

RESOLUTION NO. 27599

WHEREAS, on recommendation of Management, there was presented for approval, Sixth Amendment to Contract DA-5355 with Anderson & Kreiger, LLP to increase the contract authority by \$1,300,000, for new total not to exceed \$5,900,000, covering legal services to assist Los Angeles World Airports and the Los Angeles City Attorney with federal regulatory work and related matters, including litigation; and

WHEREAS, Anderson & Kreiger, LLP is under contract with the City Attorney's Office to assist with federal regulatory advice and litigation, including the case of *Turo, Inc. v. City of Los Angeles*, Case 2:18-cv-06055-CAS (GJSx); and

LAX
Van Nuys
City of Los Angeles

Eric Garcetti
Mayor

**Board of Airport
Commissioners**

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Justin Erbacci
Chief Executive Officer

WHEREAS, said Turo litigation has successfully settled. Turo will be paying Los Angeles World Airports (LAWA) the sum of \$5,100,000 for attorney's fees and costs. Additionally, Turo is entering into a non-exclusive license agreement (NELA) with LAWA to operate its business at Los Angeles International Airport (LAX). Revenue from the NELA is anticipated to generate LAWA approximately \$2,300,000 during the first year; and

WHEREAS, as a result of the ongoing requirements of federal regulatory advice and the defense of the City of Los Angeles and LAWA in the Turo Litigation, it is necessary to add additional funds to Anderson & Kreiger, LLP's contract in order to pay the outstanding invoices; and

WHEREAS, in addition to the Turo litigation, said law firm has regularly assisted LAWA with many federal regulatory issues, including but not limited to, Transportation Security Administration and Federal Aviation Administration (FAA) legislation and regulations, airport rates and charges, FAA land use regulations, revenue diversion, grant assurances, federal inclusivity programs, federal funding, and airport accessibility. A portion of the outstanding invoices also includes services for the federal regulatory work performed under the contract; and

WHEREAS, funds for the contract are available in the Fiscal Year 2022-2023 LAWA Operating Budget in LAX Cost Center 1110004 – Legal Services Division, Commitment Item 520 – Contractual Services. Funds for subsequent years will be requested as part of the annual budget process; and

WHEREAS, this action, as a continuing administrative activity, is exempt from California Environmental Quality Act (CEQA) requirements pursuant to Article II, Section 2.f of the Los Angeles City CEQA Guidelines; and

WHEREAS, Anderson & Kreiger, LLP is required to comply with the provisions of City Charter Section 609(e) and related ordinances; and

WHEREAS, Anderson & Kreiger, LLP is required by contract to comply with the provisions of the Living Wage Ordinance, Affirmative Action Program, and Child Support Obligations Ordinance; and

WHEREAS, Anderson & Kreiger, LLP has been assigned Business Tax Registration Certificate 0002330068-0001-1; and

WHEREAS, Anderson & Kreiger, LLP has approved insurance documents, in the terms and amounts required, on file with LAWA; and



WHEREAS, pursuant to Charter Section 1022, it has been determined that the work specified in the contract can be performed more feasibly or economically by an independent contractor than by City employees; and

WHEREAS, Anderson & Kreiger, LLP has submitted the Contractor Responsibility Program Pledge of Compliance, and will comply with the provisions of said program; and

WHEREAS, Anderson & Kreiger, LLP must be determined by the Department of Public Works, Office of Contract Compliance, to be in full compliance with the provisions of the Equal Benefits Ordinance prior to execution of the contract amendment; and

WHEREAS, Anderson & Kreiger, LLP will be required to comply with the provisions of the First Source Hiring Program for all non-trade LAX jobs; and

WHEREAS, Anderson & Kreiger, LLP has submitted the Bidder Contributions CEC Form 55, and will comply with its provisions; and

WHEREAS, Anderson & Kreiger, LLP has submitted the MLO Bidder Contributions CEC Form 50, and will comply with its provisions; and

WHEREAS, Anderson & Kreiger, LLP will be required to comply with the provisions of the Iran Contracting Act of 2010 Affidavit; and

WHEREAS, actions taken on this item by the Board of Airport Commissioners will become final pursuant to the provisions of Los Angeles City Charter Section 373;

NOW, THEREFORE, BE IT RESOLVED that the Board of Airport Commissioners adopted the Staff Report; determined that this action is exempt from CEQA pursuant to Article II, Section 2.f of the Los Angeles City CEQA Guidelines; found that the work can be performed more economically or feasibly by an independent contractor than by City employees; approved the Sixth Amendment to Contract DA-5355 with Anderson & Kreiger, LLP to increase the contract authority by \$1,300,000, for new total not to exceed \$5,900,000, covering legal services to assist Los Angeles World Airports and the Los Angeles City Attorney with federal regulatory work and related matters, including litigation; and authorized the Chief Executive Officer to execute said Sixth Amendment to Contract DA-5355 with the law firm of Anderson & Kreiger, LLP after approval as to form by the City Attorney and approval by the Los Angeles City Council.

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I hereby certify that this Resolution No. 27599 is true and correct, as adopted by the Board of Airport Commissioners at its Regular Meeting held on Thursday, October 6, 2022.



Grace Miguel – Secretary
BOARD OF AIRPORT COMMISSIONERS