

ORDINANCE NO. _____

An ordinance approving Order No. 15-7175 of the Board of Harbor Commissioners of the City of Los Angeles, amending Port of Los Angeles Tariff No. 4.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. That Order No. 15-7175, passed and adopted by the Board of Harbor Commissioners of the City of Los Angeles on the 19th day of February, 2015, amending Port of Los Angeles Tariff No. 4, be, and the same is hereby ratified, confirmed and approved, which Order is in words and figures as follows:

"ORDER NO.

A permanent Order of the Board of Harbor Commissioners of the City of Los Angeles amending Port of Los Angeles Tariff No. 4.

**THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF
LOS ANGELES DOES HEREBY ORDER AS FOLLOWS:**

Section 1. Port of Los Angeles Tariff No. 4, adopted July 12, 1989, by Order No. 5837, and Ordinance No. 165,789, adopted April 10, 1990, as amended, is further amended as set forth in Exhibit "A," attached hereto and incorporated herein by reference.

Section 2. The Director of Environmental Management has determined that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II, Section 2(f) of the Los Angeles City CEQA guidelines.

Section 3. The Board Secretary shall certify to the adoption of this Order by the Board of Harbor Commissioners and shall cause the same to be published once in a daily newspaper printed and published in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: on the Port of Los Angeles website; one copy on the bulletin board located at the Main Street entrance to City Hall; and on the electronic bulletin boards located at the Harbor Department building, to take effect prior to adoption by Ordinance for a period not to exceed 90 days pursuant to Charter Section 653(b) and commencing effective _____, 2015.

Section 4. The Board Secretary shall transmit to the City Council for approval the Order and Ordinance approving the amendment to Tariff No. 4 pursuant to City Charter Section 653(a).

Section 5. The Board Secretary shall execute the proposed Board Order and Ordinance amending Tariff No. 4, and upon its publication, transmit the Order and Ordinance to the Chief Wharfinger for implementation of the tariff change and posting the amended Tariff No. 4 to the Port's website as regulated by the Federal Maritime Commission.

I HEREBY CERTIFY THAT the foregoing Order was adopted by the Board of Harbor Commissioners of the City of Los Angeles at its meeting held on 2-19-15


AMBER M. KLESGES
Board Secretary

Sec. 2. Any person, firm or corporation who violates or knowingly aids or abets a violation of any of the provisions of said Order respecting rules, regulations, rates or charges shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punishable by a fine in a sum not exceeding One Thousand Dollars (\$1,000) or by imprisonment in the County jail for not more than six (6) months or by both such fine and imprisonment.

Sec. 3. That, pursuant to the provisions of Section 653(b) of the City Charter, the Board of Harbor Commissioners shall have the power to suspend, modify or amend temporarily any of the rules or regulations, or any of the rates, tolls or charges prescribed by the aforesaid Order of the Board of Harbor Commissioners for periods not exceeding ninety (90) days, and shall have power to place in effect for a like period of time any temporary rule or regulation, rate, toll or charge for the Harbor District.

Sec. 4. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to City Hall; one copy on the bulletin board located at the Main Street entrance to City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

HOLLY L. WOLCOTT, City Clerk

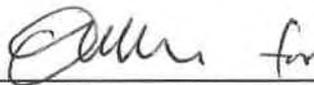
By _____ Deputy

Approved _____

Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By  for _____
JOHN T. DRISCOLL
Deputy City Attorney

Date 2/26/15

File No. _____

PORT OF LOS ANGELES – TARIFF NO. 4

Fourth Revised Page.....17A
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 Third Revised Page..... 17A

SECTION ONE – Continued
 DEFINITIONS – Continued

Item No.

(aa) The term "MTSA" shall refer to the Federal Maritime Transportation Security Act of 2002, codified at 46 U.S.C. section 2010, et seq., in its present form and as amended. The term "MTSA Regulations" shall refer to and the federal regulations implementing the MTSA, codified at 33 C.F.R. sections 101, et seq., in their present form and as amended.

(bb) The term "FACILITY SECURITY PLAN" shall refer to the plan developed to ensure the application of security measures designed to provide protections pursuant to the MTSA and the MTSA Regulations.

(cc) The term "HOMELAND SECURITY AUTHORITY" shall refer to the appropriate governmental agency designated in the MTSA, MTSA regulations or other law or regulation acting in connection with a particular homeland or maritime security issue.

(dd) The term "RECREATIONAL VESSEL" when used in this Tariff, is defined and shall be deemed to mean and include any vessel, except a public vessel, manufactured or operated primarily for pleasure, or leased, rented or chartered to another for the latter's pleasure.

(ee) The term "ALTERNATIVE MARITIME POWER (AMP)" when used in this Tariff, is defined and shall be deemed to mean an air emission reduction technology that allows ships to be powered by shore supplied electrical power while at berth rather than running their auxiliary diesel engines.

