organization's board of directors

There were suggestions that some of the current PCAC members represent organizations that may have very few members and that the person serving on the PCAC represents his/her own interests rather than reflecting the interests of a larger group. One respondent suggested that, "Some PCAC members do not have real constituencies and have not been vetted as to membership [of the organization that they ostensibly represent] for years." Another suggested that the Harbor Commission should, "audit members who represent organizations to make sure that the organizations are *real*. An IRS 990 form is filed to document the real nature of the organization." Another view, from a different angle is that, "[S]ome people do participate [in PCAC] who don't know how to represent their community groups." Still another active PCAC member told us, "It's important that the seats at the table actually represent the constituency that sent them there. The seats need to be filled by a credible organization."

3.7 Many other interests should be represented on the PCAC

In Question 3 of the interview instrument, we asked, "How would you ensure that wide elements of public opinion are reflected in the PCAC?" Some felt that the PCAC as is stands adequately reflected wide elements of public opinion. For example, one current PCAC member said, "The PCAC currently does an adequate job of public outreach." Another current member was persuaded that, "wide elements of the public *are* represented in the PCAC."

However, when respondents urged wider representation, the roster of needed representatives was extensive. By a large margin, there was a call for more

business representation on the PCAC and often the same interviewee urged that homeowners groups had too much of a voice that needed to be tempered most often by more local business representatives. Another category frequently mentioned was labor. There were calls by others for the Neighborhood Councils to have more representation and for terminal operators to be represented as well as renters and youth. Other groups mentioned at least once were: truckers, a steamship line, more working people, new [to the PCAC] organizations, the shipping industry, chambers of commerce, contractors, the faith community and the Hispanic community.

One of the original founders of the PCAC told us, "It would be a mistake to eliminate the homeowner's groups by replacing them with Neighborhood Council [representation.] But, now [there is a] need to involve others even though the PCAC was formed by homeowners."

#### 4.0 Operations

##### 4.1 There are too many sub-committees

There were two very different perspectives on the sub-committee structure of the PCAC. On one hand were those who viewed the sub-committee structure as critical to the effort. As one early PCAC member expressed it, "Through sub-committees there can be a real discussion of the issues." Thus, "bring sub-committee information through the full PCAC and by doing that, you encourage public involvement."

"Sub-committees are built to micro manage; let the Port staff do its job." Or, from another PCAC member, "There are too many sub-committee meetings; the fewer sub-committees [in the PCAC], the better." And, another former PCAC member, "sub-committees should be consolidated or meet only as necessary." The respondent didn't specify what might be a compelling cause for meeting. The overwhelming majority of respondents expressed views that there were too many sub-committees with the result that there are also too many sub-committee meetings.

##### 4.2 There are too many sub-committee meetings

The organization holds so many sub-committee meetings that it is very difficult for an individual who is not self-employed to regularly attend. One respondent captured a frequent theme; "...jobs and busy lives make it hard for a lot of the community to be represented on PCAC." Another related comment held that the sub-committee structure was itself a part of the problem: "Sub-committees are built to micro manage. Let the port staff do its job." Another current active PCAC member ratified the notion that there are too many committees.

##### 4.3 Sub-committee meetings are held at inconvenient hours

Often the meetings are held at a time of day that makes it difficult for people to attend the meetings, i.e. early in the morning or in the late afternoon. With meetings at these inconvenient times, attendance is limited to those whose job permits them to participate thus the decisions of the sub-committees reflect views that are not always representative of those who share an interest in the theme of the sub-committee.

4.4 Sub-committees should all meet on the same night

One respondent, who offered a number of other ideas for streamlining the operation of the PCAC, suggested that, "all sub-committee meetings should be held on the same night." The proposal would make the sub-committee structure simpler, would make it easier for Port senior staff to participate more easily and would allow more PCAC members to participate.

4.5 Sub-committees submitting reports directly to the California Air Resources Board and the Harbor Commission

One current PCAC member discussed how at least once a sub-committee submitted a report directly to the California Air Resources Board and the Harbor Commission without vetting the report through the full PCAC. When asked why that procedure seemed appropriate, the respondent replied, "It worked because at times the PCAC as a whole wouldn't support the issue because everything is done as a committee of the whole." Apparently, because the issue did not have the full support of the PCAC, the sub-committee acted on its own and circumvented the full PCAC to ensure that the report reached the regulatory agency and the Harbor Commission. The issue was also raised by a non-PCAC member from the business community who objected to the PCAC sending communications directly from the Committee to state agencies "without going through the Harbor Commission."

4.6 Decision making in sub-committees does not adequately respect divergence of opinion among sub-committee voting members

The dynamics of one group having more influence than others, especially in the PCAC sub-committees, results in what political scientists call "log rolling." Because some members—often business—are often on the losing side of a vote, their representatives will concede the vote on an issue with which they disagree in hopes of securing a favorable vote on some future issue. And, as one respondent told us, "People from the community don't want to take what they see as an unpopular position when they have to see the same people at the market [and suffer their contempt]." Put another way by another respondent, "Community members who are not ideologues will often vote with the small group of decision leaders for fear ostracism [by the decision leaders]."

4.7 A few vocal members of the PCAC tend to control the agenda and decisions of the committee

One of the most frequent observations of our interviewees, some of whom are currently members of the PCAC, some former members and others who are not members, was captured by one respondent this way: "PCAC is run by a small group of steering committee members. If you don't agree with them, you are ostracized. [If there is a problem with the PCAC] the Steering Committee *is* the problem; they think they run the Port." This person likes the idea of the PCAC and has a good relationship with POLA staff, but the problem, "is information overload and the PCAC Steering Committee."

4.8 The PCAC members need to treat Debra Babcock-Doherty with more respect and she needs more help in supporting PCAC

While only one interviewee mentioned it, nevertheless the opinion was expressed emphatically that Debra Babcock-Doherty needs someone to protect her from the unprofessional comments made to her by various PCAC members. Expanding on the comment, the respondent stated that, "the committee chairs need training in how to deal in a professional manner with Deb." In further discussion, the person noted that Ms. Babcock-Doherty is at times given unreasonable demands to complete work in a short period of time and that, "it's not clear who Deb reports to but she's overwhelmed by the [large] job." One of the original members of PCAC advised, "PCAC needs more than one staff member from the POLA working for it."

