

DATE: JANUARY 20, 2026

FROM: CARGO MARKETING

SUBJECT: RESOLUTION NO. _____ - APPROVE SECOND TEMPORARY ORDER TO AMEND PORT OF LOS ANGELES TARIFF NO. 4, "GENERAL RATE INCREASE"

SUMMARY:

Staff requests approval of a second Temporary Order to amend Port of Los Angeles (Port) Tariff No. 4 (Tariff), effective March 1, 2026, which would implement a 2.5 percent General Rate Increase (GRI), applicable to Tariff No. 4 rated tariff items, excluding rated tariff items that currently have a scheduled rate increase. This second Temporary Order is being proposed within the Board of Harbor Commissioners' (Board) authority to adopt rates for up to 90 days.

At the November 6, 2025 Board meeting, the Board approved Temporary and Permanent Orders amending various sections of the Tariff, increasing rated tariff items. Changes in the Tariff require City Council approval. The City Council has not calendared and approved the Permanent Order and Ordinance. The first Temporary Order will expire on February 28, 2026; therefore, a second Temporary Order is proposed to allow additional time for the Permanent Order to pass through the City Council approval process. This second Temporary Order, if approved, will expire 90 days after the day it is published or upon execution of the Permanent Order by the City Council, whichever occurs first.

RECOMMENDATION:

It is recommended that the Board of Harbor Commissioners:

1. Find that the Director of Environmental Management has determined that the proposed action is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Article III Class 1(31) of the Los Angeles City CEQA Guidelines;
2. Adopt a second Temporary Order No. _____ with an effective date of March 1, 2026, to amend Port of Los Angeles Tariff No. 4, increasing rates to Section Four "Dockage", Items 450 & 480; Section Five "Wharfage", Items 550-001 through 550-801; Section Seven "Free Time, Wharf Demurrage, and Wharf Storage", Items 780 and 790;

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Section Nine “Container Cranes” Item 900; Section Eleven “Charges for Occupancy of Office Space, etc. In Transit Sheds and on Wharves and Wharf Premises”, Item 1100; Section Twelve “Water and Electricity”, Item 1200; Section Fifteen “Public Landings”, Items 1525 & 1530; Section Eighteen “General Rules and Regulations – Miscellaneous”, Item 1802; Section Nineteen “Commercial Fishing Vessel”, Items 1910 & 1930; and Section Twenty-Four “Recreational Courtesy Docks”, Items 2425 & 2430;

3. Authorize the Board Secretary to certify the adoption of the second Temporary Order by the Board of Harbor Commissioners and cause the same to be published once in a newspaper printed and published in the City of Los Angeles, to take effect on March 1, 2026, for a period not-to-exceed 90 days pursuant to City Charter Section 653(b); and
4. Adopt Resolution No._____.

DISCUSSION:

Background and Context – In calendar years 2004 and 2005, California Association of Port Authorities (CAPA) member ports imposed a five percent GRI. CAPA member ports opined that over the years, previously implemented GRIs have not kept pace with inflation. At the June 28-29, 2012 CAPA Advisory Committee meeting, direction was given to the CAPA Tariffs and Practices Committee to implement an annual Consumer Price Index (CPI-U) based GRI system. The GRI system was to consider the following items:

- Applicable to existing and new tariffs
- Based on the CPI-U
- Effective Date: July 1, 2013
- No adjustments below zero
- Applicable to all CAPA member ports
- Member ports would be able to exercise selective hold-downs and independent action

Subsequently, the Board adopted Temporary Orders for a 1.7 percent GRI for a temporary 9-month period July 2013 - March 2014, which expired when they were not approved by City Council under Permanent Order. On November 4, 2021, the Board and City Council approved Temporary and Permanent Orders amending Tariff No. 4, increasing petroleum products rates by 9.4 and 11.8 percent, effective January 1, 2022, and deleting tariff items no longer relevant. Since that time, the Board has consistently approved GRIs on an annual basis. The table below illustrates the more recent Board-approved GRIs.

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GRI Percentage	GRI Effective Date	Board Approval Date	City Council Ordinance No.
7.1 percent	August 1, 2022	April 28, 2022	187649
6.2 percent	September 1, 2023	July 20, 2023	188194
3.6 percent	July 1, 2024	June 6, 2024	188366

GRI were applicable to Tariff No. 4 rated items, excluding rated tariff items that already had a scheduled rate increase.

Proposed 2025 GRI – The Bureau of Labor Statistics has identified a 2.5 percent increase in the CPI-U for the 12-month period ending December 2024. The implementation of the proposed GRI allows the Port to keep its rated tariff items up with the level of inflation. Although Tariff No. 4 covers more than 100 items, Item 550-001 is arguably the most important as this is wharfage on Merchandise Not Otherwise Specified (NOS). The NOS rate applies to commodities that are not specifically listed in Tariff No. 4, but more importantly, any percent increase of Item 550-001 in Tariff No. 4, NOS rate, effective December 1, 2025, would apply to, but not necessarily immediately impact, wharfage rates at five of the seven container terminal permits at the Port. Container terminal permits whose compensation schedule is tied to the NOS rate are:

- APM Terminals Pacific, LTD
- China Shipping Holding Company, LTD
- LATiL Terminal, LLC
- Everport Terminal Services, Inc.
- Yusen Terminals, Inc.

Container terminal permits, similar to other permits, include a scheduled compensation review process. The scheduled compensation adjustment can be a fixed value, or a percentage increase based on a CPI.

