

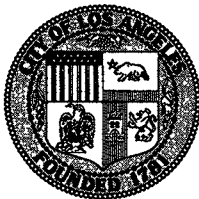
FRANK T. MARTINEZ
City Clerk

KAREN E. KALFAYAN
Executive Officer

When making inquiries
relative to this matter
refer to File No.

04-1341

CITY OF LOS ANGELES
CALIFORNIA



JAMES K. HAHN
MAYOR

PLACE IN FILES

MAR 30 2005

DEPUTY

March 24, 2005

Office of the
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - (213) 978-1043
General Information - (213) 978-1133
Fax: (213) 978-1040

HELEN GINSBURG
Chief, Council and Public Services Division

Honorable James Hahn, Mayor
Board of Public Works
All Councilmembers
Chief Legislative Analyst
City Attorney

Controller, Room 300
Accounting Division, F&A
Disbursement Division
City Administrative Officer
Personnel Department

RE: DESIGNATING THE EXECUTIVE OFFICER OF THE BOARD OF PUBLIC WORKS AS THE
DIRECTOR OF PUBLIC WORKS

At the meeting of the Council held March 9, 2005, the following
action was taken:

Attached report adopted.....	X
Attached motion adopted().....	
Attached resolution adopted().....	
Ordinance adopted.....	X
Motion adopted to approve attached report.....	
Motion adopted to approve attached communication.....	
To the Mayor FORTHWITH.....	X
Ordinance Number.....	176547
Posted date.....	3-23-05
Effective date.....	5-02-05
Mayor vetoed.....	
Mayor approved.....	3-18-05
Mayor failed to act - deemed approved.....	
Findings adopted.....	
Negative Declaration adopted.....	

Frank T. Martinez

City Clerk
dng



OFFICE OF THE MAYOR
Mayor's RECEIVED Stamp

2005 MAR 10 PM 4:07

CITY OF LOS ANGELES

TIME LIMIT FILES
ORDINANCES

FORTHWITH

RECEIVED
CITY CLERK'S Office Stamp

2005 MAR 10 PM 3:52

CITY CLERK

BY _____
DEPUTY

COUNCIL FILE NUMBER 04-1341

COUNCIL DISTRICT _____

COUNCIL APPROVAL DATE MARCH 9, 2005

LAST DAY FOR MAYOR TO ACT MAR 21 2005

ORDINANCE TYPE: Ord of Intent Zoning Personnel X General

 Improvement LAMC LAAC CU or Var Appeals - CPC No

SUBJECT MATTER: DESIGNATING THE EXECUTIVE OFFICER OF THE BOARD OF PUBLIC WORKS AS THE DIRECTOR OF PUBLIC WORKS

APPROVED DISAPPROVED

PLANNING COMMISSION

DIRECTOR OF PLANNING

CITY ATTORNEY

 X

CITY ADMINISTRATIVE OFFICER

OTHER

DATE OF MAYOR APPROVAL, DEEMED APPROVED OR *VETO:

MAR 18 2005

*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 MAR 18 2005 ORDINANCE NO. 176547

DATE PUBLISHED _____ DATE POSTED MAR 23 2005 EFFECTIVE DATE MAY 02 2005

ORD OF INTENT: HEARING DATE _____ ASSESSMENT CONFIRMATION _____

ORDINANCE FOR DISTRIBUTION: Yes ☐ No ☐

ORDINANCE NO. 176547

An ordinance amending Section 22.320, and Article 4 of Chapter 13 of the Los Angeles Administrative Code to redesignate the Secretary of the Board of Public Works as its Executive Officer and include within that position's responsibilities the duties of the Director of Public Works.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Section 22.320 of the Los Angeles Administrative Code is amended to read:

**SEC. 22.320. BOARD OF PUBLIC WORKS--POWER TO APPOINT
EXECUTIVE OFFICER AND CHIEF ACCOUNTING EMPLOYEE;
AND TO ESTABLISH RULES.**

The Board of Public Works shall, in accordance with Charter Section 504, appoint the Executive Officer to the Board and the Chief Accounting Employee for the Department. The Board shall establish all necessary rules and regulations for the exercise of the powers conferred in this article, for the governance of the Department of Public Works as authorized in Charter Section 581, and for the regulation and conduct of its officers and employees.

Sec. 2. Article 4 of Chapter 13 of the Los Angeles Administrative Code is amended to read:

**CHAPTER 13, ARTICLE 4
EXECUTIVE OFFICER OF THE BOARD OF PUBLIC WORKS**

Section	
22.327	Powers and Duties in General.
22.328	Acting Executive Officer of the Board of Public Works.

Sec. 22.327. POWERS AND DUTIES IN GENERAL.

