



Questions Re: Ex Parte Communications Disclosure Ordinance

Background: LA City Council recently approved an ordinance on ex parte communications. However, there are many outstanding questions about the specific scope of the ordinance. The ordinance allows the commission to “establish procedures to implement this disclosure requirement” and you are encouraged to ensure clear and transparent procedures are further established.

Questions:

Sec 2.22 (a)

- “An ex parte communication is a communication between any member of the Los Angeles City Council Redistricting Commission and any elected city officer, or member of any elected city officer’s staff, **regarding a matter pending before the commission...**”
 - What is the scope of this? It appears to be limited to *specific matters* pending before the commission which leaves a lot of ambiguity.
 - Disclosure should be required for communications from elected officials and their staff if they are within the subject matter jurisdiction of the redistricting commission.

Sec 2.22 (c)

- “A Commissioner shall disclose any ex parte communication at the next commission meeting following the communication...”
 - I’ve heard numerous accounts from the last cycle about councilmembers and their staff texting commissioners during meetings. Presumably these would not need to be disclosed until the next meeting which undermines the utility of the disclosure requirement.
- “Disclosure shall include the time and date of the communication, the identity of the persons who participated in the communication, and a summary of the content of the communication.”
 - This requirement leaves a lot to be desired. We’re going to be seeing a lot of bare bones summaries that exclude important details unless the commission clarifies what needs to be included.

Sec 2.22 (c/d)

- A major flaw with this ordinance is that it presents the threat of a misdemeanor, but *only* applies to the commissioner and not the elected official or staffers.
 - Because commissioners serve entirely at the will of the appointing authority, they could be removed for any reason including disclosing more info than the elected official approves of.

--Rob Quan