

**AGENDA OF THE SPECIAL MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 1
WEDNESDAY, AUGUST 16, 2006, AT 10:00 A.M.
BANNINGS LANDING, 100 E. WATER STREET
WILMINGTON, CALIFORNIA**

**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**

(ROLL CALL)

**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.

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, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72-hours prior to the meeting you wish to attend. For additional information, please contact: Commission office, Harbor Department, tel./TDD (310) 732-3444.

**AGENDA OF THE SPECIAL MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 2
WEDNESDAY, AUGUST 16, 2006, AT 10:00 A.M.
BANNINGS LANDING, 100 E. WATER STREET
WILMINGTON, CALIFORNIA**

B. COMMENTS FROM THE PUBLIC

C. MISCELLANEOUS REPORTS

1. Report of the Executive Director
2. Report of Commissioners

D. PRESENTATIONS/BRIEFINGS

1. Wilmington Waterfront Update
2. San Pedro Waterfront Enhancements Project Update

AGENDA OF THE SPECIAL MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 3
WEDNESDAY, AUGUST 16, 2006, AT 10:00 A.M.
BANNINGS LANDING, 100 E. WATER STREET
WILMINGTON, CALIFORNIA

E. REPORTS OF THE EXECUTIVE DIRECTOR

Consent Items (1-5)

Real Estate

1. Re: PROPOSED COMPENSATION EXTENSION UNDER
TERM PERMIT 830 WITH SO. CALIFORNIA SHIP
SERVICES

SUMMARY: Permit 830 expired on April 30, 2006 and is currently on holdover status. So. California Ship Services (SCSS), 971 S. Seaside Avenue, Terminal Island, CA 90731, requested relief from Permit 830's provision that sets compensation during the holdover period at 150% of the compensation prior to the expiration of the permit and has requested a long-term lease. Staff is currently evaluating the appropriate use(s) for the land in the vicinity and is not in a position to commit to long-term leases, pending determination of future plans for the area. Staff is recommending placing their holdover rate at the same amount as the original lease (\$16,092 per month) rather than charging 150% of this value.

Recommendation: Board resolve that it authorize So. California Ship Services compensation under Permit 830 to remain at the rate of \$16,092 per month during the holdover period in order to prevent financial hardship.

**AGENDA OF THE SPECIAL MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 4
WEDNESDAY, AUGUST 16, 2006, AT 10:00 A.M.
BANNINGS LANDING, 100 E. WATER STREET
WILMINGTON, CALIFORNIA**

**2. Re: ORDER SETTING COMPENSATION UNDER PERMIT
718 WITH CROWLEY MARINE SERVICES, INC.**

SUMMARY: Crowley Marine Services, Inc. (Crowley) has been a Port tenant since 1996 under Permit 718. The company operates a tugboat and barge service at Berth 86. This Order is to reset compensation for the period commencing November 24, 2001, and ending November 23, 2006. Permit 718 stipulates that compensation be reset every five years. However, due to an administrative oversight, this did not occur in 2001. As such, Crowley has continued paying the 1996 rate, and upon approval of this Order, will be billed retroactively for the difference.

Recommendation: Adoption of the Order resetting compensation with Crowley Marine Services, Inc., for the five-year period commencing November 24, 2001, at \$4,090 per month, plus all tolls and charges pursuant to POLA Tariff No. 4, for the operation of a tugboat and barge service at Berth 86.

AGENDA OF THE SPECIAL MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 5
WEDNESDAY, AUGUST 16, 2006, AT 10:00 A.M.
BANNINGS LANDING, 100 E. WATER STREET
WILMINGTON, CALIFORNIA

Information Systems

3. Re: PERSONAL SERVICES AGREEMENT BETWEEN THE CITY OF LOS ANGELES AND SAGA TECHNOLOGIES TO PROVIDE INFORMATION TECHNOLOGY CONSULTANT SERVICES

SUMMARY: The proposed Agreement would award a contract to SAGA Technologies located at 16610 Eric Avenue, Cerritos, California, for consultant services to assist Port staff with upgrading the department's financial systems, enabling them to operate in a virtual storage extended mainframe environment (Z/VSE). The Agreement would be for a term of one year and for an amount not to exceed \$320,000.

Recommendation: Resolve that (1) the Board find that in accordance with City Charter Section 1022, the services under the subject personal services agreement are of a professional, expert and technical nature and can be performed more feasibly by an independent Contractor; (2) the personal services agreement with SAGA Technologies for a total amount not to exceed \$320,000 for a term of one year from the date of execution be approved; and (3) the Executive Director and the Board Secretary be authorized to execute and attest to said Agreement for and on behalf of the Board.

Funds have been budgeted for Fiscal Year 2006/2007 in Account 54310, Center 0640 to cover the expenses associated with this Proposal.

