

**AGENDA OF THE REGULAR MEETING OF THE  
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 1  
THURSDAY, MARCH 19, 2009, AT 6:00 P.M.  
BANNING'S LANDING COMMUNITY CENTER  
100 EAST WATER STREET  
WILMINGTON, CA 90744**

**BOARD OF HARBOR COMMISSIONERS**

**President S. David Freeman**

**Vice President Jerilyn López Mendoza**

**Commissioner Kaylynn L. Kim**

**Commissioner Douglas P. Krause**

**Commissioner Joseph R. Radisich**

**A. OPENING STATEMENT – AN OPPORTUNITY FOR MEMBERS  
OF THE PUBLIC TO ADDRESS THIS BOARD**

**PERSONS IN THE AUDIENCE MAY ADDRESS THIS BOARD  
IN CONNECTION WITH ANY AGENDA ITEM OR DURING  
THE PUBLIC COMMENT PERIOD.**

**AS PROVIDED BY THE BROWN ACT, THE BOARD HAS  
LIMITED EACH INDIVIDUAL'S SPEAKING TIME TO THREE  
MINUTES. ANYONE DESIRING TO SPEAK DURING THE  
PUBLIC COMMENT PERIOD IS REQUESTED TO COMPLETE  
A SPEAKER CARD AND SUBMIT IT TO THE COMMISSION  
SECRETARY, VIA THE SERGEANT AT ARMS, PRIOR TO THE  
START OF THE MEETING.**

Commission actions, except actions which are subject to appeal or review by the Council pursuant to other provisions of the Charter, ordinance or other applicable law, are not final until the expiration of the next five meeting days of the City Council during which the Council has convened in regular session. If the Council asserts jurisdiction during this five meeting day period the Council has 21 calendar days thereafter in which to act on the matter.

Please note that this agenda is subject to revision in accordance with the Brown Act. In the event the agenda is revised prior to the meeting, Port staff will endeavor to post the revised agenda on the Port's web site (<http://www.portoflosangeles.org>). Updated agendas also will be available in hard copy at the meeting. Live Board meetings can also be heard at: (213) 621-City (Metro), (818) 904-9450 (Valley), (310) 471-City (Westside) and (310) 547-City (Harbor).

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities.

Sign language interpreters, assistive listening devices, and translation services may be provided. To ensure availability, 72-hour advance notice is required. Contact the Commission office at (310) 732-3444.

Interpretes de señas, sistemas auditivos y servicios de traducciones están disponibles. Para asegurar disponibilidad, se requiere solicitarlos con 72 horas de anticipación. Para hacer la solicitud, llame a la oficina de la Comisión al (310) 732-3444.

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**B. COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS**

**C. REPORT OF THE EXECUTIVE DIRECTOR**

**D. REPORTS OF COMMISSIONERS**

Discussion of Water Quality Issues in the Harbor.

**E. BOARD COMMITTEE REPORTS**

**F. REPORTS OF THE EXECUTIVE DIRECTOR**

**Consent Items (1-11)**

**City Attorney**

1. Re: RESOLUTION NO. \_\_\_\_\_ - THIRD AMENDMENT TO AGREEMENT NO. 2477 BETWEEN THE CITY OF LOS ANGELES AND MAYER BROWN LLP FOR LEGAL SERVICES AND SECOND AMENDMENT TO AGREEMENT NO. 2472 BETWEEN THE CITY OF LOS ANGELES AND HOWREY LLP FOR LEGAL SERVICES

*SUMMARY: The City Attorney requests authority for amendments to Agreement No. 2477 with the law firm of Mayer Brown LLP (Mayer Brown), a Los Angeles firm and Agreement No. 2472 with the law firm of Howrey LLP (Howrey), a firm with offices in Los Angeles and Irvine. The amendments will allow Mayer Brown and Howrey to continue to assist the City Attorney in litigating a Federal Civil False Claims Act case in federal court entitled The United States of America ex rel. State of California*

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**1. (Continued)**

*ex rel., Stanley D. Mosler v. City of Los Angeles, et al., U.S.D.C. Case No. CV-02-2278 SJO (RZx).*

*The proposed amendments include additional funds for both agreement appropriations and a term extension of one year for Agreement No. 2472 with Howrey. Both amendments require City Council approval under Charter Section 373 because the cumulative contract period for the Agreement exceeds three years.*

