



Executive Director's  
Report to the  
Board of Harbor Commissioners

**DATE: MARCH 14, 2025**

**FROM: COMMUNITY RELATIONS**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ - APPROVAL OF HARBOR COMMUNITY BENEFIT FOUNDATION'S COMMUNITY BENEFIT GRANT PROGRAM, ROUND 9 SELECTION OF FOUR ORGANIZATIONS TO RECEIVE GRANT AWARDS**

**SUMMARY:**

Staff requests that the Board of Harbor Commissioners (Board) approve the Harbor Community Benefit Foundation (HCBF) selection of four (4) organizations to receive awards from the Community Benefit Grant Program, Round 9, and grant HCBF authority to disburse \$310,000 from the Port Community Mitigation Trust Fund (PCMTF) to these grantees.

The PCMTF was established by the City of Los Angeles Harbor Department (Harbor Department) for the purpose of funding appropriate mitigation projects and grants addressing port-related impacts for the communities of San Pedro and Wilmington. The HCBF, an independent nonprofit organization, is responsible for identifying qualifying projects to receive funding from the PCMTF, subject to approval by the Board.

The HCBF Board of Directors has selected five organizations to receive funding for the ninth round (Round 9) of the Community Benefit Grant Program and is requesting Board approval of the award recipients and transfer of funds from the PCMTF, in accordance with the requirements of the TraPac Memorandum of Understanding (MOU) and Operating Agreement of the TraPac MOU (Operating Agreement). Four of the five proposed projects have a Tidelands nexus and will mitigate, reduce and address the Port of Los Angeles' (Port) impact on the local communities of Wilmington and San Pedro. As such, staff is requesting approval of four of the five projects recommended by the HCBF.

Approval of this action will also authorize the Harbor Community Benefit Foundation to disburse \$310,000 to the four grantees approved hereunder from funds distributed to HCBF by JP Morgan Chase to the Harbor Community Benefit Foundation to be used for Round 9 Community Benefit Grants, pursuant to Resolution 25-10487 and the Funding letter dated February 12, 2025. The Harbor Department funded the original PCMTF. No additional payments from the Harbor Department will be required to fund this request.

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**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 administratively exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II Section 2(f) of the Los Angeles City CEQA Guidelines;
2. Approve four of the Harbor Community Benefit Foundation's selected organizations to receive awards from the Community Benefit Grant Program Round 9, funded by the Port Community Mitigation Trust Fund:
  - (i) \$50,000 to Coalition for Clean Air,
  - (ii) \$70,000 to Los Angeles Maritime Institute (LAMI),
  - (iii) \$90,000 to Long Beach Alliance for Children with Asthma (LBACA), and
  - (iv) \$100,000 to St. Mary Medical Center Foundation;
3. Authorize the Harbor Community Benefit Foundation to disburse \$310,000 to the four grantees approved hereunder from funds distributed to HCBF by JP Morgan Chase to the Harbor Community Benefit Foundation to be used for Round 9 Community Benefit Grants, pursuant to Resolution 25-10487 and the Funding letter dated February 12, 2025; and
4. Adopt Resolution No. \_\_\_\_\_.

**DISCUSSION:**

Background/Context - On April 3, 2008, the Board approved an MOU between the City of Los Angeles and certain organizations and individuals (TraPac Appellants) to resolve an appeal to the Los Angeles City Council of the certification of the Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the TraPac Container Terminal Project (TraPac). The MOU provides for resolution of the EIR/EIS appeals and creation of the PCMTF, designated for projects that mitigate impacts from port and port-related operations and are consistent with the Tidelands Trust and the MOU. In addition, the MOU required the creation of a nonprofit entity, the HCBF, to operate the PCMTF and oversee the grant selection and grant-making process in accordance with the TraPac MOU. The MOU expired in 2013.

On October 7, 2010, the Board approved the Operating Agreement of the MOU, among the Harbor Department, TraPac Appellants, and the HCBF. The Operating Agreement provides specific details regarding the PCMTF and the role and responsibilities of the nonprofit entity and the bylaws which govern it. The terms of the Operating Agreement will remain in effect as long as there is a balance in the PCMTF. As of December 31, 2024,

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the balance of the PCMTF was \$406,878. After the initial funding established by the TraPac Project, funds were to be added to the PCMTF by contributions from the Harbor Department for expansion projects designated in TraPac MOU Exhibit B that had EIRs certified by May 31, 2016, and had notices to proceed with construction or actual construction commenced on said projects (with increased TEUs, tonnage or passengers). The Harbor Department made one final \$3.6 million deposit to the PCMTF under the TraPac MOU in March 2025.<sup>1</sup> There are no further obligations of the Harbor Department to contribute funding to the PCMTF since there are no remaining eligible projects under the MOU, which expired in 2013.