The Executive Officer of the Board of Public Works shall have and exercise the powers and duties of the Director of Public Works as set forth in Charter Section 582. In addition the Executive Officer shall have and exercise all the powers and duties that are now or may hereafter be conferred or imposed by law upon any board or officer of the City, relating to:

(a) The receipt, care and custody of proposals or bids for doing any of the work or making any of the improvements mentioned in this section.

(b) The care and custody of all checks and bonds accompanying such proposals or bids.

Sec. 22.328. ACTING EXECUTIVE OFFICER OF THE BOARD OF PUBLIC WORKS.

The Executive Officer of the Board of Public Works shall designate one assistant, who, upon taking the oath of office, shall serve as Acting Executive Officer of the Board of Public Works in the case of a vacancy in such office, until an appointment thereto is made in the manner specifically prescribed for such office. Such appointment made by the Executive Officer of the Board of Public Works shall be in writing filed with the City Clerk, and may be changed from time to time. Any person so appointed must possess the qualifications prescribed for such office and shall take the oath prescribed by Section 215 of the City Charter before assuming the duties as Acting Executive Officer of the Board of Public Works.

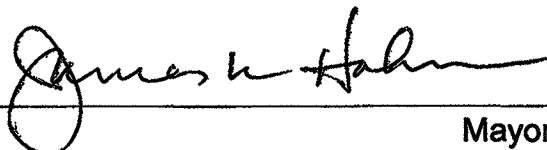
Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located in the Main Street lobby to the City Hall; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of MAR 09 2005.

J. MICHAEL CAREY, City Clerk

By 
Deputy

Approved MAR 18 2005


Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By 
KEITH W. PRITSKER
Deputy City Attorney

Date: 7-6-04

File No. 04-1341

DECLARATION OF POSTING ORDINANCE

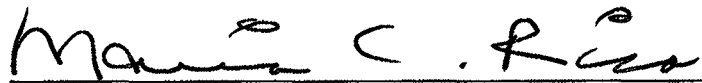
I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 176547 - Amending Section 22.320, & Article 4 of Chapter 13 of the L.A.A.C. - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on March 9, 2005, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on March 23, 2005, I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: 1) One copy on the bulletin board at the Main Street entrance to Los Angeles City Hall; 2) one copy on the bulletin board at the ground level Los Angeles Street entrance to the Los Angeles Police Department; and 3) one copy on the bulletin board at the Temple Street entrance to the Hall of Records of the County of Los Angeles.

Copies of said ordinance were posted conspicuously beginning on March 23, 2005 and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 23rd day of March 2005 at Los Angeles, California.



Maria C. Rico, Deputy City Clerk

Ordinance Effective Date: May 2, 2005

Council File No. 04-1341

(Rev. 3/21/03)

12

TO THE COUNCIL OF THE
CITY OF LOS ANGELES

Your

PUBLIC WORKS

Committee

reports as follows:

Public Comments: Yes No
XXX

PUBLIC WORKS COMMITTEE REPORT and ORDINANCE relative to designating the Executive Officer of the Board of Public Works as the Director of Public Works.

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

PRESENT and ADOPT the accompanying ORDINANCE designating the Executive Officer of the Board of Public Works as the Director of Public Works.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

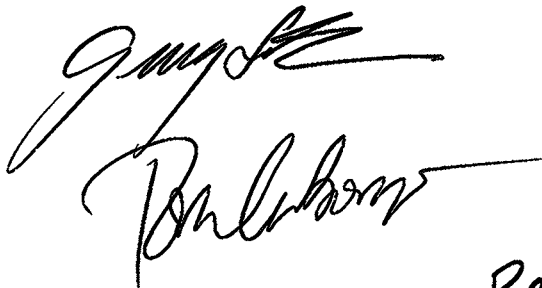
SUMMARY

Pursuant to Council action dated May 17, 2004, the City Attorney prepared an ordinance to amend Section 22.320 and Article 4 of Chapter 13 of the Los Angeles Administrative Code to designate the Executive Officer of the Board of Public Works as the Director of Public Works.

At its special meeting held on February 11, 2005, the Public Works Committee recommended the approval of the said ordinance. This matter is now submitted to Council for its consideration.

Respectfully submitted,

PUBLIC WORKS COMMITTEE



Rept # DRP
ADOPTED

MAR 09 2005

LOS ANGELES CITY COUNCIL

TO THE MAYOR FORTHWITH

MEMBER
SMITH
LABONGE
PERRY

VOTE
YES
YES
ABSENT

COUNCIL VOTE

Mar 9, 2005 10:52:15 AM, #3

ITEM NO. (6)

Voting on Item(s): 6-12, 62-66

Roll Call

CARDENAS	Yes
GARCETTI	Yes
GREUEL	Yes
HAHN	Absent
LABONGE	Yes
LUDLOW	Yes
*MISCIKOWSKI	Yes
PARKS	Absent
PERRY	Yes
REYES	Yes
SMITH	Yes
VILLARAIGOSA	Absent
WEISS	Yes
ZINE	Yes
PADILLA	Yes

