Attachment A

CITY OF LOS ANGELES

CALIFORNIA

LOS ANGELES CONVENTION CENTER

ROBERT R. "BUD" OVROM EXECUTIVE DIRECTOR

1201 S. FIGUEROA STREET LOS ANGELES, CA 90015 (213) 741-1151 FAX (213) 765-4441 TTY (213) 763-5077

HDFC113 RCVD

JON F. VEIN PRESIDENT

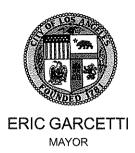
LOS ANGELES

CONVENTION CENTER

COMMISSION

RAY BIDENOST VICE PRESIDENT

NEAL MORITZ GILLIAN ZUCKER



December 3, 2013

Heather M. Holt Executive Director City Ethics Commission 200 North Spring Street, 24th Floor Los Angeles, CA 90012

Dear Ms. Holt,

SUBJECT: LOS ANGELES CONVENTION CENTER CONFLICT OF INTEREST (COI)

Please find attached the revised Conflict of Interests (COI) Code for the Los Angeles Convention Center. I hereby certify that this proposed code lists every position in the agency that will have the authority to make or participate in making decisions that may foreseeably have a material effect on any financial interests as of December 8, 2013.

As required, the public and the affected parties were given notice of the proposed changes and of a 30-day comment period from November 4, 2013 through December 3, 2013. One public comment was submitted and is attached. No request for public hearing was made during the comment period. No changes to the proposed COI have been made.

Included in the attached packet are the Main Body of the COI Code, public comments received during the comment period, proposed Schedule A, and proposed Schedule B. Please review and forward the proposed COI code to the City Clerk for adoption by the City Council.

Sincerely,

Robert R. "Bud" Ovrom

Executive Director

MB:ay Ref#: 13-551

Attachment B



Maria Sleavins <maria.bleavins@lacclink.com>

Comments to LA Convention Center Conflict of Interest Code due 12.3.2013

1 message

Joyce Dillard <dillardjoyce@yahoo.com>

Tue, Dec 3, 2013 at 4:09 PM

Reply-To: Joyce Dillard <dillardjoyce@yahoo.com>

To: Marla Bleavins <marla.bleavins@lacclink.com>, Shannon Prior <shannon.prior@lacity.org>

This notice was posted on the City Hall East Bulletin Board. We would like to know if any other posting sites were used including websites and newspaper publications.

It appears that Schedule A is designed from CF 12-0692-S2 pending draft ordinance, not yet approved or presented in any committee for amendments, titled:

REVISED DRAFT ORDINANCE AMENDING LOS ANGELES ADMINISTRATIVE CODE SECTIONS 8.142, 8.143, 8.144, 8.146, 8.149.1, 8.149.2, 8.149.3, 8.149.4, 8.149.6 AND ADDING A NEW SECTION 8.149.7 TO CHAPTER 11, DIVISION 8 OF THE LOS ANGELES ADMINISTRATIVE CODE REGARDING GOVERNANCE STRUCTURE OF THE CONVENTION CENTER DEPARTMENT

The draft ordinance reflected in City Attorney Report Council File 12-0692-S2 states:

Sec. 8.142. Management and Control of Department.

The department shall be under the control and management of a board of five (5) persons to be known as the Board of Los Angeles Convention Center Commissioners, hereinafter referred to in this Chapter as the "Board." Each Board member shall be appointed and may be removed in accordance with Los Angeles City Charter Section 502. The Board shall be organized in accordance with the provisions of Los Angeles City Charter Section 503. The members of the Board shall be exempt from all civil service provisions and, to the extent feasible, shall be selected to provide representation of the following disciplines on the Board: Business; Hospitality/Hotel Industry; Sports; Cultural Tourism; Entertainment/Leisure Activities; Finance; Conventions/Events and Marketing.

Inherent in this description is a conflict of interest as descried by the representation of disciplines:

- 1. Business
- 2. Hospitality/Hotel Industry
- 3. Sports
- 4. Cultural Tourism
- 5. Entertainment/Leisure Activities
- 6. Finance
- 7. Conventions/Events and Marketing.

DISCLOSURE CATEGORY 8 limits interest in real property to 500 feet of such property.

This does not cover the intent of the Commissioners, Executive Director and Assistant General Manager (Facilities and Operations Oversight) in expanding tourism through increased citywide convention center events which could involve real property in any part of Los Angeles.

