



Eric Garcetti Mayor, City of Los Angeles
Board of Harbor Commissioners: Jaime L. Lee (President), Edward R. Renwick (Vice President), Diane L. Middleton (Commissioner), Lucia Moreno-Linares (Commissioner), Anthony Pirozzi, Jr. (Commissioner)
Eugene D. Seroka Executive Director

March 15, 2022

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

CD No. 15

Attention: Mr. Andrew Suh, City Clerk's Office

Subject: RESOLUTION NO. 21-9892 – APPROVE PROPOSED THIRD AMENDMENT TO NOSSAMAN LLP LEGAL SERVICES AGREEMENT NO. 19-3668

Pursuant to Section 373 of the City Charter and Section 10.5 of the Los Angeles Administrative Code, enclosed for your approval is Resolution No. 21-9892 authorizing the proposed Third Amendment to Agreement No. 19-3668 with Nossaman LLP Legal Services. The proposed Third Amendment extends the term of the Agreement by two years for a maximum term of five years with no change in compensation. The current three-year term expires on July 19, 2022. The proposed Amendment would extend the term of the Agreement to a proposed five years and an expiration date of July 19, 2024. The additional term is necessary due to ongoing litigation support related to an appeal of the federal case identified as United States District Court Case No. 2:20-cv-03251-PSG-MAA entitled Harbor Performance Enhancement Center, LLC v. City of Los Angeles Harbor Department, et al. and a new state court action identified as Superior Court Case No. 21STCV15500 entitled Harbor Performance Enhancement Center, LLC v. City of Los Angeles Harbor Department. The Harbor Department is financially responsible for payment for legal services rendered under Agreement No. 19-3668. 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) in accordance with Article II, Section 2(f) of the Los Angeles City CEQA Guidelines; and
2. APPROVE POLA Resolution No. 21-9892 authorizing proposed Third Amendment to Agreement No. 21-3668-C with Nossaman LLP Legal Services.

Respectfully Submitted,

Handwritten signature of Amber M. Klesges

AMBER M. KLESGES
Commission Secretary

cc: Trade, Travel & Tourism Committee
Councilman Buscaino
Councilman Bonin
Councilman Krekorian
Heleen Ramirez, Mayor's Office

Erick Martell, Harbor Representative
Stephanie Magnien Rockwell, Harbor Representative
Janice Chang Yu, CAO
Dennis Gleason, CD15
Tristan Noack, CLA