

**AGENDA OF THE REGULAR MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 1
THURSDAY, JUNE 19, 2008, AT 6:00 P.M.
BANNING'S LANDING COMMUNITY CENTER
100 E. 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

E. BOARD COMMITTEE REPORTS

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F. REPORTS OF THE EXECUTIVE DIRECTOR

Consent Items (1-15)

Port Police

1. Re: PERMANENT ORDER NO. _____ AMENDING PORT OF LOS ANGELES TARIFF NO. 4, SECTION TWO, ITEM 220 PENALTIES FOR VIOLATION

SUMMARY: Tariff Item 220, Penalties for Violation, will be amended to bring the penalties for tariff violations into uniformity with the penalty and enforcement scheme of Los Angeles Municipal Code, Section 11.0(m). Currently, all tariff items are misdemeanors. Presently, all Port Tariff citations must be adjudicated at a hearing where violators must appear in court, even in those cases where they would prefer to pay the fine. This is time consuming for all parties and incurs courtroom costs of approximately \$1,000 per court hour. By working closely with the City Attorney's Office to implement this tariff amendment, we will not only be improving the efficiency of the system, but will also be reducing hundreds of thousands of dollars of administrative costs to the City and the taxpayers. The amended item will provide prosecutorial discretion and judicial economy. Violations can be prosecuted as infractions or misdemeanors and citation recipients may opt for a hearing if they choose. Approval of this item will allow Port Police Officers to issue "Notices to Appear" for violations of the Tariff that could be prosecuted as infractions. If prosecuted as an infraction, it will allow citations to be handled in their most efficient manner and prevent those that pay the citation from having a misdemeanor violation on their record. A similar scheme for on the water violations was implemented by the Coast Guard. As a result, significant increases in efficiency and substantial savings resulted from the adoption of the program.

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1. (Continued)

Recommendation: Board resolve that (1) a Permanent Board Order to amend Section Two, Item 220 Penalties for Violation, to add language and items for misdemeanors and infractions to the tariff be adopted; (2) the Board Secretary be directed to transmit to the City Council for approval the Order and Ordinance approving and authorizing the amendment to Tariff No. 4 pursuant to Section 653(a) of the City Charter; and (3) the Board Secretary be authorized to execute the proposed Permanent Board Order and Ordinance amending Tariff No. 4, and upon its publication, transmit the Order and Ordinance to the Chief Wharfinger for implementation to the tariff change and posting the amended Tariff No. 4 to the Port's website as regulated by the Federal Maritime Commission.

Construction Division

- 2. Re: RESOLUTION NO. _____ - AWARD OF CONTRACT –
CONSTRUCTION MANAGEMENT SERVICES FOR THE
HARRY BRIDGES BOULEVARD BUFFER AND
VOLUNTARY STREET IMPROVEMENTS –
CONSULTANT: BERG AND ASSOCIATES, INC.**

SUMMARY: The Harry Bridges Boulevard Buffer project will redevelop approximately 30 acres of land in the Wilmington area of the Port of Los Angeles including the construction of water features, a playground, pedestrian bridges, and storm drain and sewer systems. The Harry Bridges Boulevard Voluntary Improvements project will improve Harry S. Bridges Boulevard to meet major highway standards from Figueroa Street to Alameda Street. This Agreement provides for essential construction management services for the Harry Bridges Boulevard Buffer and Voluntary Improvements projects. Berg and Associates, Inc., located in San Pedro California, is recommended to provide the required services. The Agreement amount plus 5% contingency is \$5,621,700, and the Agreement duration is 1,095 calendar days.

