

THIRD AMENDMENT TO  
FOREIGN-TRADE ZONE OPERATING AGREEMENT NO. 2340  
BETWEEN THE CITY OF LOS ANGELES AND  
CUSTOMS AIR WAREHOUSE, INC.

THIS THIRD AMENDMENT to Foreign-Trade Zone ("FTZ") Operating Agreement No. 2340 ("Agreement") is made and entered into by and between the CITY OF LOS ANGELES, a municipal corporation ("City"), acting by and through its Board of Harbor Commissioners ("Board"), and CUSTOMS AIR WAREHOUSE, INC. ("Operator") as follows:

WHEREAS, City and Operator wish to extend the term of Agreement No. 2340 an additional five (5) years; and

WHEREAS, City and Operator also agree to further modify language to Agreement;

NOW, THEREFORE, BE IT RESOLVED, that Agreement between the City of Los Angeles and Customs Air Warehouse, Inc., be hereby amended as follows:

1. ARTICLE II. AUTHORITY GRANTED/ACCEPTED, TERM AND AGREEMENT, Section 2.03 Term of Agreement, subsection A. Term of Renewal. The initial term of this Agreement shall be extended an additional five (5) years beginning on June 23, 2019 and ending on June 22, 2024.

2. ARTICLE XVI. MISCELLANEOUS PROVISIONS. The language in Section 16.14 Wage and Earning Assignment Orders/Notices of Assignments, is deleted in its entirety and replaced with the following:

"16.14 Wage and Earning Assignment Orders/Notices of Assignments

The Operator or any subs is obligated to fully comply with all applicable state and federal employment reporting requirements for the Operator and/or sub's employees.

The Operator and/or subs shall certify that the principal owner(s) are in compliance with any Wage and Earnings Assignment Orders and Notices of Assignment applicable to them personally. The Operator or subs will fully comply with all lawfully served Wage and Earnings Assignment Orders and Notices of Assignments in accordance with Cal. Family Code § § 5230 et. seq. The Operator or subs will maintain such compliance throughout the term of the Agreement."

3. Except as amended herein, all remaining terms and conditions of Agreement No. 2340 shall remain in full force and effect.

IN WITNESS THEREOF, the parties hereto have executed this Third Amendment to Agreement No. 2340 on the date to the left of their signatures.

THE CITY OF LOS ANGELES, by its  
Board of Harbor Commissioners

Dated: \_\_\_\_\_, 2019

By \_\_\_\_\_  
Executive Director

Attest \_\_\_\_\_  
Board Secretary

CUSTOMS AIR WAREHOUSE, INC.

Dated: 3/13, 2019

By  \_\_\_\_\_

Daniel Cotter CBP FTZ COMPLIANCE  
(Print/type name and title) *MANAGER*

Attest  \_\_\_\_\_

Albert Lopez Manager  
(Print/type name and title)

APPROVED AS TO FORM AND LEGALITY

March 14, 2019

MICHAEL N. FEUER, City Attorney  
JANNA B. SIDLEY, General Counsel

By  \_\_\_\_\_  
HELEN J. SOK, Deputy City Attorney

HJS:jpr  
02/07/19