

**CITY OF LOS ANGELES**  
INTER-DEPARTMENTAL CORRESPONDENCE

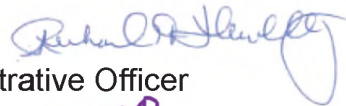
C.F. No. 15-0989  
0220-05392-0011

Date: February 17, 2021

To: Honorable Members of the Ad Hoc Committee on the 2028 Olympics and Paralympic Games

From: Richard H. Llewellyn, Jr., City Administrative Officer

Sharon M. Tso, Chief Legislative Analyst



Subject: **MEMORANDUM OF UNDERSTANDING REGARDING THE 2028 OLYMPIC AND PARALYMPIC GAMES AGREEMENT**

## RECOMMENDATION

That the City Council:

Authorize the Mayor and Council President to execute the Third Amendment to the Memorandum of Understanding C-129859 between the City of Los Angeles, the Los Angeles Organizing Committee for the Olympic and Paralympic Games 2028, formerly referred to as the Los Angeles 2024 Exploratory Committee, and the United States Olympic and Paralympic Committee in order to extend the date for executing the Games Agreement from March 14, 2021 to October 1, 2021.

## SUMMARY

On August 11, 2017, the City Council approved actions to support efforts by the Los Angeles 2024 Exploratory Committee, subsequently reorganized to form the Los Angeles Organizing Committee for the Olympic and Paralympic Games 2028 (LA 2028), in order to bring the 2028 Olympic and Paralympic Games (2028 Games) to Los Angeles (C.F. 15-0989). This Council action included approval of the Host City Contract and a Memorandum of Understanding (MOU) between the City of Los Angeles, United States Olympic Committee (USOC), and LA 2028 (collectively, the Parties).

The MOU currently requires the Parties to negotiate and execute a Games Agreement by March 14, 2021, to identify various obligations and actions between the Parties regarding the hosting of the 2028 Games. To continue negotiations in good faith, and as a result of the continued impacts of the novel coronavirus 2019 (COVID-19), the Parties require additional time to develop the Games Agreement. Approval of the proposed Third Amendment will extend the date for executing the Games Agreement from March 14, 2021 to October 1, 2021.

**FISCAL IMPACT STATEMENT**

There is no fiscal impact resulting from the recommendation in this report.

Attachment: Third Amendment To Memorandum of Understanding Number C-129859

RHL:SMT:jw:rr:aw 11210041

**THIRD AMENDMENT TO MEMORANDUM OF UNDERSTANDING  
NUMBER C129859**

**BETWEEN  
THE CITY OF LOS ANGELES,  
LOS ANGELES 2024 EXPLORATORY COMMITTEE  
AND  
THE UNITED STATES OLYMPIC COMMITTEE  
REGARDING THE LOS ANGELES ORGANIZING COMMITTEE  
FOR THE OLYMPIC AND PARALYMPIC GAMES 2028**

This Third Amendment to the Memorandum of Understanding C-129859 between the City of Los Angeles, Los Angeles 2024 Exploratory Committee and the United States Olympic Committee Regarding the Los Angeles Organizing Committee for the Olympic and Paralympic Games 2028 (this “Third Amendment”) is made and entered into as of the date of the last signature set forth below by and among the City of Los Angeles, a municipal corporation (the “City”), the United States Olympic and Paralympic Committee, formerly known as the United States Olympic Committee, a Congressionally chartered nonprofit corporation (the “USOPC”), and the Los Angeles Organizing Committee for the Olympic and Paralympic Games 2028 (the “OCOG”), a California nonprofit public benefit corporation, the successor in interest of the Los Angeles 2024 Exploratory Committee, a California nonprofit public benefit corporation which began doing business as the Los Angeles 2028 Candidature Committee on July 31, 2017 (“LA28”). Collectively, these entities shall be known herein as the “Parties” or individually as a “Party.”

**WITNESSETH**

WHEREAS, on August 16, 2017, the Parties entered into a certain Memorandum of Understanding Regarding the Los Angeles Organizing Committee for the Olympic and Paralympic Games 2028 (“MOU”) to memorialize the relationship, roles, and responsibilities between and among the Parties with respect to hosting the 2028 Olympic and Paralympic Games (“2028 Games”);

WHEREAS, the MOU provided that in the event the City was selected by the International Olympic Committee (the “IOC”) to host the 2028 Games, LA28 would be reconstituted into the OCOG, and that the OCOG would be the successor in interest of LA28 and be bound by all of LA28’s rights, responsibilities, duties, and obligations;

WHEREAS, on September 13, 2017, the IOC approved the City of Los Angeles as the host of the 2028 Games;

WHEREAS, once the City of Los Angeles was awarded the opportunity to host the 2028 Games, the Parties began cooperating with one another and the OCOG in good faith to negotiate

and obtain necessary approvals for entering into a definitive Los Angeles 2028 Games Agreement (“Games Agreement”);