Present: 12, Yes: 12 No: 0

PUBLIC WORKS COMMITTEE

Report/Communication for Signature

Council File Number 04-1341

Committee Meeting Date 2/11/05

Council Date 3/8/05

COMMITTEE MEMBER	YES	NO	ABSENT
Councilmember Greig Smith, Chair	/		
Councilmember Tom LaBonge	/		
Councilmember Jan Perry			/

Remarks Approve

Sharon Gin, Legislative Assistant ★★★★★ Telephone 213-978-1072

(8)

04-1997

Library Department report, Bureau of Street Services report, and Department of Recreation and Parks report in response to Motion (Smith - Hahn) relative to price listing of services and projects underfunded in the current budget that Neighborhood Councils may choose to fund with their annual budget.

Fiscal Impact Statement Submitted: No

DISPOSITION _____

(9)

04-1341

City Attorney report and ordinance relative to amending the Los Angeles Administrative Code to designate the Executive Officer of the Board of Public Works as the Director of Public Works.

Fiscal Impact Statement Submitted: No

DISPOSITION Approve

(10)

04-1526
CD 12

City Engineer report relative to vacating east-west alley northerly of Nordhoff Street from the north-south alley westerly of White Oak Avenue to approximately 288 feet westerly thereof.

Fiscal Impact Statement Submitted: Yes

DISPOSITION _____

(11)

01-0233
CD 2

City Engineer report relative to vacating Hacienda Drive easterly of Coldwater Canyon Avenue.

Fiscal Impact Statement Submitted: Yes

DISPOSITION _____

PUBLIC WORKS COMMITTEE

SUGGESTED NOTIFICATION OF COUNCIL ACTION

Council File No. 04-1341

- ☒ Council Member(s) ALL
- ☐ Petitioner/Communicant _____
- ☒ Board of Public Works (Mail Stop 465) _____
- ☐ Bureau of Accounting (Mail Stop 470) _____
- ☐ Bureau of Contract Administration (Mail Stop 480) _____
- ☐ Bureau of Engineering (Mail Stop 901) Land Development/Real Estate Div
- ☐ Bureau of Street Services (Mail Stop 550) _____
- ☐ Bureau of Street Lighting (Mail Stop 545) _____
- ☐ Fire Department _____
- ☐ Police Department _____
- ☒ Controller _____
- ☒ Mayor (with without file) _____
- ☒ Chief Legislative Analyst _____
- ☒ City Administrative Officer _____
- ☒ City Attorney ^{NO} (~~with~~ blue sheet) _____
- ☐ City Clerk _____
- ☐ DOT (Mail Stop 725) _____
- ☐ _____
- ☐ _____



OFFICE OF THE CITY ATTORNEY

ROCKARD J. DELGADILLO

CITY ATTORNEY

REPORT NO. R 04-0319

JUL 23 2004

REPORT RE:

**AN ORDINANCE AMENDING SECTION 22.320, AND ARTICLE 4 OF CHAPTER 13
OF THE LOS ANGELES ADMINISTRATIVE CODE TO DESIGNATE THE
EXECUTIVE OFFICER OF THE BOARD OF PUBLIC WORKS AS THE DIRECTOR
OF PUBLIC WORKS WITH ALL THE DUTIES OF THAT POSITION.**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, CA 90012

Council File No. 04-0600

Honorable Members:

Pursuant to your budget action of May 17, 2004, this Office has prepared and now transmits for your action the attached draft ordinance, approved as to form and legality. This draft ordinance amending Section 22.320 and Article 4 of Chapter 13 of the Los Angeles Administrative Code redesignates the title of the Secretary to the Board of Public Works to that of Executive Officer and adds to the duties of that position the responsibilities of the Director of Public Works.

Background and Summary of Ordinance Provisions

This ordinance responds to two separate budget directives:

1) "Instruct the City Attorney to prepare and present an ordinance to designate the Executive Officer of the Board of Public Works as the Director of Public Works with all the duties and responsibilities of that position."

and

PUBLIC WORKS

2) "Instruct the City Attorney to prepare and present an ordinance to eliminate the



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2004 JUL 28 AM 8:53

CITY CLERK

BY *JK* DEPUTY

The Honorable City Council
of the City of Los Angeles
Page 2.

Bureau of Financial Management and Personnel Services and transfer the Office of Accounting and Management Employee Services duties and responsibilities to the Board of Public Works."

Because the Bureau of Financial Management and Personnel Services was not created by an ordinance and its existence appears to lie within the discretion of the Director of Public Works under Charter Section 582(g), the transfer of the Director's responsibilities to the Executive Officer is the only legal action necessary to effectuate the second directive. Moreover, the ordinance also reflects the Board of Public Works decision to change the name of the position of Board Secretary to Executive Officer.

