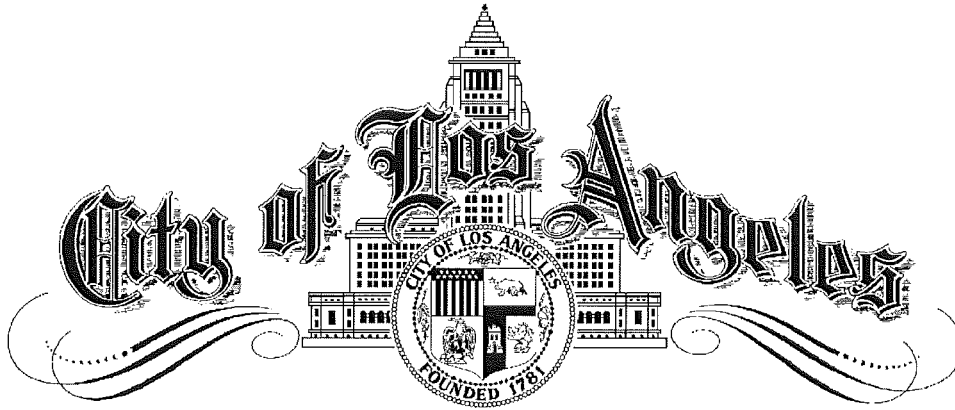


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**CARMEN A. TRUTANICH**  
City Attorney

REPORT NO. R 10 - 0 1 6 6

JUN 9 2010

**REPORT RE:**

**BUDGET RELATED REVISED DRAFT ORDINANCE TO  
TRANSFER THE VARIOUS POWERS, DUTIES AND FUNCTIONS OF THE  
COMMISSION ON THE STATUS OF WOMEN AND THE HUMAN RELATIONS  
COMMISSION TO THE COMMUNITY DEVELOPMENT DEPARTMENT OR A  
SUCCESSOR DEPARTMENT**

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. 10-0706-S1

Honorable Members:


This Office previously transmitted a draft ordinance that would transfer the powers, duties and functions of the Commission on the Status of Women and of the Human Relations Commission to the Community Development Department or a successor department. (Report No. R10-0160, dated May 26, 2010) That draft ordinance has been revised in accordance with the request of your Honorable Arts, Parks, Health and Aging Committee and the Chair of the Housing, Community and Economic Development Committee that the Mayor appoint the Members of the Commission on the Status of Women as follows: three members to terms that end June 30, 2012, and four members to terms that end June 30 2014. The revised draft transmitted herewith, approved as to form and legality, makes that change. We note that the Office of the Mayor has transmitted a proposed draft ordinance pursuant to Charter Section 514 that is substantially similar to the enclosed ordinance. Consistent with the provisions of Charter Section 514, the ordinance proposed by the Mayor will be deemed approved if not acted upon by the Council within 45 days of its receipt by the City Clerk. Because the draft enclosed differs in some technical aspects from the draft

proposed by the Mayor, we recommend that the ordinance proposed by the Mayor be disapproved prior to the expiration of the 45 day period, and the enclosed ordinance be considered instead. The two sets of ordinances would accomplish the same purpose.

If you have any questions regarding this matter, please contact Deputy City Attorney Judith Reel at (213) 978-7191. She or another member of this Office will be present to answer any questions you may have when you consider this matter.

Very truly yours,

CARMEN A. TRUTANICH, City Attorney

By 

PEDRO B. ECHEVERRIA  
Chief Assistant City Attorney

PBE:lee  
Transmittal

cc: Office of the Mayor  
Miguel Santana, City Administrative Officer  
Gerry F. Miller, Chief Legislative Analyst  
Commission on the Status of Women  
Human Relations Commission  
Community Development Department

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

An ordinance repealing Chapters 18 and 28 of Division 5, Chapter 14 of Division 8, and Chapter 6 of Division 22 of the Los Angeles Administrative Code, and creating Chapters 157 and 158 of Division 5, and Articles 4 and 5 of Chapter 19 of Division 22, of the Los Angeles Administrative Code to transfer the functions of the Commission on the Status of Women and the Human Relations Commission, and their related trust funds, to the Community Development Department or a successor department.

**WHEREAS**, the Mayor and City Council intend to provide, pursuant to Charter Section 514, for governmental efficiency through the orderly, phased transfer of the Commission on the Status of Women and the Human Relations Commission to the Community Development Department or a successor department to promote the general well-being and quality of life for all residents of the City of Los Angeles.

