

CITY OF LOS ANGELES

CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

Office of the
CITY CLERK

Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
General Information - (213) 978-1133
Fax: (213) 978-1040

www.cityclerk.lacity.org

JUNE LAGMAY
City Clerk

HOLLY L. WOLCOTT
Executive Officer

August 10, 2010

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council file No.

10-0935, at its meeting held July 28, 2010.

City Clerk
VCW

TIME LIMIT FILES
ORDINANCES

Mayor's Time Stamp
OFFICE OF THE MAYOR
RECEIVED
2010 AUG -2 AM 11:44
CITY OF LOS ANGELES

City Clerk's Time Stamp
CITY CLERK'S OFFICE
2010 AUG -2 AM 11:39
CITY CLERK
BY _____
DEPUTY

COUNCIL FILE NUMBER 10-0935 COUNCIL DISTRICT _____

COUNCIL APPROVAL DATE JULY 28, 2010 LAST DAY FOR MAYOR TO ACT AUG 12 2010

ORDINANCE TYPE: Ord of Intent Zoning Personnel General
 Improvement LAMC LAAC CU or Var Appeals - CPC No. _____

SUBJECT MATTER: APPROVING: 1) THE SMART GRID DEMONSTRATION COOPERATIVE PROJECT AGREEMENT AMONG NASA, UCLA, USC, AND LADWP; 2) THE SMART GRID DEMONSTRATION PROJECT INTELLECTUAL PROPERTY AGREEMENT AMONG THE CALIFORNIA INSTITUTE OF TECHNOLOGY, UCLA, USC, AND LADWP; AND 3) ADVANCE PAYMENT UNDER THOSE AGREEMENTS

APPROVED DISAPPROVED

PLANNING COMMISSION _____
DIRECTOR OF PLANNING _____
CITY ATTORNEY X _____
CITY ADMINISTRATIVE OFFICER _____
OTHER _____

RECEIVED
CITY CLERK'S OFFICE
2010 AUG -6 PM 2:21
CITY CLERK
DEPUTY

AUG 06 2010

DATE OF MAYOR APPROVAL APPROVAL DEEMED APPROVED OR *VETO _____
(*VETOED ORDINANCES MUST BE ACCOMPANIED WITH OBJECTIONS IN WRITING PURSUANT TO CHARTER SEC. 250(b) (c))

(CITY CLERK USE ONLY PLEASE DO NOT WRITE BELOW THIS LINE)

DATE RECEIVED FROM MAYOR AUG - 9 2010 ORDINANCE NO. 181258

DATE PUBLISHED AUG 1 1 2010 DATE POSTED _____ EFFECTIVE DATE SEP 1 1 2010

ORD OF INTENT: HEARING DATE _____ ASSESSMENT CONFIRMATION _____

ORDINANCE FOR DISTRIBUTION: YES NO

Your **AD COMMITTEE ON ECONOMIC RECOVERY AND REINVESTMENT
AND
ENERGY AND ENVIRONMENT COMMITTEE**

reports as follows:

AD HOC COMMITTEE ON ECONOMIC RECOVERY AND REINVESTMENT and ENERGY AND ENVIRONMENT COMMITTEE REPORT, RESOLUTION and ORDINANCE relative to the Smart Grid Demonstration Cooperative Project Agreement and the Smart Grid Regional Demonstration Project Intellectual Property Agreement.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. ADOPT the accompanying RESOLUTION authorizing the Department of Water and Power (DWP) to: 1) enter into a Smart Grid Demonstration Cooperative Project Agreement with the National Aeronautics and Space Administration (NASA), the University of California Los Angeles (UCLA) and the University of Southern California (USC); and 2) enter into the Smart Grid Regional Demonstration Project Intellectual Property Agreement with the California Institute of Technology, UCLA, and USC.
2. PRESENT and ADOPT the accompanying ORDINANCE approving: 1) the Smart Grid Demonstration Cooperative Project Agreement among NASA, UCLA, USC, and DWP; 2) the Smart Grid Demonstration Project Intellectual Property Agreement among the California Institute of Technology, UCLA, USC, and DWP; and 3) advance payment under those agreements.

Fiscal Impact Statement: The City Administrative Officer reports there is no impact to the General Fund. The DWP plans to expend \$43 Million of its own funds on the Smart Grid Project. However, DWP may voluntarily cease participation and financial obligation at any time by sixty days notice to the Participants.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 3, 2010

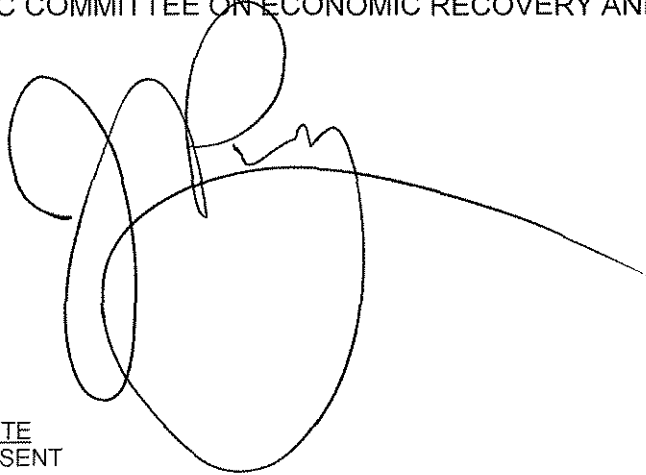
(LAST DAY FOR COUNCIL ACTION – AUGUST 3, 2010)

Summary:

At a public hearing held on July 16, 2010, the Ad Hoc Committee on Economic Recovery and Reinvestment considered and, after an opportunity for public comment, recommended that Council approve the report and recommendations of the City Administrative Officer and the City Attorney, Resolution and draft Ordinance. In addition, at its meeting on July 20, 2010, the Energy and Environment Committee concurred with the Ad Hoc Committee on Economic Recovery and Reinvestment. This matter is now forwarded to Council for its consideration.