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2. (Continued)

Recommendation: Resolve that (1) the Board find that in accordance with the City Charter Section 1022, work under the subject Agreement can be performed more economically and feasibly and is necessary due to a peak in work volumes, current employees are committed to other assignments, and expertise needed for major landscaping and street improvements; (2) the proposed Agreement with Berg and Associates, Inc., be approved; (3) Resolution No. ____ to award the above-mentioned Agreement to Berg and Associates, Inc., in the amount of \$5,354,000 be adopted; that a 5% contingency not included in the original Agreement amount be authorized for the total authorized amount of \$5,621,700; and the payment be authorized from the Construction Management Support Services account. The Agreement duration for performance of the work will be 1,095 calendar days from the Notice to Proceed; and (4) the Executive Director and the Board Secretary be authorized to execute and attest to this Agreement for and on behalf of the Board.

Contracts & Purchasing

3. Re: RESOLUTION NO. ____ - MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND THE DEPARTMENT OF PUBLIC WORKS BUREAU OF CONTRACT ADMINISTRATION FOR EQUAL EMPLOYMENT OPPORTUNITIES ENFORCEMENT SERVICES

SUMMARY: The Board of Harbor Commissioners is requested to adopt a Memorandum of Understanding (MOU) between the Public Works Bureau of Contract Administration (PWBCA) and the Harbor Department to fund a position, in the amount of \$144,770, within the PWBCA to perform administration, enforcement and reporting services related to compliance with the Living Wage Policy, Service Contract Worker Retention Policy, Equal Benefits Policy and Affirmative Action/Equal Employment provisions included within Department agreements, contracts, and leases.

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3. (Continued)

Recommendation: Resolve that (1) the Board find that the services to be provided under the subject MOU can be performed in a more efficient and cost-effective manner by the Bureau of Contract Administration; (2) the memorandum of understanding between the Bureau of Contract Administration and the Harbor Department, for equal employment opportunities enforcement services in the amount of \$144,770 per year be approved; (3) the Executive Director be authorized to execute the MOU; and (4) Resolution No. _____ be adopted.

4. Re: RESOLUTION NO. _____ - COOPERATION AGREEMENT BY AND BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND THE DEPARTMENT OF PUBLIC WORKS, BUREAU OF CONTRACT ADMINISTRATION FOR BUSINESS CERTIFICATION SERVICES

SUMMARY: The Board of Harbor Commissioners is requested to adopt a cooperative agreement between the Public Works Bureau of Contract Administration (PWBCA) and the Harbor Department to provide financial assistance to the PWBCA for the evaluation and certification of disadvantaged, minority, women-owned, small and local businesses. The Department will reimburse the PWBCA annually for certification related services in the amount of \$200,000. These services contribute to the success of City programs designed to increase the opportunities made available to certified businesses.

Recommendation: Resolve that (1) the Board find that the services to be provided under the subject MOU can be performed in a more efficient and cost-effective manner by the Bureau of Contract Administration; (2) the memorandum of understanding between the Bureau of Contract Administration and the Harbor Department, for business certification services in the amount of \$200,000 per year be approved; (3) the Executive Director be authorized to execute the MOU; and (4) Resolution No. _____ be adopted.

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Environmental Management

5. Re: RESOLUTION NO. _____ - PROPOSITION 1B
GRANT AGREEMENT WITH THE CALIFORNIA AIR
RESOURCES BOARD

SUMMARY: On April 3, 2008, the Los Angeles Board of Harbor Commissioners (Board) directed staff to prepare and submit a joint Port of Los Angeles and Port of Long Beach application for this current Fiscal Year's State Proposition 1B: Goods Movement Emission Reduction Program (Prop 1B) funds in support of the Ports Clean Truck Program. On May 22, 2008, the California Air Resources Board (CARB) awarded the two ports a total of \$98 million to be used for the first phase of the replacement of drayage trucks servicing the ports. Staff is recommending approval of the CARB Grant Agreement, which is required to receive these Prop 1B funds from the State.

Recommendation: Board resolve that (1) the Executive Director be authorized to execute the State Proposition 1B Goods Movement Emission Reduction Program Grant Agreement; and (2) Resolution No. _____ be adopted.