**Recommendation: Board resolve that (1) the Third Amendment to Agreement No. 2477 increasing the appropriation by \$500,000 from \$1,000,000 to \$1,500,000 be approved; (2) the Second Amendment to Agreement No. 2472 extending the term from a three-year period to a four-year period terminating on June 14, 2010 be approved, and the Second Amendment to Agreement No. 2472 increasing the appropriation by \$250,000 from \$800,000 to \$1,050,000 be approved; (3) this Resolution increasing the appropriation for Agreement No. 2477 and No. 2472 and extending the term of Agreement No. 2472 from a three-year period to a four-year period terminating on July 17, 2010 be adopted; (4) the Executive Director be authorized to execute the Third Amendment to Agreement No. 2477 and the Second Amendment to Agreement No. 2472; (5) the Board Secretary be directed to transmit the Third Amendment to Agreement No. 2477 and the Second Amendment to Agreement No. 2472 to the City Council for its approval pursuant to Section 373 of the Charter; and (6) Resolution No. \_\_\_\_\_ be adopted.**

**2. Re: RESOLUTION NO. \_\_\_\_\_ - THIRD  
AMENDMENT TO AGREEMENT NO. 2441 WITH  
STANZLER, FUNDERBURK & CASTELLON LLP FOR  
LEGAL SERVICES RELATING TO CITY OF  
LOS ANGELES V. KINDER MORGAN ENERGY  
PARTNERS, L.P., ET AL., LASC CASE NO. NC 041463**

***SUMMARY: The City Attorney requests authority to execute an 18-month extension to the Agreement with outside counsel and to make an additional \$80,000 appropriation to cover trial delays.***

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**2. (Continued)**

**Recommendation:** Board resolve that (1) the Executive Director be authorized to execute the Third Amendment to Agreement No. 2441 between the City of Los Angeles and Stanzler, Funderburk & Castellon LLP, extending the term from four to five and one-half years; (2) this Board Report as the Resolution extending the term of Agreement No. 2441 from four to five and one-half years be adopted; and (3) the Board Secretary be directed to transmit the Third Amendment to Agreement No. 2441 to the City Council for its approval pursuant to Section 373 of the Charter.

**Clean Truck Program**

**3. Re: RESOLUTION NO. \_\_\_\_\_ - FIRST  
AMENDMENT TO AGREEMENT NO. 08-2719 WITH  
EMODAL.COM FOR CONTINUED INFORMATION  
TECHNOLOGY SERVICES FOR THE CLEAN TRUCK  
PROGRAM**

***SUMMARY: The proposed action recommends that the Board of Harbor Commissioners (Board) approve the First Amendment to Agreement No. 08-2719 extending the City of Los Angeles Harbor Department (Harbor Department) and the City of Long Beach shared contract for a preliminary Drayage Truck Registry (DTR) with eModal.com (eModal), for an additional six months while the permanent Drayage Truck Registry (DTR) is being completed. At present, the permanent DTR remains on schedule to be ready for testing in late June 2009, with a planned transition to the new system scheduled for late July 2009. Staff from the Port of Los Angeles and the Port of Long Beach (Ports) is working closely with Natoma Technologies, Inc. (Natoma) to assure that the development of the permanent DTR remains on schedule and on budget. The recommendation is to add \$333,800 to the eModal contract, with \$166,900, or half, being the Harbor Department's share, with the remaining half paid for by the Port of Long Beach. The \$333,800 increase would be comprised of \$283,800 for an additional six-months of DTR application hosting, system maintenance and outreach services, \$30,000 to compensate eModal for recent additional software code changes required for DTR administration, and an additional not-to-exceed amount of \$20,000 to support transition services***

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**3. (Continued)**

*to the Port-owned DTR in July 2009. Funding for the Agreement is available in the adopted FY 2008/09 budget as part of the CTP's budget from Cost Center 0210, Account No. 59967, Program 652. The Port of Long Beach staff is also recommending its Board approve this extension.*

*This item was held over from the March 5, 2009 Board of Harbor Commissioners meeting to allow one of the Commissioners to meet with staff to obtain clarification about the scope of work for the extension. That meeting with staff was held on March 6, 2009 and the Commissioner indicated he was satisfied with the information provided.*

**Recommendation:** Board resolve that (1) the First Amendment to Agreement No. 08-2719 with eModal.com for an extension of 180 calendar days, and an additional not-to-exceed amount of \$333,800 to be equally shared between the Harbor Department and the City of Long Beach be approved. As a shared contract, the maximum cost to the Harbor Department for the extension period is \$166,900 (Transmittal 1); (2) the Executive Director and the Board Secretary be authorized to execute and attest to said First Amendment to Agreement No. 08-2719 for and on behalf of the Board; and (3) Resolution No. \_\_\_\_\_ be adopted.

