



County of Los Angeles  
**CHIEF EXECUTIVE OFFICE  
OPERATIONS CLUSTER**

WILLIAM T FUJIOKA  
Chief Executive Officer

**DATE:** May 16, 2013  
**TIME:** 1:00 p.m.  
**LOCATION:** Kenneth Hahn Hall of Administration, Room 830

**AGENDA**

Members of the Public may address the Operations Cluster on any agenda item by submitting a written request prior to the meeting.  
Three (3) minutes are allowed for each item.

1. Call to order – Gevork Simdjian
- A) **Board Letter – COUNTYWIDE CLASSIFICATION ACTIONS TO IMPLEMENT THE FY 2013-14 RECOMMENDED BUDGET AND CLASSIFICATION STUDY RECOMMENDATIONS**  
CEO Class/Comp – Steve Masterson or designee
- B) **Board Letter – RECOMMENDATION TO ADOPT RESOLUTION DELEGATING AUTHORITY TO TRANSFER UNCLAIMED FUNDS TO THE COUNTY GENERAL FUND**  
TTC – Mark Saladino or designee
- C) **Board Letter – AMENDMENTS TO ORDINANCE TITLE 3 – CHAPTER 29 – LOS ANGELES COUNTY COMMISSION ON HIV, FOR THE UNIFICATION OF THE COMMISSION AND THE PREVENTION PLANNING COMMITTEE**  
LAC Commission on HIV – Craig Vincent-Jones or designee
- D) **Board Letter – SEVEN-YEAR LEASE COUNTY COUNSEL AND RR/CC 44509 16<sup>TH</sup> STREET, LANCASTER**  
CEO – William T Fujioka or designee
2. Public Comment
3. Adjournment



County of Los Angeles  
**CHIEF EXECUTIVE OFFICE**

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, California 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA  
Chief Executive Officer

Board of Supervisors  
GLORIA MOLINA  
First District  
MARK RIDLEY-THOMAS  
Second District  
ZEV YAROSLAVSKY  
Third District  
DON KNABE  
Fourth District  
MICHAEL D. ANTONOVICH  
Fifth District

June 4, 2013

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**COUNTYWIDE CLASSIFICATION ACTIONS  
TO IMPLEMENT THE FISCAL YEAR (FY) 2013-2014 RECOMMENDED BUDGET  
AND CLASSIFICATION STUDY RECOMMENDATIONS  
(ALL SUPERVISORIAL DISTRICTS) (3 VOTES)**

**SUBJECT**

This letter and accompanying ordinance will update the County Classification Plan and departmental staffing provisions by adding a new classification, by deleting classifications, by adding two (2) new budget units, by implementing classification actions countywide in conjunction with the FY 2013-2014 Recommended Budget as recommended by the Chief Executive Office, and by reclassifying positions in a County department.

**IT IS RECOMMENDED THAT THE BOARD:**

Approve the accompanying ordinance amending Title 6, Salaries, of the County Code to add one (1) classification in the Department of Health Services (DHS), to delete eight (8) non-represented classifications, to add budget units in the Departments of Fire and Health Services, to update the departmental provisions to reflect positions allocated, deleted and transferred in the FY 2013-2014 Recommended Budget, and to implement the results of classification studies in the Department of Public Works (DPW).

*"To Enrich Lives Through Effective And Caring Service"*

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Intra-County Correspondence Sent Electronically Only***

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The majority of actions recommended in this letter are budget related, and were approved - in concept - by the Board of Supervisors (Board) as part of the FY 2013-2014 Recommended Budget on April 16, 2013. Since that time, we have been working to gather and analyze the required information to determine and allocate the appropriate classification and level of new positions. This letter implements these specific changes to the departmental staffing provisions to be effective July 1, 2013.

The Board's approval of this ordinance will fulfill the Charter requirement to provide, by ordinance, for the number of County employees. It will also provide the authority for County departments to fill new positions allocated in the FY 2013-2014 Recommended Budget, delete positions no longer needed or as a result of curtailments, and make other adjustments as necessary. These recommendations are a routine part of the annual budget process.

The Board has also requested submission of classification letters on a periodic basis throughout the year to facilitate consideration of classification and compensation recommended actions in a timely manner. Approval of these recommendations will provide the ordinance authority for County departments to implement the classification and compensation recommendations in this letter.

These recommendations will ensure the proper classification of positions based upon the duties and responsibilities assigned to these jobs (Attachment B). This is a primary goal of the County's classification and compensation system. Positions reclassified upward are consistent with the class concepts of the proposed classifications.

We are recommending these actions based upon generally accepted principles of classification and compensation. Furthermore, these actions are important in addressing departmental operational needs and in maintaining consistency in personnel practices throughout the County. The proper classification and compensation of positions facilitates good business operations and can reduce the number of costly personnel-related problems.

### New Classification

We are recommending the new classification of Nuclear Medicine Technologist, Special Procedures (Attachment A). This new classification is being created to perform specialized nuclear medicine diagnostic studies using the latest available technology, which requires dual State certifications in order to perform the work.

### Deleted Classifications

We are recommending the deletion of two (2) represented classifications and eight (8) non-represented classifications (Attachment A). The departments that historically used these classes and the Employee Relations Commission (where applicable) have approved the deletion of these vacant classes. In addition, any compensation provisions identified with the classes will be amended accordingly. This recommendation is consistent with the County's strategy to reduce the number of obsolete classifications.

### New Budget Units

In conjunction with the FY 2013-2014 Recommended Budget, new budget units were created in the Departments of Fire and Health Services to include new and transferred ordinance positions.

As part of a reorganization in the Fire Department, we have amended the staffing provision to reflect the new budget unit (6.76.017 – Leadership and Professional Standards – Positions).

In addition, the Board approved the creation of the Electronic Health Record Information System in DHS, on January 22, 2013, for monitoring and tracking purposes. Accordingly, we have amended the DHS staffing provision to reflect this new budget unit (Section 6.78.080 – Electronic Health Record Information System – Positions).

### Reclassifications

Based upon individual position studies, we recommend that two (2) positions in DPW be reclassified (Attachment B). The assigned duties, responsibilities, and/or utilization of these positions have changed since the original allocations were made. The positions would be more appropriately classified to the recommended classes.

### **Implementation of Strategic Plan Goals**

Approval of the accompanying ordinance will further the County Strategic Plan, Workforce Excellence and Organization Effectiveness Goals, to improve the quality of the workforce, to achieve departmental operational needs, and to maintain consistency in personnel practices throughout the County.