(ff) The term "ALTERNATIVE MARITIME POWER (AMP) SYSTEM COSTS" when used in this Tariff, is defined and shall be deemed to mean the minimum services charges and/or facilities charges and associated ancillary charges and taxes as billed by the Department of Water and Power of the City of Los Angeles (LADWP) relating to the supply of electrical power to passenger vessels carrying passengers for compensation as invoiced to the Harbor Department by LADWP, and the shore side shore power infrastructure electrical power consumption whether or not said passenger vessels were supplied electrical power from shore.

(gg) The term "RECREATIONAL COURTESY DOCK" is defined and shall be deemed to mean every landing set apart and designated by the Board as such, at which any person may make a vessel fast to said landings in compliance with this Tariff.

+ (hh) The term "GENERAL RATE INCREASE" when used in this Tariff, is defined and shall be deemed to mean the increase in monetary amount that may be applied from time to time to the rates, tolls, charges and fees in this Tariff.

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 (Cont.)

See Item 10 for explanation of abbreviations and symbols.

Correction No.	Order No. Ordinance No.	Adopted Adopted	EFFECTIVE:
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SECTION THIRTEEN PARKING CHARGES	Item No.
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**CHARGES FOR DESIGNATED PAID PARKING AREAS
ON HARBOR DEPARTMENT PREMISES**

[A] (a) Daily Rate: The Executive Director is authorized to issue permits for parking motor vehicles in Harbor Department designated paid parking areas. A charge of \$2.00 per hour per vehicle shall be assessed for each hour or fraction thereof that such vehicle remains parked and shall include the City of Los Angeles Vehicle Parking Occupancy Tax. Oversized vehicles (buses, trucks, recreational vehicles or any vehicle and/or trailer taking up more than one marked parking stall) shall be charged \$4.00 per hour per vehicle for each hour or fraction thereof that such vehicle remains parked and shall include the City of Los Angeles Vehicle Parking Occupancy Tax. Said Daily Rate charges shall not exceed a Maximum Charge per twenty-four (24) hour day in accordance with the "Maximum Charges Increase Schedule" herein. Visitors shall not be charged for the first one hour of their visitation when the Daily Rate is applicable.

Maximum Charges Increase Schedule

<u>Effective Date</u>	<u>Maximum Charge per twenty-four (24) hour day</u>	<u>Oversized vehicles Maximum Charge per twenty-four (24) hour day</u>
1/1/2015	\$16.00	\$32.00
1/1/2016	\$17.00	\$34.00
1/1/2017	\$18.00	\$36.00

[A][C]+
1300

+ (b) Flat Fee: For special events, a flat fee may be charged in lieu of the Daily Rate with prior written authorization from the Executive Director. This flat fee shall include the City of Los Angeles Vehicle Parking Occupancy Tax.

[A] (c) Monthly Rate: The Executive Director is authorized to issue monthly parking permits for a designated motor vehicle which will be valid in designated areas only. The charge for a monthly parking permit shall be \$80.00 per month or fraction thereof commencing at 12:01 a.m. of the first day of each month. Monthly parking for designated oversized vehicles is permitted in designated areas only and the charge for a monthly oversized parking permit shall be \$160.00 per month or fraction thereof commencing at 12:01 a. m. of the first day of each month. The charge for a monthly parking permit must be paid in advance and shall include the City of Los Angeles Vehicle Parking Occupancy Tax.

* (d) Any permit granted by the Executive Director to a person to park a vehicle in Harbor Department designated paid parking areas shall constitute a license only and shall not constitute a contract of bailment between the person and the City of Los Angeles.

See Item 10 for explanation of abbreviations and symbols.

Correction No.	Order No. Ordinance No.	Adopted Adopted	EFFECTIVE:
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SECTION THIRTEEN--Continued PARKING CHARGES--Continued		Item No.
<p>CHARGES FOR DESIGNATED PAID PARKING AREAS ON HARBOR DEPARTMENT PREMISES – Continued</p> <p>* (e) The Executive Director may authorize government employees and employees of tenants (including but not limited to, longshore workers, cruise terminal operator staff, security staff, cruise line staff, stevedoring management staff, Catalina terminal staff and ground services staff) while on official business to park their vehicles in any designated paid parking areas without charge during the course of their business activities. Overnight parking for government employees or employees of tenants must have prior written authorization from the Executive Director. No person shall use a vehicle parked in areas covered under this Section (Section 13) for overnight occupancy.</p> <p>+ (f) This Section (Section 13) shall be exempt from any general rate increase which from time to time may be implemented through periodic adjustments. This does not prohibit the adjustment of Parking Charges through amendments to this Section.</p>		<p>[A][C]+ 1300 (Cont.)</p>
See Item 10 for explanation of abbreviations and symbols.		
Correction No.	Order No. Ordinance No.	Adopted Adopted EFFECTIVE: