

OCT 12 2007

RULES & GOVERNMENT

MOTION

Ex parte communications are contacts made by one party with a decisionmaker – such as a City Commissioner - outside the presence of other interested parties. The City Ethics Commission does not currently have a Citywide ex parte communications program for City Commissioners and parties conducting business with a Commission.

City Commissioners have an obligation to ensure due process on all matters before them, particularly in the case of quasi-judicial matters. Additionally, the citizens of Los Angeles have a right to impartial decisionmakers and full disclosure of the evidence used to reach a decision. Ex parte communications by parties involved with business before a Commission could potentially be seen as a violation of ethical standards.

It is incumbent upon the Los Angeles City Government to make clear that there is transparency in how decisions get made. It is the foundation of our democracy that Angelenos believe that decisions are made on behalf of the people not the powerful. Several City Commissions have adopted their own policies regarding ex parte communications, addressing the importance of introducing issues of vital concern into the decisionmaking process. Recent restrictions prevent Commissioners from participating in a Department's contracting process effectively create an ex parte restriction on contracting matters. However, there is no Citywide policy.

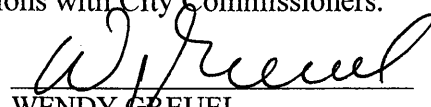
Various cities and agencies across the State of California have implemented ex parte communications restrictions, including the Los Angeles Board of Harbor Commissioners, the City of San Diego, the City of Santa Monica Planning Commission, and the California Coastal Commission. Substantial research into this matter as it regards commissioners in the State has been conducted.

Specific to the Los Angeles Board of Harbor Commissioners, ex parte communications include items pertaining to upcoming competitively bid contracts and items on the Board's agenda from the time that it is published until the matter is finally determined.

This gap in the City's ethics code should be evaluated. Options for Citywide regulations for City Commissioners should be investigated by the City Ethics Commission and City Attorney and be presented to the City Council for consideration and action.

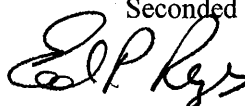
I THEREFORE MOVE that the City Council REQUEST the City Ethics Commission and City Attorney to evaluate and recommend within 90 days the most appropriate means to regulate ex parte communications with City Commissioners.

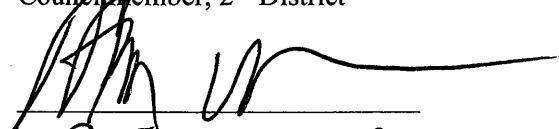
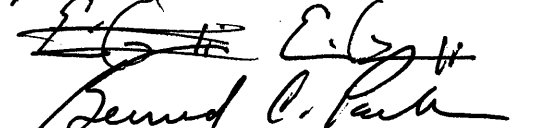

Presented by:


WENDY GREUEL

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Seconded by:



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