

0150-13058-0000

TRANSMITTAL

TO Eugene D. Seroka, Executive Director Harbor Department	DATE 10/16/2025	COUNCIL FILE NO.
FROM The Mayor	COUNCIL DISTRICT 15	

**RESOLUTION NO. 25-10590 AND PROPOSED SUCCESSOR PERMIT NO. 968 BETWEEN
THE HARBOR DEPARTMENT AND LOS ANGELES COUNTY FLOOD CONTROL DISTRICT
FOR PURPOSES OF OPERATING AND MAINTAINING A STORM DRAIN PIPELINE
LOCATED NEAR THE WEST BASIN AT BERTH 132 IN WILMINGTON, CALIFORNIA**

Approved and transmitted for further processing including Council consideration.
See the City Administrative Officer report attached.



MAYOR
(Mitch Kamin for)

Attachment
MWS:PJH/JCY:JAS:10260083t

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: October 9, 2025

CAO File No. 0150-13058-0000

Council File No.

Council District: 15

To: The Mayor

From: Matthew W. Szabo, City Administrative Officer

Reference: Correspondence from the Harbor Department dated August 28, 2025; Resolution No. 25-10590 from the Board of Harbor Commissioners adopted at its August 28, 2025 meeting; referred by the Mayor for a report on August 29, 2025

Subject: **RESOLUTION NO. 25-10590 AND PROPOSED SUCCESSOR PERMIT NO. 968 BETWEEN THE HARBOR DEPARTMENT AND LOS ANGELES COUNTY FLOOD CONTROL DISTRICT FOR PURPOSES OF OPERATING AND MAINTAINING A STORM DRAIN PIPELINE LOCATED NEAR THE WEST BASIN AT BERTH 132 IN WILMINGTON, CALIFORNIA**

RECOMMENDATIONS

1. Approve Los Angeles Harbor Department (Harbor Department) Resolution No. 25-10590 authorizing approval of proposed successor Permit No. 968 with the Los Angeles County Flood Control District, with a 30-year term effective upon execution, for purposes of operating and maintaining a storm drain pipeline located near the West Basin at Berth 132 in Wilmington, which increases the fixed minimum annual rent by \$17,151.75, from \$0 to \$17,151.75;
2. Adopt the August 28, 2025 Board of Harbor Commissioners findings that the proposed action is categorically exempt from the requirements of California Environmental Quality Act (CEQA) under Article III, Class 1(14) of the Los Angeles City CEQA Guidelines; and
3. Authorize the Harbor Department Executive Director, or designee, to execute the proposed Permit, already approved as to form by the City Attorney, and return the Resolution to the Harbor Department for further processing, including Council consideration.

SUMMARY

The Los Angeles Board of Harbor Commissioners (Board) requests approval of its August 28, 2025 Resolution No. 25-10590 (Attachment 1) which authorizes the approval of proposed successor Permit No. 968 (Permit 968) to Order No. 2560 (Order 2560) between the Los Angeles Harbor Department (Harbor Department) and the Los Angeles County Flood Control District (LA County Flood).

Proposed Permit 968 is for a 30-year term, effective upon execution, for the use of 8,405 square feet of subsurface and submerged land area on Harbor Department property. This designated

area is located near the West Basin at Berth 132 in Wilmington and will continue to support the ongoing operation and maintenance of a storm drain system. Proposed Permit 968 increases the fixed minimum annual rent by \$17,151.75, from \$0 to \$17,151.75, subject to annual changes in the Consumer Price Index (CPI) with a floor of three percent.

The Office of the City Attorney has reviewed and approved the proposed Permit as to form. Pursuant to Charter Section 606, Council approval is required due to the cumulative term of the Permit exceeding five years. Our Office has reviewed the request and recommends approval.

BACKGROUND

On May 5, 1954, the Board approved Order 2560 which granted a no-cost permit to LA County Flood for the right-of-way to construct, operate, and maintain a storm drain on Harbor Department property. Order 2560 was for a term of fifty years, from July 8, 1954 through July 7, 2004, and has been on holdover, operating under the same terms, since the expiration.

There were numerous reasons why it took a long time to finalize a new permit, one of which was due to several turnovers in staff on both the LA County and Harbor Department sides, requiring new parties to re-engage in the negotiation process. Due to this being a storm drain facility with environmental liability obligations, extensive research and consultation with environmental specialists was required to ensure the terms would be structured properly. Negotiations also took longer due to new rental terms being instituted by the Harbor Department which LA County had previously been exempt from in the original permit.

Premises – LA County Flood operates and maintains 8,405 square feet of subsurface and submerged land area. The storm drain pipeline is located near the West Basin at Berth 132, at the southeast corner of John S. Gibson Boulevard and Harry Bridges Boulevard in Wilmington. See Figure 1 below.

Figure 1: Los Angeles County Flood Control District Storm Drain Pipeline at Berth 132



Note: Picture not to scale, refer to Transmittal 1 in Attachment 1 for actual picture.

Proposed Successor Permit No. 968 (Permit 968) – Proposed Permit 968 is a successor to Order No. 2560, which has been on holdover since it expired on July 7, 2004. Proposed Permit 968 will be for a 30-year term, effective upon execution, for the continued right-of-way to operate and maintain a storm drain on Harbor Department property. All maintenance or improvements to the premises are at the sole cost and expense of LA County Flood. Proposed Permit 968 will continue allowing LA County Flood to provide a vital outlet for storm water runoff serving neighboring communities in Los Angeles.

Increased Rent Revenue – Proposed Permit 968 increases LA County Flood’s fixed annual minimum rent by \$17,151.75, from \$0 to \$17,151.75, subject to annual changes in the Consumer Price Index (CPI) with a floor of three percent. Rent was not previously charged since the Harbor Department did not have a Leasing Policy until 2013. The current Harbor Department Leasing Policy requires charging rent to other public agencies for utility facilities on Harbor Department property.

CITY COMPLIANCE

California Environmental Quality Act (CEQA) – On August 28, 2025, the Board determined that the proposed action of approving Permit 968 is to use an existing structure or facility involving negligible or no expansion of use. Therefore, the Director of Environmental Management has determined that the proposed action is categorically exempt from the requirements of CEQA in accordance with Article III Class 1(14) of the Los Angeles City CEQA Guidelines.

The Office of the City Attorney has reviewed and approved proposed Permit 968 as to form. Pursuant to Charter Section 606, Council approval is required due to the cumulative term of the Permit exceeding five years. Our Office has reviewed the request and recommends approval.

FISCAL IMPACT STATEMENT

There is no impact on the City’s General Fund. Approval of proposed successor Permit No. 968 between the Harbor Department and the Los Angeles County Flood Control District will increase the fixed minimum annual rent by \$17,151.75, from \$0 to \$17,151.75, subject to annual changes in the Consumer Price Index with a floor of three percent. Revenues will be deposited in the Harbor Revenue Fund. The recommendations in this report and proposed actions comply with the Department’s Financial Policies.

Attachment 1 – Harbor Department Correspondence dated August 28, 2025; Harbor report and proposed Resolution No. 25-10590 dated August 12, 2025, and proposed Permit No. 968

MWS:PJH/JCY:JAS:10260083