



DATE: NOVEMBER 5, 2019

FROM: WATERFRONT & COMMERCIAL REAL ESTATE

**SUBJECT: RESOLUTION NO. _____ – APPROVE AMENDED ACCESS
AGREEMENT TEMPLATE WITH SAN PEDRO PUBLIC MARKET, LLC**

SUMMARY:

Staff requests approval to amend the Access Agreement Template with San Pedro Public Market, LLC (SPPM) and the City of Los Angeles Harbor Department (Harbor Department) to use areas described in Lease No. 915 (Lease). The proposed action will modify the term duration of the Access Agreement, Exhibit L of the lease, from 30 days to up to 12 months. The Access Agreement allows SPPM to access the area for site preparation and pre-construction work prior to their possession of the premises.

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 Environment Quality Act (CEQA) under Article II Section 2(f) of the Los Angeles City CEQA Guidelines;
2. Approve the amended Access Agreement template;
3. Authorize the Executive Director to grant Access Agreements on the approved amended template to San Pedro Public Market, LLC; and
4. Adopt Resolution No. _____.

DISCUSSION:

Background - On May 16, 2016, the Board approved the Lease with SPPM for the redevelopment of the site formerly known as Ports O'Call (POC) in San Pedro. The Los Angeles City Council subsequently approved the lease at its June 10, 2016, meeting. At the time the lease was approved by the Board, certain placeholders were used for exhibits that were undetermined at the time or still in the process of being created, including a proposed agreement to access the POC site for pre-construction due diligence and site preparation prior to the lessee taking possession.

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On April 7, 2017, the Board approved the Access Agreement template. The Board-approved Access Agreement template is to be utilized for all site access requests prior to SPPM taking full possession of the premises as outlined in the Lease.

The purpose of the Access Agreement is to provide non-possessory rights in the form of a license to enter and work on the premises during the time periods where the Harbor Department is in possession of the premises prior to the possessory period of the Lease. The current Access Agreement has a term duration of 30 days. The amended Access Agreement (Transmittal 1) will modify the term duration to 12 months to allow the licensee to have extended time to access the site to conduct pre-construction activities which will reduce the administrative burden of needing to process a new agreement every 30 days.

Staff requests Board approval of the Amended Access Agreement Template as described in the Lease with SPPM to modify the Access Agreement term to 12 months.

ENVIRONMENTAL ASSESSMENT:

The proposed action is approval to amend the Access Agreement Template for Lease No. 915 with SPPM, which is an administrative activity. The SPPM project was assessed pursuant to CEQA in a May 2016 addendum to the certified San Pedro Waterfront Project Environmental Impact Report. 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:

The proposed amendment to the Access Agreement with SPPM will increase the term duration from 30 days up to an allowable 12 months. As this proposed action is administrative in nature, approval is not anticipated to have a financial impact on the Harbor Department.

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SUBJECT: AMENDED ACCESS AGREEMENT SPPM

CITY ATTORNEY:

The Office of the City Attorney has reviewed and approved the Amended Access Agreement template as to form and legality.

TRANSMITTALS:

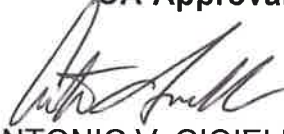
1. Amended Access Agreement Template



MICHAEL J. GALVIN
Director of Waterfront & Commercial Real Estate

FIS Approval: *MB*

CA Approval: *Jul*



ANTONIO V. GIOIELLO, P.E.
Deputy Executive Director

APPROVED:

 FOR

EUGENE D. SEROKA
Executive Director

ES:AG:MG:HP:fo
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