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Executive Director

November 22, 2024

Honorable Members of the
City Council of the
City of Los Angeles

CD No. 15

Attention: Heleen Ramirez, City Clerk's Office

Subject: RESOLUTION NO. 24-10442: APPROVE SIXTH AMENDMENT TO LEASE NO. 915 WITH SAN PEDRO PUBLIC MARKET, LLC

Pursuant to Section 607 of the City Charter; enclosed for your approval is Resolution No. 24-10442 for the proposed Sixth Amendment to Lease No. 915 (Lease) between the City of Los Angeles Harbor Department (Harbor Department or City) and San Pedro Public Market, LLC (SPPM).

The proposed Sixth Amendment will modify various Lease provisions to expand on delivery notice details; add language pertaining to reimbursements for unforeseen conditions, existing contamination, and environmentally regulated material found during SPPM construction; update costs for completed City improvements; and add exhibits for gross receipts reporting and a non-disturbance and attornment agreement (Non-Disturbance Agreement).

Under the proposed Sixth Amendment, the Harbor Department will be financially responsible for reimbursement of removal and handling of unforeseen conditions discovered during construction with annual costs not to exceed \$250,000 per calendar year as well as for a one-time payment in the amount of \$732,550.11 to cover past eligible reimbursement costs on work already completed during SPPM construction. There is no impact to the General Fund.

RECOMMENDATION FOR CITY COUNCIL:

1. ADOPT the determination by the Board of Harbor Commissioners that the proposed action is administratively exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II Section 2(f) of the Los Angeles City CEQA Guidelines; and;
2. APPROVE POLA Resolution No. 24-10442 for the proposed Sixth Amendment to Lease No. 915 between the City of Los Angeles Harbor Department and San Pedro Public Market, LLC.

Respectfully Submitted,


AMBER M. KLESGES
Commission Secretary

cc: Trade, Travel & Tourism Committee
Councilwoman Park, Chair
Councilman McOske
Councilman Soto-Martinez
Councilman De Leon
Councilman Price

Erick Martell, Mayor's Office
Stephanie Magnien Rockwell, Harbor Representative
Jennifer Sapone, CAO
Jacqueline Wagner, CAO
Jeanne Min, CD15
Anissa Raja, CD15

Councilwoman Park
Tristan Noack, CLA
Aksel Palacios, CD15
Kevin Brunke, CD11