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CITY ATTORNEY

REPORT NO. R 1 4 - 0 0 4 3
FEB 0 5 2014

REPORT RE:

**DRAFT ORDINANCE TO AMEND THE LOS ANGELES ADMINISTRATIVE CODE
REGARDING ETHICS COMMISSION ENFORCEMENT REGULATIONS**

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

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality that codifies changes to the Ethics Commission's regulations. This ordinance amends regulations regarding Ethics Commission enforcement procedures.

Summary of the Ordinance

The ordinance reflects the Ethics Commission's proposals to amend enforcement regulations. The proposed regulations make various changes to strengthen and clarify the enforcement procedures pursuant to Charter Section 706. The details of the changes are reflected in the report of the Ethics Commission on this matter. Among other things, the amendments provide that complaints may be made verbally or in writing. Also, the amendments provide the possibility of sanctions or penalties for failure to comply with Ethics Commission or hearing officer subpoenas or orders. Further, the amendments revise the procedures when the Executive Director is recused as a probable cause officer. The amendments also provide for possible default proceedings. Lastly the amendments authorize the Executive Director to pursue civil remedies.

Time Limit and Authority for Council Action

Pursuant to Charter Section 703, the City Council must hold a public hearing and either approve or disapprove Ethics Commission regulations within 60 days of adoption by the City Ethics Commission. If not disapproved within that time, the Mayor has 10 days to approve or disapprove the regulations. If not disapproved by the Mayor, the regulations have the force of law. The City Ethics Commission adopted these regulations on December 18, 2013. Because the 60th day falls on a holiday, pursuant to City Charter Section 106, the deadline for the Council to act on this matter is February 18, 2014.

The City Council does not have the same authority to amend the ordinance as with other ordinances. The City Council may only approve or disapprove, but cannot amend, the ordinance, as the ordinance is the codification of the Ethics Commission's regulations. Los Angeles City Charter Section 703.

If you have any questions regarding this matter, please contact Deputy 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 any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By



DAVID MICHAELSON
Chief Assistant City Attorney

DM:RS:ac
Transmittal

cc: City of Los Angeles Ethics Commission
Chief Legislative Analyst, City of Los Angeles