**Economic Development**

**4. Re: RESOLUTION NO. \_\_\_\_\_ - PROPOSED SECOND AMENDMENT TO AGREEMENT NO. E6443 BETWEEN THE CITY OF LOS ANGELES AND IMC MUNICIPAL CONSULTING**

***SUMMARY: The Los Angeles Harbor Department (Harbor Department) entered into Agreement No. E6443 with IMC Municipal Consulting on March 2008, to assist the Harbor Department in developing economic development strategies relating to the San Pedro and Wilmington Waterfront redevelopment projects. The First Amendment to Agreement No. E6443, executed on February 24, 2009, modified the scope of work to include assistance in developing economic development strategies for the San Pedro Bay Port Technologies Development Center (SPBPTDC) and assisting the Harbor Department in identifying and pursuing funding sources for***

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**4. (Continued)**

*economic development programs. The First Amendment also increased the contract amount from \$75,000 to \$150,000. To date, IMC Municipal Consulting has been paid \$59,325 through February 28, 2009. The proposed Second Amendment to Agreement No. E6443 would extend the length of the current 12-month agreement, effective on March 26, 2009, by 3 months, for a total of 15 months. The new expiration date would be June 26, 2009. The additional time will allow IMC Municipal Consulting to complete the additional scope of work from the First Amendment of the agreement. No additional funds are being requested. Since the proposed amendment would extend the term of the agreement beyond one-year, the Board of Harbor Commissioners (Board) approval is required.*

**Recommendation:** Board resolve (1) the Second Amendment to Agreement No. E6443 to extend the contract term effective on March 26, 2009, by 3 months, for a total term of 15 months be approved (2) the Executive Director and Board Secretary be authorized to execute and attest to the Second Amendment for and on behalf of the Board; and (3) Resolution No. \_\_\_\_\_ be adopted.

**Executive Director**

**5. Re: FINANCIAL REVIEW FOR FISCAL YEAR 2008/2009  
YEAR TO DATE - DECEMBER 2008**

*SUMMARY: In January 2009, the Los Angeles Harbor Department prepared a financial review of its operating results for the first six-months of the Fiscal Year 2008/2009. The un-audited financial statements were transmitted to the Audit Committee of the Board of Harbor Commissioners and subsequently to the Harbor Commissioners in February 2009. The item was continued, subject to a financial review presentation, by the Harbor Commissioners. The request for a financial review presentation is no longer requested by the Harbor Commissioners; therefore, this item is recommended to be received and filed.*

**Recommendation:** Board resolve that the transmitted report and cover page be received and ordered files.

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**Government Affairs**

6. Re: **RESOLUTION NO. \_\_\_\_\_ - APPROVAL OF THE  
SECOND AMENDMENT TO AGREEMENT NO. E6362  
WITH CALIFORNIA STRATEGIES & ADVOCACY, LLC  
FOR GOVERNMENT ADVOCACY SERVICES**

***SUMMARY: Agreement No. E6362 with California Strategies & Advocacy, LLC, of Sacramento, California, was approved by the Executive Director on February 28, 2007, following a Request for Proposals (RFP) selection process that began in March 2006. This Agreement provides the City of Los Angeles and the Los Angeles Harbor Department (Department) with state administrative, legislative, regulatory, and funding advocacy. The initial one-year Agreement for \$150,000 was amended and approved by the Board of Harbor Commissioners in February 2008 to extend the term one-year, with an option to extend up to one additional year, for a not-to-exceed amount of \$150,000 per year (\$450,000 for up to three-years). The monthly compensation in the current Agreement is \$12,500. The proposed Second Amendment would decrease monthly compensation to \$10,000, effective March 1, 2009, for the remainder of the Agreement.***

**Recommendation: Board resolve that (1) the Second Amendment to Agreement No. E6362 with California Strategies & Advocacy, LLC, which decreases the monthly compensation of the Agreement from \$12,500 to \$10,000 and authorizes such expenditure be approved; (2) the Executive Director be authorized to execute, and the Board Secretary to attest to, the proposed Amendment; and (3) Resolution No. \_\_\_\_\_ be adopted.**

