

**ADMINISTRATIVE EXEMPTION and TRADE, TRAVEL, AND TOURISM COMMITTEE REPORT** relative to amending the Port of Los Angeles (POLA) Agreement with Brown and Winters for legal services.

**Recommendations for Council action:**

1. **ADOPT** the determination by the Board of Harbor Commissioners that the proposed action is administratively exempt under the California Environmental Quality Act (CEQA) in accordance with Article II, Section 2.f of the Los Angeles City CEQA Guidelines.
2. **APPROVE** the Port Resolution No. 19-8429 approving Second Amendment to the POLA Agreement No. 19-3109-B with Brown and Winters extending the term for 18 months for legal services assisting the City Attorney with efforts to recover environmental investigation and cleanup expenses from both the City's and certain tenant's historic insurance policies.

**Fiscal Impact Statement:** The City Administrative Officer (CAO) reports the proposed Second Amendment of the POLA Agreement with Brown and Winters will extend the term for 18 months, from March 2019 to August 2020, for a total contract term of 7.5 years. No additional increase in the compensation amount or contingency fee payment provisions is required. Compensation will remain a total amount of \$105,000 and the contingency fee payment approximately 33 percent of any funds recovered from insurance policies.

**Community Impact Statement:** None submitted.

**TIME LIMIT FILE – MAY 28, 2019**

**(LAST DAY FOR COUNCIL ACTION - MAY 28, 2019)**

**SUMMARY**

In a report to the Mayor dated March 22, 2019, the CAO states POLA requests approval of the Second Amendment to the agreement with the Brown and Winters law firm, extending the term by 18 months, from March 2019 to August 2020. The contract extension allows Brown and Winters to continue assisting the City Attorney and POLA with efforts for environmental investigation and recovery of clean-up expenses from historic or past tenant insurance policies at the Port. Legal services include the preparation, filing, negotiation, and litigation of insurance claims and the recovery of costs and expenses through investigating, monitoring, mitigating, and remediating contaminated properties. POLA believes that Brown and Winters has successfully identified, reviewed, and obtained cost recovery from past insurance profiles and policies.

On February 21, 2019, the Board of Harbor Commissioners approved POLA's request. The CAO concurs with this action.

At its meeting held April 2, 2019, the Trade, Travel, and Tourism Committee recommended that Council approve the proposed amendment of the POLA agreement with Brown and Winters, as recommended by the Board of Harbor Commissioners and the CAO.

Respectfully Submitted,

TRADE, TRAVEL, AND TOURISM COMMITTEE



<u>MEMBER</u>	<u>VOTE</u>
BUSCAINO:	YES
BONIN:	YES
KREKORIAN:	YES

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**-NOT OFFICIAL UNTIL COUNCIL ACTS-**