

**MOTION**

I MOVE that the matter of the AD HOC COMMITTEE ON CITY GOVERNANCE REFORM COMMITTEE REPORT relative to reports from the Department of City Planning, Port of Los Angeles, Personnel, Los Angeles World Airports, Neighborhood Empowerment (DONE), Board of Recreation and Park Commissioners, City Clerk, Board of Public Works, Los Angeles Department of Water and Power, City Attorney, and City Administrative Officer (CAO) regarding Charter reform recommendations, Item No. 27 on today's Council Agenda (CF 23-1027), BE AMENDED to adopt the following additional recommendations:

- Instruct the City Administrative Officer, in coordination with the Executive Director of the Port of Los Angeles, the Chief Legislative Analyst, the City Attorney, and the City Clerk to report with language relative to establishing a new section in the Charter and to be considered within Charter Reform processes, that implements a "Port of Los Angeles Public Access Investment Plan", as outlined below:

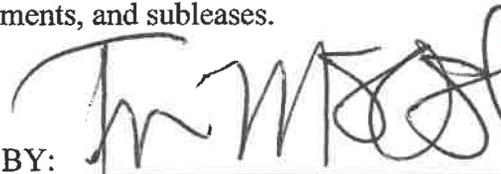
- I. **FUNDING FOR PUBLIC ACCESS PROJECTS (CAPITAL):** The plan allocates a minimum of ten percent (10%) of the Harbor Department's annual Operating Income to build LA Waterfront public access projects and provide Port-related community benefits.
- II. **PROJECT PLANNING:** The Harbor Department shall engage the local City Council Office on an annual basis no later than March of each year to determine the scope, range and budget of Public Access Projects for the next fiscal year, consistent with the Tidelands Trust. The Council Office shall engage in a public process to report back on community recommendations for the Public Access Projects to the Harbor Department.

The report on community recommendations for the Public Access Projects shall then be considered and incorporated in the Harbor Department's annual budget planning process. The Harbor Department and the Council Office shall endeavor to plan for multi-year expenditures and projects, to the extent permissible by law and this policy.

- III. **OPERATING INCOME:** For purposes of calculating Operating Income for this plan, revenue does not include purpose-directed funds collected from third parties. Examples include, but are not limited to, environmental document reimbursements, Marine Oil Terminal Engineering and Maintenance Standards reimbursements, Clean Truck Program Fees, and Harbor Maintenance Tax funding.
- IV. **CAPITAL IMPROVEMENT PROGRAM:** Harbor Department reporting and selection of Public Access Investment Plan projects shall be aligned with the Harbor Department's overall five-year Capital Improvement Program budget process. The process includes community input on project selection, consistent with the process outlined above. The community input process will continue with annual reporting and engagement coupled with more in depth project prioritization processes, when necessary, based on status of budgetary allocation for existing projects and funding availability for new projects.

- V. ANNUAL BUDGET PROCESS: Implementation of the plan and its guidelines are subject to the Board of Harbor Commissioners approval. The percentage of Operating Income allocated annually and specific amount allocated to projects per year will be determined by the Board of Harbor Commissioners with consideration of the Section III Project Planning process during the Harbor Department’s annual budget process with consideration to the Harbor Department’s economic and financial outlook, pursuant to sections IX and X.
- VI. PLAN MODIFICATION: In the event of needs to modify the plan as proposed including, without limitation, general economic trends, declining financial outlook, legal issues, and the extent that public access projects are needed, the Harbor Department will notify public stakeholders to facilitate public comment, and may subsequently take Board action to adjust the percentage of operating income downward.
- Instruct the City Administrative Officer, in coordination with the Executive Director of the Port of Los Angeles, the Chief Legislative Analyst, the City Attorney, and the City Clerk to report with proposed amendments and processes needed to establish a “Port of Los Angeles Leasing Policy” section into the Charter and to be considered within Charter Reform processes, and requires changes to the existing Policy that details the establishment and implementation of the following:
 - Each application for leasing, including lease extension or amendment, or development of Harbor Department property shall measure how the proposed project (qualitatively and quantitatively) would impact both direct and indirect jobs associated with the premises, including the number and types of jobs impacted and identifies the verifiable proof of whether the employee effects would be neutral, increase, or decrease the baseline job count; and
 - Mandate procedural and substantive changes needed for Port plans or policies in order to codify the Leasing Policy specific for its application to all development applications, and leasing transactions, including, without limitation, Lease Agreements (i.e. leases, permits, and revocable permits), all Lease Agreement amendments, term extensions, assignments, and subleases.

PRESENTED BY:



TIM McOSKER
Councilmember, 15th District

SECONDED BY:



ORIGINAL