

**AGENDA OF THE REGULAR MEETING OF THE  
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 1  
THURSDAY, JULY 19, 2007, AT 8:30 A.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 MUST 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.    ELECTION OF OFFICERS**

**PURSUANT TO SECTION 503(A) OF THE CHARTER OF THE CITY OF LOS ANGELES, WHICH PROVIDES THAT THE ELECTION OF THE PRESIDENT AND VICE PRESIDENT SHALL BE HELD EACH YEAR, THE BOARD OF HARBOR COMMISSIONERS SHALL HOLD ITS ELECTION TODAY TO ELECT THE FOLLOWING OFFICERS TO SERVE FOR THE ENSUING TERM:**

**PRESIDENT:**

**VICE PRESIDENT:**

**C.    COMMENTS FROM THE PUBLIC**

**D.    REPORT OF THE EXECUTIVE DIRECTOR**

**E.    REPORTS OF COMMISSIONERS**

**F.    PRESENTATIONS**

- 1.    Tiger Team and A-Team Presentations**
- 2.    Report from METRO on the I-710 EIR/EIS including the Multi-Agency Funding Agreement  
Ernest T. Morales, Deputy Executive Officer  
Countywide Planning and Development, Gateway Cities/Southeast Area Team  
Metropolitan Transportation Authority (Metro)**

**G.    BOARD COMMITTEE REPORTS**

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H. REPORTS OF THE EXECUTIVE DIRECTOR

**Consent Items (1-8)**

Commission Office

1. Re: RESOLUTION OF CONCERN REGARDING THE  
MURDER OF GUATEMALAN TRADE UNIONIST PEDRO  
ZAMORA ALVAREZ

Recommendation: Adoption of subject resolution.

Engineering

2. Re: CHANGE ORDER NO. 7 PERSONAL SERVICES  
AGREEMENT NO. 2425 BETWEEN THE CITY OF LOS  
ANGELES AND SASAKI ASSOCIATES FOR DESIGN OF  
THE HARRY BRIDGES BOULEVARD BUFFER

*SUMMARY: Change Order No. 7 to Agreement No. 2425 between the City of Los Angeles and Sasaki Associates will authorize \$536,500 in additional services for design and construction support of the Harry Bridges Boulevard Buffer, an element of the Berths 136-147 Container Terminal EIS/EIR. The additional services will cover expansions and additions to project elements such as the restrooms, water features, and promenade, and are the result of input from stakeholders through the community outreach process.*

Recommendation: Board resolve that the attached Change Order No. 7 in the amount of \$536,500 be approved and the Executive Director be authorized to execute the subject Change Order.

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Construction Division

3. Re: CONTRACT COMPLETION – PACIFIC AVENUE  
BEAUTIFICATION – CONTRACT NO. 2229 WITH  
GRIFFITH COMPANY, SPECIFICATION NO. 2648

*SUMMARY: The Board of Harbor Commissioners awarded the Pacific Avenue Beautification contract to Griffith Company on June 8, 2005, in the amount of \$926,867.00. Construction commenced on September 6, 2005. Authority for Adjustment (AFA) Nos. 1 through 3 increased the contract amount by \$150,993.05. The Board is requested to approve AFA No. 4 for adjustments to the unit price items, which results in a decrease in the contract amount of \$213,332.38. The revised contract amount is decreased to \$864,527.67. There are no outstanding claims or issues remaining.*

**Recommendation:** Board resolve that (1) Authority for Adjustment (AFA) No. 4 for a decrease in the contract amount of \$213,332.38 be approved; (2) AFA Nos. 1 through 4 showing a net decrease to the contract amount of \$62,339.33 be received and ordered filed; and (3) the subject contract be formally accepted as complete.

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4. Re: AWARD OF CONTRACT – ALAMEDA STREET  
BEAUTIFICATION, SPECIFICATION NO. 2671

*SUMMARY: This project consists of the removal and replacement of top soil and installation of new trees, shrubs, concrete mow curb, decorative rock, and an irrigation system located on the western side of Alameda Street between Harry Bridges Boulevard and Anaheim Street. The low bidder is Belaire-West Landscape, Inc., located at 7371 Walnut Avenue, Buena Park, California. The contract amount plus contingency is \$1,486,663, and the contract duration is 469 calendar days.*

**Recommendation:** Board resolve that (1) the above mentioned contract for Item Nos. 1 through 17 of the proposal schedule be awarded to Belaire-West Landscape, Inc., in the amount of \$1,292,750; that a 15% contingency, not included in the original contract amount, be applied for a total authorized amount of \$1,486,663; and that payment be authorized from the Construction Account. The contract time for performance of the work will be 469 calendar days form the Notice to Proceed; (2) the Executive Director and the Board Secretary be authorized to execute and attest to this contract for and on behalf of the Board; (3) in accordance with City Charter 655(g), the Board delegate and authorize the Executive Director to accept the construction contract upon its completion; and (4) the Small Business Development Program, as amended in Specification No. 2671, to include a minimum Small Business Percentage requirement without the MBE/WBE/OBE good faith effort outreach, be approved. All future construction contracts will have the same requirement.

