An ordinance repealing Chapters 37 and 84 of Division 5, and Chapter 23 of Division 8, of the Los Angeles Administrative Code, amending Section 5.530 of the Los Angeles Administrative Code, and creating Chapter 159 of Division 5 and Article 6 of Chapter 19 of Division 22, of the Los Angeles Administrative Code to create the Board of Community and Family Services Commissioners and a related Trust Fund and provide for the transfer to the Board of the powers, duties and functions of: (1) the Commission on Children, Youth and Their Families, and (2) the Citizens’ Unit for Participation Board to the new Board; transfer oversight of the Vermont/Western Station Neighborhood Area Plan Child Care Trust Fund to the Department of Recreation and Parks; and amend Section 8.325.1 of the Los Angeles Administrative Code, and Section 12.22 of the Los Angeles Municipal Code, to provide uniformity of provisions.

WHEREAS, the Mayor and City Council intend to provide, pursuant to Charter Section 514, for governmental efficiency through the orderly, phased transfer and consolidation of City governmental activities affecting the Commission on Children, Youth and Their Families and the Citizens’ Unit for Participation Board into a single Board of Commissioners to alleviate poverty and 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 Chapter 23 of Division 8 of the Los Angeles Administrative Code is repealed in its entirety.

Sec. 2. Article 6 of Chapter 19 of Division 22 of the Los Angeles Administrative Code is added to read:

ARTICLE 6

BOARD OF COMMUNITY AND FAMILY SERVICES COMMISSIONERS

Sec. 22.476. The Board of Community and Family Services Commissioners.

(a) Creation of Board. There is hereby created within the Community Development Department or a successor department a Commission to be known as the Board of Community and Family Services 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 on poverty and the needs, concerns, and interests of children, youth, and their families, and on the administration of the Housing and Community Development Consolidated Plan, including the fulfillment of all legal requirements for public participation related to the Housing and Community Development Consolidated Plan.

In addition, the Board may:

1. Enhance and coordinate the City's efforts to serve children, youth, and their families, and advocate for these constituencies within both the City government and the greater community of the City; and

2. Promote the use of resources and the establishment of collaborations with the City, the County of Los Angeles, the Los Angeles Unified School District, other educational and governmental entities, national, state, and local associations and organizations, parents' groups, and community-based agencies concerned with poverty and the needs, concerns, and interests of children, youth, and their families; and

3. Develop a strategic plan and review and recommend policies or legislation that address issues of poverty and serve the needs of children, youth, and their families; and

4. Perform other duties required by federal, state, and local law for public participation in the administration and expenditure of grants awarded to the City under the Housing and Community Development Act; and

5. Participate in the development, planning, implementation, and evaluation of the Housing and Community Development Consolidated Plan to serve low-income communities; and

6. Perform such other duties relating to poverty and children, youth, and their families 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 poverty and children, youth and their families. The Board shall consist of fifteen 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 seven members to terms that end June 30, 2012, and eight
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 specific 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) Committees. The Board shall develop committees as it deems appropriate and necessary to carry out its work, including, but not limited to an Executive Committee; a Policy Committee to advise on family-related policies; and a Community Services Committee to advise on all Housing and Community Development Consolidated Plan-related matters. A member of the Board shall chair each committee. Committee chairs and members shall be selected in accordance with rules and regulations established by the Board.

(i) 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.

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

(k) 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.
(I) Solicitation of Funds.

The Board may solicit and accept donations of funds which shall be placed in the Board of Community and Family Service Commissioners Trust Fund established under Los Angeles Administrative Code Section 5.564.

Sec. 3. Chapter 37 of Division 5 of the Los Angeles Administrative Code is repealed in its entirety.

Sec. 4. Chapter 84 of Division 5 of the Los Angeles Administrative Code is repealed in its entirety, and all remaining monies in the Commission for Children, Youth and Their Families Trust Fund are transferred to the Board of Community and Family Services Commissioners Trust Fund established at Chapter 159 of Division 5 of the Los Angeles Administrative Code.

Sec. 5. Chapter 159 is added to Division 5 of the Los Angeles Administrative Code to read as follows:

CHAPTER 159
BOARD OF COMMUNITY AND FAMILY SERVICES COMMISSIONERS TRUST FUND

Sec. 5.564. 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 Community and Family Services 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 Community and Family Services 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 combating poverty and in supporting children, youth and their families.

(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. 5.565. 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. 6. Section 5.530 of the Los Angeles Administrative Code is amended to read:

**Sec. 5.530. Vermont/Western Station Neighborhood Area Plan Child Care Trust Fund.**

A. **Creation and Administration of Fund.** There is hereby created within the Treasury of the City of Los Angeles a special fund known as the Vermont/Western Station Neighborhood Area Plan Child Care Trust Fund, referred to in this Chapter as the Child Care Fund or Fund. The Department of Recreation and Parks (Department) with the concurrence of the President of the City Council shall administer, have overall management of and expend funds from the Child Care Fund in accordance with the provisions of this Chapter. The Department with the concurrence of the President of the City Council shall also administer the Fund in accordance with established City practice and in conformity with Government Code Section 66000, et seq. All interest or other earnings from money received into the Child Care Fund shall be credited to the Fund and devoted to the purposes listed in this Chapter.

