

HARBOR DIVISION

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**MINAH PARK**  
**HELEN J. SOK**

January 24, 2017

**INFORMATION ONLY – NO ACTION REQUIRED**

THE HONORABLE BOARD  
OF HARBOR COMMISSIONERS

SUBJECT: THIRD AMENDMENT TO OPERATING AGREEMENT NO. 15-3354  
BETWEEN THE CITY OF LOS ANGELES AND HECATE ENERGY  
HARBORSIDE, LLC.

**HONORABLE MEMBERS:**

On January 12, 2017, this Board adopted Resolution No. 17-8043 approving the Third Amendment to Operating Agreement No. 15-3354 with Hecate Energy Harborside, LLC. The Third Amendment extended the deadline for which Hecate must install certain photovoltaic systems and modified other provisions. The Operating Agreement did not delegate approval of such changes to the Board and such material modifications require subsequent Council approval.

The Board Report inadvertently did not include a recommendation directing the Board Secretary to transmit the Third Amendment to the City Council for approval pursuant to Charter Section 373 of the City Charter. Section 373 of the City Charter and a recommendation directing the Board Secretary to transmit the Third Amendment to the City Council has been included in the Interdepartmental Correspondence which is attached as Exhibit A and the Third Amendment has been forwarded for City Council approval. The Third Amendment, including all business terms, conditions and provisions remain the same and has not been modified or altered.

Please maintain this letter of explanation with all other records relating to Resolution No. 17-8043. If you have questions or concerns regarding this matter, please direct them to Deputy City Attorney Helen Sok.

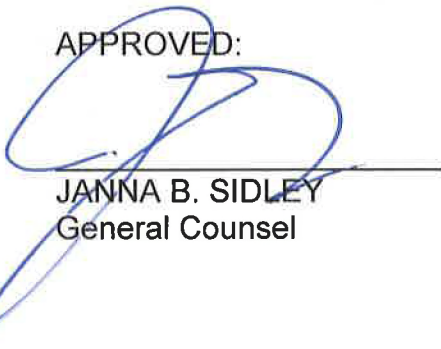
Very truly yours,



HELEN J. SOK  
Deputy City Attorney

HJS:jpr  
Attachment

APPROVED:



JANNA B. SIDLEY  
General Counsel

CITY OF LOS ANGELES

INTER-DEPARTMENTAL CORRESPONDENCE

DATE: January 23, 2017

TO: The Honorable Eric Garcetti, Mayor  
City of Los Angeles

FROM: Amber M. Klesges, Commission Secretary  
Harbor Department / Mail Stop 260



SUBJECT: **CHARTER SECTION 373** – PROPOSED THIRD AMENDMENT TO  
OPERATING AGREEMENT NO. 15-3354 WITH HECATE ENERGY  
HARBORSIDE LLC

In accordance with Executive Directive No. 4, attached for your review is Resolution No. 17-8043 authorizing approval of Agreement No.17-3354-C between the City of Los Angeles Harbor Department and Hecate Energy Harborside LLC., which was approved by the Board of Harbor Commissioners on January 12, 2017.

It is respectfully recommended for the City Administrative Office to review, report, and return to the Harbor Department for further processing to City Council for final consideration.

Please feel free to contact me for any inquiries regarding the transmitted documents at (310) 732-2642 or [aklesges@portla.org](mailto:aklesges@portla.org)

cc: Mandy Morales, Mayor's office (3 encs.)  
David Reich, Mayor's Office  
Erick Martell, Harbor Representative  
City Attorney