### **FISCAL IMPACT/FINANCING**

The cost of and financing for the new positions allocated in the budget have been included in the FY 2013-2014 Recommended Budget. The projected budgeted cost for the two (2) budgeted positions in DPW that will be reclassified is estimated to total \$11,819 (all funds) and there is no estimated net County cost. The cost increases associated with the upward reclassification actions will be absorbed within the Board's adopted budget for DPW. No additional funding is required.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Pursuant to Article III, Section 11(3) of the Charter of the County of Los Angeles, the Board of Supervisors is "to provide, by ordinance, for the number of assistants, deputies, clerks, attaches, and other persons to be employed from time to time in the several offices and institutions of the County, and for their compensation and the times at which they shall be appointed." The County Charter also authorizes the establishment and maintenance of "a classification plan and the classification of all positions." This responsibility is further delineated in Civil Service Rule 5.

The accompanying ordinance implementing amendments to Title 6, Salaries, of the County Code has been approved as to form by County Counsel.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Your approval of these recommendations will enable departments to effect personnel actions associated with the recently approved budget for FY 2013-2014 and various classification studies. Ultimately, this will enhance the quality of services provided to the public and the operational effectiveness of the departments.

Respectfully submitted,

WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:BC:JA  
AE:KP:ra

Attachments (2)

c: Director of Personnel  
Executive Officer, Board of Supervisors  
County Counsel  
Auditor-Controller  
Affected Departments

**CLASSIFICATION RECOMMENDED  
FOR ADDITION TO THE CLASSIFICATION PLAN**

<b>Proposed Savings/ Cafeteria Benefit Plan</b>	<b>Item No.</b>	<b>Title</b>	<b>Salary Schedule &amp; Level</b>
Horizons/ Options	5809	Nuclear Medicine Technologist, Special Procedures	NM 91B

**REPRESENTED CLASSIFICATIONS  
RECOMMENDED FOR DELETION**

<b>Item No.</b>	<b>Title</b>
4221	Chief, Industrial Waste Planning and Control
1266	Parking Meter Collector

**NON-REPRESENTED CLASSIFICATIONS  
RECOMMENDED FOR DELETION**

<b>Item No.</b>	<b>Title</b>
4548	Administrative Deputy, Public Health
3574	Chief, Clinical Engineering, Medical Center
8704	Chief Vocational Services, Rancho
8866	Contracts Analyst, Beaches and Harbors
5449	Medical Director II, MD
5450	Medical Director II, MD (UC)
5452	Medical Director III, MD (UC)
1873	Personnel Officer, Medical Center

**ATTACHMENT B**

**RECOMMENDATIONS FOR POSITION RECLASSIFICATION**

**DEPARTMENT OF PUBLIC WORKS**

<b>Number of Positions</b>	<b>Present Classification and Salary</b>	<b>Classification Findings and Salary</b>
<b>Human Resources Division</b>		
1	Secretary II Item No. 2095A NMV 69H Represented	Secretary III Item No. 2096A NMV 71H Represented
<b>Fleet Logistics and Compliance Division</b>		
1	Senior Secretary II Item No. 2101A NM 77K Non-Represented	Senior Secretary IV Item No. 2103A NM 81K Non-Represented

In conjunction with a departmental reorganization, the positions noted above are being recommended for reclassification. The subject Secretary II position is assigned to the Human Resources Management Section 4, where it reports to an Administrative Services Manager III. Reclassification was recommended to maintain consistency of the level of secretarial support to the level of manager. Therefore, we recommend upward reclassification to Secretary III.

The subject Senior Secretary II position is assigned to the newly created Fleet Logistics and Compliance Division and provides full-time secretarial support to the Assistant Deputy Director, Public Works. Reclassification was recommended to maintain consistency of the level of secretarial support to the level of manager. Therefore, we recommend upward reclassification to Senior Secretary IV.

June 4, 2013

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**RECOMMENDATION TO ADOPT RESOLUTION DELEGATING  
AUTHORITY TO TRANSFER UNCLAIMED FUNDS  
TO THE COUNTY GENERAL FUND**

**ALL DISTRICTS  
(3 VOTES)**

**SUBJECT**

This recommendation is for the Board to adopt the Resolution delegating to the County Treasurer the authority to transfer certain unclaimed funds to the County's general fund.

**IT IS RECOMMENDED THAT YOUR BOARD:**

Adopt the Resolution delegating to the County Treasurer the authority to transfer to the County's general fund individual items of unrestricted funds in the amount of \$5,000 or less, which have been unclaimed in the County Treasury for three years, following public notice in a newspaper publication; individual items less than \$15 and individual items of any amount in which the depositor's name is unknown, which have been unclaimed for one year.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Prior to January 1, 2012, California Government Code Section 50057 allowed the Board of Supervisors, by resolution, to authorize the County Treasurer to perform on its behalf any act required or authorized to be performed by it under Sections 50050, 50053, and 50055, including the transfer of unclaimed funds in the amount of \$1,000 or less to the County's general fund, if the funds were not claimed after publication of notice. Your Board previously granted the County Treasurer this authority on July 28, 2005.

Effective January 1, 2012, California Government Code Section 50057 was revised to allow the Board of Supervisors, by resolution, to authorize the County Treasurer to transfer, on the Board's behalf, unclaimed funds in the amount of \$5,000 or less to the County's general fund. As required under Section 50057, the County Treasurer will notify the County Auditor-Controller of funds transferred under this delegated authority. The County Treasurer will continue to request Board approval to transfer unclaimed funds for items that are greater than \$5,000 to the County's general fund on an annual basis.

The County Treasurer, in cooperation with the County Auditor-Controller, has established standardized countywide procedures for the transfer of unclaimed funds to the County Treasurer for publication and processing. The delegation of the authority to the County Treasurer to transfer unclaimed funds in the amount of \$5,000 or less to the County's general fund will facilitate timely processing and transfer of unclaimed funds.

#### **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

This action supports the County's Strategic Plan Goal #2 of Fiscal Sustainability.

#### **FISCAL IMPACT/FINANCING**

No fiscal impact from this action.

#### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

California Government Code Section 50057, effective January 1, 2012, allows the Board of Supervisors, by resolution, to authorize the County Treasurer to transfer, on the Board's behalf, individual items of unclaimed funds in the amount of \$5,000 or less to the County's general fund. County Counsel concurs with the recommendation and has approved the attached Resolution as to form.

#### **IMPACT ON CURRENT SERVICES**

Not applicable.

#### **CONCLUSION**

It is requested that your Board adopt the attached Resolution, as prepared and approved as to form by County Counsel, delegating the authority to transfer unclaimed funds in the amount of \$5,000 or less to the County's general fund.