4.9 Insulting comments to POLA staff, fellow members and those testifying at both PCAC and sub-committee meetings, especially sub-committee meetings

Both PCAC and non-PCAC members complained that one of the most disappointing features of PCAC meetings, especially sub-committee meetings was the lack of civility for those who held opinions at variance with what one respondent characterized as "the clique." A number of respondents expressed deep disappointment and anger at the manner in which, especially, sub-committees members would level personal attacks at those who did not agree with them. One report to us was that, "At times business members get shouted down in meetings." Another feature of that discourse is "'grandstanding' by personally insulting members in the PCAC because there's an audience present. Some people do this. [Included are] snide remarks about Port staff—in any meeting but especially in [plenary] PCAC meetings. Four or five people routinely do this but there are 15-20 people who agree with them. Some of these people are bullies."

## ANALYSIS

Quite clearly, a significant cadre of citizens from the harbor area have invested a great deal of their time, energy and thought in bringing the Port Community Advisory Committee into being and in keeping its activities vigorously viable for the past four years. They are to be commended both for their commitment to their fellow citizens and likewise for their commitment to the port. It is obvious that they care deeply about their community and have done their utmost to represent its interests both to the Port and to the larger community.

The question for this analysis is whether the form of that commitment continues to be viable to their appointing authority, the Port of Los Angeles, or if, after four years of experience, the advice given by the PCAC would be more useful to the Port in some other format. The need for a Port Community Advisory Committee is not at issue here. Rather, this study addresses whether the way in which the PCAC interacts with the Harbor Commission and Port staff needs refinement.

The election of a new mayor, his appointment of a new Harbor Commission and their appointment of a new Executive Director all portend a useful moment in which to reconsider the way in which the PCAC and the Port communicate with one another. Unquestionably, this is appropriately a question of the relationship of the PCAC with the Port, not that of the PCAC with its constituent community groups. That relationship is a matter for each group to settle for itself internally without the involvement of the Port. The following discussion, then, is a question of how the Port communicates with the community through those representatives.

Recalling the original challenge of this study, we want to know:

- Is the PCAC an effective voice for the communities of San Pedro, Wilmington and Harbor City regarding port development and operations?
- Is the membership of the PCAC adequate to give the Board of Harbor Commissioners confidence that recommendations from the PCAC are representative of the wider communities of San Pedro, Harbor City and Wilmington?
- Does the structure of the PCAC facilitate expression of comprehensive and useful views of port-community relations?
- Based on the past four years of experience, is the scope of recommendations from the PCAC to the Board of Harbor Commissioners likely to facilitate the work of the Harbor Commission?
- Would changes in operation or membership of the PCAC better facilitate port-community dialog regarding port operations and development?

The responses from our interviews can now inform an analysis addressed to these study questions.

- Is the PCAC an effective voice for the communities of San Pedro, Wilmington and Harbor City regarding port development and operations?

From a wide-angle view, the PCAC manifestly represents citizen involvement in the activities of the Port. Its members have for the past four years met regularly, divided their efforts into sub-committees, studied activities of the Port, called upon consultants to advise them and reported their findings to the Harbor Commission. After years of relative quiescence from the neighboring communities of San Pedro, Wilmington and Harbor City, that involvement represents a dramatic change from the previous level of community involvement. So, in the broadest sense, the PCAC does articulate a community interest in the activities of the Port.

"Effectiveness," however, is a more elusive quality. For members of the PCAC, the answer is clearly an affirmative one: their activities are and continue to be effective on behalf of their communities. However, even dedicated members of the PCAC have told us how the effectiveness of the PCAC could be improved. From one perspective, organizational representation in PCAC has remained static since the last by-law revision in 2002 when alternates were permitted for each PCAC member. Expanding or reconsidering organizational membership in PCAC is a goal of a number of the respondents, both members and non-members of PCAC.

For some respondents, membership in PCAC excludes large components of residents of the harbor communities. Renters, youth, faith and the Hispanic community were all cited as members of the community that are at least under-represented on PCAC and in some cases excluded altogether. In those cases, an effective voice in the community is lacking. Although not excluded by structure, many respondents told us that they thought the business community was in most cases not a viable participant in the PCAC. Some current PCAC members viewed businesses as having a uniquely advantageous voice in the halls of the Port and therefore, any concern of lack of representation in PCAC was compensated by alternate access facilitated by Port staff and management. Small business, however, expressed the view that they had no more access to the Port staff, and in many cases, less access, than the community when it speaks through PCAC. Respondents from large businesses were frustrated that they were viewed by the PCAC as adversaries and that the PCAC process did not represent their interests. They also indicated that their relationship with the port was that of either permit applicant or landlord-tenant and implied that neither of those relationships conferred a quality of special influence when dealing with the Port.

Thus, the PCAC is influential in dealing with the Port but not necessarily effective in representing a full range of community interests.

- Is the membership of the PCAC adequate to give the Harbor Commission confidence that recommendations from the PCAC are representative of the wider communities of San Pedro, Harbor City and Wilmington?

This question is ancillary to the previous one; if the PCAC is effective voice of the communities of San Pedro, Wilmington and Harbor City, then is that voice adequately representative of these communities. The answer is not a simple one. On one hand, to active members of the PCAC, including those influential members referred to by some as "the clique," the PCAC does a good job of representing its constituents and their point of view. These members are articulate, wide ranging in their perspective and vigorous in presenting their views. However, the question is

whether the views that they express are representative of their communities. As we noted in our conclusions to the previous question, there are groups whose interests are well represented, most notably homeowner's groups and especially homeowner's groups located in the southern part of San Pedro. However, as we have also seen, others who are a part of the PCAC and those who are non-members fault this articulate core group of PCAC for being inadequately attentive to other needs of the community, most often, economic development.

Should all PCAC members have the interest of the community at large as their perspective? One respondent suggested that the constituency of the PCAC was, in fact, the entire state of California. Others suggested that these influential members of PCAC are really only effective at representing their own narrow interests, not even those of the community at large. If, as former Speaker of the U.S. House of Representatives Thomas P. "Tip" O'Neill, Jr. (D-MA, 1953-1987; Speaker, 1977-1987) is often quoted as saying, "[a]ll politics is local," then the constituencies of PCAC members conform to a standard model of representation. And, if the members of PCAC do not adequately represent the entire community, then should we expect them to? If the criticism is that PCAC should represent a larger perspective, the problem may lie less in the members than in the constituent groups that are represented in PCAC, the membership structure of PCAC.

On the contrary, if the PCAC is responsible to the entire state or even to the region, how are those needs, interests and desires of the entire state or region transmitted to PCAC so that they can be adequately represented in PCAC deliberations? If we look at this as a problem in representational democracy, the question becomes one of structure of the appointments to membership in the PCAC. Were PCAC to, indeed, represent the state or even the region, there would need to be a mechanism to vet the candidates who are represented on PCAC. In fact, should not such representatives need to present their views to the state or region and, for the sake of political legitimacy, be elected as representatives to PCAC? Since there is no mechanism to solicit the views of the region or state, PCAC members represent those organizations whose elected boards sent them, and those organizations are uniformly from harbor communities.

