

Resolved: The Central San Pedro Neighborhood Council opposes the eviction of the tenants, as well as the Port's failure to perform proper procedures under the California Environmental Quality Act such as providing public notice, transparency, community discussion, and for attempting to make major changes to the existing Environmental Impact Report and project agreement;

Further Resolved: The CeSPNC calls on the Board of Harbor Commissioners to notice Port staff that it should to halt eviction of Ports O'Call Restaurant, allowing it to continue in operation, and to negotiate a new lease.

Accompanying below comments to be formatted in a letter:

Whereas: The Port of Los Angeles approved the San Pedro Waterfront Development Project-San Pedro Public Market Project in September 2009;

Whereas: The Final Environmental Impact Review and at public meetings the Port of LA repeatedly showed and stated that the Ports O'Call Village Shops and Ports O' Call Restaurant would temporarily be relocated during construction to another Ports O' Call area until the new San Pedro Public Market was complete and they could move back.

Whereas: On March 2, 2016 the Port of Los Angeles staff supported and the project developer Eric Johnson at the San Pedro Warner Grand Theater stated: "current tenants who will remain in the project will be able to stay open throughout construction we expect to complete this first phase by mid 2019."

and

"We are fortunate to have existing successful tenants who we are counting on to be the backbone of our pre-leasing activities."(See video 31:47);

Whereas: In May 2016 the Port of Los Angeles failed to inform the public of its intent to make major changes to the EIR with a FIFTH Addendum to the September 29, 2009 Final EIR;

Whereas: CEQA does allow addendums to a Final EIR but only for minor changes. The FIFTH Addendum involves major project changes not allowed under CEQA.

Whereas: The Port of LA also failed to provide public notice, post and circulate the new May 19, 2016 5th Addendum prior to its approval by the Board of Harbor Commissioners, nor list it as a separate agenda item. The US Army Corps of Engineers and numerous other governmental agencies that received and reviewed the Final EIR were never notified of or sent the FIFTH Addendum.

Whereas: Therefore, the Port has violated CEQA;

Whereas: The Board of Harbor Commissioners has approved FOUR other previous addendums that contain major project changes to the original Final EIR, also in violation of CEQA;

Whereas: The project construction started in 2017, eight years after the Final EIR approval, and CEQA requires that a subsequent or supplemental EIR be issued and re-circulated when there has been an extensive delay in the project; commonly no more than five years;

Whereas: The Port of LA is proceeding with eviction of the shops and POC restaurant without providing for relocation and return to the new Public Market;

Whereas: The shops and especially POC Restaurant enjoy consistent and substantial support and patronage from San Pedro, Wilmington, Harbor Gateway and the larger community;

Whereas: POC Restaurant and the shops employ hundreds of local residents and make a major financial contribution to the community, and have done so for decades;

Whereas: POC Restaurant management has provided frequent and unstinting support for community events, including providing space free for meetings, public events, phone banks, high school student service hours, as well as making generous donations to community charities;