

ADMINISTRATIVE EXEMPTION and TRADE, TRAVEL, AND TOURISM COMMITTEE REPORT relative to amending the Port of Los Angeles (POLA) agreement with Meyers Nave Riback Silver & Wilson.

Recommendations for Council action:

1. ADOPT the determination by the Board of Harbor Commissioners (BOHC) that the proposed action is administratively exempt under the California Environmental Quality Act (CEQA) in accordance with Article II, Section 2.f of the Los Angeles City CEQA Guidelines.
2. APPROVE the Port Resolution No. 20-9716 for the Second Amendment Agreement No. 20-3308-B to POLA Agreement No. 15-3308 with Meyers Nave Riback Silver & Wilson, extending the term five years and increasing the agreement authority by \$1,044,242 for legal services necessary to fully defend POLA and the City of Los Angeles from claims of violations of the law and improper actions with respect to the China Shipping Terminal located at Berth Nos. 97-104.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that this action will not impact the General Fund. The proposed Second Amendment to POLA Agreement No. 15-3308 authorizes continued environmental litigation and legal support services from Meyers Nave Riback Silver & Wilson, PLC, for five years, through February 28, 2026, at an increased cost of \$1,044,242 and a total 11-year agreement cost not to exceed \$4,084,242, with an average annual expenditure of \$416,974. Funding of \$253,277 is included in the POLA 2020-21 Budget from the Harbor Revenue Fund. Future funding is subject to the POLA annual budget process.

Community Impact Statement: None submitted.

TIME LIMIT FILE – JUNE 18, 2021

(LAST DAY FOR COUNCIL ACTION – JUNE 16, 2021)

SUMMARY

In a report to the Mayor dated March 10, 2021, the CAO states that POLA requests approval of an amendment to its contract with Meyers Nave Riback Silver & Wilson. The firm provides legal services in support of the City Attorney on behalf of the City and POLA related to the construction project at the China Shipping Terminal. Litigation on the construction project's Final Supplemental Environmental Impact Report (SEIR) commenced shortly after the Council's certification of the Final SEIR on August 12, 2020. The proposed amendment extends the agreement with Meyers Nave Riback Silver & Wilson in consideration of this litigation.

On November 5, 2020, BOHC approved the proposed Second Amendment to POLA's contract with Meyers Nave Riback Silver & Wilson. The CAO concurs with this action.

At its meeting held April 27, 2021, the Trade, Travel, and Tourism Committee recommended that Council approve the proposed contract amendment, as recommended by BOHC and the CAO.

<u>MEMBER</u>	<u>VOTE</u>
BUSCAINO:	YES
BONIN:	ABSENT
LEE:	YES

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Respectfully Submitted,

TRADE, TRAVEL, AND TOURISM COMMITTEE

- NOT OFFICIAL UNTIL COUNCIL ACTS -