Nevertheless, a number of respondents noted that the PCAC was not truly representative of the entire larger community of harbor residents and businesses. While individual members of the current PCAC were often the focus of those comments—and personal style of interaction with other individuals does have a bearing upon the effectiveness of relationships—nevertheless, from the perspective of representative democracy, it is the *interests* represented that are more appropriately in question. Thus, normative comments from interviewees that the PCAC *should* represent a broader perspective of views and interests from the harbor cities may be resolved only by a structural change in the membership of the PCAC.

- Does the structure of the PCAC facilitate expression of comprehensive and useful views of port-community relations?

Between "comprehensive" and "useful," the more consequential issue, freighted with structural connotations, is whether the current membership roster of the PCAC facilitates *useful* exchange of information between the community and the Port. We have seen that the PCAC is effective in presenting its views to the Harbor Commission, but are those views useful to the Commission?

*In its simplest terms, is the membership of the PCAC structured in such a way that the Harbor Commission can rely upon its reports to fairly represent a cross section of community views from the harbor communities? And, the answer to that question seems to be "no."*

A number of respondents, both active core members of the PCAC and others who are disaffected by PCAC operations, have expressed disappointment that the membership is, indeed, not truly representative of the community. One deficiency has been representation from the business community. Members, former members and non-members alike have lamented the inability of the PCAC to attract and retain members from the business community despite designated business seats on the PCAC in its by-laws. Business members who do attend PCAC meetings have complained that homeowner's groups' representatives in PCAC sub-committees and in plenary PCAC sessions routinely outvote them.

The paucity of business interests on the PCAC was notable from at least two distinct quarters. One suggesting that business was disinclined to participate both because of the frequent and untimely sub-committee meeting schedule, a technical issue, and also because of a philosophical bias within the PCAC leadership. Respondents claimed that, indeed, the core group of PCAC members favored environmental protection policies more than, or to the exclusion of, economic development and jobs. Those from the business community and generally from areas of the harbor community outside of the southern portion of San Pedro felt that there was a distinct bias in PCAC. They also reported that, this bifurcation of interests was the major source of disputes within the PCAC. As a result of the membership appointment scheme in PCAC, those favoring economic development felt that they were usually on the losing side of votes. As one respondent put it, "PCAC is run by a small group of steering committee members. If you don't agree with them, you are ostracized."

But, the jobs-environmental protection dichotomy was not the exclusive concern of those advocating a more diverse representation in the PCAC. Other respondents urged better representation of renters, youth, the Hispanic community and communities of faith that are under-represented or not represented in PCAC.

Despite these concerns, virtually all of the respondents except for PCAC core members who are sub-committee chairs or members of the steering committee expressed a desire to reduce the size of the PCAC from its current 35 to something between 12 and 20 members. This is an ambition notable for its conflict with the concurrent desire for representation of under-represented groups from the community. Two interviewees suggested that the PCAC ought to be considerably larger to accommodate these other, diverse, interests. Yet another respondent suggested that it was all but impossible to construct a membership scheme that fairly allowed the myriad of diverse interests in these communities to participate because there are so many interests, often with conflicting agendas. Asked for a potential solution, he responded that perhaps all members should submit resumes and applications to the Harbor Commission and the Commission should appoint members without regard to the particular constituency they represent. His notion was that the true test was the ability of the PCAC member to be dedicated and thoughtful as well as effective in advising the Port on its activities.

We also asked each respondent whether there should be any limits on the duration of membership in the PCAC. Some replied that they were, in principle, opposed to term limits. Others felt that the Harbor Commission or the community group represented could remove any PCAC member at will if it became apparent that the member was not fulfilling the responsibilities of the position so term limits were unnecessary. Sitting PCAC members have been removed, to our best knowledge, only at the member's own request. Others felt that it takes a while for members to become conversant with port operations and that excessively short terms would inhibit the expertise of the PCAC members. Nevertheless, about half of the respondents favored term limits and, of that, almost exclusively favored terms of two years. There were permutations of the two-year term suggestions having to do with re-appointment and consecutive terms but of the group in favor of term limits, two years was the almost-unanimous choice.

- Based on the past four years of experience, is the scope of recommendations from the PCAC to the Board of Harbor Commissioners likely to facilitate the work of the Harbor Commission?

Historically, the Port has not cultivated a close relationship with its neighboring communities through community advisory committees such as the PCAC. In fact, from a political perspective, it can be argued that its neglect of those relationships over time brought the PCAC into being through a mayor who was also a San Pedro resident and sympathetic to concerns of harbor residents. Operationally, as the Port has become busier with attendant air pollution and traffic congestion and with fewer nearby residents earning their living directly from Port operations, concerns over its activities have spawned intense interest that is now manifested in the PCAC. That interest was brought to a dramatic head in the lawsuit and subsequent settlement agreement over the China Shipping terminal at Berths 97-109 wherein a homeowners group that is represented on the PCAC was one of the plaintiffs to the action. The litigation further articulated what has become essentially an argument between the PCAC and the Port over a question of political legitimacy.

The impetus for PCAC was the notion that the Harbor Commission took inadequate interest in the environmental consequences of their development and operation of the seaport. The notion was further bolstered by the Superior Court's ratification of the stipulated judgment settling the lawsuit between the Natural Resources Defense Council, San Pedro and Peninsula Homeowners Coalition, San Pedro Peninsula Homeowners United, Inc., and the Coalition for Clean Air, Inc. (collectively, "NRDC") and the City of Los Angeles, Port of Los Angeles and Board of Harbor Commissioners (collectively, "Port") over inadequate environmental review of the China Shipping terminal improvements. The struggle between the PCAC and the Port is essentially over whether the Port is capable of protecting the interests of the community unless the established citizens advisory committee takes an aggressive stand, often as the Port's adversary.

The settlement agreement further legitimized a community advisory committee that had previously been established by the Port at the behest of the incoming mayor, James Hahn. And that powerful role for the PCAC has been memorialized by the PCAC in the wide range of topics in which it has expressed an interest (see Table 2).

