

**TO THE COUNCIL OF THE
CITY OF LOS ANGELES**

Your

RULES AND GOVERNMENT

Committee

reports as follows:

RULES AND GOVERNMENT COMMITTEE REPORT relative to a Los Angeles Basin Solar Power, Green Energy and Jobs Development Mandate for Los Angeles Initiative and placement on the March 2009 Ballot.

Recommendation for Council action, as initiated by Motion (Garcetti – Greuel – Perry – Rosendahl – Hahn – Huizar – Parks):

REQUEST the City Attorney, with the assistance of the Department of Water and Power (DWP), the City Administrative Officer (CAO), and the Chief Legislative Analyst (CLA), to draft the necessary City Charter amendment, ordinance and/or resolution by October 29, 2008 to place before the voters at the March, 2009 election a solar initiative measure which, at a minimum, includes the following elements:

- a. Provide the Council with a 90 day review time line to consider the DWP's solar implementation plan upon its submittal from the Board of DWP Commissioners.
- b. Provide the DWP with the necessary flexibility to submit a thorough and diversified financial plan to the Board of DWP Commissioners and Council, which factors in existing resources, cash capital, state and federal grants, subsidies and revenue bonds; and grant the DWP up to 90 days to develop this plan.
- c. Provide the Council with the authority to assess in 2013 whether to continue, modify, or terminate the program by ordinance based on demonstrated evidence of program success and on-going cost factors. Additional assessment/review factors should include: (1) availability of materials; (2) availability of roof-tops on which to install solar panels; (3) natural disasters; (4) economic emergencies; (5) litigation or state or federal legislation that would inhibit the department's ability to collect revenues or otherwise materially impact the department's financial condition; and (6) changes in technology that render the program's use of photovoltaic solar panels/or other solar technologies obsolete or fiscally imprudent.
- d. Provide the Council the authority to suspend, postpone, or modify the solar program by ordinance. Additionally, provide the Council and Mayor the authority to declare an emergency to initiate these suspension/modification provisions, and the definition of an emergency to include: (1) availability of materials; (2) availability of roof-tops on which to install solar panels; (3) natural disasters; (4) economic emergencies; (5) litigation or state or federal legislation that would inhibit the DWP's ability to collect revenues or otherwise materially impact the department's financial condition; and (6) other solar power technologies, located within the City, which exceed photovoltaic solar technology and can be implemented at a substantially lower cost.

- e. Provide that the language specifies that the equipment installed under the solar program shall be the property of the DWP and, therefore, that the work shall be completed by DWP employees, at the rates specified in the applicable bargaining unit Memoranda of Understanding (MOU); if there is a need to utilize contractors to support DWP employees, then they should be paid consistent with contracting provisions in any applicable MOUs; also, in such an event, employees of the contractors shall be paid prevailing wage.

Fiscal Impact Statement: None submitted by the CLA. The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

Summary:

At its meeting held October 22, 2008, the Rules and Government Committee considered reports from the CLA and DWP relative to a Los Angeles Basin Solar Power, Green Energy and Jobs Development Mandate for Los Angeles Initiative and placement on the March 2009 Ballot. During the discussion of this matter, the CLA and the General Manager, DWP, presented information relative to this matter and addressed related questions from the Committee. In addition, the City Attorney's Office stated that a Charter amendment and ordinance may be necessary to effectuate the required actions relative to this matter. After an opportunity for public comment, the Committee recommended that Council approve the CLA report recommendations as amended. This matter is now forwarded to Council for its consideration.

Respectfully submitted,

RULES AND GOVERNMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
GARCETTI:	YES
WEISS:	YES
ZINE	ABSENT

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-Not Official Until Council Acts-