

**AGREEMENT BETWEEN THE CITY OF LOS ANGELES  
AND THE CITY OF LONG BEACH**

**ESTABLISHING COSTS TO BE SHARED  
UNDER THE CLEAN AIR ACTION PLAN**

**PACIFIC HARBOR LINE, INC.  
ZERO-EMISSION SWITCHER LOCOMOTIVE DEMONSTRATION PROJECT**

This Agreement is made and entered into by and between the City of Los Angeles, a municipal corporation, acting by and through its Board of Harbor Commissioners ("CITY OF LOS ANGELES"), at its meeting of \_\_\_\_\_, 2023, and the City of Long Beach, a municipal corporation, acting by and through its Board of Harbor Commissioners ("CITY OF LONG BEACH"), at its meeting of June 12, 2023 ("Agreement").

WHEREAS, the CITY OF LOS ANGELES and the CITY OF LONG BEACH (collectively "the Ports" or "the Parties") have entered into Los Angeles Agreement No. 2546 / Long Beach Agreement No. HD-7173 ("Master Cost Sharing Agreement") expressing their desire to share the costs of certain contracts related to the San Pedro Bay Ports Clean Air Action Plan; and

WHEREAS, in accordance with the terms of the Master Cost Sharing Agreement, the Ports are interested in sharing the cost of an agreement with Pacific Harbor Line, Inc. for a demonstration project of a zero-emission battery-electric switching locomotive at the Ports. ("Project").

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

1. The term of the agreement between the City of Long Beach and Pacific Harbor Lines, Inc. shall commence upon execution and, subject to the City of Long Beach's right to terminate early, shall terminate on December 31, 2024.
2. The total cost to the Ports for the Project will not exceed \$845,390, with each Port paying 50 percent or \$422,695.
3. The terms and conditions of the Master Cost Sharing Agreement are incorporated by reference into this Agreement and the Ports agree to abide by all the terms and conditions of the Master Cost Sharing Agreement.
4. The terms of this Agreement shall be amended only in writing and signed by both Ports.

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HD-7173PP

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date to the left of their signatures.

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

Date: \_\_\_\_\_, 2023

By: \_\_\_\_\_  
Eugene D. Seroka  
Executive Director

Attest: \_\_\_\_\_  
Amber M. Klesges  
Board Secretary

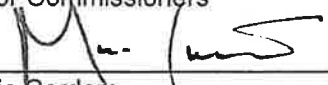
APPROVED AS TO FORM AND LEGALITY

October 26, 2023  
HYDEE FELDSTEIN SOTO, City Attorney  
Steven Y. Otera, General Counsel

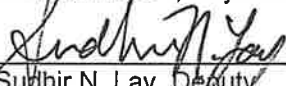
By:   
Heather M. McCloskey, Deputy

THE CITY OF LONG BEACH, a municipal corporation, acting by and through its Board of Harbor Commissioners

Date: September 6, 2023

By:   
Mario Cordero  
Chief Executive Officer

APPROVED AS TO FORM  
DAWN MCINTOSH, City Attorney

By:   
Sudhir N. Lay, Deputy

Date: August 15, 2023

# FUNDS AVAILABLE STAMP

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ESTABLISHING COSTS TO BE SHARED  
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PACIFIC HARBOR LINE INC.  
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Account#	59965	W.O. #	78085
Ctr/Div#	0330	Job Fac.#	637-00
Proj/Prog#	000		
Budget FY:		Amount:	
	FY 23/24		\$246,000.00
	FY 24/25		\$176,695.00
	TOTAL		\$422,695.00
<u>For Acct/Budget Div. Use Only</u>			
Verified by:	Erin O'Malley <small>Digitally signed by Erin O'Malley Date: 2023.06.28 08:28:08 -0700</small>		
Verified Funds Available:	<i>Falle</i> <small>Digitally signed by Frank Liu Date: 2023.06.28 11:00:53 -0700</small>		
Date Approved:	6/28/23		