

**TO THE COUNCIL OF THE  
CITY OF LOS ANGELES**

Your **RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS** Committee

reports as follows:

RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending the Los Angeles Administrative Code to add a regulation concerning contract bidder debarment mitigating factors and procedure.

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

PRESENT and ADOPT the accompanying ORDINANCE amending the Los Angeles Administrative Code to add a regulation of the City Ethics Commission concerning contract bidder debarment mitigating factors and procedure.

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

Community Impact Statement: None submitted.

**TIME LIMIT ITEM – JUNE 10, 2013**

**(LAST DAY FOR COUNCIL ACTION – JUNE 7, 2013)**

**(Pursuant to Los Angeles City Charter Section 703, Council may only approve or disapprove City Ethics regulations.)**

Summary:

At its regular meeting of May 17, 2013, the Rules, Elections and Intergovernmental Relations Committee considered a report from the City Attorney and Ordinance dated May 8, 2103 relative to amending the Los Angeles Administrative Code to add a regulation of the City Ethics Commission concerning contract bidder debarment mitigating factors and procedure.

The Executive Director of the Ethics Commission, Commission staff, and a representative of the City Attorney appeared before the Committee to discuss the Ordinance and respond to related questions. The Executive Director reported that in 2011 the City Charter was amended to place limits on campaign contributions and fundraising activity by bidders and contractors on certain City contracts. The law states that a person (respondent) found to have violated those limits is debarred from bidding on City contracts for a specified period of time unless the City Ethics Commission (CEC) determines that mitigating circumstances exist. Under the law, the CEC may approve regulations regarding mitigating circumstances, which the CEC did on April 11, 2013. These approved regulations pertain to the factors to be considered by the CEC such as the nature and extent of the violation, a respondent's previous enforcement history with the CEC, the extent of the respondent's cooperation with the CEC, and whether the debarment will impact the City or residents. Additionally, the regulations include procedural requirements such as notice to the respondent and the ability of the respondent to be heard.

The CEC recommended that Council approve the Ordinance adding the CEC debarment regulations to the Los Administrative Code. The representative of the City Attorney noted that pursuant to Charter Section 703, Council may either approve or disapprove the CEC regulations but may not amend them.

After providing an opportunity for public comment, the Committee recommended that Council adopt the accompanying Ordinance. This matter is now forwarded to Council for its consideration.

Respectfully submitted,

RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
WESSON:	YES
LABONGE:	ABSENT
HUIZAR:	YES

REW  
5/20/13  
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**Not Official Until Council Acts**