TABLE 2  
PCAC SUBCOMMITTEES

Air Quality Subcommittee  
By-Laws Subcommittee (not active as of July 2006)  
Coordinated Plan Subcommittee  
EIR/Aesthetic Mitigation Subcommittee  
Light, Aesthetics and Noise Subcommittee  
Port Master Plan Subcommittee  
Steering Committee  
Traffic Subcommittee  
Water Quality Subcommittee  
Wilmington Waterfront Development Subcommittee

The adversarial nature of the relationship is borne out by reports both from PCAC members and Port staff concerning their relationship to the PCAC. The extensive range of sub-committees has evolved partly out of a PCAC scope of interest specified in the China Shipping settlement agreement but also a perception expressed by multiple PCAC member respondents that the work of the Port staff was more credible when verified the work of independent consultants on the same topic. As one respondent observed, the “trust of Port staff is better when consultants confirm the position of Port staff (both findings and the opinions of Port staff).” The apparent consequence is that the PCAC views its role as conducting research on its own because of a lack of trust in either the veracity or interpretation of data by the Port staff. The wide range of sub-committees and their broad scope of work reveal a commitment by the PCAC to be vigilant in many quarters to the work of the Port more as an opponent rather than advisor. And, in this sense, lacking a mandate from the Harbor Commission to act as the Port’s ombudsman, the PCAC’s work at times strays from its charge as defined in Resolution 6170 of the Harbor Commission of February 23, 2003, “WHEREAS, the Port’s interaction with such a Community Advisory Committee will improve communications between the Port and the community and assist the Port in undertaking balanced developments which promote growth in a responsible way....”

The consequence of distrust between the PCAC and the Port has meant that as PCAC has expanded its advisory role into conducting research challenging Port research via at least nine active sub-committees. Port staff is reported to have devoted considerable time and further research to either rebutting PCAC findings or providing additional information to the PCAC. The PCAC Sub-Committee roster lists fourteen Port employees as staff members who are responsible for providing staff support to the nine sub-committees in addition to Debra Babcock-Doherty who devotes full-time to support of the PCAC. A well-established negotiation technique such as joint fact-finding between Port staff and PCAC would provide both parties with the assurance that, indeed, research was conducted in a responsible manner.

In another dimension, the Harbor Commission’s reluctance to set the agenda for PCAC has meant that PCAC must set its own agenda—at times resulting in work that reportedly is either duplicative of Port staff work or irrelevant to the needs of the Port. Indeed, some respondents emphasized the need for PCAC to have the latitude to set its own objectives on occasion but

multiple respondents reported their frustration that the PCAC was setting its own course without close regard for the needs of the Port.

Facilitating the assumption of a self-defined scope of work, we heard that Port staff has been too timid in acting as a "reality check" for PCAC when it ventures into topics either already handled by the Harbor Commission or that the staff believes are not relevant to the work of the Harbor Commission. A consequence of a staff reluctant to challenge the scope of work of the PCAC is noted above: redundant work, or work irrelevant to the needs of the Port.

- Would changes in operation of the PCAC better facilitate port-community dialog regarding port operations and development?

Turning to the operation of the PCAC, the major focus of comments was upon the sub-committees and interpersonal communications within PCAC meetings. These two areas brought comments from many interviewees, both PCAC members, former members and non-members. In that respect, the sub-committee issue was high on virtually everyone's list.

We have covered a rationale for sub-committees above so the focus in this section is the consequences of multiple sub-committees on PCAC operations. Certainly one rationale for sub-committees is to divide the work among PCAC members and examine the disparate elements of port operations. If members were active in sub-committees, whether as members or chairs, even if they had reservations about other aspects of the PCAC, many felt that their work in the sub-committee was of value to the PCAC and the Port. As we noted above, those who liked the sub-committee structure felt that it was either essential to the work of the PCAC or a good opportunity to discuss and issue and explore its dimensions before bringing it to the full PCAC for a policy vote. And, in fact, the committees operate in just that manner.

Others who were less active in sub-committees responded, "The PCAC has too many sub-committees." When pressed for a reason why there are too many sub-committees, respondents answered that multiple committees make it virtually impossible to be knowledgeable on a wide variety of port-related topics because, in the words of one, "if I attended all the sub-committee meetings, that's all I'd be doing." Another felt that the existing sub-committees should be consolidated and meet only "when necessary." Still another suggestion was that the environmental committees be collapsed into a single environmental committee.

From a division of labor perspective, separation of the PCAC into sub-committees permits members to become informed about one aspect of port operations, and thus, serve as a source of information to the full PCAC. In fact, Section 304 of the by-laws specifies that, "Voting members and alternates [of the PCAC] are required to participate on at least one (1) sub-committee, but no more than three (3) sub-committees." At present there are nine active sub-committees.

The sub-committee schedule presented another issue for respondents. Some meetings are scheduled for early morning or early afternoon when members who are working find it impossible to attend. Limited attendance has a consequence that a smaller group of PCAC members makes decisions for the sub-committee. And, the consequence is a legitimacy issue: do

the reduced numbers of participants truly represent the views of the entire committee, much less the community at large. As noted above, one complaint about the sub-committee structure is that their recommendations are subject to influence by strong-willed members who have clear and strongly held positions. When attendance is limited by an inauspicious schedule, those with control of the meeting schedule, who have the time to attend meetings or whose opinions are strongly held, have the potential for exerting considerable influence over the deliberations or decisions of the committee. In order to level the playing field, one interviewee suggested that all sub-committee meetings be held on the same evening.

Another aspect of sub-committee deliberations that we heard was that the sub-committees often give detailed attention to Port actions over a long period of time. Some PCAC members told us that one of the reasons that their participation in PCAC declined was that the sub-committee took too long to come to a recommendation to the full PCAC and that, not only did it reduce the willingness of the PCAC members to participate but also reduced the willingness of the community to continue to participate in the deliberations. The point here is that excessive deliberations again challenge the legitimacy of the decision when participation in committee work declines.

Yet another perspective was that PCAC has now had four years to "tune" its operation and that, while in its early life, it might have been necessary to have many sub-committees to evaluate the work of the Port, now that it has matured, some of the work of the Committee can be streamlined.

Finally, we heard many comments about the poor quality of discourse in sub-committee meetings by a few PCAC members directed at Debra Babcock-Doherty, the PCAC administrative coordinator, Port staff, the public and at each other. There are two aspects of this issue: comments directed at the staff and the public and comments directed at fellow members of the PCAC.

With respect to comments directed at Ms. Babcock-Doherty, Port staff and the public, a number of respondents cited instances where contemptuous and unjustified comments were made about poor Port staff work. In other instances insulting comments allegedly have been directed toward Port staff members in anticipation of the Port taking a position that the PCAC member did not support. In such cases the staff member bears the brunt of a PCAC member's frustration and anger more appropriately directed at the administration of the Port but the insult is misdirected toward the staff member. The term, "snide comments toward staff" characterizes those responses. Respondents reported that Port staff rarely responded because they took the position that it was their job to tolerate the insults. With respect to Ms. Babcock-Doherty, one PCAC member advised that she is overwhelmed with the amount of work needed to support all the sub-committees and that at times sub-committee members insult her for not having materials ready for their sub-committee when it was the members' responsibility to get material to her in advance. The member commenting to us advised that the sub-committee chairs need training in how to deal with staff in a professional manner.