6. Re: RESOLUTION NO. _____ - AMENDMENT TO
AGREEMENT #E6421 WITH THE STATE OF
CALIFORNIA, DEPARTMENT OF TOXIC SUBSTANCES
CONTROL FOR OVERSIGHT OF THE FORMER SAN
PEDRO BOATWORKS FACILITY BERTHS 44-45

SUMMARY: Berths 44-45 has been used as a commercial boatyard since the late 1920's. San Pedro Boat Works (SPBW) was the last tenant to operate the facility from 1932-2002. SPBW abandoned the facility in late November 2002 and filed for bankruptcy on December 13, 2002. The Port gained access control of the facility on June 10, 2003. The site is now unoccupied and secured by the Port of Los Angeles for

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6. (Continued)

assessment and remediation. The State of California Department of Toxic Substances Control (DTSC) has oversight responsibilities for the activities taking place at the facility to ensure compliance with federal and state statutes and regulations. The remedial activities at SPBW will last for 4 more years; therefore, Environmental Management Division is requesting an amendment to the Agreement with DTSC. The Port is responsible for reimbursing DTSC for any costs associated with their oversight. Approval of the amendment extends DTSC's oversight responsibilities for 4 years and increase their reimbursable expenses by \$54,606 for a total contract amount not-to-exceed \$156,424.

Recommendation: Board resolve that (1) the Amendment with the Department of Toxic Substances Control to extend the contract term by 4 years and increase the contract amount by \$54,606 be approved; (2) the Executive Director and the Board Secretary be authorized to execute and attest to said amendment for and on behalf of the Board; and (3) Resolution No. _____ be adopted.

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Construction & Maintenance

7. Re: RESOLUTION NO. ____ - MEMORANDUM OF UNDERSTANDING WITH THE CITY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS BUREAU OF SANITATION FOR RUBBISH HAULING AND DISPOSAL SERVICES

SUMMARY: The Construction and Maintenance Division requests approval of a three-year Memorandum of Understanding with the City of Los Angeles Department of Public Works Bureau of Sanitation for rubbish hauling and disposal services at the Port. The Port does not have staff resources to carry out rubbish disposal from three and four-cubic yard dumpsters and forty-cubic yard containers. The Port seeks to promote cooperation between City departments by partnering with and utilizing employees from another City agency.

Recommendation: Board resolve that (1) the Memorandum of Understanding with the City of Los Angeles Department of Public Works Bureau of Sanitation for a term of three years in an amount not to exceed \$1,035,000 for rubbish hauling and disposal services at the Port be approved; (2) the transfer of \$1,035,000 from the Harbor Department, Center 0510, Construction and Maintenance, Program 000, Account 57045 to the Department of Public Works Bureau of Sanitation, Fund 508, Department 50, Revenue Source 4196 be approved; (3) the Executive Director and Board Secretary be authorized to execute and attest to said Memorandum of Understanding on behalf of the Board; (4) the Board Secretary be directed to transmit to the Board of Public Works, the Mayor and City Council for necessary actions; and (5) Resolution No. ____ approving a three-year Memorandum of Understanding with the City of Los Angeles Department of Public Works Bureau of Sanitation be adopted.

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Goods Movement

- 8. Re: RESOLUTION NO. ____ - STATE PROPOSITION 1B
TRADE CORRIDORS IMPROVEMENT FUND PROGRAM
– CALIFORNIA TRANSPORTATION COMMISSION
"BASELINE AGREEMENT" BETWEEN THE CITY OF
LOS ANGELES AND THE STATE OF CALIFORNIA**

SUMMARY: As part of the recently approved State Proposition 1B Trade Corridors Improvement Fund (TCIF) program, each recipient agency is required to enter into a "Baseline Agreement" with the California Transportation Commission (CTC) for each project. The "Baseline Agreement" sets forth the project scope, expected benefits, schedule, cost, and funding plan. Future amendments to scope, benefits, schedule, and cost will require CTC approval, even for pre-construction phases of work. The "Baseline Agreements" for the following Harbor Department's (Port) TCIF projects are attached herein for Board approval:

