

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

C.F. No. 15-0989
0220-05392-0012

Date: September 17, 2021

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

From: Matthew W. Szabo, 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 Fourth Amendment to the Memorandum of Understanding C-129859 between the parties including 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 October 1, 2021 to November 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 October 1, 2021, to identify various obligations and actions between the Parties regarding the hosting of the 2028 Games. The outbreak of novel coronavirus 2019 (COVID-19) continues to impact the negotiation timeline resulting in previous amendments to extend the date for executing the Games Agreement. The Parties have held numerous meetings and our good faith negotiations are nearing completion. However, a brief extension to the negotiation deadline is required to finalize the details of the proposed agreement, which will be subject to Mayor and Council consideration and approval. Approval of the proposed Fourth Amendment will further extend the date for executing the Games Agreement from October 1, 2021 to November 1, 2021.

FISCAL IMPACT STATEMENT

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

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

MWS:SMT:jw:rr:aw 11220024

**FOURTH AMENDMENT TO MEMORANDUM OF UNDERSTANDING
NUMBER 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
OF THE 2028 OLYMPIC AND PARALYMPIC GAMES**

This Fourth 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 of the 2028 Olympic and Paralympic Games (this “Fourth 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 of the 2028 Olympic and Paralympic Games (“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 executed a Third Amendment for the purpose of extending the deadline to enter into a definitive Los Angeles Games Agreement to October 1, 2021;

WHEREAS, due to the ongoing and continued outbreak of COVID-19, and ongoing and resulting global pandemic, the Parties are now desirous of entering into this Fourth Amendment for the purpose of extending the deadline to enter into a definitive Los Angeles Games Agreement to November 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 November 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 Fourth Amendment, all other terms and conditions of the MOU shall remain in full force and effect.
3. This Fourth Amendment consists of 6 pages. The MOU is hereby incorporated by reference, in its entirety, into this Fourth Amendment.

4. In the event of an inconsistency between any of the provisions of this Fourth Amendment, the Third Amendment, the Second Amendment, the First Amendment, and MOU, the inconsistency shall be resolved by giving precedence in the following order:
 1. This Fourth Amendment to Memorandum of Understanding Regarding the Los Angeles Organizing Committee of the 2028 Olympic and Paralympic Games.
 2. Third Amendment to Memorandum of Understanding Regarding the Los Angeles Organizing Committee of the 2028 Olympic and Paralympic Games.
 3. Second Amendment to Memorandum of Understanding Regarding the Los Angeles Organizing Committee of the 2028 Olympic and Paralympic Games.
 4. First Amendment to Memorandum of Understanding Regarding the Los Angeles Organizing Committee of the 2028 Olympic and Paralympic Games.
 5. Memorandum of Understanding Regarding the Los Angeles Organizing Committee of the 2028 Olympic and Paralympic Games.

[Signature page follows.]

(Remainder of page intentionally left blank.)

IN WITNESS WHEREOF, the Parties hereto have caused this Fourth 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 FOR 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

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