

**DATE: SEPTEMBER 16, 2025**

**FROM: ENVIRONMENTAL MANAGEMENT**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ - FIRST AMENDMENT TO AGREEMENT NO. 24-10028, MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT ON BEHALF OF THE MOBILE SOURCE AIR POLLUTION REDUCTION REVIEW COMMITTEE TO FUND PUBLIC HEAVY-DUTY ZERO-EMISSION TRUCK CHARGING INFRASTRUCTURE**

**SUMMARY:**

Staff requests approval of a proposed First Amendment to Agreement No. 24-10028, Memorandum of Understanding (MOU) between the City of Los Angeles Harbor Department (Harbor Department) and the South Coast Air Quality Management District (SCAQMD), on behalf of the Mobile Source Air Pollution Reduction Review Committee (MSRC), to fund eight public heavy-duty zero-emission (ZE) electric truck charging infrastructure locations (Projects). The proposed First Amendment corrects the name of one of the applicants, updates the scope of work for the Projects, and changes the number of chargers from 207 chargers to an estimated 153 chargers. Approval of the proposed First Amendment will not add time or funding to Agreement No. 24-10028. The Harbor Department will remain financially responsible for up to \$12,520,661 in funding for these Projects.

**RECOMMENDATION:**

It is recommended that the Board of Harbor Commissioners (Board):

1. Find that the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II Section 2(f) of the Los Angeles City CEQA Guidelines;
2. Approve the First Amendment to Agreement No. 24-10028, Memorandum of Understanding with the South Coast Air Quality Management District on behalf of the Mobile Source Air Pollution Reduction Review Committee to fund up to \$12,520,661 of Clean Truck Fund money for eight public heavy-duty zero-emission truck charging infrastructure projects;
3. Authorize the Executive Director to execute and the Board Secretary to attest to said First Amendment for and on behalf of the Board; and
4. Adopt Resolution No. \_\_\_\_\_.

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**DISCUSSION:**

MSRC Request for Information Solicitation – The MSRC is comprised of South Coast Air Basin transportation agencies, the SCAQMD and the California Air Resources Board (CARB). As part of the MSRC Work Program development process, the MSRC is committed to funding up to \$50 million to develop ZE vehicle refueling infrastructure for use by the goods movement industry. In September 2022, the MSRC initiated a Request for Information (RFI) solicitation process whereby the MSRC sought submission of projects to construct zero-emission refueling infrastructure within the geographical jurisdiction of the SCAQMD. The Harbor Department and Port of Long Beach collaborated with MSRC to identify and fund eight projects totaling \$135,100,258. Once completed, the Projects were estimated to provide 207 electric chargers for the South Coast Air Basin.

MOU – On June 27, 2024, the Board of Harbor Commissioners approved Agreement No. 24-10028, an MOU with SCAQMD on behalf of the MSRC, to provide \$12,520,661 for the eight Projects paid for by the Port of Los Angeles Clean Truck Fund Rate (CTF). In addition, Port of Long Beach separately contracted with SCAQMD for the same amount using their CTF.

MOU First Amendment – The First Amendment makes the following changes to Agreement No. 24-10028 (Transmittal 1):

- a. Corrects the project applicant name from Electrify America to 4Gen Logistics.

Electrify America and 4Gen Logistics submitted a joint proposal to MSRC’s RFI. The original MOU listed Electrify America as the fund recipient. The First Amendment corrects the language to have 4Gen Logistics receive the funds.

- b. Adjusting the scope of work and number of chargers for the Projects.

The Scope of Work has been updated to allow funding to be moved between project locations for recipients with more than one project location. This allows fund recipients to adjust funds from one project site to another site as needed. Funding adjustments will be authorized by the SCAQMD. Of the eight Projects, this affects six Projects: four Projects under Terawatt and two Projects under 4Gen Logistics.

Additionally, due to site reconfigurations Terawatt’s four projects have adjusted the number of chargers at their locations. The reconfigurations include changing “pull in” stalls to “bobtail only” stalls and updating to faster charging systems that have now become the industry preference. The four Terawatt Project locations originally would have installed a total of 128 charging stalls but now it will only accommodate 74 charging stalls. Two of the locations (Rancho Dominguez and Rialto) will be reducing

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the number of chargers, while the other two locations (Fontana and Commerce) will be increasing the number of chargers. The total number of charging stalls for all eight Projects will change from 207 to 153. Transmittal 2 provides the adjusted Project list.

There is no change to the overall Agreement term or dollar amount. Each Project funding recipient is still required to provide at least a 30% cost share (a minimum of which 10% must be cash, not in-kind) contribution to their Project. Projects will only receive up to 70% or up to the maximum Harbor Department funding amount as listed in the First Amendment, whichever amount is reached first. Funding recipients are required to submit analysis for reasonable expectation that the charging infrastructure will be utilized by drayage trucks to SCAQMD.

The Harbor Department will disburse each Project's funding to SCAQMD when they complete contracting with each funding recipient. SCAQMD will administer the funding for each of the Projects and distribute funds to the Project recipients per agreed upon Project task milestones. The Harbor Department will receive quarterly reports from SCAQMD during the construction of each Project. Following the completion of a Project's infrastructure, the recipients of the Harbor Department funds are required to submit biannual reports to SCAQMD on infrastructure usage and downtime, if any, for up to five years after infrastructure completion. SCAQMD will submit these biannual reports to the Harbor Department. Each of the Projects have different estimated construction completion dates over the course of the next three years. The contract with SCAQMD will last eight years to account for infrastructure construction completion and the five-year biannual reporting requirement.

### **ENVIRONMENTAL ASSESSMENT:**

The proposed action is the approval of the First Amendment of an MOU with SCAQMD to fund public heavy-duty ZE truck infrastructure projects, which is an administrative activity. Therefore, the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of CEQA in accordance with Article II Section 2(f) of the Los Angeles City CEQA Guidelines.

### **FINANCIAL IMPACT:**

Approval of the proposed First Amendment to the MOU will correct the name of one of the applicants, update the scope of work for the Projects, and change the number of total chargers to 153 chargers. The term and compensation amount of the MOU will remain the same.

The Harbor Department will continue to remain financially responsible for funding up to \$12,520,661 for eight public heavy-duty ZE truck charging infrastructure projects.

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**CITY ATTORNEY:**

The Office of the City attorney has reviewed and approved the proposed First Amendment as to form and legality.

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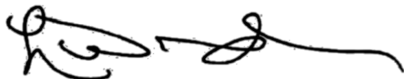
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**TRANSMITTALS:**

1. First Amendment to Agreement No. 24-10028 MOU between Harbor Department and SCAQMD, on Behalf of MSRC, for Public Heavy-Duty ZE Truck Charging Infrastructure
2. Updated MSRC Project List

FIS Approval: JS  
CA Approval: JC



LISA WUNDER  
Director of Environmental Management

*Michael DiBernardo*

MICHAEL DiBERNARDO  
Deputy Executive Director

APPROVED:

*Erica M. Calhoun* for

EUGENE D. SEROKA  
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