

SECOND AMENDMENT TO AGREEMENT NO. 19-3706
BETWEEN THE CITY OF LOS ANGELES AND
SAN PEDRO PUBLIC MARKET, LLC

THIS SECOND AMENDMENT to Agreement No. 19-3706 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 SAN PEDRO PUBLIC MARKET, LLC ("Applicant") as follows:

1. Section 3.A. is amended to read:

"A. Subject to the provisions of Charter Section 245, the effective date of this Agreement ("Effective Date") shall be the date of its execution by the Executive Director following authorization of the Board. The term of this Agreement shall commence upon the Effective Date and, unless terminated earlier as provided herein, shall continue until seven (7) years has lapsed from the Effective Date of this Agreement or upon the expiration of all periods of legal challenge, litigation and appeal under applicable law of the Project Documents approved or certified by the Board pursuant to Section 3.C. ("Termination Date"), below, whichever is later."

2. Exhibit "A" ("Scope of Work and Estimated Budget") is removed in its entirety and replaced with Exhibit "A-1" ("Scope of Work and Estimated Budget") which is attached hereto and made a part hereof.

Except as amended herein, all remaining terms and conditions of Agreement No. 19-3706 shall remain in full force and effect.

Applicant is aware that pursuant to Charter Section 373 and Administrative Code Section 10.5, this Amendment requires approval by City Council prior to becoming effective.

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(Signature Page Follows)

IN WITNESS THEREOF, the parties hereto have executed this First Amendment to Agreement No. 19-3706 on the date to the left of their signatures.

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

Dated: _____

By: _____
EUGENE D. SEROKA
Executive Director

Attest: _____
AMBER M. KLESGES
Board Secretary

Dated: 8/5/24

SAN PEDRO PUBLIC MARKET, LLC.
By: _____
ERIC JOHNSON, VP
(Print/type name and title)

By: _____

(Print/type name and title)

APPROVED AS TO FORM AND LEGALITY

8-14, 2024
HYDEE FELDSTEIN SOTO, City Attorney
STEVEN Y. OTERA, General Counsel
By: _____
JOHN T. DRISCOLL, Deputy

EXHIBIT A – 1

SCOPE OF WORK AND ESTIMATED BUDGET

Consultant Scope and Cost

Port Consultants to prepare an environmental document in compliance with the California Environmental Quality Act (CEQA), associated with the San Pedro Public Market Concert Venue.

- a. Preparation of project documents, including air quality, greenhouse gas, transportation, and energy. Project management for preparation of project documents including but not limited to scheduling; coordinating data requests and analysis; setting up meetings; and reviewing technical analysis, response to comments, Board of Harbor Commission materials, and the project documents.
- b. Outside counsel costs (as needed)

Estimated amount: **\$723,000**

Port Staff Scope and Cost

Port Staff to review and provide oversight of the West Harbor Modification Project at the San Pedro Waterfront.

Estimated amount: **\$85,000**

Project Fees

County Clerk Filing
Fees Estimated
fee is \$5,000.

Advertising Fees
Estimated fee is \$12,000.

Estimated amount: **\$17,000**

Total Estimated Cost: \$825,000

Note: The amount and/or allocation of costs between the Consultant and Port Staff and other estimated fees are subject to change. This estimate also does not include legal defense costs given the uncertainty of their nature and/or necessity as of the Effective Date. Should legal defense costs and fees become necessary, an estimate will be made available upon request.