Council Rule 38 Referral

In accordance with Council Rule 38 the draft ordinance has been forwarded to the Secretary of the Board of Public Works for his review, and his comments have been incorporated.

If you have any questions, please contact Deputy City Attorney Keith Pritsker at (213) 978-8141. Either he or another member of this Office will be available when you consider this matter to answer any questions that you may have.

Sincerely,



PATRICIA V. TUBERT
Chief Assistant City Attorney

Enclosure
103607

ORDINANCE NO. _____

An ordinance amending Section 22.320, and Article 4 of Chapter 13 of the Los Angeles Administrative Code to redesignate the Secretary of the Board of Public Works as its Executive Officer and include within that position's responsibilities the duties of the Director of Public Works.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Section 22.320 of the Los Angeles Administrative Code is amended to read:

**SEC. 22.320. BOARD OF PUBLIC WORKS--POWER TO APPOINT
EXECUTIVE OFFICER AND CHIEF ACCOUNTING EMPLOYEE;
AND TO ESTABLISH RULES.**

The Board of Public Works shall, in accordance with Charter Section 504, appoint the Executive Officer to the Board and the Chief Accounting Employee for the Department. The Board shall establish all necessary rules and regulations for the exercise of the powers conferred in this article, for the governance of the Department of Public Works as authorized in Charter Section 581, and for the regulation and conduct of its officers and employees.

Sec. 2. Article 4 of Chapter 13 of the Los Angeles Administrative Code is amended to read:

**CHAPTER 13, ARTICLE 4
EXECUTIVE OFFICER OF THE BOARD OF PUBLIC WORKS**

Section

22.327 Powers and Duties in General.

22.328 Acting Executive Officer of the Board of Public Works.

Sec. 22.327. POWERS AND DUTIES IN GENERAL.

The Executive Officer of the Board of Public Works shall have and exercise the powers and duties of the Director of Public Works as set forth in Charter Section 582. In addition the Executive Officer shall have and exercise all the powers and duties that are now or may hereafter be conferred or imposed by law upon any board or officer of the City, relating to:

(a) The receipt, care and custody of proposals or bids for doing any of the work or making any of the improvements mentioned in this section.

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Sec. 22.328. ACTING EXECUTIVE OFFICER OF THE BOARD OF PUBLIC WORKS.

The Executive Officer of the Board of Public Works shall designate one assistant, who, upon taking the oath of office, shall serve as Acting Executive Officer of the Board of Public Works in the case of a vacancy in such office, until an appointment thereto is made in the manner specifically prescribed for such office. Such appointment made by the Executive Officer of the Board of Public Works shall be in writing filed with the City Clerk, and may be changed from time to time. Any person so appointed must possess the qualifications prescribed for such office and shall take the oath prescribed by Section 215 of the City Charter before assuming the duties as Acting Executive Officer of the Board of Public Works.

Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located in the Main Street lobby to the City Hall; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

J. MICHAEL CAREY, City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By 
KEITH W. PRITSKER
Deputy City Attorney

Date: 7-6-04

File No. 04-0600

Note

1/27/05- Spoke to Keith Pritsker of City Attorney's Office. He cannot explain why there are two identical reports and ordinances prepared for CF 04-1341. He instructed City Clerk to use the report dated 7/23/04, Report # 04-0319 since that report has the most recent date.

Sharon Bin



OFFICE OF THE CITY ATTORNEY
ROCKARD J. DELGADILLO
CITY ATTORNEY

REPORT NO. R 04-0295
JUL 06 2004

REPORT RE:

**AN ORDINANCE AMENDING SECTION 22.320, AND ARTICLE 4 OF CHAPTER 13
OF THE LOS ANGELES ADMINISTRATIVE CODE TO DESIGNATE THE
EXECUTIVE OFFICER OF THE BOARD OF PUBLIC WORKS AS THE DIRECTOR
OF PUBLIC WORKS WITH ALL THE DUTIES OF THAT POSITION.**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, CA 90012

Council File No. 04-0600

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Pursuant to your budget action of May 17, 2004, this Office has prepared and now transmits for your action the attached draft ordinance, approved as to form and legality. This draft ordinance amending Section 22.320 and Article 4 of Chapter 13 of the Los Angeles Administrative Code redesignates the title of the Secretary to the Board of Public Works to that of Executive Officer and adds to the duties of that position the responsibilities of the Director of Public Works.

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PUBLIC WORKS

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JK

2004 JUL -8 AM 7:14

CITY CLERK

BY _____
DEPUTY

The Honorable City Council
of the City of Los Angeles
Page 2.

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Chief Assistant City Attorney

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J. MICHAEL CAREY, City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By Keith W. Pritsker
KEITH W. PRITSKER
Deputy City Attorney

Date: June 30, 2004

File No. 04-0600