B. **Purpose.** The Child Care Fund shall be used for the deposit of money paid to the City of Los Angeles pursuant to the Vermont/Western Station Neighborhood Area Specific Plan and any other money appropriated or given to this Fund for the creation or development of Child Care programs or facilities in the Vermont/Western Station Neighborhood area.

C. **Expenditures.** Except as set forth below, Child Care Funds collected pursuant to the Vermont/Western Station Neighborhood Area Specific Plan and any other monies placed in this Fund shall be expended only for the purpose of acquiring facilities, developing, improving, and operating Child Care programs physically located within the boundaries of the Vermont/Western Station Neighborhood Area Specific Plan area, and providing financial assistance with child care payments to qualifying parents in the area, as determined by the Department.

The Department with the concurrence of the President of the City Council is authorized to make expenditures from this Child Care Fund in accordance with the Vermont/Western Station Neighborhood Area Plan and the Vermont/Western Station Neighborhood Area Plan Development Standards and Design Guidelines. Administration of the Fund and expenditures from the Fund shall also be in compliance with the requirements in Government Code Section 66000, et seq., including the following:

1. The Department shall deposit all monies received pursuant to the Vermont/Western Station Neighborhood Area Specific Plan in the Fund and avoid any
commingling of the monies with other City revenues and funds, except for temporary investments, and expend those monies solely for the purpose for which the Child Care payment was collected. Any interest income earned by monies in the Fund shall also be deposited in that Fund and shall be expended only for the purpose for which the Child Care payment was originally collected.

2. The Department shall, within 180 days after the last day of each fiscal year, make available to the public all the information required by Government Code Section 66006 (a).

3. The City Council shall review the information made available to the public pursuant to Paragraph 2 within the time required by Section 66006, and give notice of that meeting as required by that Section.

4. When required to do so by Government Code Section 66001(e) and (f), the City Council shall authorize refunds of payments made to the Child Care Fund.

D. Reporting. The Department shall report annually to the City Council and Mayor identifying and describing in detail receipts and expenditures of the Fund. The Department shall submit each annual report within 60 days after the close of the fiscal year covered in the report.

Sec. 7. The second sentence of Section 8.325.1 of the Los Angeles Administrative Code is amended to read:

The following shall be ex-officio, non-voting members of the Steering Committee: The City Engineer; the General Manager of the Department of Recreation and Parks; the General Manager of the Community Development Department or a successor department; the General Manager of the Department of Cultural Affairs; the General Manager of the Library Department; and a City Council staff person appointed by the President of the City Council.

Sec. 8. The second sentence of Sub-subparagraph (x) of Subparagraph (1) of Paragraph (b) of Subdivision (3) of Subsection A of Section 12.22 of the Los Angeles Municipal Code is amended to read:

This distance is to be measured along the shortest street route between the two lots as determined by the Department of Recreation and Parks.

Sec. 9. The third sentence of Subdivision (2) of Subsection A of Section 12.22 of the Los Angeles Municipal Code is amended to read:

The notice shall include verification provided by the Department of Recreation and Parks that the large family day care home is in compliance with the concentration and spacing condition set forth in Section 12.22 A.3.(b)(1)(x) above.
Sec. 10. Operative Date of Transfer of Powers, Duties and Functions.

(a) Pursuant to Charter Section 514, the various powers, duties and functions of the Commission on Children, Youth and Their Families and the Citizens' Unit for Participation Board, except for those pertaining to oversight of the Vermont/Western Station Neighborhood Area Plan Child Care Trust Fund, and as established by ordinance, are transferred to the Board of Community and Family Services Commissioners, an advisory board to the Mayor, Council and General Manager of the Community Development Department, 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. The powers, duties and functions to administer the Vermont/Western Station Neighborhood Area Plan Child Care Trust Fund are transferred to the Department of Recreation and Parks. 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 Children, Youth and Their Families and the Citizens' Unit for Participation Board 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 Children, Youth and Their Families and the Citizens' Unit for Participation Board 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, except that duties and functions pertaining to oversight of the Vermont/Western Station Neighborhood Area Plan Child Care Trust Fund shall be performed with existing personnel and resources by the Department of Recreation and Parks.
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 JUN 01 2010.

JUNE LAGMAY, City Clerk

Approved JUN 11 2010

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By JUDITH E. REEL
Deputy City Attorney

Date May 28, 2010

File No. 10-0704
DECLARATION OF POSTING ORDINANCE

I, Julia Amanti, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 181192 - Repealing Chapters 37 and 84 of Division 5, and Chapter 23 of Division 8 of the LAAC, amending Section 5.530 of the LAAC, and creating Chapter 159 of Division 5 and Article 6 of Chapter 19 of Division 22, of the LAAC to created the Board of Community and Family Services Commissioners and a related Trust Fund - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on June 1, 2010, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on June 15, 2010 I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: 1) One copy on the bulletin board at the Main Street entrance to Los Angeles City Hall; 2) one copy on the bulletin board at the Main Street entrance to Los Angeles City Hall East; 3) one copy on the bulletin board at the Temple Street entrance to the Hall of Records of the County of Los Angeles.

Copies of said ordinance were posted conspicuously beginning on June 15, 2010, and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 15th day of June, 2010 at Los Angeles, California.

Ordinance Effective Date: July 27, 2010 Council File No. 10-0706

(Rev. 8/05)