But, some PCAC members level critical and insulting comments at their fellow PCAC members as well. Interviewees reported disagreements in sub-committees that at times degenerated into

ad hominem attacks often directed at business representatives who espoused pro-business positions that environmentally oriented PCAC members deemed illegitimate. Some PCAC members representing business interests indicated a reluctance to participate in the PCAC because of the hostility often directed at their positions. As noted above, some business members avoid participation because of intimidation by outspoken members of the PCAC such that participation becomes too discouraging.

The quality of discourse affects the willingness of the public and minority positions on the PCAC to continue to participate in its deliberations and, again, compromises the legitimacy of PCAC's actions. Rancorous, insulting, uncivil behavior is incompatible with public discourse, much less with the objective of the Port in establishing the PCAC and as memorialized in Resolution 6170 of the Harbor Commission cited above: "the Port's interaction with such a Community Advisory Committee will *improve communications between the Port and the community* and assist the Port in undertaking balanced developments which promote growth in a responsible way." [Italics added]

## RECOMMENDATIONS

In his marvelous book of about fifteen years ago entitled *Coming to Public Judgment* (1991), Daniel Yankelovich, the noted public opinion researcher, draws a distinction between *public opinion* and *public judgment*. The former being more in the nature of snap judgments rendered by the public in response to a request from a public opinion researcher. The latter, in contrast, is a broader concept:

As I use the term in this book, "public judgment" is the state of highly developed public opinion that exists once people have engaged an issue, considered it from all sides, understood the choices it leads to, and accepted the full consequences of the choices they make. (Yankelovich, 1991, p. 6)

He draws a distinction as well between a culture of experts and one of the public and argues persuasively that both need to find a way to engage one another in discourse for the general welfare of the public to be served. He says:

Although this struggle between experts and the public has become adversarial, there can be no such thing as the "victory" of one side over the other. If the experts overreach themselves and further usurp the public's legitimate role, we will have the formal trappings of a democracy without the substance, and everyone will suffer. If the public dominates and pushes the experts out of the picture altogether, we will have demagoguery or disaster or both. A better balance of power and influence is needed, with each side performing its function in sympathy and support of the other. (Ibid, p. 4)

The relationship between the Port and PCAC reflects these challenges. Seeking "victory" over one another may be a tactical objective but the public welfare is better served when the community and the Port can find a way of coming together in public discourse to engage the issues that affect their mutual well being. That is the challenge both for the PCAC and for the

Port. The Port has supported the harbor communities and they it for more than a century; each has grown and changed since Phineas Banning first developed a landing in Wilmington. But, now after four years of effort in formalizing a community engagement strategy, our interviews demonstrate that there are notions both within the PCAC and the community of how this relationship can be renegotiated to their mutual benefit.

Following are policy recommendations that have emerged from the study we have conducted. The recommendations emerge out of the comments of interviewees but also from the author's knowledge of community dynamics and local government politics. The recommendations are independent of one another and in most cases they should not be taken as an "all or nothing" suite of suggestions. Rather, there may be workable and unworkable ideas in what follows. Ultimately, implementation choices belong to the Harbor Commission and Executive Director as they engage the community.

#### RECOMMENDATIONS:

1. The Harbor Commission has the opportunity now to provide clear direction to the PCAC regarding its scope of work and the priorities that the Commission sees for that work.

The Harbor Commission has a responsibility for guiding the work of its advisory committee. Absent such guidance, the PCAC must develop its own agenda in a policy vacuum, intuiting what it believes are vital issues for the Port. That approach squanders the time of the PCAC and does not well serve the Board. Instead, clear direction from the Commission can focus attention on the critical issues facing the Port and the community.

2. When changes are desired in the by-laws of the PCAC, as a standing committee of the Harbor Commission, those by-laws are its responsibility yet should be drafted with the advice of the PCAC.

Should the Harbor Commission seek changes in PCAC by-laws, it should take the responsibility for developing those changes and do so after consultation with the PCAC. While the PCAC should be involved in the process, nevertheless the responsibility rests with the Commission to consider and draft needed changes.

3. The PCAC should meet as a plenary body focusing on policy advice to the Commission with support from the Port staff and on a schedule established by the Harbor Commission.

The PCAC should take the role of a policy advisor to the Harbor Commission. As such, it should meet in plenary sessions with a frequency determined by the Harbor Commission and PCAC leadership and make policy recommendations based primarily upon issues identified by the Harbor Commission as needing advice but also bringing community concerns that may not yet be evident to the Harbor Commission. Port staff should support the PCAC with appropriate research. The professional staff of the Port should assume the duties of staff to the PCAC as it does to the balance of the Board. This

is in contrast to the PCAC's current style of operation, but with four years of experience and a host of important issues having been identified and debated, the PCAC is now sufficiently mature as a body to engage the Port in a manner consistent with that of advisory committees to other local governments and commissions. Conducting itself as an alternate staff to the Commission is neither an efficient use of volunteer time nor can it replace expertise on the Port staff. Its fundamental role should be to advise the Port based on what its members know from their experience in the community.

4. When the Harbor Commission seeks specific community advice on projects, it should establish ad hoc citizens advisory committees whose duration should be determined by the needs of the project. Multiple committees of this type may be active simultaneously. Members of ad hoc committees should not be members of the PCAC in order to facilitate wide community involvement. Every effort should be made to involve in these committees those segments of the community seldom heard from and whose interests are at stake in the project under consideration.

The Port should actively seek community input on proposed projects and development plans. Where it seeks such specific advice, it should establish ad hoc advisory committees whose duration will be determined by the needs of the project. Because of its permanent nature, PCAC instead would carry the burden of giving policy advice to the Port.

5. The PCAC should be seen as a representative of the harbor communities, that is, residents and local businesses. Major marine industries have demonstrated that they are not comfortable as active members of PCAC by their sporadic participation. It is clear that large marine industries need to seek representation of their interests by organizations other than PCAC.

PCAC's attempts at engaging larger industrial partners have been laudable but relatively unsuccessful. In response, PCAC members have complained about lack of attendance from large maritime businesses, but our survey demonstrates that the issues discussed by PCAC are primarily community issues that are not perceived as critical to the operation of large maritime businesses. Participation in PCAC consumes too much time and effort compared to the benefits of membership as reported by representatives of those businesses.

