



OFFICE OF THE CITY ATTORNEY  
ROCKARD J. DELGADILLO  
CITY ATTORNEY

REPORT NO. R 0 8 - 0 1 5 8

MAY 27 2008

**REPORT RE:**

**A DRAFT ORDINANCE ADDING CHAPTER 150 TO DIVISION 5 OF THE LOS ANGELES ADMINISTRATIVE CODE TO PROVIDE FOR A SPECIAL TRUST FUND TO BE KNOWN AS THE COUNCIL DISTRICT 14 PUBLIC BENEFITS TRUST FUND**

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

Council File No. 08-1084

Honorable Members:

In accordance with your instructions, this office has prepared and now transmits for your action the attached draft ordinance, approved as to form and legality. This draft ordinance adds Chapter 150 to Division 5 of the Los Angeles Administrative Code, to establish the "Council District 14 Public Benefits Trust Fund" for the support of police and community activities within Council District 14. The Fund shall be administered by the City Clerk. Expenditures from the Fund shall be authorized by the Councilmember representing Council District 14.

The draft ordinance has been transmitted the City Controller, the Chief Legislative Analyst, the City Administrative Officer and the Office of the City Clerk pursuant to Council Rule 38. They were asked to make any comments that they have directly to you when you consider this matter.

**MAY 29 2008**  
**BUDGET & FINANCE**



If you have any questions, please contact Deputy City Attorney Carmen Hawkins at (213) 978-7740. Either she or another member of this office will be available to answer any questions you may have.

Sincerely,

ROCKARD J. DELGADILLO, City Attorney

By *Claudia Culling*  
CLAUDIA CULLING  
Special Counsel - Municipal

CC:CDH:cm  
Transmittal

ORDINANCE NO. \_\_\_\_\_

An ordinance adding Chapter 150 to Division 5 of the Los Angeles Administrative Code to provide for a special trust fund to be known as the Council District 14 Public Benefits Trust Fund.

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

Section 1. Chapter 150 is added to Division 5 of the Los Angeles Administrative Code to read:

**CHAPTER 150**

**COUNCIL DISTRICT 14 PUBLIC BENEFITS TRUST FUND**

**Sec. 5.550. 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 14 Public Benefits Trust Fund**," referred to in this chapter as the "**Fund**."

(b) The Fund shall be used for the deposit, retention and disbursement of gifts, contributions, and bequests for the support of police and all other public benefit and community activities within Council District 14.

(c) The Fund shall be administered by the City Clerk. Expenditures from the Fund shall be authorized by the Councilmember representing Council District 14.

(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 gifts, contributions and bequests to the City, which do not exceed the sum of \$5,000 in value, made to the Fund for the purposes set forth in this chapter, shall be submitted to the Councilmember representing Council District 14 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, or bequests that 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 the money was accepted. Any request for an expenditure of money from any of these separate accounts shall be accompanied by sufficient information for the Controller to determine that the proposed expenditure would not contravene the specific use for which the separate account was established.

(f) All monetary gifts, contributions, or bequests, 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 of the Fund.

(h) The City Clerk shall publish a semi-annual activity report on its website of all City Council Public Benefit Trust Funds that details each financial transaction as to source, amount of each donation, detail on actual expenditures (how and where funds were spent) and method to select service provider.

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 at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 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 \_\_\_\_\_.

KAREN E. KALFAYAN, City Clerk

By \_\_\_\_\_ Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By Carmen Hawkins  
CARMEN D. HAWKINS  
Deputy City Attorney

Date May 20, 2008

File No. 08-1084

CITY OF LOS ANGELES  
CALIFORNIA

KAREN E. KALFAYAN  
City Clerk



ANTONIO R. VILLARAIGOSA  
MAYOR

Office of the  
CITY CLERK

Council and Public Services  
Room 395, City Hall  
Los Angeles, CA 90012  
General Information - (213) 978-1133  
Fax: (213) 978-1040

CLAUDIA M. DUNN  
Chief, Council and Public Services Division

[www.cityclerk.lacity.org](http://www.cityclerk.lacity.org)

When making inquiries  
relative to this matter,  
please refer to the Council  
File No.

08-1084

CD 14

May 8, 2008

Councilmember Huizar  
Councilmember Cardenas  
City Attorney (with blue sheet)

RE: ESTABLISHMENT OF A SPECIAL FUND TO BE KNOWN AS THE "COUNCIL DISTRICT 14 PUBLIC  
BENEFITS TRUST FUND"

At the meeting of the Council held May 7, 2008, the following action was taken:

Attached motion (Huizar - Cardenas) adopted .....	<u>          X          </u>
Attached report adopted .....	<u>                          </u>
Attached resolution adopted .....	<u>                          </u>
Attached ordinance adopted .....	<u>                          </u>
FORTHWITH .....	<u>                          </u>
Motion adopted to approve communication recommendation(s) .....	<u>                          </u>

*Karen E. Kalfayan*  
City Clerk  
jr

PLACE IN FILES

MAY 12 2008

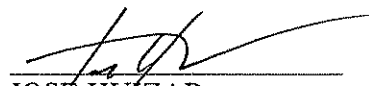
DEPUTY *EG*

BUDGET & FINANCE

MOTION

I MOVE that the City Attorney be requested to prepare and present an ordinance to create a special trust fund to be known as the "Council District 14 Public Benefits Trust Fund," 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 14. The Fund shall be administered by the City Clerk. Expenditures from the Fund shall be authorized by the Council member representing Council District 14. All gifts, contributions and bequests going to this Fund 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 shall be submitted to the Council member representing Council District 14 for acceptance or rejection.

