



**THE PORT  
OF LOS ANGELES**

Executive Director's  
Report to the  
Board of Harbor Commissioners

**DATE: JULY 12, 2012**

**FROM: EXECUTIVE OFFICE**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ APPROVE HARBOR  
COMMUNITY BENEFIT FOUNDATION'S REQUESTED HEALTH CARE  
GRANT PROGRAM OF TRAPAC MOU EXHIBIT A, PROJECT C AND  
THE TRANSFER OF FUNDS TO THE HARBOR COMMUNITY BENEFIT  
FOUNDATION**

**SUMMARY:**

The Harbor Community Benefit Foundation (HCBF) hereby requests that the Board of Harbor Commissioners (Board) approve its use of the Port Community Mitigation Trust Fund (PCMTF) for grant awards to local clinics and other health service providers, for projects aimed at addressing health impacts from air pollution stemming from port operations. HCBF requests the Board to consider and approve funding for four grants totaling \$350,000, and direct the California Community Foundation (CCF) to release the respective amounts of the grants from the PCMTF in a single disbursement.

Staff has reviewed the proposal submitted by the HCBF and recommends approval in accordance with the Operating Agreement of the TraPac Memorandum of Understanding (TraPac MOU).

**RECOMMENDATION:**

It is recommended that the Board of Harbor Commissioners:

1. Approve Harbor Community Benefit Foundation's request to use the Port Community Mitigation Trust Fund to grant awards to local clinics and other health service providers, for projects aimed at addressing health impacts from air pollution stemming from port operations as Phase 1 of TraPac Memorandum of Understanding Exhibit A, Project C;
2. Authorize the Executive Director or her designee to execute a joint letter with the Harbor Community Benefit Foundation to approve the distribution of funds in one lump sum payment of \$350,000 from the California Community Foundation to the Harbor Community Benefit Foundation to be used in accordance with Harbor Community Benefit Foundation's request; and
3. Adopt Resolution No. \_\_\_\_\_.

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**DISCUSSION:**

The HCBF is the non-profit entity established to operate the PCMTF which was created in accordance with the TraPac MOU. The HCBF is requesting approval to use PCMTF funds in the amount of \$350,000 to provide funds to local clinics, other health service providers, and other organizations aimed at addressing health impacts from air pollution stemming from port operations as Phase 1 of TraPac MOU Exhibit A, Project C, (Transmittal 1). Project C of Exhibit A, via HCBF's Health Care Grant Program, purposes to mitigate these impacts by funding health care services, supplies, or other assets to treat or reduce asthma and other cardiopulmonary diseases in Wilmington. The projects are consistent with the TraPac MOU and include education, outreach, diagnostic, screening, and monitoring programs to reduce the health-related impacts of air pollution.

HCBF Board Actions - On February 23, 2012, the HCBF Board of Directors, by majority vote approved the committee selection of four grantees, from a total of seven applications received, in the amount of \$350,000. At this meeting, the HCBF Board approved three contracts in substantial form for an amount of \$146,908 to grantees: Tzu Chi Foundation, The Children's Clinic, and Long Beach Alliance for Children with Asthma (LBACA).

The fourth grant agreement for the amount of \$172,500, plus a contingency in the amount of \$30,592, was approved substantially to form by the HCBF Board on May 18, 2012. The grant recipient, Wilmington Health Center, is contracting with the Los Angeles Biomedical Research Institute (LABRI) at Harbor-UCLA Medical Center. LABRI will be performing renovations, remodeling, and reconfiguring space at the Wilmington Health Center into a pulmonology clinic. HCBF will determine if additional funds in contingency are needed to complete the scope of work.

Factors to be Considered by the Board of Harbor Commissioners - The Operating Agreement of the TraPac Memorandum of Understanding sets forth the relationship between the HCBF and the Board. The Board remains the trustees of the Tidelands assets at issue, the funds in the PCMTF, and must exercise "its independent judgment to determine that [proposed HCBF] projects mitigate a direct or indirect impact from Port or Port-related operations and are consistent with the Tidelands Trust and the [TraPac] MOU." (Operating Agreement, Section 5.A).

In accordance with Section 5.C of the Operating Agreement, the Board shall consider the following factors in voting on an HCBF requested project:

- a) consistency with the TraPac MOU and the Tidelands Trust;

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- b) whether the identified impact is attributable to Port or Port-related operations;
- c) whether the proposed project reasonably and appropriately mitigates, addresses, reduces, or eliminates the identified impact;
- d) that the budget and schedule for funding draw-downs from the PCMTF is appropriate for the type of project, and
- e) the substantial form of contracts which the Nonprofit proposes to enter into if the project is approved.

The Board may not arbitrarily or unreasonably decline to fund a project. Should the Board decline to fund a project recommended by the HCBF, it shall provide written findings relating to the reasons for the rejection based on the factors above.

Staff has reviewed the request submitted by the HCBF and recommends the Board's approval based on these factors.

#### **ENVIRONMENTAL ASSESSMENT:**

The proposed action is approval of a request from the HCBF to use the PCMTF for grant awards to existing local clinics and other health service providers for the purposes of education, outreach, diagnostic, screening, and monitoring programs aimed at addressing health impacts stemming from port operations. As an administrative activity involving the issuance of funds for existing health providers, the Director of Environmental Management has determined that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with Article II, Section 2(f) of the Los Angeles City CEQA Guidelines.

#### **ECONOMIC BENEFITS:**

This Board action will have no employment impact. The project associated with this Board action is anticipated to support 1 direct and 2 secondary one-year equivalent jobs for the five-county region.

#### **FINANCIAL IMPACT:**

The \$350,000 in funds requested by the HCBF will be transferred from the CCF to the HCBF upon approval by the Board. This amount is augmented by \$779,375 in additional health care grant funding from other sources for a total of \$1,129,375. On May 17, 2012, the PCMTF balance was approximately \$8.9 million.

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**CITY ATTORNEY:**

The Office of the City Attorney was reviewed and approved the requested transfer as to form and legality including conformance with the TraPac MOU and Operating Agreement.

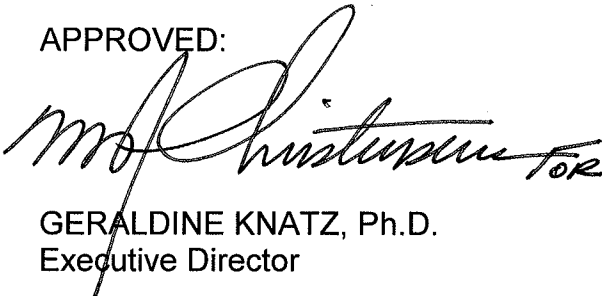
**TRANSMITTALS:**

1. Request from the Harbor Community Benefit Foundation for Health Care Grant Program
  - a. Staff Memo to HCBF Board of Directors: Item 3, February 23, 2012, Review and Approval of Grants for LBACA, The Children's Clinic & Tzu Chi)
  - b. Staff Memo to HCBF Board of Directors: Item 5, May 18, 2012, Health Care Grant Agreement for Wilmington Health Center
  - c. Grantee Executed Grant Agreements:
    - i. Long Beach Alliance for Children with Asthma, with Addendum
    - ii. The Children's Clinic, with Addendum
    - iii. Tzu Chi Medical Foundation, with Addendum
  - d. Grantee Executed Grant Agreement: LA Biomedical Research Institute at Harbor UCLA Medical Center, for Wilmington Health Center renovation, with evidence of County Self Insurance

FIS Approval: WR (initials)

CA Approval: JRC (initials)

APPROVED:



GERALDINE KNATZ, Ph.D.  
Executive Director

GK/mrc