

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

Your

PUBLIC WORKS COMMITTEE

reports as follows:

PUBLIC WORKS COMMITTEE REPORT relative to a proposed Request for Proposals (RFP) for film permitting services in the City of Los Angeles.

Recommendations for Council action:

1. APPROVE the RFP as attached to the September 26, 2008 City Administrative Officer (CAO) report and attached to the Council file; further AUTHORIZE the CAO to release said RFP; and DIRECT the CAO to report back to Council with the results of the competition no later than April 1, 2009.
2. AUTHORIZE the CAO to make minor and technical adjustments to the RFP that are not inconsistent with the intent of City Council and are in the best interest of the City of Los Angeles.
3. INSTRUCT the CAO, Chief Legislative Analyst (CLA), Los Angeles Police Department (LAPD), and other designated stakeholders to continue to discuss pending enforcement concerns related to on-location filming and report back to Council.

Fiscal Impact Statement: The CAO reports that there is no fiscal impact to the release of the RFP. However, as a result of the RFP, it is expected that the competition for a new contract could reduce or eliminate the need for the City to pay as much as \$572,000 a year for film permit coordination. In addition, it is hoped that the City will achieve full cost recovery of the film permitting function through this competition. It is also expected that fees to production companies for permit coordination and notification will be lower as a result of the competition.

Community Impact Statement Submitted: None submitted

(The Public Safety and Budget and Finance Committees have waived consideration of this matter)

SUMMARY

On November 27, 2007 the Public Works Committee considered a November 2, 2007 CAO report relative to a proposed RFP for film permitting services in the City. According to the CAO, on July 13, 2005, Council directed the CAO and CLA to issue an RFP for film permitting services currently provided by FilmLA (Council File No. 02-2144-S1). Subsequently, on June 22, 2007, in preparation for the release of the RFP, Council directed the CAO to release a Request for Information (RFI) as a way of obtaining additional information from Neighborhood Councils, community groups, etc. to determine what is required and/or should be included in a new contract, as well as to determine if there are other businesses capable of providing film permit coordination, notification and complaint referral services in Los Angeles (Council File No. 07-1586).

The RFI was distributed directly to over 6,000 individuals as well as advertised in the newspaper and posted on the City's website. The City received 93 responses, some submitted on behalf of numerous individuals. For example, one response represented over 180 individuals from downtown and another almost 500 individuals from the Pacific Palisades area. The majority of responses received were from community members and groups identifying areas in the current film permitting process in need of improvement. The respondents indicated enforcement, notification, and parking as the three areas in greatest need of improvement. Respondent opinions were divided when asked whether one organization should be awarded a single contract for both permit coordination and notification services or would it be more advantageous to offer two separate contracts.

The results of the RFI identify 15 potential bidders, indicating there are other businesses capable of providing film coordination services in Los Angeles. The City is seeking three different types of services related to on-location filming within the City of Los Angeles: permit coordination; notification; and complaint referral. At present, the proposed RFP has been constructed in a way that potential bidders can submit proposals to perform services for any or all of these three.

In addition, the proposed RFP includes a list of terms that potential bidders would be required to sign as part of the proposal submittal process (a copy of the proposed RFP is included with the November 2, CAO report and is attached to the Council file. By including a list of terms, it is believed that contract negotiations will be more efficient and timely. Within the RFP, the CAO has also defined service levels for various aspects of the work to be provided by contract. These defined service levels result from feedback received from the community and the public's desire that the contractor(s) be held accountable and receive sufficient oversight. The inclusion of service levels enables the City to communicate clear expectations to all potential bidders prior to the submission of proposals and provide objective oversight while administering the contract(s) once they are in place.

After further consideration and having provided an opportunity for public comment, the Committee moved to continue this matter. Subsequently, on May 27, 2008, the Committee once again considered this matter. After consideration and having provided an opportunity for public comment, the Committee once again continued this matter.

Subsequently, on October 1, 2008, your Committee considered a September 26, 2008 CAO report in response to the Committee's previous instruction relative to a proposed RFP for film permitting services in the City. According to the CAO, the proposed RFP seeks to one contractor to provide a variety of services related to on-location filming within the City of Los Angeles including: permit coordination; community notification; and complaint referral. At present, the proposed RFP has been constructed in a way that potential bidders must submit proposals to perform all services, fulfilling the concept of a "one stop shop" operation. A copy of the proposed RFP is included with the CAO's September 26, 2008 report and is attached to the Council file.

The CAO then stated that potential bidders also are afforded the opportunity to submit proposals which include the use of subcontractors, should they choose to. Over the past ten months, discussions with the Chair of the Public Works Committee and various stakeholders have raised awareness of the many diverse aspects of the enforcement environment pertaining to on-location filming. Several areas that need improvement have been discussed with the goal being to minimize negative impacts from filming on neighborhoods and assist the entertainment industry in avoiding "community burnout." Specifically, those areas include:

- a. The role of the Police Department in permit approval

- b. The efforts of the Police Department in enforcing permit conditions on-location
- c. The potential for adopting Citywide community notification guidelines for filming activity
- d. The role of Neighborhood Filming Guidelines, and;
- e. Whether or not additional clarification is warranted for existing ordinances related to on-location filming.

The CAO then noted that dialogue on these issues is continuing. However, it has become clear that further modification of the RFP is not required to address or accommodate these issues.

Permit

enforcement is clearly the responsibility of the City (currently the Police Department), not the contractor. Enforcement issues will be more appropriately addressed through other vehicles (i.e. Police Department policies, Police Commission action or City ordinances) and may require the opportunity for more specific and focused public participation. The RFP seeks proposals for a contractor that will be flexible and dynamic enough to perform the core duties over an extended period of time despite changes in specific City enforcement policies.

After further consideration and having provided an opportunity for public comment, the Committee moved to recommend approval of the recommendations as contained in the September 26, 2008 CAO report and detailed above in Recommendation Nos. 1-3. This matter is now submitted to Council for its consideration.

Respectfully submitted,

PUBLIC WORKS COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
ROSENDAHL:	YES
ALARCÓN:	YES
SMITH:	YES

ARL
3/26/09
#071586

- Not Official Until Council Acts -