



**THE PORT  
OF LOS ANGELES**  
Executive Director's  
Report to the  
Board of Harbor Commissioners

**DATE: AUGUST 14, 2013**

**FROM: BUSINESS AND TRADE DEVELOPMENT**

**SUBJECT: SECOND TEMPORARY ORDER NO. \_\_\_\_\_ THE PORT OF LOS ANGELES TARIFF NO. 4 GENERAL RATE INCREASE**

**SUMMARY:**

On May 16, 2013, the City of Los Angeles Board of Harbor Commissioners (Board) approved a 1.7 percent General Rate Increase (GRI) applicable to almost all rated tariff items of the Port of Los Angeles (Port) Tariff No. 4 (Tariff No. 4), effective July 1, 2013 (Transmittal 1). Wharfage on petroleum products and the Clean Truck Program Concession and Temporary Access Permits were excluded from this GRI. Changes to Tariff No. 4 require Los Angeles City Council (City Council) approval. The City Council has not approved the Ordinance so the Board is required to approve a Second Temporary Order extending the implementation of the 1.7 percent GRI by another 90 days.

**RECOMMENDATION:**

It is recommended that the Board of Harbor Commissioners:

1. Approve the Second Temporary Order No. \_\_\_\_\_ to amend all rated tariff items in the Port of Los Angeles Tariff No. 4, except wharfage on petroleum products and the Clean Truck Program Concession and Temporary Access Permits; and
2. Authorize the Board Secretary to certify to the adoption of the Second Temporary Order by the Board and cause the same to be published once in a newspaper, printed, and published in the City of Los Angeles, to take effect prior to adoption by Ordinance for a period not-to-exceed 90 days pursuant to Charter Section 653(b) and transmit the Temporary Order to the Chief Wharfinger for implementation and posting to the Port of Los Angeles website as regulated by the Federal Maritime Commission.

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**ENVIRONMENTAL ASSESSMENT:**

The proposed action is a Second Temporary Order amending existing Tariff No. 4 by increasing rated tariff items by 1.7 percent, with some exceptions. As an administrative activity and an activity involving the modification of a fee for the use of existing municipal facilities involving negligible or no expansion of use, the Director of Environmental Management has determined that the proposed action is exempt from the California Environmental Quality Act (CEQA) in accordance with Article II, Section 2 (f) and Article III Class 1 (31) of the Los Angeles City CEQA Guidelines.

**ECONOMIC BENEFITS:**

This Board action will have no direct employment impacts for our five-county region.

**FINANCIAL IMPACT:**

The proposed Second Temporary Order extends the implementation of the 1.7 percent GRI for another 90 days, allowing additional time for the Ordinance to pass through the City Council approval process. A 1.7 percent increase effective July 1, 2013, to all revenue generating tariff items of Tariff No. 4, with exceptions, would upon expiration of this Second Temporary Order result to an increase in operating revenue estimated at \$2.2 million.

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**CITY ATTORNEY:**

The Office of the City Attorney has prepared and approved the proposed Temporary Order as to form and legality.

**TRANSMITTALS:**

1. Port Tariff No. 4
2. Temporary Order

FIS Approval: mcc (initials)  
CA Approval: JM (initials)

*Michael DiBernardo*

MICHAEL DIBERNARDO  
Director of Business Development

*Molly Campbell*  
for KATHRYN McDERMOTT  
Deputy Executive Director

APPROVED:

*Molly Campbell*

for GERALDINE KNATZ, Ph.D.  
Executive Director

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