The Honorable Board of Supervisors  
June 4, 2013  
Page 3

Respectfully submitted,

MARK J. SALADINO  
Treasurer and Tax Collector

MJS:NI:EBG:rkw

Attachment

c: Chief Executive Officer  
Executive Officer, Board of Supervisors  
Auditor-Controller  
County Counsel

**RESOLUTION DELEGATING**  
**AUTHORITY TO TRANSFER UNCLAIMED FUNDS**  
**TO THE COUNTY GENERAL FUND**

WHEREAS, unclaimed funds are on deposit with the County Treasurer pursuant to Government Code Sections 50050 *et seq.*; and

WHEREAS, California Government Code Section 50057 allows the Board of Supervisors to authorize the County Treasurer to perform on its behalf any act required or authorized to be performed by the Board under Government Code Sections 50050, 50053, and 50055, for individual items in the amount of five thousand dollars (\$5,000) or less;

WHEREAS, any resolution adopted pursuant to California Government Code Section 50057 shall also require the County Treasurer to be required to inform the Auditor-Controller of each act performed under the authorization;

NOW, THEREFORE, BE IT RESOLVED: That pursuant to the provisions of Section 50057 of the California Government Code, the Board of Supervisors of the County of Los Angeles delegates to the County Treasurer the responsibility to exercise the duties under Government Code Sections 50050, 50053, and 50055, for individual items in the amount of five thousand dollars (\$5,000) or less, and directs the County Treasurer to inform the Auditor - Controller of each act performed under this authorization.

The foregoing Resolution was on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, adopted by the Board of Supervisors of the County of Los Angeles, and Ex-Officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

County of Los Angeles

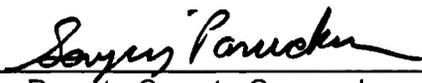
By: \_\_\_\_\_  
Chair, Board of Supervisors

Attest: Sachi A. Hamai  
Executive Officer-Clerk of  
the Board of Supervisors

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

APPROVED AS TO FORM:  
BY COUNTY COUNSEL

JOHN F. KRATTLI  
County Counsel

By:  \_\_\_\_\_  
Deputy County Counsel



## **LOS ANGELES COUNTY COMMISSION ON HIV**

3530 Wilshire Boulevard, Suite 1140 • Los Angeles, CA 90010 • TEL (213) 738-2816 • FAX (213) 637-4748  
www.hivcommission-la.info

June 4, 2013

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**AMENDMENTS TO ORDINANCE TITLE 3—CHAPTER 29,  
LOS ANGELES COUNTY COMMISSION ON HIV,  
FOR THE UNIFICATION OF THE COMMISSION AND  
THE PREVENTION PLANNING COMMITTEE  
(ALL SUPERVISORIAL DISTRICTS) (3 VOTES)**

**SUBJECT**

Approval of the recommended amendments to Los Angeles County Code Title 3—Chapter 29 will unite the Los Angeles County Commission on HIV (“Commission”) and the Prevention Planning Committee (“PPC”) into a single HIV and STD planning body, and will authorize stipends for the Commission’s unaffiliated consumer members for their service on the planning body.

**IT IS RECOMMENDED THAT YOUR BOARD:**

- 1) Introduce, waive reading, and approve the Ordinance amending County Code Title 3—Chapter 29, Commission on HIV, to update the Ordinance language, unite the Commission and the PPC, and authorize stipends for the Commission’s unaffiliated consumer members, and
- 2) Adopt the Ordinance.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purposes of the proposed amendments are to:

- 1) Revise the language to unify the Commission and the PPC, previously two separate community health planning bodies both addressing HIV care and treatment and HIV prevention, respectively;
- 2) Adapt the Commission’s policies, procedures, processes and operations to an expanded scope of work addressing HIV and STD prevention, control, linkage, care and treatment;

- 3) Detail new duties for the Commission as it assumes additional HIV prevention and STD planning responsibilities;
- 4) Adjust membership seats and member requirements, and add six (6) voting members to comply with both Ryan White legislation and CDC planning guidance; and
- 5) Authorize stipends for the Commission's unaffiliated consumer members, who are, by definition, low-income, for their service on the Commission in accordance with established and approved performance requirements.

The federal Ryan White Program is the largest source of federal, non-entitlement funding for care and treatment services for people with HIV. The Ryan White Program is administered by the Health Resources and Services Administration ("HRSA") in the US Department of Health and Human Services ("DHHS"). Ryan White funding is awarded for different purposes, which have been defined by "Parts." Part A funding is awarded to urban jurisdictions most impacted by HIV, called Emergency Metropolitan Areas ("EMAs") or Transitional Grant Areas (TGAs). As the EMA with the second highest HIV prevalence in the country, Los Angeles County receives the second largest Part A grant award annually. Ryan White legislation requires EMAs to establish "HIV health services planning councils," and endows the planning councils with multiple responsibilities, including, but not limited to, priority- and allocation-setting, and developing a continuum of care, a comprehensive HIV plan, and standards of care. In Los Angeles County, the Commission on HIV serves as the Part A planning council.

The Centers for Disease Control and Prevention ("CDC"), also in DHHS, manages the federal government's financial support for HIV and STD prevention services. The CDC administers grants for HIV prevention services to states and ten (10) "directly-impacted" jurisdictions, including Los Angeles County. In prior years, Community Planning Groups ("CPGs") in the directly-impacted jurisdictions were charged with recommending resource allocations for HIV prevention activities to the local health department, and for creating a local five-year prevention plan. Los Angeles County's PPC has historically served that role. Last year, the CDC issued new planning guidance that relaxed CPG requirements and re-named community-based planning bodies to HIV Planning Groups (HPGs). The new guidance also imposed new, more prescriptive HIV prevention allocation requirements on the local health departments.

The unification of the Commission and the PPC corresponds with national and international recognition that an effective HIV strategy can no longer be "siloed" into separate care/treatment and prevention responses. In 2011, Edward Gardner MD, Associate Professor of Medicine, Denver Public Health, University of Colorado Denver, introduced a new, evidenced-based treatment model (the "treatment cascade"), demonstrating that early testing and linkage to care (prevention) can result in greater treatment adherence and retention in care (care/treatment), which leads to individual viral suppression, lowered community viral loads, and reduced risk of HIV exposure/ infection. The "treatment cascade" has rapidly become HIV best practice, establishing "treatment as prevention": the more effective the prevention effort, such as HIV testing, the more likely patients can maintain undetectable viral loads, which, in turn, reduces transmissibility of HIV in the community. Similarly, some of the most promising

prevention strategies, such as Post-Exposure Prophylaxis (PEP) and Pre-Exposure Prophylaxis (PrEP), are biomedical interventions and must be offered concurrently with care and treatment services. A testing and linkage to care/treatment strategy planned and delivered in a fully integrated fashion will reduce HIV transmission and improve health outcomes—both goals in the National HIV/AIDS Strategy (NHAS)—most effectively. Likewise, Los Angeles County’s HIV response will never be complete until it also addresses other factors that accelerate HIV transmission in our communities, such as Sexually Transmitted Diseases (STDs), substance use, mental health and homelessness.

