


MOTION

On October 24, 2017, the Council approved a 20-year Harbor Department Permit for the Jankovich Company to occupy and use Harbor Department property at Berth 73A and B and the Canetti's Building to operate a marine fueling station (C.F. 17-1178). The Jankovich Company is also conducting remediation work at Berth 74 where its marine fueling station had previously been located under Revocable Permit No. 12-11. On September 14, 2020, the Jankovich Company notified the Harbor Department of its intention to sell its assets.

On March 4, 2021, the Board of Harbor Commissioners is expected to consider assigning the Permit to TJC CA, LLC, which includes a guaranty from NorthStar Energy, LLC, the parent company of TJC, for the full performance of the Permit obligations, and a termination agreement for the Revocable Permit currently held by the Jankovich Company. Action is needed to waive the Council's review of the Board of Harbor Commissioners' anticipated action in order to transfer the Permit and allow TJC to assume the marine terminal operations as soon as possible should the Board of Harbor Commissioners approve the assignment. Under the termination agreement for Revocable Permit No. 12-11, Jankovich will continue to perform ground water monitoring at Berth 74 and provide the Harbor Department with a \$350,000 security deposit for future monitoring and remediation.

I THEREFORE MOVE that, pursuant to Charter Section 245 (b), the Council hereby RESOLVE to waive review of the anticipated March 4, 2021 action of the Board of Harbor Commissioners to approve an assignment of Permit No. 930 from the Jankovich Company to TJC CA, LLC., a parent guaranty provided by NorthStar Energy, LLC, and a termination agreement with the Jankovich Company for Revocable Permit No. 12-11, as further described in the text of this Motion.

PRESENTED BY: _____


JOE BUSCAINO
Councilmember, 15th District

SECONDED BY: _____




FEB 23 2021

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