6. In order to provide for wider representation in the PCAC, the Board should consider expanding its size.

The current size of 35 members has no particular magic either for the Port or for PCAC. While the majority of respondents in this survey argued for a PCAC that is perhaps in the range of 15 members, it seems as though that size was advocated as a means of streamlining PCAC's proceedings. A smaller sized body may be efficient where the Commission has clearly defined its role, but for an advisory body, wider representation will provide a better opportunity to engage a wide range of the community, better establish the legitimacy of the PCAC and provide a more robust link to the community.

All of this depends, however, upon a mutual willingness on the part of the PCAC and the Port to engage one another with mutual gain as the overall goal.

7. The Neighborhood Councils offer an important link from the Port to the harbor communities. Yet, their representation on the PCAC does not reflect the importance of that role. Increasing their numbers as members of the PCAC will serve the Port well by expanding the range of voices from the community but will also provide a better means for the Port to engage the community at large. Expanded membership should reflect the ratio of population for the cities of San Pedro, Wilmington and Harbor City.

The elected members of the Neighborhood Councils should have a greater voice in PCAC owing to their status as elected community representatives. Since Neighborhood Council membership changes over time, it is an opportunity for wide representation in the PCAC. It is also an opportunity to engage communities of interest that may not currently be well represented on the PCAC.

8. Expand representation in PCAC for youth by seeking a student representative from each of the high schools, public and private, in San Pedro and Wilmington to be selected by their school principals.

Youth should be invited into the process of advising the Port, as they may become part of the harbor workforce. But, they are also an effective means of informing their own parents, friends and families about port operations who will, in turn, educate others. Moreover, they are likely to have passion about the role when selected to represent their high schools.

9. PCAC membership should be limited to a single three-year term with one-third of the members appointed each year.

Opinion was mixed on this subject among the interviewees as I have noted. However, if the Port seeks wide input from the community, this scheme will provide both the opportunity to involve new members of the community each year and yet provide terms of sufficient length to permit knowledgeable advice to the Port. If each PCAC member serves for a single three-year term and is then ineligible for reappointment during the two succeeding terms (six years), the composition of the PCAC will allow wider involvement of the community than is now possible.

10. PCAC committee chairs should serve for terms limited to two years. The Harbor Commission should endeavor to provide wide opportunity for PCAC members to serve as committee chairs.

The work of any committee chairs should be distributed within PCAC to share the burden of leadership within the Committee. As leadership changes in the PCAC, the community has the opportunity to more widely develop experienced community leaders who are familiar with the Port and comfortable engaging it on issues of importance to the community.

11. All PCAC nominees should submit letters of nomination signed by the board of directors of the organizations that they represent.

Every member of a community-based organization should be able to establish his/her bona fides via an appointment letter from the board of directors of the organization whom he/she represents. This should be a routine matter for all new appointees.

12. To facilitate a common effort in solving Port-community issues, the Port would be well advised to consider sponsoring educational events such as seminars where Port staff, PCAC members, Neighborhood Council members and ad hoc committee members can learn about new developments in science and policy relevant to the Port and community.

The objective is to facilitate Port staff and PCAC members sharing a common basis of information regarding matters of science, technology, policy or law in such a way that the basic information is equally distributed among those charged with taking further action, whether by making policy recommendations in the case of the PCAC or by doing further research and writing staff recommendations on the part of Port staff. The notion is to at least establish in all parties a common base of knowledge at the outset. Presenters at such seminars would most likely be chosen from outside the Port staff or PCAC membership and selected by joint agreement between the PCAC and Port.

13. Sub-committees should be limited to those required by the China Shipping negotiated settlement agreement. If more than one sub-committee is retained, all sub-committee meetings should be held on the same night of the week, not earlier than 6:30 p.m.

The sub-committee structure in PCAC works at cross-purposes to the Port. Historically it had the role of watching the Port to ensure its attention to matters deemed critical by the PCAC. As the structure has matured it has drawn the PCAC and Port away from engagement in common purposes and developed a sophisticated life often characterized by competition with Port positions. The PCAC is now well enough established and experienced that it can risk closer engagement with the Port in jointly resolving issues of mutual concern. Insofar as the settlement agreement over the China Shipping terminal dictates work by the PCAC in sub-committees, counsel will need to advise on the need for such sub-committees. If multiple sub-committees are required, they should all meet on the same evening to facilitate participation by PCAC members.

14. Senior Port staff should take a stronger leadership position with the PCAC, helping it to direct its work to objectives established by the Harbor Commission. Furthermore, the senior staff should assist the PCAC in gaining the attention of the Commission to matters considered important to the community.

PCAC should have the benefit of advice from senior Port staff at its meetings. Likewise, the staff should have the confidence that the senior leadership of the Port supports it when it speaks at PCAC meetings. Senior staff should be forthright in redirecting the attention of PCAC to issues established as high priority by the Harbor Commission but

should also be willing and empowered by the Port to transmit a sense of urgency back to the Harbor Commission when there are issues that demand and may have escaped its close attention.

15. The PCAC itself needs to rededicate itself to promoting discourse that can tolerate vigorous differences of opinion in its proceedings and yet honor the integrity of the advocates of those viewpoints. Where PCAC members find that standard difficult to abide, the PCAC and Harbor Commission must take action to decertify those members whose behavior in meetings is repeatedly uncivil, hostile or contemptuous of Port staff, fellow PCAC members or the public. Likewise, the public and Port staff are obliged to comport themselves by the same standards in PCAC meetings. PCAC meetings should be conducted under the terms of *Robert's Rules of Order*.

Without well-established sanctions against hostile comments and behavior by PCAC members, the Port may risk legal action. Moreover, behavior of some members that diminishes the willingness of any party to make comments or take positions in PCAC is inimical to the charter of PCAC and the Port.

16. Consistent with the time required for PCAC members to seek the advice and counsel of their appointing organizations, issues brought before the PCAC should be expeditiously evaluated and transmitted to the Harbor Commission for disposition.

Both PCAC and the Port staff should be attentive to expeditious processing of issues raised in PCAC and Harbor Commission meetings. Interviewees complained about PCAC's sub-committees processing issues very slowly through their own process as well as Port staff doing the same when directed by the Commission to study an issue. Slow processing is demoralizing to members who seek to know the progress on an issue that may be important to them or the organization they represent. PCAC leadership, working with Port staff should endeavor to expedite the processing of PCAC positions on issues before it.