- I-110 Connectors Program: C Street Access Ramps (Project A)***
- I-110 Connectors Program: I-110 Freeway Access Ramp Improvement & SR 47/I-110 NB Connector Widening (Project B)***
- Ports Rail Systems: West Basin Road-Rail Access Improvements (Berth 200 Rail yard) (Project C)***
- South Wilmington Grade Separation (Project D)***

The TCIF funding applications included the required matching funds, which consist of other non-State (USDOT and Los Angeles County Metropolitan Transportation Authority) and Port of Los Angeles funds (General Revenue and/or Infrastructure Cargo Fee – ICF, which the Board approved on January 14, 2008). The proposed "Baseline Agreements" include the required programming form that lists all of the revenue sources, development costs, and schedules.

Recommendation: Board resolve that (1) the "Baseline Agreements" be approved; (2) the Executive Director and Board Secretary be authorized to execute and attest to these "Baseline Agreements" for and on behalf of the Board; and (3) Resolution No. ____ be adopted.

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Executive Director

9. Re: ORDER NO. _____ - PERMANENT ORDER AMENDING PORT OF LOS ANGELES TARIFF NO. 4, SECTION TWENTY, ITEM 2045 – VOLUNTARY VESSEL SPEED REDUCTION PROGRAM
RESOLUTION NO. _____ - RECOGNITION PROGRAM FOR COMPLIANCE TO THE VOLUNTARY VESSEL SPEED REDUCTION PROGRAM

SUMMARY: The Voluntary Vessel Speed Reduction Program (VSR), established in 2001, was aimed at reducing nitrogen oxide (NOx) emissions from ocean going vessels by slowing vessels speeds to twelve knots as they approach or depart the Port of Los Angeles.

In order to provide an incentive to customers during today's economic/competitive climate, the Port proposes to amend Tariff No. 4, Section Twenty, Item 2045 – Voluntary Vessel Speed Reduction Program, establishing an annual grant estimated at \$2 million per year. Grant funds would be disbursed by refunding qualifying Vessel Operators the equivalent of 15 percent of the first day of dockage, per Vessel Visit, as published in Port Tariff No. 4, Section Four, Item 480 – Dockage, if the Vessel Operators achieve 90 percent or better compliance level. This refund is applicable for all of the Vessel Operators' vessels that berth at the Port during a calendar year. In addition, a Voluntary VSR Recognition Program will recognize individual vessels for 100 percent compliance with the Voluntary VSR Program in the prior calendar year. Commencing with the 2008 calendar year, individual vessels that are 100 percent compliant would receive a VSR Flag acknowledging their compliance.

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9. (Continued)

Recommendation: Board resolve that (1) an order to amend Section Twenty, Clean Air Action Plan – General Rules and Regulations, Item 2045 of the Port of Los Angeles Tariff No. 4, entitled "Voluntary Vessel Speed Reduction Program," providing a financial incentive to Vessel Operators to increase compliance with the Voluntary VSR Program be adopted; (2) the Voluntary VSR Recognition Program to recognize vessels that are 100 percent compliant with the program commencing with the 2008 calendar year be adopted; (3) Order No. _____ approving amending Port of Los Angeles Tariff No. 4, Section Twenty, Item 2045 – Voluntary Vessel Speed Reduction Program and Recognition be adopted; (4) Resolution No. _____ approving Voluntary Vessel Speed Reduction Recognition Program be adopted; (5) the Board Secretary be directed to transmit to the City Council for approval the Order and Ordinance approving and authorizing the amendment to Tariff No. 4 pursuant to City Charter 653(a); and (6) the Board Secretary be authorized to execute the proposed permanent Board Order and Ordinance amending Tariff No. 4, and upon its publication, transmit the Order and Ordinance to the Chief Wharfinger for implementation of the tariff amendment and posting the amended Tariff No. 4 to the Port's website as regulated by the Federal Maritime Commission.

