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CITY ATTORNEY

REPORT NO. R 19-0041
FEB 22 2019

REPORT RE:

**DRAFT ORDINANCE AMENDING ARTICLES 8 AND 9.7 OF CHAPTER IV OF THE
LOS ANGELES MUNICIPAL CODE TO ALLOW CONTRACTING FORMS TO BE
SUBMITTED ELECTRONICALLY**

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

Council File No. 18-1238

Honorable Members:

As requested at the January 25, 2019, meeting of the City Council, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. This draft ordinance amends bidder disclosure requirements in the City's Campaign Finance and Lobbying Ordinances (Articles 8 and 9.7 of the Los Angeles Municipal Code (LAMC)) to allow contracting forms to be submitted electronically and make other technical changes.

Summary of Ordinance

The City Charter and the Campaign Finance and Lobbying Ordinances require certain contract bidders to certify that they will comply with the City's Lobbying Ordinance, Campaign Finance Ordinance and the City's Charter. (City Charter Section 470(c)(12)(H), LAMC Sections 48.09(H), 49.7.35, and 49.7.36.) Compliance requires bidders to file forms disclosing their principals, subcontractors, and the subcontractor's principals and agreeing to certain campaign contribution and fundraising prohibitions. This draft ordinance permits awarding authorities to allow contract bidders electronically

to submit disclosure forms (CEC Forms 50, 55 and 56). These forms must comply with California's electronic signature laws, which provide standards for enforceable electronic signatures. (California Civil Code Sections 1633.1-1633.17.) Awarding authorities may not modify the content of the Ethics Commission approved forms, as only the Ethics Commission has authority to do so under the City Charter Section 704(a). Awarding authorities continue to have the obligation to provide contract bidder information to the Ethics Commission. Additionally, this draft ordinance makes other technical changes.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the City Ethics Commission, and its comments have been incorporated.

If you have any questions regarding this matter, please contact Assistant City Attorney Renee Stadel at (213) 978-7100. She or another member of this Office will be present when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By


DAVID MICHAELSON
Chief Assistant City Attorney

DM:RS:cl
Transmittal