



OFFICE OF THE CITY ATTORNEY

ROCKARD J. DELGADILLO
CITY ATTORNEY

REPORT NO. B 05-0110

MAR 23 2005

REPORT RE:

**A DRAFT ORDINANCE ADDING CHAPTER 143 TO DIVISION 5 OF THE
LOS ANGELES ADMINISTRATIVE CODE, TO PROVIDE FOR THE
COUNCIL DISTRICT 9 PUBLIC BENEFITS TRUST FUND**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 04-2272

Honorable Members:

In accordance with your instructions, this Office has prepared and now transmits for your consideration the attached draft ordinance, approved as to form and legality. The draft ordinance adds Chapter 143 to the Los Angeles Administrative Code to establish the "Council District 9 Public Benefits Trust Fund" for the support of police and community activities in Council District 9. The Fund shall be administered by the City Clerk. Expenditures from the Fund shall be authorized by the Councilmember representing Council District 9.

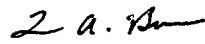
A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Office of the Councilmember of the 9th District and to the Office of the City Clerk, and the comments of those Offices have been incorporated or resolved.

The Honorable City Council
of the City of Los Angeles
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If you have any questions, please contact Deputy City Attorney Valerie Flores at (213) 978-2038. A member of this Office will be available when you consider this matter to answer any questions you may have.

Sincerely,

ROCKARD J. DELGADILLO, City Attorney

By 
TERREE A. BOWERS
Chief Deputy City Attorney

TAB:VF:ac (110700_1)

cc: Councilmember Jan Perry
Glenn Robison, Office of the City Clerk

ORDINANCE NO. _____

An ordinance adding Chapter 143 to Division 5 of the Los Angeles Administrative Code, to provide for a special trust fund to be known as the "Council District 9 Public Benefits Trust Fund."

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Chapter 143 is added to Division 5 of the Los Angeles Administrative Code to read:

CHAPTER 143

COUNCIL DISTRICT 9 PUBLIC BENEFITS TRUST FUND

Sec. 5.543. Creation and Administration of the Fund.

(a) There is hereby created and established in the Treasury of the City of Los Angeles a special trust fund to be known as the "Council District 9 Public Benefits Trust Fund," hereinafter referred to in this chapter as the "Fund."

(b) The purpose of the Fund shall be for the receipt, retention and disbursement of gifts, contributions, bequests and City fund appropriations for the support of police and community activities within Council District 9.

(c) The Fund shall be administered by the City Clerk. Expenditures from the Fund shall be authorized by the Councilmember representing Council District 9.

(d) All gifts, contributions and bequests to the City for the purposes set forth in this chapter which exceed the sum of \$5,000 in value shall be submitted to the City Council for acceptance or rejection. All such gifts, contributions and bequests to the City which do not exceed the sum of \$5,000 in value and all City funds appropriated to the Fund for the purposes set forth in this chapter shall be submitted to the Councilmember representing Council District 9 for acceptance or rejection.

(e) The City Clerk shall inform the Controller of any special terms or conditions placed upon the use of all monies accepted for deposit in the Fund. The Controller shall establish a separate account in the Fund for each specific use for all accepted monetary gifts, contributions, bequests or City fund appropriations which contain any special term or condition. No money shall be expended from the Fund except in compliance with each special term or condition under which such money was accepted.

Any request for an expenditure of money from any such separate account shall be accompanied by sufficient information for the Controller to determine that the proposed expenditure would not contravene the specific use for which such separate account was established.

(f) All monetary gifts, contributions, bequests or City fund appropriations which are accepted without special terms or conditions upon their use shall be placed in a general account established in the Fund by the Controller.

(g) All interest and other earnings attributable to monies in the Fund shall be credited to the Fund and shall be devoted to the purposes thereof.

(h) The City Clerk shall report to the City Council and Mayor regarding and identifying all receipts into, and all expenditures out of, the Fund, as well as the purposes for which the expenditures were made. Each report shall cover a fiscal year and shall be submitted within 60 days after the close of said fiscal year.

(110692_1)

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located in the Main Street lobby to the City Hall; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

FRANK T. MARTINEZ, City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By



VALERIE FLORES
Deputy City Attorney

Date March 21, 2005

File No. 04-2272