Use of the PCMTF by the HCBF is subject to rules, restrictions, compliance, and monitoring imposed by the MOU, Operating Agreement, and Tidelands Trust Doctrine. The approval of PCMTF-funded projects and transfer of funds from the PCMTF to the HCBF is subject to review and approval by the Board as well as approval as to form and legality by the Office of the City Attorney.

HCBF Role and Responsibilities - HCBF is an independent legal entity that serves as the neutral, third-party to administer the PCMTF and solicit, develop, and select projects for grant funding. HCBF must request the Board to approve the selected projects and approve a transfer of funds from the PCMTF to fund grant awards. HCBF must provide, for each project recommended for approval, “a Project-specific Tidelands nexus analysis that includes a description of the Port and Port-related operations to be mitigated and an analysis of how the recommended mitigation measure will address, reduce or eliminate such impacts...[and] how the recommended mitigation measure is reasonable and appropriate for an impact.” (Operating Agreement p. 6, Section 5.B.iv.) Additionally, HCBF must report on the progress of previously approved grant funded projects and the balance of the PCMTF with all requests for PCMTF funding. Moreover, HCBF will remain the nonprofit organization to administer the PCMTF until the fund is completely spent, or HCBF is dissolved, or all parties agree to terminate the Operating Agreement or the PCMTF without reviewing the MOU.

Since its inception, HCBF has completed an Off-Port Impact Land Use Study, a Noise Assessment in Wilmington (Phase I of the Noise Mitigation Program), and launched three competitive grant programs: Community Benefit Grants, Healthy Harbor Grants, and Harbor Schools STEAM Initiative Grants. To date, HCBF has distributed over \$7 million (not including this current Community Benefit Grant Round 9) in grants to fund projects and studies designed to address Port impacts on aesthetics, air quality, biological resources, cultural resources, health risks and land use for San Pedro and Wilmington.

Community Benefit Grant Program – Since 2013, the HCBF has awarded, and this Board has approved, the following community benefit grants totaling \$ 3,619,175:

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<sup>1</sup> Deposit was triggered by the February 2025 construction award to commence the Fenix Terminal project.

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Round 1, December 12, 2013 – 19 projects for \$506,000  
Round 2A, October 16, 2014 – 20 projects for \$570,000  
Round 2B, March 19, 2015 – 3 projects for \$35,000  
Round 3, November 23, 2015 – 10 projects for \$350,000  
Round 4, October 24, 2017 – 15 projects for \$800,000  
Round 5, November 16, 2017 – 10 projects for \$330,019  
Round 6, January 16, 2018 – 10 projects for \$687,187  
Round 7, November 5, 2020 – Four projects for \$209,169  
Round 8, November 17, 2022 – Two projects for \$131,800

HCBF released a Request for Proposals (RFP) solicitation for the Community Benefit Grant Program Round 9 on June 1, 2024. HCBF received 12 applications for a total requested amount of \$890,000. HCBF Board of Directors unanimously approved five organizations for funding at its December 5, 2024, meeting.

The four recommended Community Benefit Grant projects, listed as items 1, 3, 4 and 5 below, conform to requirements of the TraPac MOU and Operating Agreement and Tidelands Trust, and had been selected by HCBF to receive PCMTF funding based on identification of impacts from Port or Port-related operations, the ability of the proposal to mitigate the identified impact, technical feasibility, cost-effectiveness, organizational capacity to complete the project, and the benefits the proposed project would provide within the communities of Wilmington and/or San Pedro, as explained in detail in the HCBF's January 29, 2025 Memorandum to the Harbor Department (Transmittal 1). A fifth project, the Gaffey Street Community Garden project, listed as item 2 below, had also been selected by HCBF, but the City Attorney could not approve the project to form and legality and compliance with the TraPac MOU and Tidelands Trust. The City Attorney discovered that the Gaffey Street Community Garden project is a Los Angeles City General Fund project (Council File No. 22-0257), and followed State Lands Commission guidance that Harbor Department grants to fund City General Fund projects on City General Fund property must be scrutinized under the principles of the past litigation brought by State Lands Commission requiring Harbor Revenue Funds to be used for General Fund projects only under limited circumstances, under which the Gaffey Street Community Garden proposal did not proportionally mitigate a direct Port impact.<sup>2</sup>