**NOW THEREFORE,**

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

Section 1. Chapter 14 of Division 8 of the Los Angeles Administrative Code is repealed in its entirety.

Sec. 2. Chapter 6 of Division 22 of the Los Angeles Administrative Code is repealed in its entirety.

Sec. 3. Article 4 of Chapter 19 of Division 22 of the Los Angeles Administrative Code is added to read:

**ARTICLE 4  
BOARD OF COMMISSIONERS ON THE STATUS OF WOMEN**

**Sec. 22.474. The Board of Commissioners on the Status of Women.**

(a) **Creation of Board.** There is hereby created a commission to be known as the Board of Commissioners on the Status of Women ("Board") that shall serve as an advisory board to the Mayor, Council, and General Manager of the Community Development Department of the City of Los Angeles or a successor department ("General Manager").

(b) **Purpose, Powers and Duties.** The Board shall act in an advisory capacity to the Mayor, Council, and General Manager with respect to ensuring that all women and girls have the opportunity for full and equal participation in the affairs of City government and with respect to promoting the general welfare and human rights of all women and girls in the greater community through policy, advocacy, and education. In addition, the Board may:

(1) Advise the Mayor, Council, and General Manager of the needs and issues facing women and girls in the City, with special emphasis on women in City government and within underserved populations, as identified by the Board; and

(2) Maintain an active relationship with community-based organizations, academic institutions, civic and business organizations, and other key stakeholders interested in issues facing women and girls; and

(3) Investigate pressing issues and develop policy and programmatic recommendations that advance the civil and human rights of women and girls in the City and provide them with positive opportunities in all aspects of their lives without discrimination. Such programs and policies may address but shall not be limited to:

i. Economic opportunities, including recruitment and retention of women and young women in non-traditional careers currently underrepresented by women;

ii. Personal and public safety, including issues of intimate partner, community, and systemic violence;

iii. Fair and equitable access to health care, housing, transportation and other public social services;

iv. Civil and human rights;

v. Education, including gender equity in educational institutions and access to comprehensive sexuality education within schools and the community;

vi. Methods to alleviate existing inequities in pay and employment opportunities between men and women; and

vii. Studies and surveys on the status of women as requested by the Mayor, Council, or General Manager; and

(4) Address any other matter important to the status of women and girls in the City of Los Angeles and perform such other duties related to this issue as may be requested by the Mayor, Council, and General Manager.

(c) **Membership.** All members should have demonstrated knowledge and experience in areas related to the needs of women and girls in society. The Board shall consist of seven members appointed by the Mayor and confirmed by the Council. The provisions of Los Angeles City Charter Section 502 shall govern the appointment and removal of the Board members. Selection will be in accordance with Charter Section 501(d).

(d) **Terms of Board Membership.** Board members shall have four-year, staggered terms beginning with the first day of July of the respective years. The Mayor shall initially appoint three members to terms that end June 30, 2012, and four members to terms that end June 30, 2014. The initial term of each member of the Board shall be designated in the appointment.

(e) **Diversity Consideration.** The Mayor, when submitting appointments to the Council for approval, shall state the area of expertise and the related qualifications and experience of the nominee. The Council shall review these qualifications as part of the confirmation process. The Mayor and Council shall also ensure that the membership of the Board represents the City's diversity of race, ethnicity, culture, religion, national origin, gender, age, sexual orientation, and neighborhoods, in addition to other diverse communities of interest such as business and not-for-profit organizations.

(f) **Compensation.** Members of the Board shall serve without compensation.

(g) **Officers.** The Board shall, at the beginning of each fiscal year, elect from its members a President and Vice-President. The elected officers shall hold office for one year or until their successors are elected, unless their membership on the Board expires sooner. The Board may fill the unexpired terms of a vacancy occurring in office of the President or Vice-President.

(h) **Rules and Regulations.** At its first meeting or as soon thereafter as possible, the Board shall adopt rules and regulations for the conduct of its business.

(i) **Meetings.** The Board shall designate the time and place for regular public meetings, provided that each board shall meet not less than one time within a calendar quarter. Such meetings shall include opportunities for public testimony and public comment on Board business.