**Marketing**

7. Re: **TEMPORARY ORDER NO. \_\_\_\_\_ AMENDING  
PORT OF LOS ANGELES TARIFF NO. 4, SECTION  
TWENTY-THREE "INTERMODAL CONTAINERS  
GENERAL RULES AND REGULATIONS"**

**PERMANENT ORDER NO. \_\_\_\_\_ AMENDING  
PORT OF LOS ANGELES TARIFF NO. 4, SECTION  
TWENTY-THREE "INTERMODAL CONTAINERS –  
GENERAL RULES AND REGULATIONS"**

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**7. (Continued)**

***SUMMARY: At the February 19, 2009 Board of Harbor Commissioners meeting, the Board of Harbor Commissioners (Board) approved an Intermodal (IPI) Container Discount Program geared toward maintaining intermodal container volumes at the Port of Los Angeles (Port). To further expand upon the IPI Container Discount Program, staff proposes to amend Tariff No. 4, Section Twenty-Three by establishing an "Intermodal Container Incentive Program," or "IPI Incentive Program". This new tariff item would provide a financial incentive to Vessel Operating Common Carriers (Ocean Common Carriers) in the amount of \$20 per twenty-foot equivalent unit (TEU) for new loaded intermodal container volumes brought to the Port between May 1, 2009 and April 30, 2010. Participants in the IPI Incentive Program include all Ocean Common Carriers whose vessels call at Port container terminals; APM Terminals Inc., Eagle Marine Services, Evergreen, Yusen Terminals, China Shipping, Yang Ming and TraPac (Terminal Tenants).***

***The IPI Incentive Program creates an incentive for eligible Ocean Common Carriers to increase the amount of intermodal containers through the Port, rather than using other transportation gateways. The increase in intermodal container volume shall be a net increase in intermodal container volume a participating Ocean Common Carrier moves through both the Ports of Los Angeles and Long Beach. Due to the current state of the economy and the shipping industry, it is difficult to project the marginal benefit to the Los Angeles Harbor Department (Harbor Department). However, staff estimates that about 45,000 TEUs of additional intermodal containers could be generated with this program resulting in a marginal benefit to the Harbor Department estimated at \$850,000 for the duration to the program. The IPI Incentive Program, as an additional benefit to the container shipping industry, is designed to create container traffic and jobs.***

**Recommendation: Board resolve that (1) Temporary Order No. \_\_\_\_\_ and Permanent Order No. \_\_\_\_\_ establishing Port of Los Angeles Tariff No. 4, Section Twenty-Three, Items 2310 and 2315 entitled "Definitions Intermodal Container Incentive Program" and "Intermodal Container Incentive Program" be adopted, respectively; (2) the amendment to the Tariff, which would establish Section Twenty-Three, Items 2310**

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**7. (Continued)**

and 2315, be approved subject to the California Association of Port Authorities (CAPA) review and approval, and the Executive Director be authorized to work with CAPA to secure this approval or proceed to take independent action in accordance with CAPA procedure; (3) the Board Secretary be authorized to certify to the adoption of the 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 prior to adoption by Ordinance for a period not-to-exceed 90 days pursuant to Charter Section 653(b); (4) the Board Secretary be directed to transmit to the City Council for approval the Permanent Order and the Ordinance approving and authorizing the amendments to Port of Los Angeles Tariff No. 4 pursuant to City Charter 653(a); and (5) the Board Secretary be authorized to execute the Temporary Order and Permanent Order and Ordinance amending the Tariff as stated above, and upon its publication, transmit the Orders and Ordinance to the Chief Wharfinger for implementation and posting to the Port's website as regulated by the Federal Maritime Commission.

