

## **VERBAL MOTION**

I HEREBY MOVE that Council ADOPT the following recommendations (Item 18, CF 10-0673) relative to an agreement amendment between the City of Los Angeles Harbor Department and Pacific Harbor Line, Inc.:

1. FIND that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II Section 2(f) of the Los Angeles City CEQA Guidelines.
2. APPROVE proposed third amendment to Agreement No. 1989, assigned Harbor Department Agreement No. 10-1989-C, between the City of Los Angeles Harbor Department and Pacific Harbor Line, Inc. (PHL).

**Fiscal Impact Statement:** The Board reports the following:

**Costs and/or Revenue Impact** - There is no cost impact arising from the proposed third amendment because the upgrade project is at no cost to the Harbor Department and it merely extends the term of the agreement for an additional six years, ending on December 31, 2024. The third amendment does provide for an increase in PHL's annual Operator Railyard Fee upon their move to the replacement yard.

**Alternatives Considered** - An alternative to the third amendment would be for PHL to continue operating at the ports under the second amendment to Agreement No. 1989 until the agreement is terminated on July 31, 2018. At that time, the Harbor Department would issue a Request for Proposal or Bid to permit other firms to compete to provide rail services in the port complex and require the bidders to comply with stringent emission reductions. Under this alternative, PHL would continue to operate its existing fleet with no additional emission reductions. A benefit of the proposed third amendment is that the upgraded fleet will contribute to immediate and long-term air pollution emission reductions at the ports thereby decreasing the health impacts to the communities surrounding the ports.

**Community Impact Statement:** None submitted.

**TIME LIMIT FILE - MAY 22, 2010**

**(LAST DAY FOR COUNCIL ACTION - MAY 21, 2010)**

**(Trade, Commerce, and Tourism Committee waived consideration of the above matter)**

PRESENTED BY \_\_\_\_\_  
TOM LABONGE  
Councilmember, 4th District

SECONDED BY \_\_\_\_\_  
BILL ROSENDAHL  
Councilmember, 11th District

April 30, 2010

CF 10-0673

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