

**AGENDA OF THE REGULAR MEETING OF THE  
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 1  
THURSDAY, JANUARY 17, 2008, AT 6:00 P.M.  
BANNINGS 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. PRESENTATION**

- 1. American Maglev, Tony Morris**

**F. BOARD COMMITTEE REPORTS**

**G. APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

**Minutes of the Regular Meeting of the Los Angeles Board of Harbor Commissioners of October 4, 2007, and Special Meetings of November 1, 2007, November 15, 2007, November 21, 2007 and December 6, 2007 for approval.**

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**H. REPORTS OF THE EXECUTIVE DIRECTOR**

**Consent Items (1-6)**

**Planning and Research**

- 1. Re: ISSUANCE OF A LEVEL I COASTAL DEVELOPMENT PERMIT (NO. 08-01) TO THE PORT OF LOS ANGELES FOR THE CONSTRUCTION OF THE DOWNTOWN PLAZA, 22<sup>ND</sup> STREET & SAMPSON WAY PARKING LOT, AND WAREHOUSE NO. 1 VIEWING AREA**

***SUMMARY: The Port of Los Angeles proposes to construct the initial elements of the San Pedro Waterfront Enhancements Project: the Downtown Plaza, the 22<sup>nd</sup> Street and Sampson Way parking lot, and the Warehouse No. 1 viewing area. Other elements of the San Pedro Waterfront Enhancements Project will proceed under a subsequent construction phase and coastal permit.***

**Recommendation: Board resolve that a Level I Coastal Development Permit (No. 08-01) for the construction of the Downtown Plaza, the 22<sup>nd</sup> Street and Sampson Way parking lot and the Warehouse No. 1 viewing area, be approved and granted subject to the standard conditions set forth in the permit, and the Director of Planning and Research be directed to issue said permit.**

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**Construction**

**2. Re: AWARD OF CONTRACT – SAN PEDRO WATERFRONT  
ENHANCEMENTS, SPECIFICATION NO. 2662**

***SUMMARY: This project consists of construction of parking lots and landscaping at the Downtown Plaza and 22<sup>nd</sup> Street, as well as the construction of an overlook structure adjacent to Warehouse No. 1. The lowest responsible bidder for this project is Sequel Contractors, Inc., located at 13546 Imperial Highway, Santa Fe Springs, CA 90670. The contract amount, plus contingency is \$7,964,040, and the contract duration is 270 calendar days.***

**Recommendation: Board resolve that (1) the above mentioned contract for Item Nos. 1 through 7 of the proposal schedule be awarded to Sequel Contractors, Inc., in the amount of \$6,636,700; that a 20% contingency not included in the original contract amount be applied for a total authorized amount of \$7,964,040; and that payment be authorized from the Construction Account. The contract time for performance of the work will be 270 calendar days from the Notice to Proceed; (2) the Executive Director and Board Secretary be authorized to execute and attest to this contract for and on behalf of the Board; and (3) in accordance with the City Charter 655(g), the Board delegate and the Executive Director be authorized to accept the construction contract upon its completion.**

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**Homeland Security**

**3. Re: AWARD OF CONTRACT TO UNISYS CORPORATION  
TO MANAGE THE TRANSPORTATION WORKER  
IDENTIFICATION CREDENTIAL (TWIC) FIELD TEST**

***SUMMARY: The Homeland Security Division recommends the approval of a contract award to Unisys Corporation, Century City, CA to provide professional and technical assistance with the Port's involvement in the Transportation Worker Identification Credential (TWIC) Field Test.***

***In September 2006, POLA was awarded a federal grant for \$4.6 million to participate in the TWIC Field Test, which is being conducted by the Department of Homeland Security Transportation Security Administration (TSA). The purpose of the Field Test is to test the performance of TWIC card reader systems in operation at maritime facilities and to observe the impact of the TWIC program on marine terminal operations. The data obtained by the Field Test will be used by TSA to aid in the development of future TWIC rulemaking.***