**8. Re: RESOLUTION NO. \_\_\_\_\_ APPROVAL OF  
FOREIGN-TRADE ZONE DEVELOPER AGREEMENT  
BETWEEN THE CITY OF LOS ANGELES, TEJON  
INDUSTRIAL CORPORATION AND ROCKEFELLER  
GROUP DEVELOPMENT CORPORATION, FTZ 202  
SITE 23**

***SUMMARY: The Los Angeles Harbor Department (Harbor Department), as the Foreign-Trade Zone (FTZ) grantee, establishes the Developer Agreement with FTZ Developers in order to oversee their FTZ developments. In February 2008, the FTZ Board approved to modify FTZ 202 Site 23, Tejon Industrial Complex in Lebec, California by 177 acres. Tejon Industrial Corporation and Rockefeller Group Development Corporation (Tejon and Rockefeller Group) have requested a Developer Agreement with the Harbor Department. The Harbor Department is required by the FTZ Board to have a Developer Agreement with land owners. The proposed FTZ Developer Agreement is for a five-year term with three, five-year renewal options.***

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**8. (Continued)**

**Recommendation:** Board resolve that (1) the subject FTZ Developer Agreement between the City of Los Angeles and Tejon Industrial Corporation and Rockefeller Group Development Corporation be approved; (2) the Board Secretary be authorized and directed to transmit the proposed FTZ Developer Agreement to the City Council for approval pursuant to Section 373 of the Charter of the City of Los Angeles; (3) the Executive Director be authorized to execute and the Board Secretary to attest to the proposed FTZ Developer Agreement upon approval; and (4) Resolution No. \_\_\_\_\_ be adopted.

**Real Estate**

**9. Re: ORDER NO. \_\_\_\_\_ - PROPOSED COMPENSATION  
SETTING UNDER PERMIT NO. 634 WITH SHELL OIL  
COMPANY**

***SUMMARY: Permit No. 634 grants Shell Oil Company (Shell) use of City of Los Angeles, Harbor Department (Harbor Department) property at Berths 167-170 for the operation of a marine liquid bulk terminal. The permit premises consist of 397,290 square feet of waterfront surface land and approximately 1,686 lineal feet of wharf premises. Permit No. 634 commenced on February 12, 1988, and the terms of the permit require that compensation be reset every five years.***

***Compensation under Permit No. 634 with Shell is currently set at \$178,795 per quarter, which was based on the last compensation reset period of February 12, 2003 through February 11, 2008, plus all applicable tolls and charges pursuant to Tariff No. 4 for use of the wharf.***

***It is necessary to set compensation under Permit No. 634 with Shell for the five-year period of February 12, 2008 through February 11, 2013, as follows:***

***For the period of February 12, 2008 through February 11, 2013, compensation shall be \$288,035 per quarter, payable in advance, plus all charges pursuant to Port of Los Angeles Tariff No. 4.***

***This action only allows for resetting of compensation, as provided in Permit No. 634, and is not an opportunity to implement measures referenced in the Clean Air Action Plan.***

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**9. (Continued)**

**Recommendation:** Board resolve that (1) the Order setting compensation under Permit No. 634 with Shell at \$288,035 per quarter for the period of February 12, 2008 through February 11, 2013 be approved; (2) the Board Secretary be authorized to attest to the Order fixing compensation to be paid by Shell pursuant to Permit No. 634; and (3) Order No. \_\_\_\_\_ be adopted.

**Commission Office**

**10. Re: RESOLUTION APPROVING TRAVEL FOR  
COMMISSION PRESIDENT S. DAVID FREEMAN TO  
TRAVEL TO SAO PAULO, BRAZIL**

**Recommendation:** Adoption of the subject Resolution approving travel for Commission President S. David Freeman to travel to Sao Paulo, Brazil to participate in the 6<sup>th</sup> International Seminar in Agroindustrial Logistics, for the Port of Los Angeles' Clean Truck Program and visit the Port of Rio De Janeiro, during April 3-9, 2009.

**11. Re: RESOLUTION APPROVING TRAVEL FOR  
COMMISSION VICE PRESIDENT JERILYN LÓPEZ  
MENDOZA TO TEL AVIV, ISRAEL**

**Recommendation:** Adoption of the subject Resolution approving travel for Commission Vice President Jerilyn López Mendoza to participate in a business trip to Tel Aviv, Israel, and to visit the Israel Ports Development & Assets Company, during March 26 – April 2, 2009.