The recommended amendments to County Code Title 3, Chapter 29 (Commission on HIV) represent necessary modifications to Commission membership, responsibilities, operations and practices to enable the unification of the Commission and the PPC. For more than a decade, the Commission and the PPC have worked as complementary planning bodies engaging the HIV stakeholder community on HIV care and treatment, and HIV prevention, issues respectively. Although combining the two bodies has been proposed in the past, the processes, operations, responsibilities and cultures of the Commission and the PPC were too divergent to plan beyond conceptual consideration. Changes in the CDC’s recent guidance have provided a renewed opportunity to unite the two planning bodies for a county-wide, integrated HIV response.

In 2011, the Commission and the PPC formed an Integrated Commission/PPC Comprehensive HIV Planning (“CHP”) Task Force to combine the comprehensive care and prevention plans, required by HRSA and CDC guidance, respectively. Approved by both bodies on March 7, 2013, the final Los Angeles County Comprehensive HIV Plan 2013–2017 integrates HIV care/treatment and prevention strategies into a single continuum of HIV services for the first time, and is one of the first integrated plans in the country. Following development of the plan, at the Joint Commission/PPC Annual Meeting on October 11, 2012, the two planning bodies agreed unanimously to proceed with unification of the planning groups. In December 2012, HRSA funded a Technical Assistance (TA) consultant for the Commission to facilitate the transition to a single HIV planning body and to ensure the single planning body’s continued adherence to Ryan White/HRSA and CDC requirements. The consultant spent approximately two (2) months working with the CHP Task Force to amend relevant County Code provisions, restructure membership, reorganize the Commission’s operations, revise the new body’s bylaws, plan for membership recruitment, and consolidate the two bodies’ policies, procedures and work plans. The recommended amendments to the Ordinance and the unification plan were approved unanimously by both bodies on March 7, 2013. HRSA intends to publish the unification process the Commission and PPC use as guidance for other EMAs/TGAs in the country.

The Commission’s new membership structure meets the combined requirements of Ryan White legislation/HRSA guidance and CDC guidance, and consolidates the Commission’s 45 seats and the PPC’s 20 seats into 51 seats in the new body’s membership structure—an addition of six (6) voting members to the Commission’s current membership. Within the new membership, all Ryan White and CDC mandates are fulfilled; there is balanced representation of all County geographic boundaries, stakeholder constituencies, and HIV status; required ethnic and gender

diversity goals are met; and a range of skills, experience and knowledge recommended by HRSA and the CDC will be represented among the members. Each Board office maintains a representative seat in the new membership. In addition, the definition of “consumer” has been expanded to include both HIV-positive patients in HIV care and HIV-positive and -negative users of prevention services.

New Commission responsibilities resulting from the unification are: 1) annual monitoring of the comprehensive HIV plan, including its effectiveness; 2) prioritizing prevention activities and allocating resources to them in concert with care and treatment services; 3) enhanced community education and dissemination efforts; 4) planning, coordinating and incorporating STD services and strategies for other co-morbidities and social determinants into an integrated continuum of HIV services; and 5) an annual report updating the Board of Supervisors on progress towards ending the HIV epidemic in Los Angeles County.

Concurrently, an amendment to Section 3.28.080 authorizes the Commission to pay monthly stipends to its unaffiliated consumer members, who are, by definition, low-income users of the County’s HIV services. Unlike most County commissions, the Commission on HIV does not currently pay any of its members stipends for their service on the Commission. Ryan White legislation mandates that a third of a planning council’s membership must be unaffiliated consumers—yet participating on a planning council can be a significant financial hardship and prevents consumers from full involvement. Monthly stipends for their service will mitigate the financial burden of their public service commitment and help the Commission fulfill HRSA’s one-third unaffiliated consumer membership requirement. Failure to meet that requirement could jeopardize the County’s annual Ryan White grant award. Accordingly, as noted below, the stipends will be paid from DPH’s NCC funds.

The Commission will pay the stipends to eligible members according to an approved policy that requires them to sign “compensation agreements” and meet monthly performance thresholds, which are outlined in the policy and agreement. At present, Commissioners will be paid \$100/month and Alternates \$50/month as long as they attend at least 70% of required meetings, fulfill training and membership requirements, and perform the duties described in their duty statements. Any future revisions to the policy or agreement, the performance expectations, and/or the stipend amounts by the Commission will be forwarded to the Board of Supervisors. Not all unaffiliated consumer members will qualify for the stipends or choose to accept them.

Although Ryan White legislation prohibits use of Ryan White funds for this purpose, consumer stipends paid by alternate resources are a common practice in planning councils across the country, as are payment of stipends to members on other commissions in LA County. It is projected that monthly stipends for unaffiliated Commissioners and Alternates will cost a maximum of \$25,000 annually. Fewer consumer members, some of them not accepting the stipends, and the degree to which they meet the established performance thresholds would all be factors resulting in decreased stipend expenditures.

### **FISCAL IMPACT/FINANCING**

The recommended actions will have no net fiscal impact on the aggregate allocations or distribution of the Ryan White Program or CDC funds for HIV services.

The unification will have no fiscal impact on the County because a portion of the CDC funds currently expended for PPC operations will be transferred to the Commission's operational budget. This action will likely result in net administrative savings for the County's HIV community health planning activities.

The recommended compensation to be paid to Commission unaffiliated consumer members will have no net fiscal impact on the County because the stipends will be paid through a small portion of the NCC allocation to DPH.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The proposed Ordinance amendments will unite the Commission and PPC into a single, integrated HIV community health planning body; will update the Ordinance language for consistency with current Ryan White, HRSA and CDC requirements and guidance; will include additional responsibilities to address comprehensive HIV and STD planning; will restructure the membership to fulfill Ryan White/HRSA and CDC requirements and meet the needs of the HIV prevention, care and treatment stakeholder communities; and will authorize the Commission to compensate its unaffiliated consumer members for their service.

It is recommended that your Board approve the following Ordinance revisions by:

- 1) amending Section 3.29.010 (Definitions) to update and add definitions;
- 2) amending Section 3.29.030 (Membership) to restructure the Commission's membership to ensure full representation of HIV and STD prevention and care/treatment interests consistent with Ryan White/HRSA and CDC requirements and guidance;
- 3) amending Section 3.29.040 (Alternate members) to update language;
- 4) amending Section 3.29.045 (Nominations) to update language;
- 5) amending Section 3.29.046 (Conflict of Interest) to clarify language and include appropriate references to Ryan White legislation, CDC and prevention activities;
- 6) amending Section 3.29.050 (Term of Service) to stipulate staggered one- and two-year terms for the initial membership and staggered two-year terms thereafter, and to reflect current operational practices;
- 7) amending Section 3.29.060 (Meetings and committees) to modify the membership of the Commission's executive committee, and to reflect current operational practices;
- 8) amending Section 3.29.080 (Compensation) to authorize stipends for the Commission's unaffiliated consumer members, by definition low-income, in accordance with Commission-approved policy and procedure;

- 9) amending Section 3.29.090 (Duties) to expand Commission responsibilities due to unification of two HIV planning bodies into an integrated HIV community planning organization;
- 10) amending Section 3.29.095 (Grievance procedure) to ensure consistency with CDC guidance; and
- 11) amending Section 3.29.100 (Commencement date) to end the current Commission tenure and conclude current Commission member terms at the new body's first meeting, and to stipulate that the new members' initial terms will be staggered by lot into one- and two-year terms.