The draft ordinance reflected in City Attorney Report Council File 12-0692-S2 states

Sec. 8.144. Duties of the Executive Director

Specifically, the Executive Director shall regularly report to the Board regarding Convention Center operations, including maintenance, finance, sales/marketing, contract administration, public relations, communications, and security/public safety. The Executive Director shall recommend to the Board the schedule of rates and amendments thereto when, in his or her opinion, adjustments to the rates should be made. The Executive Director may enter into contracts (including licenses with a term exceeding three (3) years or multi-year licenses) for the use of the Convention Center facilities in accordance with the Booking Policy set forth in this Chapter without further approval of the Board or the Council, subject to the requirements of this Code and the City Charter. The Executive Director shall report to the Board and serve as the representative of the Board to the Mayor, the Council, other departments, and contractors, such as the tourism and convention bureau and the Convention Center's private management contractor, if any.

DISCLOSURE CATEGORY 8 omits conflicts with the tourism and convention bureau and the private management contractor businesses.

The Executive Director also reports to the LOS ANGELES CONVENTION AND EXHIBITION CENTER AUTHORITY which could create conflicts with investments in debt instruments and/or derivative instruments.

DISCLOSURE CATEGORY 6 limits interest in real property to 500 feet of such property which may present conflicts in the Assistant General Manager (Finance and Administration) category and the Department Chief Accountant.

The draft ordinance reflected in City Attorney Report Council File 12-0692-S2 states:

Sec. 8.143. Duties of Any Designated Private Management Contractor

In addition to any specific obligations or responsibilities set forth in any executed management agreement with the City, any designated private management contractor of the facility shall have authority to negotiate, execute (in its name), and administer any and all agreements that are required in the ordinary course of business and operation of the Los Angeles Convention Center or as otherwise are necessary for the private management contractor to perform its duties pursuant to a written agreement with the City for management of the Convention Center. Such delegated authority shall include the ability to book/schedule events on the Convention Center's Master Calendar; as well as negotiate and enter into contracts (including licenses with a term exceeding three (3) years, or multi-year licenses) for the use of the Convention Center facilities in accordance with the terms of any management agreement, the Booking Policy stated in this Chapter, and the requirements of this Code and the City Charter, without further approval of the Board, the Executive Director of the Convention Center Department, or the Council.

Private Contractor is omitted from the Conflict of Interest Code entirely, yet shall have authority to negotiate, execute (in its name), and administer any and all agreements that are required in the ordinary course of business and operation of the Los Angeles Convention Center and without further approval of the Board, the Executive Director of the Convention Center Department, or the Council.

The Private Contractor acts like an agency but lacks any disclosure requirements. The Private Contractor may be the final decision-maker.

This is unacceptable.

AEG MANAGEMENT LACC, LLC, wholly owned subsidiary of AEG FACILITIES LLC under CONTRACT C-123199 executed on October 24, 2013 states:

ARTICLE 10 General Provisions
Section 10.1 AEG's Transactions with Affiliates.

(b) Conflict with Other AEG Managed Facilities. The City acknowledges AEG manages other public assembly facilities which may, from time to time, be in competition with the LACC. The management of

competing facilities will not, in and of Itself, be deemed a conflict of interest or breach of AEG's duties under this Agreement; provided, however, in all instances in which the LACC is in competition with other public assembly facilities managed by AEG for the solicitation of certain events, AEG will not involve its principal office on behalf of any other competing facility in an attempt to influence the decision-making process to the disadvantage of the LACC regarding the selection of an event site.

and

Section 10.9 Government Code Section 1090 et seg.

AEG represents that it has read and is aware of the provisions of California Government Code Section 1090 et seq. and Section 87100 et seq. of the California Government Code and Section 49.5.1 et seq. of the Los Angeles Government Ethics Ordinance relating to conflict of interest of public officers and employees, and consultants as well as the Conflict of Interest Code of the LACC Department. The Parties hereto state that they are unaware of any financial or economic interest of its officers or employees creating a conflict of interest relating to this Agreement. No AEG Employee, unless that employee acts as a "public official" or "consultant" as that term is defined by the state's Political Reform Act, would be required to file statement of Economic Interest (Form 700), unless otherwise required by law. Furthermore, AEG covenants that it will bring to the LACC Management Review Staffs attention any agreement which in AEG's or the City's opinion has the potential to create a conflict for AEG and further covenants not to take any action on such matter other than to submit it to the LACC Management Review Staff for its consideration and action.

