

**TO THE COUNCIL OF THE
CITY OF LOS ANGELES**

Your **TRADE, COMMERCE, AND TOURISM** Committee

reports as follows:

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to proposed Sixth Amendment to Permit No. 733 with Eagle Marine Services, Ltd. regarding Transferred Merchandise wharfage exemptions.

Recommendations for Council action:

1. ADOPT the determination by the Los Angeles Harbor Department that the proposed action is exempt under the California Environmental Quality Act (CEQA) as provided in Article II, Section 2(f) of the Los Angeles City CEQA Guidelines.
2. APPROVE the Sixth Amendment to Permit No. 733 with Eagle Marine Services, Ltd., implementing the provision of Tariff No.4, Items 520 and 550-003, as amended.

Fiscal Impact Statement: The Board of Harbor Commissioners (Board) reports that the estimated forgone Transferred Merchandise revenue for Fiscal Year 2011/2012 is estimated at \$124,000, based on the projected annual Transferred Merchandise Twenty-foot Equivalent Units (TEUs) for the terminal. There is no expected impact to the adopted revenue budget, as this proposal was anticipated and included in the adopted budget.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 19, 2012

(LAST DAY FOR COUNCIL ACTION - JANUARY 18, 2012)

SUMMARY

At a regular meeting held on January 3, 2012, your Trade, Commerce and Tourism Committee considered a Board report and Resolution No. 11-7211 relative to proposed Sixth Amendment to Permit No. 733 with Eagle Marine Services, Ltd. regarding Transferred Merchandise wharfage exemptions.

On June 16, 2011, the Board approved temporary and permanent Orders to amend Port of Los Angeles Tariff NO.4 (Tariff), Items 520 and 550-033, exempting the assessment of wharfage charges on qualifying Transferred Merchandise for the one-year period of July 1, 2011 through June 30, 2012 (Board Order Nos. 11-7081 and 11-7082, respectively). However, compensation terms of Permit No. 733 does not allow Eagle Marine Services, Ltd. to participate in such an exemption unless the permit is amended.

The proposed change contains language that allows the Transferred Merchandise wharfage exemptions to apply to Permit No. 733 under any future Tariff amendments for such exemptions upon written notice from the Executive Director at his or her sole discretion.

An opportunity for public comment was held. After a brief discussion, the Committee moved to approve the recommendation contained in the report.

This matter is now forwarded to the Council for its consideration.

Respectfully submitted,

TRADE, COMMERCE, AND TOURISM COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
LABONGE:	YES
ROSENDAHL:	ABSENT
GARCETTI:	YES

ME
CD 15
[09-2522_rpt_tct_1-4-12](#)

Not Official Until Council Acts