

MOTION

California Government Code Section 1090 prohibits public officials, such as city employees and elected officials, from having a personal financial interest in contracts they enter into in their official capacity on behalf of the City. Government Code section 1092 provides that a contract that violates section 1090 may be voided by any party.

CF 20-0859 (Krekorian, Harris-Dawson) called for the City Council to take actions that would create additional deterrence to prevent those doing business with or seeking approvals from the City to engage in corrupt activity to induce public officials to violate the trust of the people of Los Angeles. The full Council was not given an opportunity to act on the motion, and the Council File expired.


The Federal investigation and indictments that led to felony corruption convictions against former Councilmembers Jose Huizar and Mitchell Englander, and that involved other city employees, made clear that the City must take additional steps to safeguard against fraud and corruption. The urgent need to fight such fraud and corruption and restore the public trust certainly has not diminished since the original motion was introduced.

I THEREFORE MOVE that the City Council request the City Attorney to prepare and present an ordinance prohibiting any property owner or developer from seeking any discretionary approval or entitlement in the future from the City of Los Angeles, if the City Council or any court determines that such property owner or developer has induced or conspired to cause a violation of Government Code Section 1090, had any engagement in illegal demolitions, or otherwise engaged in criminal conduct to defraud the City or any other government entity.

I FURTHER MOVE that the City Council request the City Attorney to present a report within 30 days, in closed session if appropriate, exploring options regarding pursuing civil remedies against those who have violated, or induced or conspired to cause a violation of, Government Code Section 1090, or otherwise engaged in criminal conduct to defraud the City by, among other things, depriving or conspiring to deprive the public and the City of their right to the honest services of employees of the City, including potential causes of action for recovery of subsequent resulting economic harm and injunctive relief.

I FURTHER MOVE that the City Council instruct the Chief Legislative Analyst, with assistance of the City Attorney and the Department of City Planning, to report to the Council within 90 days with recommendations for potential ordinances and/or Charter revisions that would permit the City Council in the future to rescind approvals or entitlements, to void development agreements and other contracts, and to cancel pending development applications, under appropriate circumstances, where such approvals, entitlements, agreements, contracts or applications have been induced or influenced by corruption, fraud or other criminal conduct (including, but not limited to, the potential ordinance submitted by the City Attorney to the Council through report #R-20-0228 dated August 6, 2020).

PRESENTED BY: 
MARQUEECE HARRIS-DAWSON
Councilmember, 8th District


PAUL KREKORIAN
Councilmember, 2nd District

SECONDDED BY: 

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MAR 01 2023

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