



**MICHAEL N. FEUER**  
CITY ATTORNEY

REPORT NO. R 1 5 - 0 0 7 1  
MAR 0 4 2015

**REPORT RE:**

**A DRAFT ORDINANCE CREATING A TRUST FUND TO SUPPORT THE  
OPERATIONS OF THE LOS ANGELES CITY HEALTH COMMISSION AND  
AMENDING THE CITY HEALTH COMMISSION ORDINANCE TO REMOVE  
RESTRICTION ON FUNDING**

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. 14-0596

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. On January 27, 2015, the City Council requested this Office to research the legality of accepting funds from outside entities to support the operations of the City Health Department and, if appropriate, to draft an ordinance to create a Trust Fund for the acceptance of donations to the City Health Department. No legal prohibition prevents the City from accepting donations for the operation of the City Health Department and, accordingly, a draft ordinance is transmitted herewith. Although the City legally may accept donations, to the extent any donation creates a conflict of interest or violates due process, the City will analyze those issues in the future on a case-by-case basis.

Pursuant to Council's direction, the draft ordinance also amends Los Angeles Administrative Code Section 8.270(d) (Ordinance No. 183093) to remove the restriction on the use of General Funds for the operation of the City Health Commission. Removing the restriction on the use of General Funds for the operation of the City Health Commission furthers the purpose of Ordinance No. 183093, which was the

ordinance which created the City Health Commission. Ordinance No. 1830993 contained language banning the use of General Funds for the operation of City Health Department. However, the City has been unable to identify any other funds within the City's control, other than General Funds, for the operational expenses of the City Health Commission. The City cannot rely on donations alone to fully fund the operation of the City Health Commission. Consistent with the intent of Ordinance No. 1830993, the current draft ordinance does not obligate General Funds for the operation of the City Health Commission, but does give the City Council and the Mayor the discretion to allocate General Fund monies for the operation of the City Health Commission.

If you have any questions regarding this matter, please contact Senior Assistant City Attorney Valerie L. Flores at (213) 978-8130. She or another member of this Office will be present when you consider this matter to answer any question you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By



DAVID MICHAELSON  
Chief Assistant City Attorney

DM:VLF:ac  
Transmittal