

ADMINISTRATIVE EXEMPTION and TRADE, TRAVEL AND TOURISM COMMITTEE REPORT relative to the First Amendment to the Orcem Americas, Inc. Reimbursement Agreement for the reimbursement of staff and consultant costs associated with review and oversight of an environmental assessment for the facility at Berths 191-194.

Recommendations for Council action:

1. ADOPT the determination by the Board of Harbor Commissioners (BOHC) that this action is administratively exempt from the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2(f) of the Los Angeles City CEQA Guidelines.
2. APPROVE the Port of Los Angeles (POLA) Resolution No. 24-10412 for the First Amendment to Reimbursement Agreement No. 24-9834 between the POLA and Orcem Americas, Inc.
3. AUTHORIZE the Executive Director, POLA, or designee, to execute the proposed First Amendment, already approved as to form by the City Attorney, upon approval by the Council.

Fiscal Impact Statement: The City Administrative Officer reports that under the Agreement terms, Orcem Americas, Inc. is required to reimburse the POLA for all staff and consultant costs, and any legal defense costs associated with the preparation of the environmental assessment to incorporate analysis of improvements at Berths 191 to 194 for the proposed operation of a low-carbon cement processing facility. Orcem is responsible for any cost estimate increase that may occur during the evaluation. Initial payments from the POLA for consultant costs and project fees are recognized as receivables to Account No. 11225 (Reimbursable Costs - Env Projects), Center No. 7000 (Balance Sheet), Program No. 000 (Base Budget). The POLA bills Orcem monthly as expenses are incurred. The total revenues to be received by the POLA for this Agreement is \$300,000 and includes \$140,912 in receipts through FY 2023-24 and anticipated receipts of \$159,088 through the end of the contract. The recommendations in this report and proposed actions comply with the Department's Financial Policies. There is no impact on the City's General Fund.

Community Impact Statement: None submitted

**TIME LIMIT FILE – DECEMBER 21, 2024**

**(LAST DAY FOR COUNCIL ACTION – DECEMBER 13, 2024)**

### SUMMARY

At the meeting held on November 5, 2024 your Trade, Travel and Tourism Committee considered a BOHC report relative to the First Amendment to the Orcem Americas, Inc. Reimbursement Agreement.

After an opportunity for public comment, the Committee moved to approve the recommendations stated in the BOHC report, as detailed above. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

Trade, Travel and Tourism Committee

<u>Member</u>	<u>VOTE</u>
PARK:	YES
McOSKER:	YES
DE LEÓN:	ABSENT
PRICE:	YES
SOTO-MARTÍNEZ:	YES

HR 11-5-24

**-NOT OFFICIAL UNTIL COUNCIL ACTS-**