

**MICHAEL N. FEUER**  
CITY ATTORNEY

REPORT NO. **R16-0173**

**MAY 25 2016**

REPORT RE:

**A DRAFT ORDINANCE ADDING A NEW CHAPTER 171 TO THE  
LOS ANGELES ADMINISTRATIVE CODE ESTABLISHING A  
SOUTH PARK OPEN SPACE MAINTENANCE 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 Nos. 13-1482 and 16-0036

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance adds a new Section 5.577 in a new Chapter 171 to Division 5 of the Los Angeles Administrative Code to create a South Park Open Space Maintenance Trust Fund.

Background and Summary of Ordinance Provisions

Your Honorable Body requested that this Office draft an ordinance to establish a new trust fund, titled South Park Open Space Maintenance Trust Fund, to receive fees collected by the City Clerk pursuant to the South Park Open Space Maintenance Program (SPOSMP), for remittance to Grand Hope Park, Inc. (Grand Hope Park). On May 6, 2016, your Honorable Body acted to allow SPOSMP fees also to be dispersed to CHMC Hope Street Family Center Property Management, LLC (Hope Street Family Center). Accordingly, this Office has prepared a draft ordinance to allow SPOSMP funds to be disbursed to Hope Street Family Center.

The SPOSMP was originally developed by the City's former redevelopment agency (CRA/LA) to generate funds from certain property owners that are subject to the SPOSMP to be used for operation, maintenance and security for parks and open space amenities developed in the defined South Park area of CRA/LA's Central Business District. The SPOSMP and its implementing agreements allow for the fees to be remitted to the operators of Grand Hope Park and CHMC Hope Street Family Center for the exclusive payment of operation, maintenance and security costs. Historically, SPOSMP fees were collected by the CRA/LA (as the former administrator of the SPOSMP) or its non-profit agent. In December 2015, the City acquired several CRA/LA park properties, including Grand Hope Park, assumed administration responsibilities for certain CRA/LA development agreements, including CHMC Hope Street Family Center, and is now the administrator of the SPOSMP. Hereinafter the City Clerk shall act as administrator of the SPOSMP and shall be responsible for the collection and remittance of SPOSMP fees.

Council Rule 38 Referral

Copies of the draft ordinance were sent, pursuant to Council Rule 38, to the Department of Recreation and Parks, the City Clerk and the City Administrative Officer requesting that all comments, if any, be presented directly to the City Council when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Catrina M. Archuleta at (213) 978-8130. She or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By 

DAVID MICHAELSON  
Chief Assistant City Attorney

DM:CMA:ac  
Transmittal

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

An ordinance adding a new Chapter 171 to Division 5 of the Los Angeles Administrative Code establishing a South Park Open Space Maintenance Trust Fund.

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

Section 1. A new Chapter 171 is added to Division 5 of the Los Angeles Administrative Code to read as follows:

**CHAPTER 171**

**SOUTH PARK OPEN SPACE MAINTENANCE TRUST FUND**

**Sec. 5.577. Creation and Administration of the Trust Fund.**

(a) There is hereby created in the Treasury of the City of Los Angeles a special fund to be known as the “**South Park Open Space Maintenance Trust Fund**,” hereinafter referred to in this Chapter as “**Trust Fund**.”

(b) The purpose in establishing the Trust Fund is for the receipt, retention and disbursement of the South Park Open Space Maintenance Program (SPOSMP) fees collected by the City Clerk from certain property owners that are subject to the SPOSMP.

(c) Pursuant to the SPOSMP and its implementing agreements, the monies in the Trust Fund shall be used for operation, maintenance and security costs incurred by Grand Hope Park and Hope Street Family Center.

(d) Monies from the Trust Fund to be used for operation, maintenance and security costs for Grand Hope Park shall be remitted to the park’s operator, Grand Hope Park, Inc., a non-profit organization (or its successor entity). Monies from the Trust Fund to be used for operation, maintenance and security costs for Hope Street Family Center shall be remitted to its operator, CHMC Hope Street Family Center Property Management, LLC (or its successor entity).

(e) All interest and other earnings attributable to monies in the Trust Fund shall be credited to the Trust Fund and shall be devoted to the purposes of the Trust Fund.

(f) The Trust Fund shall be administered by the City Clerk.

(g) Monies not disbursed in any fiscal year from the Trust Fund, or in any of the accounts within the Trust Fund, shall not revert to the Reserve Fund, but shall remain in the Trust Fund and shall be devoted to the purposes of the Trust Fund.

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 \_\_\_\_\_.

HOLLY L. WOLCOTT, City Clerk

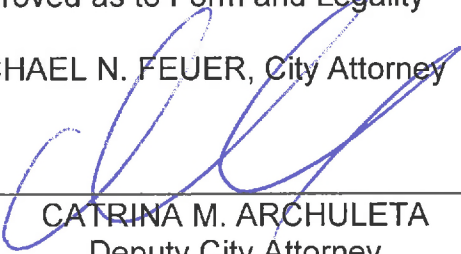
By \_\_\_\_\_ Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By  \_\_\_\_\_  
CATRINA M. ARCHULETA  
Deputy City Attorney

Date 5/25/14 \_\_\_\_\_

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