***Terminals participating in the Field Test will procure and install TWIC compatible access control systems. Once all port workers have been enrolled in the TWIC program, the operational phase of the Field Test will commence. The participating terminals will be reimbursed for their costs associated with the Field Test from the grant award funds. Staff is currently discussing participation in this Field Test with three POLA terminals; APL, Vopak, and the Cruise Center.***

***The services provided under this contract will include assisting the participating POLA terminals with development of installation plans and budgets for TWIC card reader systems, attaining TSA approval of these installation plans and budgets, monitoring system installations, monitoring the operational test phase, and compiling the test results.***

***This action will authorize a one-year contract term from the date of execution, with two (2) one-year renewal options, for an amount not to exceed \$1,000,000. POLA funds expended under this contract will be reimbursed through the TWIC Field Test Federal Port Security Grant. The Port will not be required to pay any amount of cost share toward this project.***

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**3. (Continued)**

**Recommendations: Board resolve that (1) the subject agreement with Unisys Corporation, for professional and technical assistance with the deployment of the Transportation Worker Identification Credential (TWIC) Field Test be approved. The agreement is for a one-year term with two (2) one-year renewal options for a total amount not to exceed \$1,000,000; and (2) the Executive Director or designee, be authorized to execute the agreement on behalf of the Board.**

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**Real Estate**

- 4. Re: AGREEMENT BETWEEN THE CITY OF LOS ANGELES AND MATSON NAVIGATION COMPANY, INC. AND HORIZON LINES, LLC, JOINTLY, FOR THE SALVAGE SALE OF THREE PORT OF LOS ANGELES CONTAINER CRANES**

***SUMMARY: Hitachi Container Crane Nos. 209-14, 209-16, and 209-17 ("Cranes") have been inoperative since 2003. These Cranes are the oldest and obsolete cranes in the Port's inventory. Since these Cranes cannot be used in their current condition without significant investment, and as there has been no expressed interest by other Port Tenants in purchasing or using these obsolete Cranes, the Real Estate Division requested the Contracts and Purchasing Division to proceed with the salvage sale of the Cranes.***

**Recommendation: Board resolve that (1) the Order approving the Contract of Sale with Matson Navigation Company, Inc. and Horizon Lines, LLC be adopted; (2) the Board find and determine, pursuant to the Board's surplus property resolution, that the three container cranes, Hitachi Crane Nos. 209-14, 209-16, and 209-17, located at Berth 206, are no longer necessary or suitable for use by the Harbor Department; (3) the sale of the three container cranes to Matson Navigation Company, Inc. and Horizon Lines, LLC, upon the terms and conditions of the proposed Contract of Sale, be approved as summarized in part as follows:**

- **\$150,000 plus applicable taxes, if any, for all three cranes and all ValuTrol drive parts in Port's possession;**
- **Total price payable within 30 days of execution of the contract of sale by the City;**
- **Use of Port property for the modification of the cranes in preparation for re-use in Guam, as set forth in the attached Contract of Sale; and**
- **Removal of the cranes no later than December 31, 2008, unless the time is extended by the City as set forth in Contract of Sale; and**

**(4) the Executive Director and Board Secretary be authorized to execute and attest to the Contract of Sale on behalf of the Board.**

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**5. Re: PROPOSED PERSONAL SERVICES AGREEMENT  
BETWEEN THE CITY OF LOS ANGELES HARBOR  
DEPARTMENT AND MERIDIAN MANAGEMENT  
CORPORATION FOR BUILDING OPERATING  
ENGINEERING SERVICES**

***SUMMARY: The Proposed Agreement with Meridian Management Corporation (Meridian) provides for building operating engineering services for the Harbor Administration Building (HAB); the Liberty Hill Plaza Building (LHP); the Port of Los Angeles High School (POLAHS), located in San Pedro; and the Federal Customs Service Laboratory (Customs Service Lab), located on Terminal Island. The agreement also establishes services for regularly scheduled window cleaning, carpet cleaning, plant care services, and pest control treatment services. The agreement will allow the City of Los Angeles Harbor Department to add or delete facilities and/or services, as needed, and upon written approval by the Executive Director. The contract total for this agreement shall not exceed \$2,256,408 for the three-year term. The regional office for Meridian is located in Santa Ana, CA. Corporate headquarters is located in Florida.***