There is no way to oversee any potential conflicts of interest because the contract relies on AEG entirely to reveal potential conflicts as stated:

AEG covenants that it will bring to the **LACC Management Review Staffs** attention any agreement which in AEG's or the City's opinion has the potential to create a conflict for AEG and further covenants not to take any action on such matter other than to submit it to the **LACC Management Review Staff** for its consideration and action.

LACC Management Review Staffs is not defined; therefore thorough Disclosure Categories need to be required for the members of the LACC Management Review Staffs.

Consultant/New Position is listed as:

* Consultants/New Positions are included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation:

The **General Manager** may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The **General Manager's** determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code. (Gov. Code Section 81008.)

General Manager was replaced by Executive Director by Ordinance 182529.

We cannot locate an ordinance reducing employment authority for 2013 and find authorities for 109 positions in the approved 2013-2014 Budget.

The Convention Center is financed by tax-exempt bonds, yet Private Contractor management does not file or disclose any potential conflicts of interest. We see no Public Benefit execution to preserve tax-exempt status.

LA CONVENTION AND EXHIBITION CENTER AUTHORITY is under a 60 year Joint Powers Agreement (C-35700 dated January 14, 1967) for the construction and operation of the convention and exhibition hall and related

facilities.

Joyce Dillard P.O. Box 31377 Los Angeles, CA 90031

Attachment C

LOS ANGELES CONVENTION CENTER

CONFLICT OF INTEREST CODE	Effective Date:
Page 1 of 2	·

CITY OF LOS ANGELES CONFLICT OF INTEREST CODE

Pursuant to the provisions of California Government Code Sections 87300 *et seq.*, the Los Angeles Convention Center of the City of Los Angeles hereby adopts the following conflict of interest code.

City officials and employees may not make governmental decisions that affect their personal financial interests. To help City officials and employees avoid financial conflicts, each City agency adopts a conflict of interest code pursuant to the Political Reform Act of 1974 (Government Code sections 81000, et seq.). The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard conflict of interest code, can be incorporated by reference, and may be amended by the Fair Political Practices Commission to conform to amendments to the Political Reform Act after public notice and hearings. The conflict of interest code contains a "Schedule A", which identifies each designated position that is charged with making or participating in governmental decisions, and a "Schedule B", which identifies the economic interests the persons in those positions must disclose. The terms of 2 California Code of Regulations Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, and the attached Schedules in which officials and employees are designated and disclosure categories are set forth are hereby incorporated by reference and constitute the conflict of interest code of the Los Angeles Convention Center.

Each City official (person holding, elected to, or appointed to a designated position) must submit statements of economic interests that identify the disclosable interests that he or she held during the reporting period with the agency who will make the statements available for public inspection and reproduction (Government Code Section 81008). Persons with questions concerning the applicability of this conflict of interest code or potential conflicts of interest should contact the Office of the City Attorney.

In addition to the requirements of this code, City officials are required to comply with the requirements of state and City law.

LOS ANGELES CONVENTION CENTER

Page 2 of 2	Effective Date:
CERTIFICATION OF APPROVAL O	
I certify that this conflict of interest board, or commission of the Los Angeles	est code was approved by the executive director, Convention Center on
12-3-13	_
$\frac{12-3-13}{\text{(Date)}}$	PARC
	(Signature)
	Executive Director
	(Title)
	12-3-13
	(Date)
This conflict of interest code was Los Angeles on	adopted by order of the Council of the City of and is effective as of December 8,
	Holly Wolcott, Interim City Clerk
	BY
	Deputy City Clerk

Attachment D

City of Los Angeles

LOS ANGELES CONVENTION CENTER

Conflict of Interests Code DESIGNATED POSITIONS (Schedule A)

Position Title	Disclosure Category
Commissioner	8
Executive Director	8
Assistant General Manager (Facilities and Operations	S Oversight) 8
Assistant General Manager (Finance and Administrat	ion) 6
Building Repairer Supervisor	5
Building Superintendent	5
Departmental Chief Accountant	6
Management Analyst	5
Senior Management Analyst	5
Consultant/New Position	*

* Consultants/New Positions are included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation:

The Executive Director may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code. (Gov. Code Section 81008.)