WHEREAS, the Parties entered into a First Amendment to this MOU on or about September 14, 2019, for the purpose of extending the deadline to enter into a definitive Los Angeles 2028 Games Agreement to March 14, 2020;

WHEREAS, due to the outbreak of novel coronavirus 2019 (“COVID-19”) and resulting global pandemic, the Parties entered into a Second Amendment for the purpose of extending the deadline to enter into a definitive Los Angeles Games Agreement to March 14, 2021;

WHEREAS, due to the continued outbreak of COVID-19, and resulting global pandemic, the Parties are now desirous of entering into this Third Amendment for the purpose of extending the deadline to enter into a definitive Los Angeles Games Agreement to October 1, 2021, in order to continue to negotiate in good faith in working toward finalizing the Games Agreement;

NOW THEREFORE, the Parties hereby agree that the MOU be amended as follows:

1. Section 3, “Cooperation,” is hereby deleted in its entirety and replaced with the following:

Section 3. Cooperation. In the event that the City is awarded the opportunity to host the 2028 Games, the Parties shall cooperate with one another and the OCOG in good faith to negotiate, obtain all necessary approvals for and enter into the Los Angeles 2028 Games Agreement no later than October 1, 2021. This Los Angeles 2028 Games Agreement shall include the 2028 YOUTH SPORT PARTNERSHIP that was executed on March 18, 2020 (C-135291) which includes terms of the OCOG’s support for a youth sports program that aims to significantly enhance the opportunities for the City’s youth to access City sport programming.

2. Except as amended by this Third Amendment, all other terms and conditions of the MOU shall remain in full force and effect.
3. This Third Amendment consists of 5 pages. The MOU is hereby incorporated by reference, in its entirety, into this Third Amendment.
4. In the event of an inconsistency between any of the provisions of this Third Amendment, the Second Amendment, the First Amendment, and MOU, the inconsistency shall be resolved by giving precedence in the following order:

1. This Third Amendment to Memorandum of Understanding Regarding the Los Angeles Organizing Committee for the Olympic and Paralympic Games 2028.
2. Second Amendment to Memorandum of Understanding Regarding the Los Angeles Organizing Committee for the Olympic and Paralympic Games 2028.
3. First Amendment to Memorandum of Understanding Regarding the Los Angeles Organizing Committee for the Olympic and Paralympic Games 2028.
4. Memorandum of Understanding Regarding the Los Angeles Organizing Committee for the Olympic and Paralympic Games 2028.

**[Signature page follows.]**

*(Remainder of page intentionally left blank.)*



IN WITNESS WHEREOF, the Parties hereto have caused this Third Amendment to be executed by their duly authorized representatives and affixed as of the date of signature of the Parties:

**THE CITY OF LOS ANGELES**

By: \_\_\_\_\_  
ERIC GARCETTI  
Mayor, City of Los Angeles

By: \_\_\_\_\_  
NURY MARTINEZ  
President, Los Angeles City Council

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

**ATTEST:**

MICHAEL N. FEUER, City Attorney

HOLLY L. WOLCOTT, City Clerk

By: \_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**LOS ANGELES ORGANIZING COMMITTEE OF THE OLYMPIC AND  
PARALYMPIC GAMES 2028, Successor in Interest of the LOS ANGELES 2024  
EXPLORATORY COMMITTEE**

By: \_\_\_\_\_  
CASEY WASSERMAN  
Chairperson

Date: \_\_\_\_\_

**UNITED STATES OLYMPIC AND PARALYMPIC COMMITTEE**

By: \_\_\_\_\_  
SARAH HIRSHLAND  
Chief Executive Officer

Date: \_\_\_\_\_

## **Exhibit A**

### **Addresses for Notices**

#### **THE CITY OF LOS ANGELES**

Eric Garcetti  
Los Angeles Mayor  
200 North Spring Street  
Los Angeles, CA 90012

Michael N. Feuer  
Los Angeles City Attorney  
200 North Main Street, Suite 800  
Los Angeles, CA 90012-4137

Richard H. Llewellyn, Jr.  
City Administrative Officer  
200 North Main Street, Suite 1500  
Los Angeles, CA 90012-4137

Sharon M. Tso  
Chief Legislative Analyst  
200 North Spring Street, Room 255  
Los Angeles, CA 90012-4137

Holly L. Wolcott  
City Clerk  
200 North Spring Street, Room 360  
Los Angeles, CA 90012-4137

#### **LOS ANGELES 2028 CANDIDATURE COMMITTEE**

Brian E. Nelson  
Chief Legal Officer  
10900 Wilshire Boulevard, Suite 700  
Los Angeles, CA 90024

#### **UNITED STATES OLYMPIC AND PARALYMPIC COMMITTEE**

Chris McCleary  
General Counsel  
1 Olympic Plaza  
Colorado Springs, CO 80909