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<sup>2</sup> "We agree that the application does not demonstrate that the proposed expenditure would proportionally address a direct Port impact and appears to be impermissibly funding a municipal project with tideland funds. Our assessment is consistent with our past letters on HCBF projects where we emphasized that expenditure proposals need to show that 1) the project addresses direct impact from the Port, 2) there is a nexus between the proposed project and the direct impact, 3) the proposed project is proportional with the direct impact, and 4) the proposed project is not inconsistent with the Public Trust Doctrine or Port's grantee responsibilities." State Lands Commission correspondence, March 12, 2025.

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Organization	Project Description	Nexus to Port Impacts
<p>1. Coalition for Clean Air - \$50,000</p>	<p>A 2½-day "Air Quality Bootcamp" for Wilmington and San Pedro residents to learn about air pollution, regulation, and advocacy. Up to 30 participants will receive bilingual training on local air quality challenges and how to engage in decision-making to reduce emissions.</p>	<p>The program mitigates, reduces, or addresses the Port's air quality and health risk impacts by educating residents on port-related emissions, air quality regulations, and community advocacy. The initiative empowers community members to participate in decision-making processes aimed at improving air quality in Wilmington and San Pedro, which experience high pollution levels due to port operations.</p>
<p>2. Los Angeles Community Garden Council - \$60,000</p> <p>Not Recommended</p>	<p>Enhancements to the Gaffey Street Community Garden, including irrigation upgrades, hillside stabilization, and a "Green Shield" of native plants to reduce noise and filter pollutants. Community education will also be provided.</p>	<p>The Gaffey Street Community Garden Resilience Program mitigates the environmental and health impacts of Port-related operations by improving air and water quality, reducing noise pollution, and increasing climate resilience in San Pedro. The Green Shield, composed of drought-tolerant native plants, will absorb airborne pollutants from diesel emissions, buffer noise from truck and shipping traffic, and capture carbon to offset emissions. The project will also prevent runoff contamination by stabilizing the hillside and modernizing irrigation systems, reducing the flow of pollutants into local waterways. Through bilingual environmental education, the program empowers residents to address Port-related pollution and advocate for cleaner air and water. By integrating green infrastructure, pollution control, and community engagement, this project provides a direct environmental benefit to Port-impacted neighborhoods. <b>This is a City (General Fund) project located on City (General Fund) property</b></p>
<p>3. Los Angeles Maritime Institute (LAMI) - \$70,000</p>	<p>The TopSail Youth Program will provide 12 single-day field trips aboard tall ships for San Pedro elementary students. The hands-on STEM program includes lessons on air and water quality, marine ecology, and pollution impacts.</p>	<p>The program mitigates, reduces, or addresses the Port's environmental impacts by educating youth about port-related air and water pollution. Through experiential learning, students gain an understanding of the effects of emissions and pollutants on marine ecosystems and public health, fostering future advocacy and stewardship of environmental issues tied to port operations.</p>

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Organization	Project Description	Nexus to Port Impacts
4. Long Beach Alliance for Children with Asthma (LBACA) - \$90,000	The Asthma Intervention & Education Program provides home visits and workshops for families in port-adjacent communities. Resources include non-toxic cleaning supplies and hypoallergenic bedding, along with education on managing asthma and air pollution exposure.	The Asthma Intervention & Education Program addresses high asthma rates in children living near the Port of Los Angeles. Through home visits and workshops, LBACA provides families with resources to reduce asthma triggers, including hypoallergenic bedding and non-toxic cleaning supplies. The program emphasizes education on managing asthma symptoms and recognizing environmental triggers. Community workshops further raise awareness about air quality impacts and promote advocacy for cleaner air in Wilmington and San Pedro.
5. St. Mary Medical Center Foundation - \$100,000	A mobile respiratory care unit will provide screenings, consultations, and treatment for respiratory illnesses to underserved residents in Wilmington and San Pedro, addressing disparities in access to care.	Funding will operate a mobile respiratory care unit serving underserved residents in Wilmington and San Pedro. The unit provides screenings, consultations, and treatment for respiratory illnesses exacerbated by port-related air pollution. By bringing care directly to the community, the program addresses disparities in access to healthcare and reduces the burden of untreated respiratory conditions, improving overall community health outcomes.