(j) **Cooperation and Coordination with Other Agencies.**

(1) Whenever practical, the Board shall coordinate its programs with any other similar agency, Federal, State, or otherwise, to avoid duplication of effort and ensure an effective working relationship between the City and other private or public agencies.

(2) All Boards, Offices, Departments, Agencies, and Bureaus of the City shall cooperate with the Board to the fullest extent practicable and in a manner that would not conflict with the lawful and necessary conduct of their duties as provided by law.

(k) **Solicitation of Funds.**

The Board may solicit and accept donations of funds which shall be placed in the Board of the Commission on the Status of Women Trust Fund established under Los Angeles Administrative Code Section 5.560.

Sec. 4. Article 5 of Chapter 19 of Division 22 of the Los Angeles Administrative Code is added to read:

**ARTICLE 5  
BOARD OF HUMAN RELATIONS COMMISSIONERS**

**Sec. 22.475. The Board of Human Relations Commissioners**

a) **Creation of Board.** There is hereby created a commission to be known as the Board of Human Relations Commissioners (“Board”) that shall serve as an advisory board to the Mayor, Council, and General Manager of the Community Development Department of the City of Los Angeles or a successor department (“General Manager”).

(b) **Purpose, Powers and Duties.** The Board shall act in an advisory capacity to the Mayor, Council, and General Manager with respect to policies and other matters that will assist in ensuring that all residents are provided with an opportunity for full and equal participation in the affairs of City government; promote the general welfare and safety of all residents through activities and programs designed to reduce discrimination, prejudice, tension, and violence; improve inter-group relations; support efforts to create a City free from all forms of discrimination based on race, religion, sex, sexual orientation, national origin, age, disability, immigration status, gender, gender identity, gender expression, or any other arbitrary factor; and otherwise promote healthy human relations among individuals and diverse constituencies in all aspects of the civic life of the City.

In addition, the Board may:

(1) Develop, recommend, and advise on policies, legislation, programs, and initiatives, in addition to related research, focused on addressing and eliminating discrimination, prejudice, and intolerance based on race, religion, sex, sexual orientation, national origin, age, disability, immigration status, gender, gender identity, gender expression, or any other arbitrary factor; and

(2) Develop, recommend, and advise on policies, legislation, programs, and initiatives, in addition to related research, focused on addressing and eliminating community conflict and violence, advancing public safety, promoting positive inter-group relations, improving law enforcement relations in the community, and building respect, tolerance, and appreciation for diversity; and

(3) Provide a forum for the discussion of human relations issues; and

(4) Perform such other duties relating to human relations as may be requested by the Mayor, Council, and General Manager.

(c) **Membership.** All members should have demonstrated knowledge and experience in areas related to human relations and the prevention of discrimination. The Board shall consist of eleven members appointed by the Mayor and confirmed by the Council. The provisions of Los Angeles City Charter Section 502 shall govern the appointment and removal of the Board members. Selection will be in accordance with Charter Section 501(d).

(d) **Terms of Board Membership.** Board members shall have four-year, staggered terms beginning with the first day of July of the respective years. The Mayor shall appoint six members to terms that end June 30, 2012, and five members to terms that end June 30, 2014. The initial term of each member of the Board shall be designated in the appointment.

(e) **Diversity Consideration.** The Mayor, when submitting appointments to the Council for approval, shall state the area of expertise and the related qualifications and experience of the nominee. The Council shall review these qualifications as part of the confirmation process. The Mayor and Council shall also ensure that the membership of the Board represents the City's diversity of race, ethnicity, culture, religion, national origin, gender, age, sexual orientation, and neighborhoods, in addition to other diverse communities of interest such as business and not-for-profit organizations.

(f) **Compensation.** Members of the Board shall serve without compensation.

(g) **Officers.** The Board shall, at the beginning of each fiscal year, elect from its members a President and Vice-President. The elected officers shall hold office for one year or until their successors are elected, unless their membership on the Board expires sooner. The Board may fill the unexpired terms of a vacancy occurring in office of the President or Vice-President.

(h) **Rules and Regulations.** At its first meeting or as soon thereafter as possible, the Board shall adopt rules and regulations for the conduct of its business.

(i) **Meetings.** The Board shall designate the time and place for regular meetings, provided that each board shall meet not less than one time within a calendar quarter.