Attachment E

City of Los Angeles

LOS ANGELES CONVENTION CENTER

Conflict of Interests Code

DISCLOSURE CATEGORIES (Schedule B)

An individual whose position is identified in the Designated Positions section (Schedule A) of an agency's conflict of interests code is a filer and must disclose each economic interest identified below for the disclosure category associated with the individual's position. Disclosure must be made by filing the California Form 700 on specified schedules.

The definitions for investments, business positions, sources of income, interests in real property, doing business, gifts, and other terms may be found in the California Political Reform Act, its associated regulations, and the instructions for the California Form 700.

Economic interests must be disclosed for the applicable reporting period. In general, the following types of Form 700 filings have the following reporting periods:

Annual: January 1 through December 31 of the previous calendar year.

Assuming Office: The date the filer assumes office for investments, business

positions, and interests in real property; for income, the 12 months immediately preceding the date the filer assumes office.

Leaving Office: The last date covered by the filer's most recent filing through the

date the filer left the designated position.

Reporting periods may vary in individual circumstances and for other types of filings and should be verified with the Ethics Commission.

Category 1

Any investment, business position, source of income, or interest in real property.

- A. Any investment in, business position with, or income from a source that did any of the following:
 - 1. Provides the type of services, goods, or equipment used by the filer's agency;
 - 2. Provided or sought to provide services, goods, or equipment to the filer's agency; or

- 3. Was a party or sought to become a party to a written agreement with the filer's agency.
- B. Any interest in real property that was involved in a contracting decision made by or pending with the filer's agency or is located within 500 feet of such property.
- C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer's agency.
- D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer's agency provided a review, recommendation, or referral.

- A. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer's agency.
- B. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer's agency or is located within 500 feet of such property.

- A. Any income from an individual, or an immediate family member of an individual, who was employed by or applied for any position within the filer's agency.
- B. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees in the filer's agency.
- C. Any investment in, business position with, or income from a source that did any of the following:
 - 1. Provides the type of services, goods, or equipment used by the filer's division;
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- C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer's agency.
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Category 10

- A. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer's division.
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- G. Any income from an individual, or immediate family member of an individual, who was employed by or applied for any position with the filer's agency when the filer's division provided a review, recommendation, or referral.
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- Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer's agency or its employees when the filer's division provided a review, recommendation, or referral.

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 - 2. Provided or sought to provide services, goods, or equipment to the filer's division; or
 - 3. Was a party or sought to become a party to a written agreement with the filer's division.
- D. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to City employees and for which the filer's division provided a review, recommendation, or referral.
- E. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in a personnel, investigative, enforcement, claim, or litigation matter that involved the filer's division.

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 - 3. Was a party or sought to become a party to a written agreement with the filer's division.
- D. Any interest in real property that was involved in a contracting decision made by or pending with the filer's division or is located within 500 feet of such property.
- E. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer's agency when the filer's division provided a review, recommendation, or referral.
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- C. Any investment in, business position with, or income from a source that did any of the following:
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- D. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer's agency or its employees when the filer's division provided a review, recommendation, or referral.
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Attachment F

Los Angeles Convention Center **Department**

11/01/13 **Date**

Marla Blevins Ethics Liaison

Conflict of Interest Code Review

Deleted Positions Sheet

Position Title	Division (only if previously listed on Schedule A)	Explanation for Exclusion from Schedule A
Chief Clerk		Duties assigned to this position will be carried out by a contractor.
Principal Clerk		Duties assigned to this position will be carried out by a contractor.
Markefing Manager		Dufies assigned to this position will be carried out by a contractor.
Event Services Manager		Duties assigned to this position will be carried out by a contractor.
Senior Marketing Representative I, II		Dufies assigned to this position will be carried out by a contractor.
Event Services Coordinator I, II, III		Duties assigned to this position will be carried out by a contractor.

Los Angeles Convention Center

Senior Systems Analyst I, II	Duties assigned to this position will be carried out by a contractor.	contractor.
Senior Personnel Analyst I	Dufies assigned to this position will be carried out by a contractor.	contractor.
Trust Officer	Dufies assigned to this position will be carried out by a contractor.	contractor.