**Recommendation: Board resolve that (1) the Order approving the Agreement with Meridian Management Corporation (Meridian) be adopted; (2) the Executive Director and Board Secretary be authorized to execute and attest to the proposed Agreement with Meridian for building operating engineering services for a period of three years, commencing February 1, 2008, for a not-to-exceed amount of \$2,256,408; and (3) the Board find that, in accordance with Charter Section 1022, it is more feasible and economical for services to be provided by an independent contractor than by City employees.**

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**Construction and Maintenance**

6. Re: **AWARD OF CONTRACT NO. 39394 FOR CREOSOTE TREATED TIMBER PILING, BID F-551, TO NORTH PACIFIC GROUP INC.**

***SUMMARY: Award of annual contract to North Pacific Group, Inc. for the purchase and delivery of creosote treated timber piles on an as-needed basis.***

**Recommendation: Board resolve that (1) approval be granted for awarding of Contract No. 39394 for the purchase and delivery of creosote treated timber piles, Bid F-551, to North Pacific Group Inc., 10200 SW Greenburg Road, Portland, OR 97223, in the total amount of \$2,400,000.00, and the Executive Director be authorized to execute it on behalf of the Board; (2) staff be instructed to report back to the Board in 12 months on progress in identifying an environmentally superior alternative to creosote-treated timber piling; and (3) the Executive Director be authorized to exercise the two one-year renewal options contained in the contract if requested to do so by staff.**

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**Regular Item No. 7**

**Real Estate**

**7. Re: ESTABLISHMENT OF THE HISTORIC WATERFRONT  
DISTRICT SAN PEDRO PROPERTY BUSINESS  
IMPROVEMENT DISTRICT**

***SUMMARY: The Port of Los Angeles (Port) is in receipt of a Property Owner Petition and Management District Plan relative to the formation of a proposed property and business improvement district to be called the Historic Waterfront District San Pedro Property Business Improvement District (District). The purpose of the proposed District is to provide improvements and services to revitalize, enhance and maintain historic downtown San Pedro, including the waterfront, and ultimately improve services to the community through increased tax revenues and economic development. The services of the proposed District will be funded through an assessment placed on real property benefiting from the programs and services. The District will offer various services, including visitor and tourist ambassador service, maintenance, sanitation, beautification, marketing, promotions, waterfront special events, new business attraction and homeless services coordination. These services are intended to generate economic development by encouraging foot traffic and linkage between Downtown San Pedro and our Waterfront Development. The proposed District will include 244 assessable parcels, including nine (9) owned by the Port, with a total first-year annual assessment of \$995,868, of which the Port share will be \$253,207.01. The District will have a five-year term, commencing January 1, 2008. The District is expected to begin operations in the first quarter of 2008, if established by the City Council. The District will be authorized to adjust annual assessments, not to exceed three percent (3%) per year, in order to compensate for inflation. The District is expected to generate \$4,979,340 over its five-year term. Port's tenants may be responsible for a portion of this assessment, where applicable and required by lease provisions.***

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**7. (Continued)**

**Recommendation: Board resolve that (1) the Order authorizing the Executive Director to sign the Property Owner Petition pledging the Port's preliminary support for the establishment of the District be adopted; (2) the Executive Director be authorized to sign the Property Owner Ballot to support the establishment of the District upon the Los Angeles City Council's (City Council) finding of majority preliminary support for the establishment of the District; and following the City Council's authorization of a project election; and (3) the expenditure of the Department's annual assessment of up to \$253,207.01 (plus annual adjustments, not to exceed three percent (3%) per year) for a five-year term be authorized, if the District is subsequently established by the City Council. The Port will pay its annual assessment to the City Clerk by Inter-Departmental Order (IDO).**

**I. REPORTS OF THE DEPUTY EXECUTIVE DIRECTORS**

**J. CLOSED SESSION**

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