

ORDINANCE NO. _____

An ordinance adding Article 35 to Chapter 5 of Division 5 of the Los Angeles Administrative Code to create the Downtown Community Benefits Trust Fund for the receipt and use of Downtown Community Benefit Fee monies.

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

Section 1. Article 35 is added to Chapter 5 of Division 5 of the Los Angeles Administrative Code to read as follows:

CHAPTER 5, ARTICLE 35

DOWNTOWN COMMUNITY BENEFITS TRUST FUND

Sec. 5.115.19. Creation and Administration of the Downtown Community Benefits Trust Fund.

(a) There is hereby created and established within the Treasury of the City of Los Angeles a special fund to be known as the "Downtown Community Benefits Trust Fund" (the Fund).

(b) The purpose of the Fund shall be the receipt, retention, and disbursement of monies constituting Downtown Community Benefits Fees (as defined in Los Angeles Municipal Code (LAMC) Section 19.20), required to be collected and deposited into the Fund, pursuant to LAMC Section 19.20 (Downtown Community Benefits Fee Ordinance), as it may be amended from time to time. Additionally, any funds held in the Transfer of Floor Area Rights Public Benefits Payment Trust Fund, established in LAAC Section 5.416, may be transferred to the Fund if the transfer is approved by a majority vote of the City Council.

(c) All monies in the Fund shall be expended for the purposes set forth herein, and subject to the provisions and limitations expressed in LAMC Section 19.20, as amended from time to time.

(d) Ten percent of each Downtown Community Benefits Fee (CBF) payment may be used to offset administrative costs of the program per the following:

(1) The Planning Department shall be authorized to retain 2.5-percent of each Downtown CBF payment to offset administrative costs associated with securing a Downtown CBF payment.

(2) Up to 2.5 percent of each Downtown CBF payment appropriation may be allowed to offset administrative costs associated with the accounting and record-keeping expenditures made on behalf of the Fund.

(3) Up to 2.5 percent of each Downtown CBF payment may be used to offset administrative costs associated with the implementation of an appropriation made from the Fund.

(4) Community representatives in the oversight committee, appointed pursuant to LAMC Section 19.20.D.2(b), shall receive an annual stipend of \$100 and a minimum stipend of \$50 per meeting, with a total amount not to exceed 2.5 percent of each Downtown Community Benefits payment.

The total of the allowable 10 percent allocations for administrative costs shall be a required line item in the Fund budget.

(e) Appropriated monies that remain unencumbered after three years from the date of approval of the appropriation, shall revert back to the Fund.

(f) The City Controller shall be responsible for maintaining the receipts and disbursements records for the Fund

(g) The City Clerk shall be responsible for processing receipts into and disbursements from the Fund.

(h) The Department of City Planning shall be responsible for preparing the annual budget for the Fund and is authorized to establish appropriate procedures to carry out the provisions of this chapter.

(i) The Fund shall be interest bearing. Interest and any other earnings attributable to monies in the Fund shall be credited to the Fund and devoted to the purposes of the Fund.

(j) Monies not expended from the Fund at the close of any fiscal year shall remain in the Fund.

(k) The Department of City Planning shall maintain appropriate accounting records of the actual costs of the services rendered pursuant to the Fund. The Department of City Planning shall report annually to the Chief Legislative Analyst regarding and identifying all receipts into and all expenditures out of the Fund, as well as the purpose for which each expenditure was made. Each report shall cover a fiscal year and shall be submitted within 90 days after the close of that fiscal year.

Sec. 2. **SEVERABILITY.** If any portion, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each portion or subsection, sentence, clause and phrase herein, irrespective of

the fact that any one or more portions, subsections, sentences, clauses or phrases be declared invalid.

Sec. 3. This ordinance shall be operative on January 27, 2025.

Sec. 4. 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.

Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

By

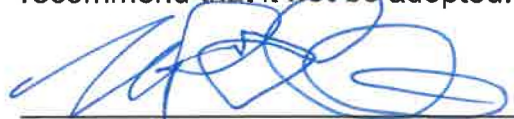


KATHRYN PHELAN
Deputy City Attorney

Date November 6, 2024

File No. _____

Pursuant to Charter Section 559, I
disapprove this ordinance on behalf
of the City Planning Commission and
recommend that it **not** be adopted.



VINCENT P. BERTONI, AICP
Director of Planning

Date November 7, 2024

"M:\Real Prop_Env_Land Use\Land Use\Kathryn Phelan\Ordinances\DT Ordinances\Ordinances\Ready for Review\Community Benefits Trust Fund Ordinance.docx"

The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than two-thirds** of all its members.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____