



**THE PORT  
OF LOS ANGELES**  
Executive Director's  
Report to the

Board of Harbor Commissioners

**DATE: DECEMBER 11, 2019**

**FROM: GOVERNMENT AFFAIRS**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ - TERMINATION OF AGREEMENT  
NO. 18-3616 BETWEEN THE CITY OF LOS ANGELES HARBOR  
DEPARTMENT AND HOLLAND & KNIGHT, LLP**

**SUMMARY:**

Staff requests authority to terminate Agreement No. 18-3616 between the City of Los Angeles Harbor Department (Harbor Department) and Holland & Knight, LLP (Holland & Knight). Holland & Knight provides cybersecurity advocacy representation for the Harbor Department. Termination of Agreement No. 18-3616 is being requested at this time due to the departure of a senior policy advisor whose expertise was a key determining factor at the time Holland & Knight was awarded this Agreement in November 2018.

**RECOMMENDATION:**

It is recommended 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. Authorize the Executive Director or Designee to execute a letter of termination of Agreement No. 18-3616 between the City of Los Angeles Harbor Department and Holland & Knight, LLP
3. Adopt Resolution No. \_\_\_\_\_.

**DISCUSSION:**

**City of Los Angeles (City) Representation** – The Los Angeles City Charter (Charter), Section 231 (h), and Mayor Eric Garcetti's Executive Directive No. 4 (June 24, 2014) specify that the Office of the Mayor holds primary responsibility for the City's intergovernmental relations. The Charter provision and the procedures adopted to carry out this provision are designed to ensure a unified voice and coordinated legislative strategy when representing the City's interests.

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The Harbor Department's Government Affairs Division (GAD) works closely with the Mayor's Office of Legislative and Intergovernmental Relations at the State level to advance the Harbor Department's legislative agenda, support the Harbor Department's strategic goals, and pursue a broad range of Harbor Department objectives, including protecting and securing funding and developing policy related to port-related infrastructure, security, trade development, and environmental protection.

**Need for Termination** – On December 3, 2019, Holland & Knight, LLP notified the Harbor Department that the senior policy advisor working with the Port of Los Angeles on cybersecurity advocacy issues is leaving the firm effective December 6, 2019. Agreement No. 18-3616 was awarded following a competitive process, and the senior policy advisor's subject matter expertise greatly contributed to Holland & Knight receiving the highest score from the selection panel. The current term for Agreement No. 18-3616 expires November 31, 2020.

Authority to terminate the Agreement is provided for under Section III(C) of the Agreement, which grants the Board sole discretion to terminate all or any part of the Agreement for any reason, upon giving the Consultant 10 (ten) days' notice in writing.

**ENVIRONMENTAL ASSESSMENT:**

The proposed activity is approval to terminate Agreement No. 18-3616 with Holland & Knight, which is an administrative activity. Therefore, the Director of Environmental Management has determined that the proposed action is administratively exempt from CEQA in accordance with Article II Section 2 (f) of the Los Angeles City CEQA Guidelines.

**FINANCIAL IMPACT:**

Agreement No. 18-3616 was initially approved in November 2018 for a one-year term, with two one-year options and a total contract amount of \$459,000. As of November 30, 2019, \$121,712.75 has been incurred under this agreement. Assuming that Agreement 18-3616 would have been extended to cover a full three-year term, \$337,287.25 will no longer be expended under this agreement.

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CITY ATTORNEY:

The Office of the City Attorney has reviewed this board report and the proposed action raises no legal issues at this time.

FIS Approval: 

CA Approval: 



JENNIFER COHEN  
Director of Policy and Legislative Affairs



DAVID LIBATIQUE  
Deputy Executive Director  
Stakeholder Engagement

APPROVED:



EUGENE D. SEROKA  
Executive Director

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