The County's Chief Executive Office (CEO), County Counsel and the Department of Public Health (DPH) concur with the recommended amendments to the Ordinance.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The recommended amendments to the Ordinance will ensure more responsive allocation, service and policy decision-making by the Commission as it begins to comprehensively plan HIV and STD prevention, control, linkage, care and treatment responses in the midst of significant transformation in both HIV service delivery and health care financing.

**CONCLUSION**

The amendments to County Code Title 3—Chapter 29 will enable the Commission to continue advancing innovations and improvements to Los Angeles County's system of HIV service delivery in a rapidly evolving healthcare environment.

Respectfully submitted,



Craig A. Vincent-Jones, MHA  
Executive Director, Los Angeles County Commission on HIV

Enclosure (proposed amendments to Title 3—Chapter 29, Los Angeles County Code)

- c: Executive Officer of the Board
- County Counsel
- Auditor-Controller
- Audit Committee
- Director, Department of Public Health
- Director, Department of Health Services
- File

## **ANALYSIS**

This ordinance amends Title 3 – Advisory Commissions and Committees of the Los Angeles County Code, Chapter 29, relating to the Commission on Human Immunodeficiency Virus (HIV).

The purposes of the amendments are to correct, update and clarify the language of Title 3, Chapter 29 of the Los Angeles County Code to reflect current usage; to unify the Commission on HIV with the Prevention Planning Committee for more efficient planning for the delivery of services; to adapt the Commission's policies and procedures to address HIV and STD prevention, care and treatment; to adjust membership seats, membership requirements and to add six voting members, to accommodate the unification, in compliance with federal law and guidelines; and to authorize stipends for the Commission's unaffiliated consumer members.

JOHN F. KRATTLI  
County Counsel

By  
DIANE C. REAGAN  
Principal Deputy County Counsel  
Health Services Division

DCR:vn

Requested: 03/12/13  
Revised: 05/8/13

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

An ordinance amending Title 3 – Advisory Commissions and Committees of the Los Angeles County Code, relating to the Commission on Human Immunodeficiency Virus (HIV).

The Board of Supervisors of the County of Los Angeles ordains as follows:

**SECTION 1.** Section 3.29.010 is hereby amended to read as follows:

**3.29.010 Definitions.**

A. “Administrative agency” indicates the Division of HIV and STD Programs (DHSP), Department of Public Health (DPH) and the County of Los Angeles.

B. “Administrative mechanism” refers collectively to the partnership of the Board of Supervisors, the Commission, grantee and administrative agency, and other participants in the Ryan White-funded service delivery system.

C. “AIDS” means Acquired Immune Deficiency Syndrome, and is a diagnosis of late-stage HIV disease.

D. “Allocations” are the funds to be expended for HIV services and related purposes to be determined by the Commission.

E. “Candidate” refers to a person who has submitted a completed membership application and is seeking appointment to the Commission.

F. “Centers for Disease Control and Prevention (CDC)” is the federal agency that manages HIV and STD prevention programs, surveillance and related communicable disease and co-morbidity activities.

G. “Community Health Center (CHC)” or “Federally Qualified Health Center (FQHC)” is a public or community-based medical clinic that provides primary care

services to low-income populations through Section 330 of the Public Health Service Act.

HF. “Consumer” is an HIV-positive and/or AIDS-diagnosed individual who uses Ryan White-funded services or is the caretaker of a minor with HIV/AIDS who receives those services, or an HIV-negative prevention services client.

IG. “Continuum of HIV Services~~care~~” is the local operational strategy for providing high-quality HIV prevention, counseling and testing, linkage, and care and treatment services in response to ~~HIV consumer~~the needs of those living with and risk for HIV.

J. "Division of HIV and STD Programs (DHSP)" is the administrative agency within DPH to whom DPH delegates authority for the administration of HIV and STD programs and surveillance.

KH. “Eligible Metropolitan Area (EMA)” is a jurisdiction eligible to receive Ryan White Part A funds; the County of Los Angeles is the local EMA.

LF. “Executive director” is the executive staff member of the Commission.

MJ. “Grantee” indicates the Department of Public Health (DPH), County of Los Angeles, which receives federal, state and county funding for HIV services.

NK. “Health Resources and Services Administration (HRSA)” is the federal agency that manages and administers the Ryan White program nationally, including the use of Ryan White funds.

OL. “HIV” means Human Immunodeficiency Virus.

PM. “HIV disease” ~~is the~~means disease caused by~~due to~~ HIV infection, including AIDS.

Q. "HIV Health Services Planning Council (Planning Council)" is the term used in Ryan White legislation that refers to the local community planning body for HIV care and treatment services.

R. "HIV Planning Group (HPG)" is the term used in CDC HIV Planning Guidance that refers to the local community planning body for HIV prevention services.

S. "HIV Planning Guidance" details CDC's planning and prevention service delivery requirements and expectations for HPGs and local health departments.

TN. "Nominating body" refers to the Commission in its role of designating candidates as nominees for appointment to the Commission by the Board of Supervisors.

UQ. "Open nominations" refers to the process, requirements and guidelines developed by HRSA, and consistent with the CDC's HIV Planning Guidance, governing how Part A planning councils identify, select and nominate their members.

VP. "Organization" refers to service agencies and/or groups or coalitions of people affected by HIV.

W. "Parity, Inclusion and Representation (PIR)" is the CDC principle to ensure that all HPG members can participate equally (parity), that the planning process actively includes a diversity of views, perspectives and stakeholders (inclusion), and that HPG members should represent the range of ethnicities, gender, backgrounds and other characteristics of people affected by HIV (representation).

XQ. "Part A" refers to the Ryan White grant funds awarded to EMAs from which the County of Los Angeles directly receives its largest share of Ryan White resources.

YR. “Part B” refers to the Ryan White grant funds awarded to states, most of which support the statewide AIDS Drug Assistance Program (ADAP), and a portion of which the State of California disburses to the County of Los Angeles.

~~S.~~ “~~Planning council~~” refers to the ~~Commission in its role as the local HIV community planning organization mandated by Ryan White legislation for EMAs.~~

~~ZF.~~ “Priorities” are service categories, ranked in order of consumer need and importance that guide to which the Commission in the allocation of financial may allocate resources.

AAU. “Provider” is an agency/organization that provides HIV care, treatment and/or prevention services in the EMA, and may or may not be supported by Ryan White, CDC, state, county or other funding.