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5. Re: AWARD OF CONTRACT – BERTH 211 WHARF  
IMPROVEMENTS, SPECIFICATION NO. 2674

*SUMMARY: This work involves the replacement of two existing mooring dolphins and the installation of a third dolphin at Berth 211 Hugo Neu Terminal. In addition to the proposed construction, the walkways and fender system will be replaced. The low bidder is Vortex Marine Construction, Inc., located at Livingston Street Pier, Oakland, California. The contract amount plus is \$3,127,215, and the contract duration is 330 calendar days.*

**Recommendation:** Board resolve that (1) the above mentioned contract for Item Nos. 1 through 13 of the proposal schedule be awarded to Vortex Marine Construction, Inc. in the amount of \$2,606,012; that a 20% contingency, not included in the original contract amount, be applied for a total authorized amount of \$3,127,215; and payment be authorized from the Construction Account. The contract time for performance of the work will be 330 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; (3) in accordance with City Charter 655(g), the Board delegate and authorize the Executive Director to accept the construction contract upon its completion; and (4) the Small Business Development Program, as amended in Specification No. 2674, to include a minimum Small Business Percentage requirement without the MBE/WBE/OBE good faith effort outreach, be approved. All future construction contracts will have the same requirement.

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Marketing Division

6. Re: TEMPORARY ORDER AMENDING THE PORT OF LOS ANGELES TARIFF NO. 4 BY REMOVING THE REDUCTION OF FREE TIME ALLOWED JULY 1, 2007

*SUMMARY: On May 3, 2007 the Board of Harbor Commissioners approved a temporary and permanent Board Order to maintain the current free time of four (4) days for import cargo and six (6) days for export cargo. The first temporary order was effective on May 22, 2007 and is scheduled to expire in ninety (90) days on August 19, 2007. The permanent order was approved by City Council on July 6, 2007, and is awaiting Mayor's approval and filing into the tariff.*

*A second temporary order is being proposed to allow ample time for the permanent Board Order to pass through the approval process and ensure free time remains intact prior to the execution of the permanent Board Order. This temporary order, if approved, will expire ninety (90) days after the day it is published or upon execution of the permanent Board Order by the City Council, whichever occurs first.*

**Recommendation:** Board resolve that (1) Port of Los Angeles Tariff No. 4, Item 720 be amended, by removing the implementation date of July 1, 2007 that states the reduction of free time allowed to three (3) days on inbound containerized cargo and five (5) days on outbound containerized cargo for intercoastal, foreign, and offshore trade; (2) the current free time of four (4) days free time for inbound cargo and six (6) days free time for outbound cargo be maintained and forego the planned reduction scheduled for July 1, 2007; and (3) the Board Secretary be authorized to execute the temporary Board order and transmit same to Chief Wharfinger for implementation.

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**Homeland Security**

**7.    Re:    FIRST AMENDMENT TO AGREEMENT NO. 2405  
         BETWEEN THE CITY OF LOS ANGELES HARBOR  
         DEPARTMENT AND UNISYS CORPORATION**

*SUMMARY: The Homeland Security Division is requesting that Agreement No. 2405 with Unisys Corporation be amended to increase the total value of the contract from \$500,000 to \$750,000. This increase is required to accommodate additional service requirements that include State grant applications, preparation of applications for additional Federal grant funding, and assistance with technical review and RFP preparation.*

*Under this contract, the consultant has performed services in support of POLA's port security program including writing grant proposals for the Department of Homeland Security Port Security Grant Program and updating the joint POLA/POLB Security Infrastructure Development Plan. To date Unisys' efforts have resulted in the award of approximately \$22.3 million of Federal port security grant funds to POLA.*

**Recommendation:** Board resolve that (1) the proposed attached First Amendment to Agreement No. 2405 between the City of Los Angeles Harbor Department and Unisys Corporation be approved; (2) the Executive Director and Board Secretary be authorized to execute and attest to said Agreement; and (3) the authority to increase the contractual amount of \$250,000 under Agreement No. 2405 be approved.

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**Real Estate Division**

**8. Re: ORDER RESETTING COMPENSATION TO  
PREFERENTIAL BERTH ASSIGNMENT 77-34  
GRANTED TO WWL VEHICLE SERVICES AMERICAS**

*SUMMARY: Preferential Berth Assignment 77-34 (PBA 77-34) grants WWL Vehicle Services Americas (WWL) use of Berths 195-198, the adjacent 82.9-acre auto processing terminal, and secondary use of Berth 199 as depicted on the attached map. PBA 77-34 is a 25-year permit and provides for the renegotiation of compensation for each five-year period. It is now necessary to set compensation for the fifth and final five-year period of November 1, 2006 through October, 2011.*

**Recommendation: Adoption of the Order resetting compensation for Preferential Berth Assignment 77-34 between the City of Los Angeles and WWL Vehicle Services Americas, based on the terms and conditions as set forth in the Board report.**

**I. CLOSED SESSION**

- 1. 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 negotiators for TraPac will be Frank Pisano and Scott Axelson. The negotiators of the Port of Los Angeles will be Kathryn McDermott and Michael Galvin.**
  
- 2. Discussion with legal counsel concerning significant exposure to litigation (one case) pursuant to subdivision(b)(1) of Section 54956.9 of the California Government Code.**