

MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 1 3 - 0 3 2 1
NOV 0 7 2013

REPORT RE:

DRAFT ORDINANCE AMENDING SUBSECTION (a) OF SECTION 5.47 OF THE LOS ANGELES ADMINISTRATIVE CODE TO ALLOW FOR ADVANCE PAYMENT TO BE MADE TO THE PRIVATE ENTITY UNDER CONTRACT TO THE CITY TO MANAGE, OPERATE AND MAINTAIN THE LOS ANGELES CONVENTION CENTER

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. 12-0692

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality, amending Subsection (a) of Section 5.47 of the Los Angeles Administrative Code. This amendment would allow for advance payment to the private entity under contract to manage, operate and maintain the Los Angeles Convention Center.

Council Rule 38

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Chief Administrative Officer, the Office of the Chief Legislative Analyst and the Los Angeles Convention Center, with a request that all comments, if any, be presented directly to the City Council or its Committees when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Daniel M. Whitley at (213) 978-7786. He or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By



DAVID MICHAELSON
Chief Assistant City Attorney

DM:DW:vw
Transmittal

ORDINANCE NO. _____

An ordinance amending Subsection (a) of Section 5.47 of Article 1, Chapter 4, Division 5 of the Los Angeles Administrative Code to allow for advance payment to be made to the private entity under contract to the City to manage, operate and maintain the Los Angeles Convention Center.

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

Section 1. Subsection (a) of Section 5.47 of the Los Angeles Administrative Code is amended to read as follows:

Sec. 5.47. Authorization to Make Payments. (Charter Sections 262 and 360.)

(a) No payment shall be made from the City treasury or out of the funds of the City unless the same be authorized by law or the Charter or unless the demand which is paid be duly audited as provided in the Charter. The Controller may, however, approve advance payments for any goods or services which are customarily required to be paid for in advance and which it is not possible to acquire without advance payment, including: software licenses; computer hardware and software maintenance; air travel and other transportation costs; hotel reservations; subscriptions for periodicals, magazines and other publications; telephone bills (other than usage charges); fees for alternate dispute resolution; catering or food services; services performed through grants and General City Purpose agreements awarded by the City; insurance premiums; State Bar dues; and payments to the private entity under contract to manage, operate and maintain the Los Angeles Convention Center. The Controller shall report on a quarterly basis to the Mayor and Council on all such advance payments.

Sec. 2. 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 at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 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 _____.

HOLLY L. WOLCOTT, Interim City Clerk


By _____ Deputy

Approved _____

Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By  _____
DANIEL M. WHITLEY
Deputy City Attorney

Date 11/6/13

File No. CF 12-0692