**Regular Item (12)**

**Construction**

**12. Re: RESOLUTION NO. \_\_\_\_\_ - AWARD OF  
CONSTRUCTION CONTRACT CONTRACTOR:  
CUPERTINO ELECTRIC, INC. BERTHS 93 A&B CRUISE  
TERMINAL SOLAR POWER GENERATION PROJECT  
SPECIFICATION NO. 2721**

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**12. (Continued)**

***SUMMARY: This contract will install solar panels capable of generating 1,000 kilowatts of power on the main building of the Berths 93 A&B Cruise Terminal, in accordance with the memorandum of understanding with the State Attorney General for solar power at the Port of Los Angeles. This project is the first phase of the goal to provide the Port of Los Angeles (Port) with ten (10) megawatts (MW) of solar system generation capacity, and also will contribute towards the Mayor's Green Initiative to use 20% green energy by 2010, and the Board of Harbor Commissioners initiatives to electrify the harbor, reduce greenhouse gases, and improve the quality of life for the surrounding communities. The lowest responsive bidder is Cupertino Electric, Inc., located in San Jose, California. The contract amount plus a 5% contingency is \$8,980,862 and the contract duration is 300 calendar days.***

**Recommendation: Resolve that (1) the Board find and determine that a Project Labor Agreement (PLA) among the City of Los Angeles Harbor Department (Harbor Department), the Los Angeles/Orange Counties Building and Construction Trades Council, and contractors working on the project, is appropriate and the PLA for the Berths 93 A&B Cruise Terminal Solar Power Generation Project, to promote labor stability and advance the City's interests in lowest cost, efficiency, quality, safety, and timeliness be approved; (2) Resolution No. \_\_\_\_\_ to award the above-mentioned contract for Item Nos. 1 through 8 of the proposal schedule to Cupertino Electric, Inc., in the amount of \$8,553,202 be adopted; that a 5% contingency not included in the original contract amount be applied for a total authorized amount of \$8,980,862; and that payment is authorized from the Construction Account. The contract time for performance of the work will be 300 calendar days from the Notice to Proceed; and (3) the Executive Director be authorized to execute and the Board Secretary to attest to this contract for and on behalf of the Board; and in accordance with City Charter 655 (g), delegate and authorize the Executive Director to adjust final bid quantities and accept the construction contract upon its completion.**

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**G. DEPUTY EXECUTIVE DIRECTOR REPORT**

**Deputy Executive Director Kathryn McDermott**

**H. CLOSED SESSION**

- 1. Discussion of pending litigation entitled: American Trucking Associations, Inc. v. City of Los Angeles, et al., United States District Court Case No. 08-04920-CAS, and United States Court of Appeals for the Ninth Circuit Case No. 08-56503, pursuant to subdivision (a) of Section 54956.9 of the California Government Code.**
- 2. Discussion of pending litigation entitled: Federal Maritime Commission v. City of Los Angeles, et al., Order of Investigation and Hearing, Docket No. 08-05, pursuant to subdivision (a) of Section 54956.9 of the California Government Code.**
- 3. Discussion of pending litigation entitled: Federal Maritime Commission v. City of Los Angeles, et al., United States District Court Case No. 1:08-CV-01895-RJL, pursuant to subdivision (a) of Section 54956.9 of the California Government Code.**
- 4. Discussion of pending litigation entitled: The United States of America ex rel. State of California ex rel. Stanley D. Mosler v. City of Los Angeles, et al., United States District Court Case No. 02-02278-SJO, pursuant to subdivision (a) of Section 54956.9 of the California Government Code and retention of outside counsel.**
- 5. Discussion of pending litigation entitled: City of Riverside v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BS119161, pursuant to subdivision (a) of Section 54956.9 of the California Government Code.**
- 6. Discussion of pending litigation entitled: City of Los Angeles v. Kinder Morgan, Inc., et al., Los Angeles Superior Court Case No. NC041463, pursuant to subdivision (a) of Section 54956.9 of the California Government Code and retention of outside counsel.**

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**H. CLOSED SESSION (Continued)**

- 7. Discussion of significant exposure to litigation relating to the claim presented by Halcrow, Inc. for compensation, pursuant to subdivision (b)(1) of Section 54956.9 of the California Government Code.**
- 8. Discussion with legal counsel concerning significant exposure to litigation [three (3) potential cases], pursuant to subdivision (b)(1) of Section 54956.9 of the California Government Code.**
- 9. Instructions to negotiators relating to lease negotiations with Trapac, Inc. concerning a terminal permit for Berths 136-147, pursuant to Section 54956.8 of the California Government Code. Instructions to negotiators will concern price and terms of payment. The negotiator for Trapac, Inc. will be Frank Pisano. The negotiators for the Port of Los Angeles will be Kathryn McDermott and Michael Galvin.**