PRESENTED BY:

  
\_\_\_\_\_  
JOSE HUIZAR  
Councilman, 14<sup>th</sup> District

SECONDED BY:



ak

MO.  
**ADOPTED**

MAY 07 2008

LOS ANGELES CITY COUNCIL

APR 29 2008

CD14

EG

COUNCIL VOTE

May 7, 2008 10:13:20 AM, #3

Items for Which Public Hearings Have Not Been Held - Items 27-40

Voting on Item(s): 28a-34,37,39

Roll Call

ALARCON	Yes
CARDENAS	Yes
*GREUEL	Yes
HAHN	Absent
HUIZAR	Absent
LABONGE	Yes
PARKS	Absent
PERRY	Yes
REYES	Yes
ROSENDAHL	Absent
SMITH	Yes
WEISS	Yes
WESSON	Yes
ZINE	Yes
GARCETTI	Absent

Present: 10, Yes: 10 No: 0

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PLEASE SCHEDULE THE FOLLOWING ITEM FOR COUNCIL ON WEDNESDAY, MAY 7, 2008:

MOTION (HUIZAR-CARDENAS)

ITEM NO. ()

08-1084

MOTION (HUIZAR-CARDENAS) relative to establishment of a special fund to be known as the "Council District 14 Public Benefits Trust Fund."

Recommendation for Council action:

REQUEST the City Attorney prepare and present an ordinance to create a special trust fund to be known as the "Council District 14 Public Benefits Trust Fund," 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 14.

Community Impact Statement: None submitted

**(Budget and Finance Committee waived consideration of the above matter.)**

lb  
#081084  
5/2/08

## BUDGET AND FINANCE COMMITTEE NOTIFICATION SHEET

Council File No. 08-1084

<input checked="" type="checkbox"/>	Council Districts: <i>CD 14, CD 6</i>	
<input type="checkbox"/>	Mayor (with file/without)	(Mail Stop 370)
<input type="checkbox"/>	City Administrative Officer	(Mail Stop 130)
<input type="checkbox"/>	Chief Legislative Analyst	(Mail Stop 136)
<input checked="" type="checkbox"/>	City Attorney (with blue slip/without)	(Mail Stop 140)
<input type="checkbox"/>	Controller	(Mail Stop 183)
<input type="checkbox"/>	Treasurer	(Mail Stop 750)
<input type="checkbox"/>	Information Technology Agency	(Mail Stop 232)
<input type="checkbox"/>	Department of Building and Safety	(Mail Stop 115)
<input type="checkbox"/>	Office of Finance - Attn: Benjamin Vargas	(Mail Stop 170)
<input type="checkbox"/>	Fire Commission / Department	(Mail Stop 250)
<input type="checkbox"/>	Department of General Services	(Mail Stop 508)
<input type="checkbox"/>	Personnel Department	(Mail Stop 391)
<input type="checkbox"/>	City Clerk -	
<input type="checkbox"/>	Police Commission / Department	(Mail Stop 400)
<input type="checkbox"/>	Board of Public Works	(Mail Stop 465)
<input type="checkbox"/>	Public Works - Bureau of Engineering	(Mail Stop 490)
<input type="checkbox"/>	Department of Transportation	(Mail Stop 725)
<input type="checkbox"/>	Department of Recreation and Parks	(Mail Stop 625)
<input type="checkbox"/>		
<input type="checkbox"/>		

**From:** Cecilia Cabello  
**To:** Monique Earl, Samantha Yu  
**CC:** Roy Morales, Lauraine Braithwaite  
**Date:** 05/01/2008 3:39 PM  
**Subject:** Re: Fwd: Re: MOTION: CD 14 Community Amenities Trust Fund

Oh sure, waive CD 14's but not ours! ;) Of course it's fine to waive.

-----Original Message-----

From: Monique Earl  
To: Cecilia Cabello <Cecilia.Cabello@lacity.org>  
Cc: Roy Morales <Roy.Morales@lacity.org>  
Cc: Lauraine Braithwaite <Lauraine.Braithwaite@lacity.org>  
To: Samantha Yu <Samantha.Yu@lacity.org>

Sent: 5/1/2008 3:38:11 PM  
Subject: Fwd: Re: MOTION: CD 14 Community Amenities Trust Fund

Cecilia,

Please let me know if it is ok to waive the following motion, CF 08-0947 - motion to create a CD 14 Public Benefits Trust Fund per the request of CM Parks.

Thanks,  
Monique

>>> Bernard Parks 5/1/2008 3:33 PM >>>  
ok

>>> Monique Earl 5/1/2008 2:42 PM >>>  
CM:

CD 14 would like for you to waive their request to establish a trust fund CF 08-0947 - motion to create a CD 14 Public Benefits Trust Fund. The fund has been reviewed by the Controller's office per the message below.

Please let me know if OK to waive.

Thanks,  
Monique

>>> Rushmore Cervantes 4/28/2008 5:17 PM >>>  
Samantha - the motion is acceptable as drafted.

>>> Samantha Yu 4/28/2008 3:09 PM >>>  
Hi Rush,

Hope you're well.

Attached, per our discussion last week, is a motion re. the proposed creation of a CD 14 Community Amenities Trust Fund that CM Huizar will be introducing tomorrow. Can your office please do a quick review to make sure we aren't duplicating anything else that might be on the books?

Thanks.