17. The PCAC is not the sole representative of interests in the harbor communities. The Commission would be encouraged to find other means of informing wider segments of the community of its activities.
  - a. A summer "Port Days" weekend festival with activities for kids and displays and educational materials provided with staff present to explain what the Port does and plans on doing would help in informing the wider community of what is happening in the Port.
  - b. An event such as this also provides the opportunity to identify members of the community who have not been active in PCAC but could be interested in serving on a project advisory committee or be involved in some other means of engagement between the community and the Port.
  - c. PCAC members should have a significant role to play in further Port outreach since they are currently some of the best-informed members of the community about Port activities.

## CONCLUDING REMARKS

### *A Comment About Civic Engagement*

Over the past four years the Port Community Advisory Committee has demonstrated that there is capacity in the community for engaging the Port in a dialogue about its future and that of its neighboring communities. Citizens have been willing to invest time and energy in making that process a reality. Now, as the PCAC and the Port have forged a relationship, albeit contentious and difficult at times, both parties would be well served to consider the progress they have mutually made in engaging one another. Based on the observations of this study, it is now time to begin crafting a more durable and constructive method of talking to one another to seek the best results for both the community and the Port. It seems to this observer that the most important element of success is the willingness to try to work out differences and to stay with the process even though it may prove difficult. If a workable style of dialogue can be crafted with mutual respect and goodwill, then as personalities change both on the PCAC and in the Port, the process itself will have developed a life of its own thus serving both parties well into the future.

The PCAC may have been borne out of frustration with the Port but the willingness of its members to stay with a process of engagement testifies to the strong linkage that the community feels with the Port. The challenge for both parties now is to build on that history and risk trusting one another to forge new ways of communicating such that the interests of the community are respected and facilitated by the actions of the Port. Further, since the interests of the two parties are intertwined with one another, engagement is the only road to achieving mutually beneficial outcomes. An adversarial model has such serious limitations in meeting the needs and aspirations of a multitude of interested parties in the community and the Port that the most effective means of achieving mutually beneficial outcomes will be to expand the connections between the Port and the community. This study poses options designed to facilitate those connections.

## APPENDIX A

### INTRODUCTION TO THE SEA GRANT PROGRAM AT THE UNIVERSITY OF SOUTHERN CALIFORNIA AND ITS ROLE IN THE STUDY

The USC Sea Grant Program is one of 31 Sea Grant programs funded by the US Department of Commerce through the National Oceanic and Atmospheric Administration (NOAA) in coastal states and the Great Lakes. The 31 programs fund marine and marine-related research at their own campuses and those in their regions. They also each have a marine education program designed to develop curriculum material for K-12 and adult education about the marine environment. Each program also has a marine advisory/extension/outreach function that takes the results of campus research and makes those findings useful to government, business and the public. In a similar fashion, the outreach program is a link between the community and the campus to relate research needs back to faculty. Most Sea Grant extension specialists also have faculty positions and conduct their own research as well. Historically, since Sea Grant is funded by the US Government and based on university campuses, the extension/outreach staff can perform their work credibly as "honest brokers" to the community that they serve.

While Sea Grant often works in the area of fisheries, the USC Sea Grant program has focused for many years on a theme of the "Urban Ocean." Implementing that theme, it has supported a wide range of outreach over the years in a variety of fields such as marine transportation, water quality, marine recreation, coastal management and ecosystem research. After a ten-year hiatus in the 1990s, the program again turned its attention to marine transportation and seaports in 2002 when a new source of funding from NOAA became available. Since that time, the program has been one of five around the nation to develop outreach to the marine transportation and seaport community.

In early 2006, the executive director of the Port of Los Angeles, Dr. Geraldine Knatz, asked USC Sea Grant and its marine transportation expert, Dr. James Fawcett, to undertake a review of the Port of Los Angeles's Port Community Advisory Committee in its role as a neutral third party. Subsequently, Dr. Fawcett joined with David Mathewson, the POLA Director of Planning and Environmental Affairs, in an examination of the role, history, operation and ambitions of the PCAC. This document reports on the results of five months of formal interviews, review of documents and discussion with a number of individuals: Port employees, residents of the harbor communities, harbor business executives, political leaders and academic colleagues, seeking to determine whether there is a need to modify the existing relationship between the PCAC and the Port of Los Angeles.

## APPENDIX B

### STUDY INTERVIEW SUBJECTS

<u>NAME</u>	<u>REPRESENTING</u>
David Libatique	International Trade and Tourism Policy Analyst, Division of Housing and Economic Development, Mayor Villaraigosa's Office, L.A.'s Business Team
Patricia Castellanos	Harbor Area Representative, Division of Neighborhood and Community Services, Mayor Villaraigosa's Office
*June Burlingame Smith	Point Fermin Resident's Assoc. Chair, PCAC Coordinated Plan Subcmte.
*Richard Havenick	Coastal San Pedro Neighborhood Council Chair, Air Quality Subcmte.
*Jayme Wilson	Pacific Avenue Corridor Task Force Chair, PCAC
*Noel Park	San Pedro & Peninsula Homeowners Coalition
*Shannon Day	Northwest San Pedro Neighborhood Council Chair, Light, Aesthetics & Noise Subcmte.
*Michelle Grubbs	Pacific Merchant Shipping Assn. Former Chair, PCAC
*Cathy Beauregard	At-large Member (appointed by the 15 <sup>th</sup> District Councilperson Chair, Water Quality Subcmte.
*Frank O'Brien	L.A. Harbor-Watts Economic Development Corp. Co-chair, EIR/Aesthetic Mitigation Subcmte.
Vern Hall	Former PCAC Chair and Founding Member
Frank Pisano	Former PCAC Chair
David Nichol	Member, San Pedrans for Equitable Economic and Environmental Development
Dixon Hall	Member, San Pedrans for Equitable Economic and Environmental Development
Herb Zimmer	Member, San Pedrans for Equitable Economic and Environmental Development
Robert Nizich	Former member, PCAC
Scott Lane	Former Member, PCAC

## APPENDIX B (CONTINUED)

### STUDY INTERVIEW SUBJECTS

*Jim Cross	San Pedro Chamber of Commerce Chair, Port Master Plan/Quality of Life Subcmte.
David Wright	Pacific Energy Partners
Howard Uller	Toberman Settlement House
*Jesse Marquez	Wilmington Citizen's Cmte.
*Gary Young	Bridge, Dock & Wharf Builders, Welders Local Union 2375
Diana Nave	Northwest San Pedro Neighborhood Council
Jack Babbitt	Wilmington Neighborhood Council
Doug Epperhart	Coastal San Pedro Neighborhood Council
Gwen Butterfield	Butterfield Associates
*John Miller, M.D.	San Pedro and Peninsula Homeowner's Coalition
	Co-chair, EIR/Aesthetic Mitigation Subcmte.
Robert Gelfand, Ph.D.	Coastal San Pedro Neighborhood Council

