
LOS ANGELES CITY ETHICS COMMISSION

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LOS ANGELES CITY ETHICS COMMISSION ENDORSES PLACING BIDDER CONTRIBUTION AND FUNDRAISING BAN ON MARCH 2011 CITY BALLOT

At its regular monthly meeting today, the Los Angeles City Ethics Commission voted unanimously to urge the City Council to place a ballot measure on the March 2011 municipal ballot that would ban bidder contributions for City officials and candidates. After discussing the proposal—which was introduced September 24, 2010, by Councilmembers Eric Garcetti, Paul Krekorian, Paul Koretz, Ed Reyes, and Bill Rosendahl—the Commission voted to accept staff recommendations to support the Council motion and include additional language to help ensure that the proposal is strong and workable in practice. The Council faces a November 3 deadline for acting to place any items on the March 2011 City ballot.

“A ban on bidder contributions and fundraising that is clear, balanced, and narrowly tailored will further the voters’ mandate for open and accountable decision making,” said Commission President Helen Zukin. Added Commissioner Nedra Jenkins in a sentiment echoed by the full Commission, “A functioning and City-wide contract database is a critical component to moving the City forward on this important issue.”

The Commission’s vote to support the Garcetti-Krekorian-Koretz-Reyes-Rosendahl motion came after receiving testimony from Council President Garcetti, who attended today’s Ethics Commission meeting to encourage the Commission to support placing a ballot measure before the voters. In its actions today, the Commission made the following additional recommendations regarding the application of the ban:

- Apply the ban to bidders and their agents, their subcontractors, and their subcontractors’ agents. Require bidders to disclose these agents and subcontractors in the bid documents.
- Apply the ban from the date a bidder submits a bid until one of the two following dates: a) For bidders who are not awarded the contract, the date the successful bidder signs the contract; and b) For bidders who are awarded the contract, the date 12 months after they sign the contract.
- Apply the ban to any contract (including a lease, franchise, permit, license, grant, amendment, change order, renewal, or extension) that is required by law to be approved by an elected City official. Exclude technical oversight approval required by the Mayor, the City Attorney, or the Controller.
- Apply the ban to both personal contributions and fundraising activity. Apply the same restrictions to lobbying entities that are applied to bidders.

- Apply the ban to a City official who would solicit or receive contributions or fundraising proceeds from a person that the official knows or has reason to know is a person subject to the ban;
- Apply the ban to contributions to and fundraising for any City committee controlled by an elected City official or candidate for elected City office;
- Require invitations for bids to include notice of the ban. Require bidders to certify that they will comply with and inform their agents and subcontractors of the ban.
- Prohibit persons who violate the ban from contracting with the City for four years following the violation.

The item is expected to be heard again in the Council's Rules and Elections Committee on October 20.

For a copy of the staff memorandum outlining the issues considered by the Ethics Commission today, please visit http://ethics.lacity.org/pdf/agenda/2010/October/101210_A7_Ballot_Measures.pdf or contact the Commission at (213) 978-1960.

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The City Ethics Commission is a semi-independent agency created by Los Angeles voters in 1990 to impartially administer and enforce the governmental ethics, campaign finance, and lobbying laws of the City of Los Angeles. With a staff of 21 and an operating budget of \$2.1 million, the Commission conducts training, provides advice, audits political campaigns, and makes legislative recommendations. It also is authorized by the voters to conduct investigations and levy administrative penalties against violators of the laws under its jurisdiction.