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Public Affairs & Legislative Affairs Division

- 10. Re: RESOLUTION NO. _____ - AGREEMENTS WITH HILL & KNOWLTON, INC. AND RON ROGERS & ASSOCIATES DBA THE ROGERS GROUP FOR COMMUNITY OUTREACH SERVICES**

SUMMARY: The Port is implementing its most extensive public outreach and education programs ever. FY2008-2009 efforts will include: 1) Promoting the Port's Clean Air Action Plan, Clean Trucks Program and other environmental initiatives; 2) Implementing outreach initiatives to support the Port's Economic Development, Business Development and Workforce Development programs; 3) Continuing outreach initiatives to promote an increasing variety of "green growth" projects; and 4) Creating broad-based informational initiatives that communicate the importance of well-crafted, sustainable federal surface transportation funding mechanisms as we approach the start of federal debate on new federal surface transportation funding legislation.

To secure the additional expertise and flexible manpower necessary to support the Port in these aggressive communications initiatives, agreements are proposed with two public relations firms that were selected through a Request for Proposals process.

An agreement with Ron Rogers & Associates, (DBA The Rogers Group or "TRG"), Los Angeles, Calif., is proposed to assist the Port with strategic communications and comprehensive outreach in support of the Port of Los Angeles Clean Trucks Program and Clean Air Action Plan-related initiatives.

An agreement with Hill & Knowlton (H&K), Inc, Santa Monica, Calif., is proposed to assist with strategic communications and comprehensive outreach for the Port's Economic Development, Workforce Development and Business Development initiatives. H&K will also assist in the organization and promotion of the Port's "CommunityConnect" and "TradeConnect" programs and the Community Relations team's continued expansion of the Port's Speakers Bureau program. Through these initiatives, an expanded cross-section of the general public will receive relevant information about Port projects, economic development

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10. (Continued)

programs, jobs and business-related opportunities. Additional strategic communications will focus on helping the Port strategically promote Port, City and regional needs during the formulation of upcoming federal surface transportation appropriations.

Each of the proposed agreements is for a one-year term with two additional one-year options possible, at the discretion of the Executive Director, for a total of three years. Anticipated spending in the first year is \$300,000 for The Rogers Group and \$200,000 for Hill & Knowlton, Inc. Total not-to-exceed amounts for the three-year terms are \$750,000 for The Rogers Group and \$600,000 for Hill & Knowlton.

Recommendation: Resolve that (1) the Board find that the scope of work of the proposed Agreements is of a temporary and occasional nature and is best completed by contractors on an interim basis; (2) the Agreement with The Rogers Group, in an amount not to exceed \$300,000 for the first year, \$250,000 in year two, and \$200,000 in year three, for a total not-to-exceed amount of \$750,000 be approved; (3) the Agreement with Hill & Knowlton, Inc., in an amount not to exceed \$200,000 each year for three years, for a total not-to-exceed amount of \$600,000 be approved; (4) the Executive Director and Board Secretary be authorized to execute and attest to, the proposed Agreements; and (5) Resolution No. _____, authorizing the proposed Agreements with The Rogers Group and Hill & Knowlton, Inc. be adopted.

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Clean Trucks Program

- 11. Re: CLEAN AIR ACTION PLAN – CLEAN TRUCKS PROGRAM: PORT OF LOS ANGELES DRAYAGE TRUCK CONCESSION AGREEMENT**

SUMMARY: The proposed action recommends that the Board of Harbor Commissioners approve the revisions to the Clean Trucks Program – Port of Los Angeles Concession Agreement.

Recommendation: Board resolve that the form of Port of Los Angeles Concession Agreement, set forth in Transmittal 1, be approved.