PCMTF Disbursement of Funds – Upon Board approval, HCBF will be authorized to disburse \$310,000 to the four grantees approved hereunder from funds distributed to HCBF by JP Morgan Chase from the PCMTF to HCBF, pursuant to Resolution 25-10487 and the Funding letter dated February 12, 2025. Contracts for approved projects and all other PCMTF expenditures are to be executed solely between the HCBF and its vendors or grantees.

Factors to be Considered by the Board of Harbor Commissioners – The Operating Agreement of the TraPac MOU sets forth the relationship between the HCBF and the Board. The Board remains the trustee of the Tidelands assets at issue, the funds in the PCMTF and must exercise “its independent judgment to determine that [proposed HCBF] projects mitigate a direct or indirect impact from Port or Port-related operations and are consistent with the Tidelands Trust and the [TraPac] MOU.” (Operating Agreement, Section 5.A)

In accordance with Section 5.C of the Operating Agreement, the Board shall consider the following factors in voting on an HCBF requested project:

- a) consistency with the TraPac MOU and the Tidelands Trust;
- b) whether the identified impact is attributable to Port or Port-related operations;

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- c) whether the proposed project reasonably and appropriately mitigates, addresses, reduces, or eliminates the identified impact;
- d) that the budget and schedule for funding drawdowns from the PCMTF is appropriate for the type of project; and
- e) the substantial form of contracts which HCBF proposes to enter into if the project is approved.

The Board may not arbitrarily or unreasonably decline to fund a project. Should the Board decline to fund a project recommended by the HCBF, it shall provide written findings relating to the reasons for the rejection based on the factors above.

Staff has reviewed the request submitted by the HCBF and recommends the Board's approval of four of the five proposed Community Benefit Grants, Round 9 based on these factors.

**ENVIRONMENTAL ASSESSMENT:**

The proposed action is the approval of HCBF's Community Benefit Grant Program, Round 9 projects and the disbursement of funds. This action is limited to the administrative approval for the distribution of funds. Individual projects implemented with the use of funding will be subject to separate environmental review by the lead agency with jurisdiction over the project. Therefore, the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirement of CEQA in accordance with Article II Section 2(f) of the Los Angeles City CEQA Guidelines.

**FINANCIAL IMPACT:**

The Harbor Department originally funded the PCMTF. Approval of the Community Benefit Grant Program, Round 9 projects will allow a draw-down of funds from the PCMTF with no requirement of the Harbor Department to provide any additional funding. The Harbor Department has made the required contributions to the PCMTF for all eligible projects. As of December 31, 2024, the PCMTF balance, managed by J.P. Morgan Chase, was \$406,877.85. Upon Board approval of the Community Benefit Grant Program, Round 9, HCBF will be authorized to disburse \$310,000 to the four grantees approved hereunder from funds distributed to HCBF by JP Morgan Chase from the PCMTF to HCBF, pursuant to Resolution 25-10487 and the Funding letter dated February 12, 2025.

To date, including this disbursement, HCBF has allocated a total of \$7,678,276 to grantees and contractors in combined HCBF-administered funds. HCBF will be financially responsible for the disbursement of funds to grantees in accordance with the TraPac MOU, Operating Agreement and Grant Agreements.

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**CITY ATTORNEY:**

The Office of the City Attorney has reviewed and approved four of five projects for the requested transfer of funds from the PCMTF as to form and legality including compliance with the TraPac MOU and Operating Agreement and the Tidelands Trust.

**TRANSMITTAL:**

1. HCBF Community Benefit Grant Program, Round 9 Memo

FIS Approval: JS  
CA Approval: SO



CECILIA MORENO  
Community Relations Director



DAVID LIBATIQUE  
Deputy Executive Director of  
Stakeholder Engagement

APPROVED:

*Erica M. Calhoun* for

EUGENE D. SEROKA  
Executive Director

Author: J. Bautista