BBV. “Recommending entity” is an organization, agency, institution, entity or person entitled to propose candidates for consideration as nominees for appointment to the Commission pursuant to 3.29.030.

CC. “Representation and Reflectiveness” are Ryan White legislative requirements for a planning council's membership to include members who represent specific interests identified in the legislation (representation), and that the planning council membership and its subset of unaffiliated consumer members reflect the ethnic, racial and gender proportions of local HIV prevalence (reflectiveness).

DDW. “Ryan White” is the program providing the largest non-entitlement source of federal funding for HIV care and treatment services, as authorized by the Ryan White Treatment Extension Act of 2009.

EEX. "Service Planning Area (SPA)" is one (1) of eight (8) subdivided areas of the County intended to facilitate and improve local service and healthcare planning.

FF. "Sexually Transmitted Disease(s) (STDs)" are an assortment of communicable infections and diseases that are primarily transmitted through sexual relations or contact.

GGY. "Stakeholder" is any party receiving or providing HIV services or affected by HIV.

HHZ. "Unaffiliated consumer" means a HIV-positive user ~~consumer~~ of Ryan White-funded HIV/AIDS services who does not serve in a decision-making capacity (including but not limited to an employee, consultant and/or board of directors member) at any Part A funded organization or agency.

**SECTION 2.** Section 3.29.030 is hereby amended to read as follows:

**3.29.030 Membership.**

All members of the Commission shall serve at the pleasure of the Board of Supervisors. The Commission shall consist of fifty-one (51) ~~forty-five (45)~~ voting members nominated by the Commission and appointed by the Board of Supervisors. Consistent with the HRSA's open nominations process, the following recommending entities shall forward candidates to the Commission for membership consideration:

A. Five (5) ~~Six (6)~~ members who are recommended by the following governmental, health and social service institutions, and among them shall be individuals with epidemiology skills or experience and knowledge of Hepatitis B, C and STDs:

1. Medi-Cal, state of California;
- ~~2. The Office of AIDS, state of California;~~
- ~~3.~~ 23. The city of Pasadena;
- ~~4.~~ 34. The city of Long Beach;
- ~~5.~~ 45. The city of Los Angeles;
- ~~6.~~ 56. The city of West Hollywood.

B. The Director of DHSP, representing the Part A grantee (DPH);

CB. Four (4) Five (5) members who are recommended by Ryan White grantees as specified below or representative groups of direct Ryan White grant recipients in the County, EMA one from each of the following the five parts of the Ryan White program:

- ~~1. Part A (DPH);~~
- ~~2.~~ 12. Part B (State Office of AIDSDPH);
- ~~3.~~ 23. Part C (Part C grantees);
- ~~4.~~ 34. Part D (Part D grantees);
- ~~5.~~ 45. Part F [grantees serving the Countylocal medical schools, such as

the AIDS Education and Training Centers (AETCs) programs and/or local providers receiving Part F dental reimbursements];

D. Eight (8) provider representatives who are recommended by organizations, including providers, in the County and selected to ensure geographic diversity and reflect the epicenters of the epidemic, including:

1. An HIV specialty physician from an HIV medical provider;
2. A CHC/FQHC;
3. A mental health provider;

4. A substance abuse treatment provider;

5. A housing provider;

6. A provider of homeless services;

7. An AIDS Services Organization (ASO) offering federally funded HIV

prevention services;

8. An ASO offering HIV care and treatment services.

E. Seventeen (17) unaffiliated consumers of Part A services, to include:

1C. Eight (8) unaffiliated consumers, each one (1) representing a different Service Planning Area each of the eight (8) (SPAs), and who are recommended by consumers and/or organizations in the SPA;

2D. Five (5) unaffiliated consumers, each one (1) representing each of the five (5) supervisorial districts, who are recommended/nominated from those recommended by consumers and/or organizations in the district;

3E. Four (4) One (1) unaffiliated consumers serving/representing consumer interests in an at-large capacity, regardless of SPA or district origin, to be nominated from those who are recommended by consumers and/or organizations in the County to or who have applied for a seat on the Commission;

F. Five (5) representatives, one (1) each who is recommended by each of the five (5) supervisorial offices;

G. One (1) provider or administrative representative from the Housing Opportunities for Persons with AIDS (HOPWA) program, nominated by the City of Los Angeles Department of Housing;

H. One (1) representative of a health or hospital planning agency, who is recommended by health plans in Covered California;

I. One (1) behavioral or social scientist recommended from among the respective professional communities.

~~JF. Eight (8) provider-representatives of HIV stakeholder communities, one (1) representing each of the eight (8) SPAs nominated from those recommended by providers in the SPA, each of whom may represent one or more of the following categories. The Commission may choose to nominate several people from the same category or to identify a different stakeholder category, depending on identified issues and needs.~~ Among the provider representatives appointed to the Commission, at least one (1) representative must come from:

1. Faith-based entities engaged in HIV prevention and care~~An AIDS service organization (ASO);~~

2. Local education agencies at the elementary or secondary level~~A social service provider;~~

3. Business community~~A mental health provider;~~

4. Union and/or labor~~A substance abuse provider, and~~

5. Youth or youth-serving agencies;

~~6. An organization offering o~~Other federally-funded HIV programs, including HIV prevention programs;

7. Organizations or individuals engaged in HIV-related research;

8. Organizations providing harm reduction services;

9. Providers of employment and training services; and

10. HIV-negative individuals from identified high-risk or special

populations.

~~G. Five (5) representatives, one (1) recommended by each of the five (5) supervisorial offices;~~

~~H. One (1) HIV specialty physician from an HIV medical provider;~~

~~I. One (1) representative from another health care system serving people with HIV;~~

~~J. One (1) representative from the Prevention Planning Committee (PPC);~~

~~K. One (1) representative from the Division of HIV and STD Programs;~~

~~L. One (1) representative from the Department of Health Services, County of Los Angeles;~~

~~M. One (1) representative from the County's HIV surveillance program;~~

~~N. One (1) representative from another County department or office that provides HIV-related services and that is not already represented by one (1) of the seats designated for representatives from specific County departments or offices.~~

In all the above membership categories where not specifically required, recommending entities and the nominating body are strongly encouraged to nominate candidates living with HIV/AIDS disease or members of populations disproportionately affected by the epidemic. Members are expected to report to and represent their recommending entities and constituencies. Members may, at times, represent multiple constituencies.

In accordance with Ryan White ~~Part A planning council~~ and CDC requirements, the Commission shall ensure that its full membership and its subset of unaffiliated

consumer members shall proportionately reflect the ethnic, racial and gender proportions of HIV disease prevalence in the EMA. In accordance with Ryan White requirements, at least one (1) unaffiliated consumer must be co-infected with Hepatitis B or C, and at least one (1) unaffiliated consumer must be recently incarcerated or an advocate for the recently incarcerated.