Respectfully submitted,

AD HOC COMMITTEE ON ECONOMIC RECOVERY AND REINVESTMENT

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

<u>MEMBER</u>	<u>VOTE</u>
GARCETTI	ABSENT
PARKS	YES
ALARCON	YES
ROSENDAHL	YES
WESSON	YES

ENERGY AND ENVIRONMENT COMMITTEE

ADOPTED
JUL 28 2010
LOS ANGELES CITY COUNCIL

<u>MEMBER</u>	<u>VOTE</u>
PERRY	YES
CARDENAS	ABSENT
ALARCON	YES
KORETZ	YES
KREKORIAN	YES

PYL
7-22-10
10-0935_rpt_err_7-22-10

- Not Official Until Council Acts -

MAYOR WITH FILE

WHEREAS, in August 2009, the City of Los Angeles Department of Water and Power (LADWP) applied for a federal grant from the United States Department of Energy (DOE) for the implementation of a Smart Grid demonstration project (the Smart Grid Project) in collaboration with the University of Southern California (USC), the University of California at Los Angeles (UCLA), and the National Aeronautics and Space Administration (NASA) for the Jet Propulsion Laboratory (JPL) which is operated by the California Institute of Technology (Caltech) (collectively, the Project Participants); and

WHEREAS, LADWP was awarded a \$60 million matching grant (the Smart Grid Grant) by DOE in December 2009, and the Board of Water and Power Commissioners authorized the LADWP on March 18, 2010, to accept and acknowledge the Smart Grid Grant; and

WHEREAS, the proposed Smart Grid Demonstration Cooperative Project Agreement (Project Agreement) among LADWP, UCLA, USC, and NASA, and the Smart Grid Demonstration Project Intellectual Property Agreement among LADWP, UCLA, USC, and Caltech (IP Agreement) will allow the Project Participants to carry out the goals of the Smart Grid Grant; and the Smart Grid Project has four main components, namely: demand response, electric vehicles, cyber security, and behavior studies; and

WHEREAS, the Project Agreement and IP Agreement each has a term of 5 years, and the total budget under the Project Agreement is approximately \$123 million, with a maximum expenditure of LADWP funds of \$43 million; and funds provided to NASA under the Project Agreement must be paid in advance.

NOW, THEREFORE, BE IT RESOLVED that the Project Agreement between LADWP, UCLA, USC, and NASA, and the IP Agreement between LADWP, USC, UCLA, and Caltech, now on file with the Secretary of the Board and approved as to form and legality by the City Attorney, be and the same are hereby approved.

BE IT FURTHER RESOLVED that the Board finds that under City Charter §371(e)(2) the use of a competitive process for the Project Agreement and IP Agreement would not be practicable or advantageous as the efforts under the Project Agreement and IP Agreement are for professional and expert services of a temporary and occasional character.

BE IT FURTHER RESOLVED that the Board finds that under City Charter §1022, due to the expert nature of the services to be provided, the work under the Project Agreement and IP Agreement can be more economically or feasibly performed by outside entities than by LADWP or City employees.

BE IT FURTHER RESOLVED that the President or Vice President of the Board, or the General Manager, or such person as the General Manager shall designate in writing, and the Secretary, Assistant Secretary or the Acting Secretary of the Board be and they are hereby authorized and directed to execute said Project Agreement and IP

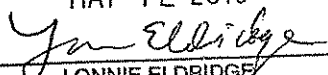
Agreement for and on behalf of the LADWP, subject to City Council approval by ordinance of such agreements.

BE IT FURTHER RESOLVED that the Chief Accounting Employee of the LADWP, upon proper certification, is authorized and directed to draw demands on the Power Revenue Fund in payment of obligations arising under the Project Agreement and the IP Agreement.

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of a resolution adopted by the Board of Water and Power Commissioners of the City of Los Angeles at its meeting held JUN 01 2010


Secretary

APPROVED AS TO FORM AND LEGALITY
CARMEN A. TRUTANICH, CITY ATTORNEY

MAY 12 2010
BY 
LONNIE ELDRIDGE
DEPUTY CITY ATTORNEY

I CERTIFY THAT THE FOREGOING
RESOLUTION WAS ADOPTED BY THE
COUNCIL OF THE CITY OF LOS ANGELES
AT ITS MEETING OF JUL 28 2010
BY A MAJORITY OF ALL ITS MEMBERS.



JUNE LAGMAY
CITY CLERK

BY 
DEPUTY