Attachment G

11/1/2013 **Date**

Los Angeles Convention Center Department

Marla Blevins Ethics Liaison

Conflict of Interest Code Review

Changed Position Title Sheet

Executive Director	Old Position Title and Division* *only if previously listed on Schedule A	New Position Tifle and Division	Did the position's duties also change? If yes, how?
	General Manager	Executive Director	Yes, the responsibilites and role of the position have been expanded.
		·	

Attachment H

Department

Conflict of Interest Code Review

Revised Disclosure Categories Sheet

Disclosure Category No.	Revised Disclosure Category Language	Explanation for Revision
	Any investment, business position, source of income, or interest in real property.	No position currently designated in this category. Category adopted to conform to City's standard disclosure categories and to allow for new positions or consultants to be designated as needed.
	A. Any investment in, business position with, or income from a source that did any of the following:	No position currently designated in this category. Category adopted to conform to City's standard
	1. Provides the type of services, goods, or equipment used by the filer's agency;	disclosure caregories and to allow for new positions or consultants to
	2. Provided or sought to provide services, goods, or equipment to the filer's agency; or	
<	3. Was a party or sought to become a party to a written agreement with the filer's agency.	
N	B. Any interest in real property that was involved in a contracting decision made by or pending with the filer's agency or is located within 500 feet of such property.	
	C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer's agency.	
	D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer's agency provided a review, recommendation, or referral.	

Los Angeles Convention Center

ന	A. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer's agency. B. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer's agency or is located within 500 feet of such property.	No position currently designated in this category. Category adopted to conform to City's standardized disclosure categories and to allow for new positions or consultants to be designated as needed.
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	A. Any investment in, business position with, or income from a source that did any of the following:	1. Provides the type of services, goods, or equipment used by the filer's agency;	2. Provided or sought to provide services, goods, or equipment to the filer's agency; or	3. Was a party or sought to become a party to a written agreement with the filer's agency.	B. Any interest in real property that was involved in a contracting decision made by or pending with the filer's agency or is located within 500 feet of such property.	C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer's agency.	D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer's agency provided a review, recommendation, or referral.	E. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer's agency.	E. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer's agency or is located within 500 feet of such property.

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	2. Provided or sought to provide services, goods, or equipment to the filer's agency; or	by the decisions made or
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9	D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer's agency provided a review, recommendation, or referral.	
	E. Any income from an individual, or an immediate family member of an individual, who was employed by or applied for any position within the filer's agency.	
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Los Angeles Convention Center

	G. Any income from an individual, or an immediate family member of an individual, who was employed by or applied for any position within the filer's agency.	
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	2. Provided or sought to provide services, goods, or equipment to the filer's division; or	
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- D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer's division provided a review, ecommendation, or referral.
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1. Provides the type of services, goods, or equipment used by the filer's division;

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16	1. Provides the type of services, goods, or equipment used by the filer's division;	
	2. Provided or sought to provide services, goods, or equipment to the filer's division; or	
	3. Was a party or sought to become a party to a written agreement with the filer's division.	
	D. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to City employees and for which the filer's division provided a review, recommendation, or referral.	······································
	E. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in a personnel, investigative, enforcement, claim, or litigation matter that involved the filer's division.	

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	C. Any investment in, business position with, or income from a source that did any of the following:	
	1. Provides the type of services, goods, or equipment used by the filer's division;	
17	2. Provided or sought to provide services, goods, or equipment to the filer's division; or	
	3. Was a party or sought to become a party to a written agreement with the filer's division.	
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be designated as needed.

C. Any investment in, business position with, or income from a source that did any of the following:

1. Provides the type of services, goods, or equipment used by the filer's division;

2. Provided or sought to provide services, goods, or equipment to the filer's division; or

3. Was a party or sought to become a party to a written agreement with the filer's division.

D. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer's agency or its employees when the filer's division provided a review, recommendation, or referral.

E. Any interest in real property that was involved in a contracting decision made by or pending with the filer's division or is located within 500 feet of such property,

subrented, sublet, purchased, or sold real property or facilities to or from the filer's agency when F. Any investment in, business position with, or income from a source that rented, leased, the filer's division provided a review, recommendation, or referral.

received a grant from or provided grant funding to the City when the filer's division provided a G. Any investment in, business position with, or income from a source that applied for or review, recommendation, or referral.