(j) **Cooperation and Coordination with Other Agencies.**

(1) Whenever practical, the Board shall coordinate its programs with any other similar agency, Federal, State, or otherwise, to avoid duplication of effort and

assure an effective working relationship between the City and other private or public agencies.

(2) All Boards, Offices, Departments, Agencies, and Bureaus of the City shall cooperate with the Board to the fullest extent practicable and in a manner that would not conflict with the lawful and necessary conduct of their duties as provided by law.

(k) **Solicitation of Funds.**

The Board may solicit and accept donations of funds which shall be placed in the Board of the Human Relations Commission Trust Fund established under Los Angeles Administrative Code Section 5.562.

Sec. 5. Chapter 18 of Division 5 of the Los Angeles Administrative Code is repealed in its entirety, and the monies in the Commission on the Status of Women Trust Fund are transferred to the Fund established at Chapter 157 of Division 5 of the Los Angeles Administrative Code.

Sec. 6. Chapter 28 of Division 5 of the Los Angeles Administrative Code is repealed in its entirety, and monies in the Human Relations Commission Trust Fund are transferred to the Fund established at Chapter 158 of Division 5 of the Los Angeles Administrative Code.

Sec. 7. Chapter 157 is added to Division 5 of the Los Angeles Administrative Code to read as follows:

**CHAPTER 157  
BOARD OF THE COMMISSION ON THE STATUS OF WOMEN TRUST FUND**

**Sec. 5.560. 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 “**Board of the Commission on the Status of Women Trust Fund,**” hereinafter referred to in this Chapter as the “**Fund.**”

(b) The Fund shall be used to create new programs and activities and to support or augment established programs and activities of the Board of Commissioners on the Status of Women, hereinafter referred to in this Chapter as the “Board,” and may be used to support staffing for such programs and activities, for the purchase of equipment, services, furnishings, or any lawful purpose in support of such programs and activities, subject to any special terms or conditions attached to individual gifts, contributions, or bequests to the City. The Fund may also be used by the Board to support or augment new or established programs of other City departments, other public agencies, or not-for-profit agencies that the Board determines will assist the status of women.



(c) All monetary gifts, contributions or bequests to the City for the purposes set forth in this Chapter which exceed the sum of \$10,000 shall be submitted to the City Council for acceptance or rejection. All such monetary gifts, contribution or bequests which do not exceed the sum of \$10,000 shall be submitted to the Board or its designee for acceptance or rejection. The Board's designee for purposes of this Chapter shall be a full-time employee serving in a duly authorized position on the staff of the Community Development Department or a successor department.

(d) All monetary gifts, contributions, or bequests accepted by the City Council or the Board or its designee for the purposes set forth in this Chapter shall be placed in the Fund.

(e) The Board or its designee shall inform the Controller of any special terms or conditions placed upon the use of all moneys accepted for deposit in the Fund. The Controller shall establish a separate account within the Fund for each specific use for all accepted monetary gifts, contributions, or bequests 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 the money was accepted. Any request by the Board or its designee for an expenditure of money from any separate account shall be accompanied by sufficient information for the Controller to determine that the proposed expenditure does 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 or other earnings attributable to money in the Fund shall be credited to the Fund and shall be devoted to the purposes set forth in this Chapter.

(h) The Fund shall be administered and expenditures therefrom shall be authorized by the Board or its designee in accordance with established City practice, provided, however, no expenditure shall be made from the Fund for any purpose which is contrary to the budget policy of the Board as established by the Mayor and Council.

(i) The Board shall report to the City Council regarding and indentifying 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 the most recent six-month period of time which commenced on April 1 or October 1 and shall be submitted within 60 days after the close of the period.

#### **Sec. 5.561. Receipt and Registration of Personal Property.**

(a) Each offer of a gift or bequest of personal property to the City for the purposes set forth in this Chapter, the market value of which exceeds \$10,000, shall be submitted to the City Council for acceptance or rejection. Each offer of a gift or bequest

of personal property not exceeding \$10,000 in market value shall be submitted to the Board or its designee for acceptance or rejection.

(b) Title to any personal property accepted by either the City Council or by the Board or its designee shall be vested in the City of Los Angeles.

(c) The Board or its designee shall cause all personal property, whether acquired by gift or bequest or by purchase through the expenditure of money from the Fund, to be properly registered as required in the City's Equipment Inventory System.