Tariff items and/or permits not subject to the proposed GRI effective December 1, 2025:

- Fenix Marine Services' permit is subject to a GRI only when all other container terminal permits see increases in rates resulting from a GRI.
- The TraPac Inc. permit includes scheduled rate increases as well as storage and demurrage fees which are not subject to a GRI.

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Other non-container business wharfage rates for break bulk, liquid bulk, and auto terminals would be impacted by the GRI as well. Staff recommends the Board approve the application of a 2.5 percent GRI based on the CPI-U to all rated items in Tariff No. 4 (Transmittals 1 and 2), except for the tariff items below.

- Item No. 330 – Pilotage: Pilotage rates are currently on a 5-year rate increase schedule (approved by the Board in April 2021).
- Item No. 600 – Passenger Fees: Passenger fees are currently on a 5-year increase schedule (approved by the Board in August 2023).
- Item No. 605 – Alternative Maritime Power (AMP) System Cost Passenger Fees: Currently evaluating whether the Cruise Passenger AMP Fee needs to be updated ensuring the fee charged covers the cost of power after billings.
- Item No. 810 – Space Assignments: This Section (Section 8) shall be exempt from any GRI. This does not prohibit the adjustment of Space Assignment rates through amendments to this Section. Rates have previously been reset and increased based on a CPI level going forward (approved by the Board in October 2020).
- Item No. 1300 – Parking Charges: This Section (Section 13) shall be exempt from any GRI. This does not prohibit the adjustment of Parking Charges through amendments to this Section. (On a separate rate increase schedule approved by the Board in July 2024).
- Item No. 2040 – Clean Air Action Plan: Permit fees are not part of the GRI.
- Item Nos. 2300 – 2340 – Various Incentives: Not part of a GRI.
- Item No. 2505 – Additional Tariff Requirements: Item No. 2505 is a new Tariff Item within a new Section, Section 25 – Emissions Control Strategy Charges (a Temporary and Permanent Order was approved by the Board in February 2025). Charges in Item No. 2505 shall be exempt from any GRI. This does not prohibit the adjustment of Additional Tariff Requirements through amendments to this Section. Changes in this new Tariff item will be increased based on a percentage or CPI level going forward.

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Rate increases took effect on December 1, 2025, through the first temporary order, and will remain in effect until February 28, 2026, given that the Permanent Order is not approved beforehand.

Need for Amendment – CAPA, of which the Port is a member, adopted an annual GRI methodology for tariffs based on the West Region CPI-U. The Bureau of Labor Statistics has identified a 2.5 percent increase in the CPI-U for the 12-month period ending December 2024. The implementation of a GRI allows the Port to keep its rated tariff item up with the level of inflation.

Need for Approval – Pursuant to the Los Angeles City Charter, the Board has authority to make changes to Tariff No. 4 for a period of 90 days by second Temporary Order (Transmittal 3). A companion action to this Resolution recommends a Permanent Order and Ordinance for approval by the Board and City Council, which are required to make changes to Tariff No. 4 beyond the Temporary Order's 90-day effective period. At the November 6, 2025 Board meeting, the Board approved Temporary and Permanent Orders amending various sections of Tariff No. 4 increasing rated tariff items by 2.5 percent. Changes in the Tariff require City Council approval. The City Council has not calendared and approved the Permanent Order and Ordinance. The first Temporary Order will expire on February 28, 2026; therefore, a second Temporary Order is proposed to allow additional time for the Permanent Order to pass through the City Council approval process. The second Temporary Order, if approved, will be effective March 1, 2026, and expire 90 days after the effective date or upon execution of the Permanent Order and Ordinance by the City Council, whichever occurs first.

ENVIRONMENTAL ASSESSMENT:

The proposed action is the approval of a second Temporary Order to amend the Port of Los Angeles Tariff No. 4, which is an activity that modifies any rate, fee, or charge for the use of existing municipal facilities and services involving negligible or no expansion of use. Therefore, the Director of Environmental Management has determined that the proposed action is categorically exempt from the requirements of CEQA in accordance with Article III Class 1(31) of the Los Angeles City CEQA Guidelines.

FINANCIAL IMPACT:

Approval of the proposed second Temporary Order would implement a GRI on all revenue-generating items, with certain exceptions, under Tariff No. 4. The NOS rate described within item 550-001 would increase from 736 currently to 754 as proposed. If the proposed Temporary Order is approved, staff estimates that container wharfage revenues through December 31, 2025 would increase by approximately \$0.1 million, or 0.03 percent, while annual container wharfage revenues the following year through December 31, 2026, would increase by approximately \$2.8 million, or 0.67 percent.

The aggregate increase to the NOS rate will not generate a full 2.5 percent increase in container wharfage revenues as certain key permits already include language which

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increase rates based upon the greater of the annual change in CPI or the annual change in the NOS rate. In addition, certain permits include either exclusions or scheduled rate increases that are not subject to changes in the NOS rate.

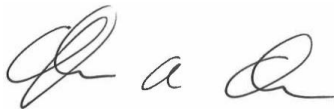
CITY ATTORNEY:

The Office of the City Attorney has reviewed and approved the proposed second Temporary Order as to form and legality.

TRANSMITTALS:

1. POLA Tariff No. 4 Excerpt – Exhibit A
2. Proposed CPI GRI Items
3. Second Temporary Order

FIS Approval : JS (initials)
CA Approval : CA (initials)



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