- 12. Re: RESOLUTION NO. _____ - FIRST AMENDMENT TO AGREEMENT NUMBER E6437 WITH THE BOSTON CONSULTING GROUP, INC., FOR COMPARATIVE ANALYSIS AND IMPLICATION STUDIES OF THE CLEAN TRUCKS PROGRAM**

SUMMARY: The Clean Trucks Program (CTP) is a key component of the San Pedro Bay Ports Clean Air Action Plan (CAAP), which requires the entire fleet of approximately 16,000 drayage trucks serving the Ports to meet USEPA 2007 standards through replacement or retrofit within a period of approximately five years. It is expected that implementation of the program will reduce air pollution from trucks that service the Ports by more than 80% by 2011, and provide added security and enhance safety conditions that will attract needed drivers. This action approves the first amendment to Agreement No. E6437 with The Boston Consulting Group, Inc. (BCG), office located in Los Angeles, California, for as-needed consultancy services to continue analysis and assessment of implementation implications of the Clean Trucks Program. The proposed first amendment extends the term by two additional years and increases the total compensation amount of \$500,000.

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12. (Continued)

Recommendation: Resolve that (1) the Board find that in accordance with the City Charter Section 1022, work under the subject First Amendment can be performed more feasibly by independent consultants rather than by City employees; (2) the First Amendment to Agreement No. E6437 with The Boston Consulting Group, Inc., to extend the term by two additional years and increase the total compensation amount by \$500,000 be approved; (3) the Executive Director and Board Secretary be authorized to execute and attest to said Agreement for and on behalf of the Board; and (4) Resolution No. _____ be adopted.

**13. Re: RESOLUTION NO. _____ - AGREEMENT WITH
QUETICO ENVIRONMENTAL SERVICES FOR THE
COORDINATION, ADMINISTRATION, AND
IMPLEMENTATION OF THE CLEAN TRUCKS
PROGRAM**

SUMMARY: The Clean Trucks Program (CTP) is a key component of the San Pedro Bay Ports Clean Air Action Plan (CAAP) that will require the entire fleet of approximately 16,000 drayage trucks serving the Port of Los Angeles and Port of Long Beach (Ports) to meet U.S. EPA 2007 standards through replacement or retrofit within a period of approximately five years. It is expected that implementation of the program will reduce air pollution from trucks that service the Ports by more than 80% by 2011, and provide added security, enhanced safety, conditions that will attract needed drivers, and sustained program compliance through the requirements in the concession agreements or license terms. This action approves a personal services agreement with Quetico Environmental Services located in Los Angeles, California, for the coordination, administration and implementation of the CTP. The compensation under the three-year Agreement is for a not-to-exceed amount of \$864,000.

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13. (Continued)

Recommendation: Resolve that (1) the Board find that in accordance with the City Charter Section 1022, work under the subject agreement can be performed more feasibly by an independent consultant than by City employees; (2) the Agreement with Quetico Environmental Services for a term of three years and a not-to-exceed amount of \$864,000 be approved; (3) the Executive Director and the Board Secretary be authorized to execute and attest to said Agreement for and on behalf of the Board; and (4) Resolution No. _____ be adopted.

14. Re: RESOLUTION NO. _____ - APPROVAL OF LIST OF TRUCK MANUFACTURERS TO SUPPLY NEW TRUCKS FOR THE CLEAN TRUCKS PROGRAM

SUMMARY: The Clean Trucks Program (CTP) is a key component of the San Pedro Bay Ports Clean Air Action Plan (CAAP) that will require the entire fleet of approximately 16,000 drayage trucks serving the Port of Los Angeles and Port of Long Beach (Ports) to meet USEPA 2007 standards through replacement or retrofit within a period of approximately five years. It is expected that implementation of the program will reduce air pollution from trucks that service the Ports by more than 80% by 2012. This action approves a list of truck manufacturers to supply new trucks for the CTP.

Recommendation: Board resolve that (1) the list of truck manufacturers to supply new trucks for the CTP be approved; and (2) Resolution No. _____ be adopted.