In forwarding nominations for appointment by the Board of Supervisors, the Commission shall ~~further~~ ensure that its membership fully conforms to Ryan White Part A planning council requirements, ~~as detailed in HRSA's policies and guidance on representation, reflectiveness and consumer membership, and CDC HPG requirements on Parity, Inclusion and Representation.~~

**SECTION 3.** Section 3.29.040 is hereby amended to read as follows:

**3.29.040 Alternate members.**

One (1) alternate may be nominated by the Commission for appointment by the Board of Supervisors for each member who has disclosed that he/she is living with HIV/AIDS disease. An alternate shall attend meetings of the Commission and vote in the absence of the person for whom he/she is designated as an alternate. Nominations of the alternates shall be made from the pool of candidates recommended for membership. The Commission shall ensure that the composition of alternate members conforms to any Part A planning council requirements which apply to alternates.

**SECTION 4.** Section 3.29.045 is hereby amended to read as follows:

**3.29.045 Nominations.**

Nominations for membership shall be conducted through an open process and candidates selected based on delineated and publicized criteria which include a conflict

of interest standard as set out in Section 3.29.046. The Commission shall ~~maintain~~ form a standing operations committee which shall review the composition of the Commission, and conduct broad-based recruitment and initial screening of applicants on an ongoing basis. The operations committee is responsible for the following: processing membership applications; selecting the candidates based on their qualifications to meet general membership and specific seat requirements and in order to help the Commission meet other membership mandates and requirements; and forwarding its membership recommendations to the Commission for nomination. Upon approval by the Commission, candidate nominations are sent to the Board of Supervisors for its consideration for appointment to the Commission. This process will be conducted prior to expiration of membership terms and during the year in the event of mid-term vacancies.

**SECTION 5.** Section 3.29.046 is hereby amended to read as follows:

**3.29.046 Conflict of interest.**

A. Ryan White legislation requires ~~certain~~ specified constituencies and entities to be represented on the Commission. Ryan White legislation also requires the Commission to establish priorities and allocate funds within the EMA. Therefore, Commission members, regardless of their private affiliations, may participate in the process to determine funding priorities and ~~allocations~~ allocations of Ryan White Part A and B and HIV prevention funding in percentage and/or dollar amounts to various service categories or other types of activities, with the following limitations: as specified in Section 2602(b)(5) (42 U.S.C. § 300ff-12) of Ryan White legislation, the Commission shall not be involved directly or in an advisory capacity in the administration of

Ryan White, CDC or other funds and shall not designate or otherwise be involved in the selection of particular entities as recipients of those grant funds.

B. All members and alternates of the Commission and participants in the Commission's community planning process shall act in accordance with the Commission's adopted code of conduct, which includes adherence to conflict of interest rules and requirements.

**SECTION 6.** Section 3.29.050 is hereby amended to read as follows:

**3.29.050 Term of service.**

A. All members and alternates shall serve at the pleasure of the Board of Supervisors. Any member whose employment, status or other factors no longer fulfill the requirements of the membership seat to which he/she was appointed shall be removed from the Commission as determined by the Board of Supervisors.

B. At the first meeting of the HIV Commission in 2013, after this ordinance is effective, the terms of the current members of the Commission on HIV and the Prevention Planning Committee (PPC) will expire, and the members of the newly enacted Commission on HIV (created by the unification of the Commission on HIV and the Prevention Planning Committee) will be seated. The Commission shall classify its members by lot so that twenty-five (25) members' terms will expire after one (1) year and twenty-six (26) will expire after two (2) years. Thereafter, each membership term shall be two (2) years~~The term of each member shall be two (2) years.~~

C. No member may serve on the Commission for more than two (2) full consecutive terms, unless waived by the Board of Supervisors.

D. All members shall complete and submit renewal applications prior to the expiration of their respective terms. However, a member may continue serving in the seat, beyond term expiration, until such time as the member has resigned, is replaced or the seat is vacated by the executive director in consultation with the co-chairs and the operations committee.

ED. In addition to their Commission service, members are required to serve on at least one (1) of the Commission's standing committees.

EE. During the course of a year, absence from any combination of six (6) regularly scheduled Commission meetings and/or regularly scheduled meetings of the committee to which the member has been assigned may result in the Board of Supervisors removing the member from the Commission. Reinstatement or replacement may occur with subsequent nomination from the Commission and appointment by the Board of Supervisors. An alternate's attendance in a member's place is considered attendance by the member at the meeting.

**SECTION 7.** Section 3.29.060 is hereby amended to read as follows:

**3.29.060 Meetings and committees.**

A. The Commission shall meet at least ten (10) times a year.

B. The Commission shall establish an executive committee to set agendas for meetings, and conduct business between Commission meetings. The executive committee shall include the Director of DHSP or his/her permanent designee~~Director of the Los Angeles County Division of HIV and STD Programs,~~ the co-chairs of the Commission, and three (3) at-large members elected by the Commission, ~~and the chairs of the standing committees that the Commission establishes.~~ For purposes of

this subsection, the authority of the executive committee to conduct business shall include acting on behalf of the Commission in time-sensitive circumstances, which action(s) shall be ratified by the Commission at its next regularly scheduled meeting.

C. In addition to the executive and operations committees, the Commission may establish other standing committees in its bylaws in order to carry out its mission and responsibilities. The Commission may also create other working groups, as allowed by its policies and procedures.

DG. On a semi-annual basis, the Board of Supervisors shall be notified of member attendance at Commission meetings and meetings of standing committees.

ED. As needed by committees and appropriate for added professional expertise, ~~and/or~~ as a means of further engaging community participation in the planning process, and/or as necessary to meet the requirements of the CDC HIV Planning Guidance, the Commission is empowered to nominate candidates who are not commission members for appointment by the Board of Supervisors as members of the Commission's established standing committees. The term of each such member shall be two (2) years.

F. Commission meetings shall be chaired by the Commission's two (2) co-chairs, with the support of the executive director and staff. The co-chairs shall be elected by the Commission and have staggered two (2) year terms.

**SECTION 8.** Section 3.29.080 is hereby amended to read as follows:

**3.29.080 Compensation.**

When required to travel outside the county in performance of commission duties, members may be reimbursed from Ryan White or other funds for necessary travel

expenses, including transportation, meals and lodging. To be reimbursable, such travel must receive prior written approval from the executive director or his/her designee.

Corresponding with Ryan White legislation and HRSA and CDC guidelines, members of the Commission may also be reimbursed for local travel and mileage, meals associated with Commission business, child care during Commission activities, and computer-related expenses if those costs were incurred in the performance of commission-related duties. ~~The Commission may, rather than reimburse for those expenses, make arrangements to provide those services directly to members or obtain alternate funding for member stipends.~~

The Commission may also provide these services directly to members and/or pay monthly stipends to unaffiliated consumer members of Ryan White Part A services or HIV-negative individuals from identified high-risk or special populations who, if positive, would be eligible for Ryan White services, provided that the stipends are not paid with Ryan White funds. Eligible members must maintain a required level of participation and other performance requirements, as defined in Commission policy.