#### Members of the Harbor Commission

David Freeman (by telephone)	President, Los Angeles Harbor Commission
Jerilyn López Mendoza, Esq. (by telephone)	Vice President, Los Angeles Harbor Commission
Kaylynn Kim, Esq. (by telephone)	Member, Los Angeles Harbor Commission
Douglas Krause, Esq. (by telephone)	Member, Los Angeles Harbor Commission
Camilla Townsend Kocol	Former Harbor Commissioner and Former Co-Chair, PCAC

\*Current Members of the Port Community Advisory Committee

## APPENDIX C

### INTERVIEW QUESTIONNAIRE (Used with each respondent)

1. Briefly, what has been your experience as a member of the PCAC?
2. What is your notion of the role of the PCAC?
3. How would you ensure that wide elements of public opinion are reflected in the PCAC?
  - a. What would be the optimum size of the PCAC?
  - b. How long should PCAC members serve?
4. If the choice were to define the role of PCAC to making recommendations on port policy or port projects, which of those is more important?
5. If the membership of the PCAC were changed, what groups not now represented should be represented?
6. Would you support joint Port staff/PCAC seminars to learn about current science and technology development related to port operations? If yes, how often would you be willing to attend?
7. Are you familiar with the function/operation of advisory committees at other US ports?
8. How would a "balanced community" differ from what now exists in Wilmington and San Pedro?
9. Does the administrative structure of the PCAC need to be modified? How?

## REFERENCES

### PUBLICATIONS

- Erie, S. P. (2004). *Globalizing L.A.: Trade, Infrastructure and Regional Development*. Stanford, CA: Stanford University Press.
- Queenan, C. F. (1983). *The Port of Los Angeles: From Wilderness to World Port*. Los Angeles: Los Angeles Harbor Department.
- Yankelovich, D. (1991). *Coming to Public Judgment: Making Democracy Work in a Complex World*. Syracuse, NY: Syracuse University Press.

### HARBOR DEPARTMENT RESOLUTIONS

- Los Angeles Harbor Commission. (2001). *Resolution of the Board of Harbor Commissioners Pertaining to the Formation of the Port of Los Angeles Community Advisory Committee*, Board Resolution No. 6039 (September 26, 2001).
- Los Angeles Harbor Commission. (2003). *Resolution of the Board of Harbor Commissioners Pertaining to the Continued Existence of the Community Advisory Committee*, Board Resolution 6170 (February 26, 2003).
- Los Angeles Harbor Commission. (2003a). *Resolution of the Board of Harbor Commissioners Pertaining to Written Statements of Reasons and Appropriate Findings for Any PCAC Resolution Rejected by the Board*, Board Resolution 6171 (February 26, 2003).

### COURT DOCUMENTS

- Superior Court of the State of California. (2004). *Amended Stipulated Judgment, Modification of Stay and Order Thereon*, Department 85, Hon. Dzintra Janavs. Case No. BS 070017 (June 14, 2004).

### UNPUBLISHED COMMUNICATIONS

- Ethington, D. (2006). *Letter to David Mathewson, Comments on PCAC*, May 31, 2006
- Gunter, J. (2006). *Electronic Mail Message Re: Responses to Knatz Letter Re PCAC*, May 29, 2006.
- Hahn, J. (2001). *Letter to San Pedro and Peninsula Homeowners' Coalition re Proposed Port of Los Angeles Impact Mitigation Advisory Committee (IMAC)*, May 7, 2001.

- Hahn, J. (2001a). *Letter to Board of Harbor Commissioners-Designee from Mayor James Hahn re a Proposed Community Advisory Committee for the Port of Los Angeles*, August 9, 2001.
- Hall, V. (2006). *Comments by Vern Hall (Former PCAC Co-Chair)*, May 8, 2006.
- Harbor Association of Industry and Commerce. (2006). *Letter from Edward J. Rogan to Dr. Geraldine Knatz re relationship between the Harbor Association of Industry and Commerce and the Port Community Advisory Committee*, May 25, 2006.
- Hart, C. (2006). *Electronic Mail Message to David Mathewson re Evaluation of the PCAC*, May 30, 2006.
- International Longshore and Warehouseman's Union, Local 13. (2006). *Letter From David Beeman to David Mathewson re Key Issues Facing the BOHC and PCAC*, May 31, 2006.
- James, J. (2006). *Letter to Dr. Geraldine Knatz*, August 2, 2006.
- Natural Resources Defense Council. (2006). *Letter from Julie Masters to David Freeman, Jerilyn Lopez Mendoza and Dr. Geraldine Knatz re PCAC Restructure*, May 30, 2006.
- Nave, D. (2006). *Electronic Mail Message to Dr. Geraldine Knatz re Northwest San Pedro Neighborhood Council Position on PCAC*, May 31, 2006.
- Nizich, R. (2001). *Letter to Ms. Julia Nagano Re: Port Community Advisory Committee and the role of the Waterfront Business Association*, October 16, 2001.
- Nizich, R. (2003). *Letter to Ms. Camilla Townsend-Kocol, Community Advisory Committee Co-Chair re Ideas for PCAC*, September 10, 2003.
- Nizich, R. (2004). *Letter to Commissioner Camilla Townsend-Kocol and Mr. Jayme Wilson, Co-Chair, Port Community Advisory Committee re Participation in PCAC*, February 11, 2004.
- NorthStar Consulting Group and Blue Consulting. (2004). *Industrial, Economic and Administrative Survey of the Los Angeles Harbor Department, Final Report, Submitted to the Los Angeles City Controller, Mayor and City Council*, November 18, 2004.
- San Pedrans for Equitable Economic and Environmental Development. (2006). *Letter to David Freeman, President, Board of Harbor Commissioners re the Port Community Advisory Committee*, March 31, 2006.
- San Pedro and Peninsula Homeowners' Coalition. (2000). *Letter to Richard Riordan, Mayor of Los Angeles Concerning the Proposed Port of Los Angeles Impact Mitigation Advisory Committee (IMAC)*, November 7, 2000.

San Pedro and Peninsula Homeowners' Coalition. (2000). *Letter to the Board of Harbor Commissioners Transmitting a Copy of the November 7, 2000 Letter to Mayor Riordan*. November 8, 2000.

San Pedro and Peninsula Homeowners' Coalition. (2001). *Letter to James Hahn re the Proposed Port of Los Angeles Impact Mitigation Advisory Committee (IMAC)*, April 24, 2001.

Waterfront Business Association. (2001). *Letter from Robert W. Nizich to Julia Nagano re Port Community Advisory Committee*, October 16, 2001.