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**15. Re: RESOLUTION NO. _____ - APPROVAL TO PLACE
INITIAL "PRE-ORDER" FOR NEW DRAYAGE TRUCKS
FOR THE CLEAN TRUCKS PROGRAM**

SUMMARY: The Clean Trucks Program (CTP) is a key component of the San Pedro Bay Ports Clean Air Action Plan (CAAP) that will require the entire fleet of approximately 16,000 drayage trucks serving the Port of Los Angeles and Port of Long Beach (Ports) to meet USEPA 2007 standards through replacement or retrofit within a period of approximately five years. It is expected that implementation of the program will reduce air pollution from trucks that service the Ports by more than 80% by 2012. This action approves the recommendation to "pre-order" new drayage trucks to be manufactured by the truck manufacturers for purchase by participants under the CTP and authorization to negotiate terms and conditions for all or some of existing 41 alternative-fuel Kenworth ISX-G trucks.

Recommendation: Board resolve that (1) a "pre-order" to expedite the manufacture of 400 diesel and 100 Sterling LNG trucks to be purchased by participants under the CTP be approved; (2) the Executive Director or her designee be authorized to enter into negotiations with Inland Kenworth to determine if favorable terms and conditions can be agreed upon to hold all or some of 41 existing, unused alternative-fuel Kenworth ISX-G trucks, for ultimate purchase by Licensed Motor Carriers (LMCs) as a part of the CTP; and (3) Resolution No. _____ be adopted.

**AGENDA OF THE REGULAR MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 19
THURSDAY, JUNE 19, 2008, AT 6:00 P.M.
BANNING'S LANDING COMMUNITY CENTER
100 E. WATER STREET
WILMINGTON, CA 90744**

Regular Item No. 16

Construction & Maintenance

- 16. Re: RESOLUTION NO. _____ - AGREEMENT WITH THE LOS ANGELES AND ORANGE COUNTIES BUILDING AND CONSTRUCTION TRADES COUNCIL AND THE INDIVIDUAL CRAFT UNIONS FOR THE TRAINING AND EMPLOYMENT OF CRAFT APPRENTICES**

SUMMARY: The Construction and Maintenance Division requests approval of an Agreement with the Los Angeles and Orange Counties Building and Construction Trades Council and the individual craft unions for the employment and training of craft apprentices for the Port. All Apprentices will train under the guidelines of the State of California Department of Industrial Relations Division of Apprenticeship Standards.

The Construction and Maintenance Division has had difficulty for many years recruiting and retaining qualified, trained crafts persons, including electricians, plumbers, painters and carpenters. This Agreement with the craft unions gives the Port the ability to employ Apprentices and provide both classroom and in-the-field training. Apprenticeships will be five years in duration and upon completion, individuals will achieve full Journeyman status in their respective trades. This Agreement will enable the Port to augment our existing method of obtaining craft employees through normal City channels.

This agreement is a result of constructive, innovative efforts between the Port, the Los Angeles Personnel Department, the International Brotherhood of Electrical Workers (IBEW) and the Los Angeles and Orange Counties Building and Construction Trades Council. All parties are committed to making sure that the Port has the best-qualified, highly skilled craft employees to meet the needs of our customers and a green and growing 21st century Port.

**AGENDA OF THE REGULAR MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 20
THURSDAY, JUNE 19, 2008, AT 6:00 P.M.
BANNING'S LANDING COMMUNITY CENTER
100 E. WATER STREET
WILMINGTON, CA 90744**

16. (Continued)

Recommendation: Board resolve that (1) the Agreement with the Los Angeles and Orange Counties Building and Construction Trades Council and the individual craft unions for the training and employment of craft apprentices for the Port be approved; (2) the Executive Director and the Board Secretary be authorized to execute and attest to said Agreement on behalf of the Board; (3) the Executive Director and the Board Secretary be authorized to execute and attest to resulting individual apprenticeship Agreements with the affected unions; and (4) Resolution No. _____ approving an Agreement with the Los Angeles and Orange Counties Building and Construction Trades Council and the individual craft unions be adopted.

G. DEPUTY EXECUTIVE DIRECTOR REPORT

- 1. Kathryn McDermott
Deputy Executive Director, Business Development**

H. CLOSED SESSION

- 1. 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.**
- 2. Discussion with legal counsel concerning significant exposure to litigation [two (2) potential cases], pursuant to subdivision (b)(1) of Section 54956.9 of the California Government Code.**