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March 15, 2022

Honorable Members of the  
City Council of the  
City of Los Angeles

CD No. 15

Attention: Mr. Andrew Suh, City Clerk's Office

Subject: RESOLUTION NO. 21-9893 – APPROVE PROPOSED FIRST AMENDMENT TO LEGAL SERVICES AGREEMENT NO. 20-3742 WITH CROWELL AND MORING LLP FOR ANTITRUST MATTERS

Pursuant to Section 373 of the City Charter and Section 10.5 of the Los Angeles Administrative Code, enclosed for your approval is Resolution No. 21-9893 authorizing proposed First Amendment to Agreement No. 20-3742 with Crowell and Moring LLP. The proposed First Amendment extends the term of the Agreement by one year for a maximum term of four years and increases the maximum compensation authority by \$200,000 for a total maximum compensation of \$500,000. The current three-year term expires on May 13, 2023. The proposed Amendment would extend the term of the Agreement to a proposed four years and an expiration date of May 13, 2024. The additional term is necessary due to ongoing litigation support related to an appeal of the federal case identified as United States District Court Case No. 2:20-cv-03251-PSG-MAA entitled *Harbor Performance Enhancement Center, LLC v. City of Los Angeles Harbor Department, et al.* and a new state court action identified as Superior Court Case No. 21STCV15500 entitled *Harbor Performance Enhancement Center, LLC v. City of Los Angeles Harbor Department*. The Harbor Department is financially responsible for payment for legal services rendered under Agreement No. 20-3742. There is no impact to the General Fund.

RECOMMENDATION FOR CITY COUNCIL:

1. ADOPT the determination by the Board of Harbor Commissioners that the proposed action is administratively exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with Article II, Section 2(f) of the Los Angeles City CEQA Guidelines; and
2. APPROVE POLA Resolution No. 21-9893 authorizing proposed First Amendment to Agreement No. 21-3742-A with Crowell and Moring LLP.

Respectfully Submitted,

AMBER M. KLESGES  
Commission Secretary

cc: Trade, Travel & Tourism Committee  
Councilman Buscaino  
Councilman Bonin  
Councilman Krekorian  
Heleen Ramirez, Mayor's Office

Erick Martell, Harbor Representative  
Stephanie Magnien Rockwell, Harbor Representative  
Janice Chang Yu, CAO  
Dennis Gleason, CD15  
Tristan Noack, CLA