Sec. 8. Chapter 158 is added to Division 5 of the Los Angeles Administrative Code to read as follows:

**CHAPTER 158**  
**BOARD OF HUMAN RELATIONS COMMISSIONERS TRUST FUND**

**Sec. 5.562. 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 "**Board of Human Relations Commissioners Trust Fund,**" hereinafter referred to in this Chapter as the "**Fund.**"

(b) The Fund shall be used to create new programs and activities and to support or augment established programs and activities of the Board of Human Relations Commissioners, hereinafter referred to in this Chapter as the "Board," and may be used for the purchase of equipment, services, furnishings, or any lawful purpose in support of such programs and activities, subject to any special terms or conditions attached to individual gifts, contributions, or bequests to the City. The Fund may also be used by the Board to support or augment new or established programs of other City departments, other public agencies, or not-for-profit agencies that the Board determines will assist in improving human relations in the City.

(c) All monetary gifts, contributions or bequests to the City for the purposes set forth in this Chapter which exceed the sum of \$10,000 shall be submitted to the City Council for acceptance or rejection. All such monetary gifts, contribution or bequests which do not exceed the sum of \$10,000 shall be submitted to the Board or its designee for acceptance or rejection. The Board's designee for purposes of this Chapter shall be a full-time employee serving in a duly authorized position on the staff of the Community Development Department or a successor department.

(d) All monetary gifts, contributions or bequests accepted by the City Council or the Board or its designee for the purposes set forth in this Chapter shall be placed in the Fund.

(e) The Board or its designee shall inform the Controller of any special terms or conditions placed upon the use of all moneys accepted for deposit in the Fund. The

Controller shall establish a separate account within the Fund for each specific use for all accepted monetary gifts, contributions, or bequests 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 the money was accepted. Any request by the Board or its designee for an expenditure of money from any separate account shall be accompanied by sufficient information for the Controller to determine that the proposed expenditure does 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 or other earnings attributable to money in the Fund shall be credited to the Fund and shall be devoted to the purposes set forth in this Chapter.

(h) The Fund shall be administered and expenditures therefrom shall be authorized by the Board or its designee in accordance with established City practice, provided, however, no expenditure shall be made from the Fund for any purpose which is contrary to the budget policy of the Board as established by the Mayor and Council.

(i) The Board shall report to the City Council regarding and indentifying 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 the most recent six-month period of time which commenced on April 1 or October 1 and shall be submitted within 60 days after the close of the period.

### **Sec. 5.563. Receipt and Registration of Personal Property.**

(a) Each offer of a gift or bequest of personal property to the City for the purposes set forth in this Chapter, the market value of which exceeds \$10,000, shall be submitted to the City Council for acceptance or rejection. Each offer of a gift or bequest of personal property not exceeding \$10,000 in market value shall be submitted to the Board or its designee for acceptance or rejection.

(b) Title to any personal property accepted by either the City Council or by the Board or its designee shall be vested in the City of Los Angeles.

(c) The Board or its designee shall cause all personal property, whether acquired by gift or bequest or by purchase through the expenditure of money from the Fund, to be properly registered as required in the City's Equipment Inventory System.

### **Sec. 9. Operative Date of Transfer of Powers, Duties and Functions.**

(a) The various powers, duties and functions of the Commission on the Status of Women and the Human Relations Commission are transferred to the Community

Development Department or a successor department pursuant to Charter Section 514, and the transfers shall become operative on July 1, 2010. Personnel, funds and equipment to perform those powers, duties and functions will be provided in the Budget or any amendment thereto by appropriate action of the City Council and Mayor. It is the intention of the City Council to transfer to the Community Development Department or a successor department all positions which currently exist in the Commission on the Status of Women and the Human Relations Commission and which the Council determines to be required by the Department for the performance of the transferred powers, duties and functions. It is also the intention of the City Council that all positions transferred to the Department be filled with personnel who occupy those positions at the time of the transfer.

(b) Between the effective date of the transfer of the various powers, duties and functions of the Commission on the Status of Women and the Human Relations Commission and the respective applicable effective date of each transfer of resources, the powers, duties and functions transferred shall be performed with existing personnel and resources by the Community Development Department or a successor department.

Sec. 10. 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 \_\_\_\_\_.

JUNE LAGMAY, City Clerk

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

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By Judith E. Reel  
JUDITH E. REEL  
Deputy City Attorney

Date June 1, 2010

File No. \_\_\_\_\_