

FIRST AMENDMENT TO AGREEMENT NO. E-6626
BETWEEN THE CITY OF LOS ANGELES AND
PATRICIA V. TUBERT DBA TUBERT CONSULTING

THIS FIRST AMENDMENT to Agreement No. E-6626 is made and entered into by and between the CITY OF LOS ANGELES, a municipal corporation ("City"), acting by and through its Board of Harbor Commissioners ("Board"), and PATRICIA V. TUBERT DBA TUBERT CONSULTING ("Consultant") as follows:

1. Section III is amended to read:

"III. TERM OF AGREEMENT

"The term of this Agreement shall commence upon execution of this Agreement by the Executive Director and shall terminate on June 30, 2013."

2. Section V, subsection B is amended to read:

"B. The maximum payable under this Agreement, including reimbursable expenses (See Exhibit "B"), shall be Three Hundred Thousand Dollars (\$300,000)."

3. Exhibit "B" Compensation, first paragraph, is amended to read:

"For services rendered by Consultant under this Agreement, City shall pay Consultant the following rates for the first month of services as described in Notice 1 and then for the remainder of this Agreement as described in Notice 2, and pay any Out of Pocket Expenses as defined herein."

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Except as amended herein, all remaining terms and conditions of Agreement No. E-6626 shall remain in full force and effect.

IN WITNESS THEREOF, the parties hereto have executed this First Amendment to Agreement No. E-6626 on the date to the left of their signatures.

THE CITY OF LOS ANGELES, by its Board of Harbor Commissioners

Dated: _____

By _____ Executive Director

Attest _____ Board Secretary

PATRICIA V. TUBERT DBA TUBERT CONSULTING

Dated: August 30, 2012

By Patricia V. Tubert

PATRICIA V. TUBERT Gole projects
(Print/type name and title)

Attest Thomas A. Stewart
Attorney Thomas A. Stewart
(Print/type name and title)

RECEIVED
CITY OF LOS ANGELES
2012 SEP -7 14 LG
ACCOUNTS PAY

APPROVED AS TO FORM AND LEGALITY
_____, 2012
CARMEN A. TRUTANICH, City Attorney
Thomas A. Russell, General Counsel

By _____
HEATHER M. McCLOSKEY, Deputy

Account#	54290	W.O. #	
Ctr/Div#	0424	Job Fac.#	
Proj/Prog#	000		
Budget FY:		Amount:	
	2012/2013		\$150,000
	TOTAL		\$150,000

For Acct/Budget Div. Use Only

Verified by: [Signature]

Verified Funds Available: _____

Date Approved: 9.10.2012

COMPLETED

- Reviewed tenant’s requested changes and helped develop negotiation categories to reset compensation for California Sulphur Company – *Resulted in additional \$265,000 in annual revenue.*
- Assisted staff in developing negotiation strategies. Reviewed and provided feedback on staff’s analysis of pipeline permit terms in order to concurrently complete a permit renewal , with CPI adjustments, for General Petroleum and an amendment for ExxonMobil .
- Mentored staff in the review and analysis of Tideland Trust issues; parking plan; and agreements with the Environmental Protection Agency and the United States Navy. Mentored staff in negotiation strategies. Provided feedback on oral presentation to complete the permit for the USS IOWA – *Resulted in additional estimated annual revenue of \$50,000*
- Developed negotiation and project management strategies with staff to respond to various issues in connection with the proposed permit with Catalina Channel Express. Issues included relocation, provision for the new facility, and consideration of impact and timing in relation to China Shipping’s expansion on the adjacent property.
- Negotiations Training Session – Held training session for all Real Estate Division staff on negotiation skills, tips, and techniques.

IN PROCESS**Priority 1 – (As required by the 2011 Real Estate Division Audit)**

- Preparation of Permit Templates
 - Flat rate permit template
 - Percentage rent template
 - Ground lease template - (Ports O’ Call)
- Assist with development of the following documents:
 - Revised Leasing Procedures manual
 - Property Management Policy
 - Lease Pricing Policy
 - Writing Standards/ Style manual
- Continue staff training during completion of projects

Priority 2 – (Transactions)

- Reviewing documents and proposed permit terms. Providing feedback to staff on tenant negotiations and analysis of environmental mitigation and improvement issues for the proposed permit with Al Larson Boat Shop. *Estimated additional annual revenue is \$39,500*
- Developing negotiation strategies with staff to reset compensation for permit with APM Terminals Pacific.
- Assisting staff with review and analysis of new Cruise Terminal operating agreement provisions.
- Mentoring staff on analysis of terms to reset compensation and working with City Attorney and staff on other possible issues regarding the permit with the Doubletree Hotel.

- Reviewing and analyzing terms to renew various permits with the Department of Water and Power (DWP). Developing negotiation strategies to obtain consensus between the Harbor Department and DWP.
- Mentoring staff on analysis of terms and negotiation techniques to obtain a reimbursement agreement with Kinder Morgan.