



Eric Garcetti

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Executive Director

April 8, 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. 21-9921 – PROPOSED PERMANENT ORDER TO AMEND PORT OF LOS ANGELES TARIFF NO. 4, SECTION 20 CLEAN AIR ACTION PLAN, ITEM NOS. 2030 "CLEAN TRUCK FUND RATE", 2035 "CLEAN TRUCK FUND", 2000 "DEFINITIONS", 2010 "DRAYAGE TRUCK ACCESS" AND 2041 "DRAYAGE TRUCK COMPLIANCE"

Pursuant to Section 653(a) of the City Charter, enclosed for your approval is Resolution No. 21-9921 authorizing Permanent Order No. 21-7316 along with corresponding Ordinance, to amend Port of Los Angeles Tariff No. 4, Section 20 Clean Air Action Plan, Item Nos. 2030 "Clean Truck Fund Rate," 2035 "Clean Truck Fund" (CTF), 2000 "Definitions," 2010 "Drayage Truck Access," and 2041 "Drayage Truck Compliance," which was approved at the November 4, 2021 meeting of the Board of Harbor Commissioners. The proposed Amendment will (i) authorize the CTF Rate at \$10 per twenty-foot equivalent unit (TEU) (\$20 if length is more than 20 feet) charged to cargo owners or their authorized Agent for loaded containers entering and exiting POLA terminals by drayage truck, (ii) create a full lifetime exemption for zero emission (ZE) trucks and a limited exemption for Low NOx trucks, and (iii) make clear that the CTF Rate is established to be paid by the cargo owner or its authorized Agent and not Drayage Truck Operators (drivers). The collected CTF Rate revenues will be held in the CTF, to be used to assist in incentivizing the replacement of older drayage trucks. Staff additionally requests approval of the CTF Spending Plan in this Resolution, which includes the 100% allocation of the CTF toward ZE trucks and infrastructure, which will be implemented through specific incentive programs with details to be brought back for the Board of Harbor Commissioners consideration in the future. Finally, miscellaneous related CTF Rate Definitions in Item No. 2000, and references to updated state laws applicable to drayage trucks in Items Nos. 2010 and 2041 were revised to provide the most recent information. All Tariff Items are effective on April 1, 2022. 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 statutorily and generally exempt from the requirements of the California Environmental Quality Act (CEQA), under Sections 15273, 15262 and 15061 (b)(3) of the Los Angeles City CEQA Guidelines; and
- 2. APPROVE POLA Resolution No. 21-9921 authorizing proposed Permanent Order No. 21-7316, along with corresponding Ordinance, to amend Port of Los Angeles Tariff No. 4, Section 20 Clean Air Action Plan, Item Nos. 2030 "Clean Truck Fund Rate," 2035 "Clean Truck Fund," 2000 "Definitions," 2010 "Drayage Truck Access," and 2041 "Drayage Truck Compliance."

Respectfully Submitted,

Chubica
FRAMBER 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