

MOTION

Developer Contribution Restrictions

The City of Los Angeles has enacted a robust set of laws designed to prevent any perception that the official actions of elected officials are influenced by campaign contributions. These laws include outright prohibitions on campaign contributions from registered lobbyists, restrictions on contributions by businesses that are contracting (or seeking to contract) with the City, and prohibitions on solicitations of contributions from City employees and commissioners. However, no such comparable regulations exist for developers seeking City approvals for potentially lucrative projects.

Enacting developer contribution restrictions would improve the confidence of Los Angeles City residents and businesses, including developers, that discretionary approvals of development projects are made on the merits and without regard to campaign contributions. This would further improve the confidence of Los Angeles City residents and voters in the political process and continue the City's efforts to empower small dollar donors, as recently achieved by the passage of the 6:1 Matching Funds Program laid out in Council File 15-1088-S1.

WE THEREFORE MOVE that the City Attorney, in consultation with the Ethics Commission staff, be requested to prepare and present a draft Ordinance, similar to the 2011 Measure H restrictions approved by City of Los Angeles voters, to prohibit contributions to City elected officials and candidates for City office from "Restricted Developers." "Restricted Developers" shall be defined to include the owner or owners of real property (and if ownership is held in the name of a legal entity, the term shall also include the principals of the entity), when (a) an application for any significant Planning Entitlement Process administered by the Department of City Planning for the property has been filed, and (b) the completion of the Planning Entitlement Process requires approval or other action by City elected officials or candidates for City office, and (c) the Planning Entitlement Process involved would allow the construction or addition of more than 4,000 square feet of residential floor area or 15,000 square feet of commercial floor area. The prohibition on contributions described herein would extend from the date of the application to a date 12 months following the final resolution of the application.

WE FURTHER MOVE that the Chief Legislative Analyst, in consultation with Ethics Commission staff, be requested to report back on a strategy for a draft Ordinance restricting city officials from requesting, and developers and their principals from providing, behested payments under the same conditions described herein.

WE FURTHER MOVE that the City Attorney, in consultation with the Ethics Commission staff and the Chief Legislative Analyst, consider and provide recommendations for the application of similar restrictions to donations from builders requesting approvals from the Governing Board of the Los Angeles Unified School District.


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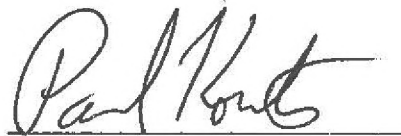
WE FURTHER MOVE that the City Attorney be requested to prepare and present an Ordinance amending Section 49.7.16 of the Los Angeles Municipal Code to require contributors to certify, under penalty of perjury, that the contribution is being made according to the City's applicable ethics and campaign finance laws, including an affidavit certifying that the contributor is not a Restricted Developer prohibited from contributing as described herein.


WE FURTHER MOVE that the Los Angeles City Ethics Commission be requested to report back to the Los Angeles City Council on their recent discussions and recommendations regarding prohibiting campaign contributions from non-individual entities (Humans Only or Federal Models) and the implementation of a model, similar to that employed by the Los Angeles Metropolitan Transit Authority (LA METRO), requiring that elected officials be recused from voting on issues relating to the Planning Entitlement Process for a property owned by a Restricted Developer where the official has accepted contributions from that Restricted Developer.


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