**AGENDA OF THE SPECIAL MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 6
WEDNESDAY, AUGUST 16, 2006, AT 10:00 A.M.
BANNINGS LANDING, 100 E. WATER STREET
WILMINGTON, CALIFORNIA**

**4. Re: AGREEMENT BETWEEN THE CITY OF LOS ANGELES
AND RENEWDATA CORP. FOR THE STORAGE AND
RECOVERY OF ELECTRONIC DATA**

SUMMARY: This agreement with RenewData Corp. provides the Harbor Department with both uninterrupted continuation of data storage and professional electronic recovery services related to potential litigation.

Recommendation: Resolve that (1) the Board find that in accordance with the City Charter Section 1022, work under the subject agreement is temporary in nature and can be performed more feasibly by an independent consultant rather than by City employees; (2) the subject one-year agreement with RenewData Corp. for a not-to-exceed amount of \$25,000 be approved; and (3) the Executive Director and the Board Secretary be authorized to execute and attest this agreement for and on behalf of the Board.

Construction

**5. Re: AWARD OF CONTRACT - REMOVAL AND
INSTALLATION OF UNDERGROUND STORAGE
TANKS, SPECIFICATION NO. 2682**

SUMMARY: This project consists of removal of five underground storage tanks (USTs) ranging in size from 2,000 gallons to 12,000 gallons and installation of four new USTs ranging in size from 3,000 gallons to 12,000 gallons at the Construction and Maintenance Facilities Yard (Berth 161) and the Port of Los Angeles Administration Building (425 S. Palos Verdes Street). The low bidder for this project is Fleming Environmental, Inc., located at 6130 Valley View Street, Buena Park, CA 90620

Recommendation: Board resolve that the above mentioned contract for Item Nos. 1 through 7 of the proposal schedule be awarded to Fleming Environmental, Inc., in the amount of \$1,270,460, and payment be authorized from the Harbor Department Construction Account. The contract time for performance of the work will be 90 calendar days from the Notice to Proceed.

AGENDA OF THE SPECIAL MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 7
WEDNESDAY, AUGUST 16, 2006, AT 10:00 A.M.
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WILMINGTON, CALIFORNIA

Regular Item (6)

Engineering

6. Re: AMENDMENT NO. 2 – PERSONAL SERVICES AGREEMENT NO. 2311 BETWEEN THE CITY OF LOS ANGELES AND MCLARAND VASQUEZ EMSIEK & PARTNERS, INC. FOR ARCHITECTURAL AND ENGINEERING DESIGN SERVICES

SUMMARY: On December 17, 2003, the Board approved Agreement No. 2311 with McLarand Vasquez Emsiek and Partners, Inc. (MVE), 1900 Main Street, Irvine, California 92614. This agreement provides architectural and engineering design services for the Port of Los Angeles Police Headquarters.

An amendment to this agreement is necessary to provide the Port of Los Angeles with expanded design support services during construction of the Port Police Headquarters and to extend the contract duration.

The recommended action will authorize a net increase to the contract in the amount of \$279,146 and extend the contract duration by three years for a total term of six years and a not-to-exceed amount of \$5,356,091.

**AGENDA OF THE SPECIAL MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 8
WEDNESDAY, AUGUST 16, 2006, AT 10:00 A.M.
BANNINGS LANDING, 100 E. WATER STREET
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6. (Continued)

Recommendation: Resolve that (1) the Board find that in accordance with the City Charter Section 1022, the work covered under this Amendment can be performed more feasibly by McLarand Vasquez Emsiek & Partners, Inc. (current project consultant) rather than by City employees; (2) Amendment No. 2 to Agreement No. 2311 with McLarand Vasquez Emsiek & Partners, Inc. for expanded construction support services which authorizes a net increase to the contract in the amount of \$279,146 and a contract extension of three years for a total term of six years and a not to exceed amount of \$5,356,091, which includes Amendment No. 1 and Change Order Nos. 1 through 10 be approved; (3) the Executive Director and the Board Secretary be authorized to execute and attest said Amendment for and on behalf of the Board; (4) the attached Order approving the Amendment No. 2 to Agreement No. 2311 with MVE, a California Corporation, be adopted; and (5) the Board Secretary be authorized and directed to forward the amendment to the City Council for its approval pursuant to Section 373 of the City Charter.

**AGENDA OF THE SPECIAL MEETING OF THE
LOS ANGELES BOARD OF HARBOR COMMISSIONERS 9
WEDNESDAY, AUGUST 16, 2006, AT 10:00 A.M.
BANNINGS LANDING, 100 E. WATER STREET
WILMINGTON, CALIFORNIA**

F. CLOSED SESSION

1. 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.
2. Discussion of pending litigation entitled: Natural Resources Defense Council, Inc., et al. v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BS070017, pursuant to subdivision (a) of Section 54956.9 of the California Government Code.
3. Evaluation of Executive Director pursuant to Section 54957 of the California Government Code.