The Commission will establish and the executive director will ~~establish and~~ implement procedures for eligibility and utilization of the foregoing described reimbursements, member services and/or stipends, including stipend amounts of at least \$25 and no more than \$150 per month as determined by Commission policy and reported to the board.

**SECTION 9.** Section 3.29.090 is hereby amended to read as follows:

**3.29.090 Duties.**

Consistent with Section 2602(b)(4) (42 U.S.C § 300ff-12) of Ryan White legislation, HRSA guidance, and requirements of the CDC HIV Planning Guidance, The Commission is authorized to:

A. Develop a comprehensive HIV plan, that is based on assessment of service needs and gaps, includes a defined continuum of HIV services; monitor the implementation of that plan; assess its effectiveness; and collaborate with DHSP to update the plan on a regular basis;~~a continuum of care, and standards of care for the organization and delivery of HIV care, treatment and prevention services, consistent with Section 2604 (42 U.S.C. § 300ff-12) of Ryan White legislation and HRSA guidance;~~

B. Develop standards of care for the organization and delivery of HIV care, treatment and prevention services;

~~CB.~~ Establish priorities and allocations of Ryan White Part A and B and CDC prevention funding in percentage and/or dollar amounts to various services categories; review the grantee' s allocation and expenditure of these funds by service category or type of activity for consistency with the Commission' s established priorities, allocations and comprehensive careHIV plan, without the review of individual contracts; provide and monitor directives to the grantee on how to best meet the need and other factors that further instruct service delivery planning and implementation; and provide assurances to the Board of Supervisors and HRSA verifying that service category allocations and expenditures are consistent with the Commission' s established priorities, allocations and comprehensive careHIV plan;

~~DC.~~ Evaluate service effectiveness and assess the efficiency of the administrative mechanism, in accordance with Part A and HRSA grant requirements,

with particular attention to outcome evaluation, cost effectiveness, rapid disbursement of funds, compliance with commission priorities and allocations, and other factors relevant to the effective and efficient operation of the local EMA' s delivery of HIV services;

E. Plan and develop HIV and public health service responses to address the frequency of HIV infection concurrent with STDs and other co-morbidities; deploy those best practices and innovative models in the County's STD clinics and related health centers; and strategize mechanisms for adapting those models to non-HIV-specific platforms for an expanded STD and co-morbidity response;

FD. Study, advise and recommend to the Board of Supervisors, the grantee and other departments' policies and other actions/decisions on matters related to HIV/AIDS;

G. Inform, educate, and disseminate information to consumers, specified target populations, providers, the general public, and HIV and health service policy makers to build knowledge and capacity for HIV prevention, care, and treatment; and actively engage individuals and entities concerned about HIV;

HE. Report to the Board of Supervisors on an annual basis, no later than the anniversary date of the adoption of the ordinance, describing Los Angeles County's progress in ending HIV as a threat to the health and welfare of Los Angeles County residents, with indicators determined by the Commission in collaboration with DHSP;  
Mmake other reports as necessary to the Board of Supervisors, the grantee and other departments on HIV-related matters referred for review by the Board of Supervisors, the grantee or other departments;

IF. Act as the planning body for all HIV/AIDS programs in the Department of Public Health or funded by the County; and

JG. Make recommendations to the Board of Supervisors, the grantee and other departments concerning the allocation and expenditure of funding other than Ryan White Part A and B and CDC prevention funds expended by the grantee and the County for the provision of HIV/AIDS-related services.

**SECTION 10.** Section 3.29.095 is hereby amended to read as follows:

**3.29.095 Grievance procedure.**

The Commission shall have procedures approved by the Board of Supervisors and contained in its by-laws to address grievances with respect to Ryan White and CDC funding. The grievance procedure shall be limited as follows:

A. Providers eligible to receive Ryan White or CDC funding, consumers, consumer groups and people ~~persons~~ living with HIV/AIDS coalitions, and other stakeholders and caucuses may grieve.

B. Grievances shall be limited to the Commission's, administrative agency's or grantee's failure to follow the Commission's established, written and published procedures for priority-setting, resource allocation or subsequent changes to priorities or allocations, or compliance with comprehensive care plan provisions or implementation strategies. Grievances may not involve funding allocations to individual service providers, procurement of specific services, individual patient interactions with service providers and agencies, or disagreement with the outcome of the priority- and allocation-setting process.

C. All settlements and rulings resulting from grievances shall not retroactively change priorities or allocations and shall be limited to future actions of the Commission.

D. The grievance process shall include a procedure to submit grievances that cannot be resolved through mediation to binding arbitration.

**SECTION 11.** Section 3.29.100 is hereby deleted in its entirety:

**~~3.29.100 Commencement date.~~**

~~The Commission's tenure shall continue on July 1, 2011.~~

[329010DRCC]



# County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA  
Chief Executive Officer

May 21, 2013

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Board of Supervisors  
GLORIA MOLINA  
First District

MARK RIDLEY-THOMAS  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

Dear Supervisors:

**SEVEN-YEAR LEASE  
COUNTY COUNSEL AND REGISTRAR-RECORDER/COUNTY CLERK  
44509 16<sup>th</sup> STREET, LANCASTER  
(FIFTH DISTRICT)  
(3 VOTES)**

**SUBJECT**

This recommendation is for a new seven-year lease for 4,367 rentable square feet of office space and 30 off-street parking spaces for County Counsel and the Registrar-Recorder/County Clerk.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Consider the Negative Declaration together with the fact that no comments were received during the public review process, find that the project will not have a significant effect on the environment, find that the Negative Declaration reflects the independent judgment of the County of Los Angeles to approve the Negative Declaration, find that the project will have no adverse effect on wildlife resources, and authorize the Chief Executive Office to complete and file a Certificate of Fee Exemption for the project.
2. Approve and instruct the Chairman to sign the seven-year lease with 16<sup>th</sup> Street Builders, LLC, for the occupancy of 4,367 rentable square feet of office space for use by County Counsel and Registrar Recorder/ County Clerk, at 44509 16<sup>th</sup> Street, Lancaster, for a maximum first year rental amount of \$ 350,855, which includes an initial annual rent of \$101,140, plus a maximum first year payment of approximately \$249,715 lump sum payment for additional Tenant Improvements and change order allowance. The rental cost is approximately 100 percent revenue funded for both County Counsel and for the Registrar Recorder /County Clerk.

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3. Authorize the 16<sup>th</sup> Street Builders, LLC and/or Director of Internal Services Department, at the discretion of the Chief Executive Office, to acquire telephone systems for County Counsel and Registrar-Recorder/County Clerk services at a cost of approximately \$250,000. All of the telephone, data and low voltage systems will be paid in lump sum.
4. Approve the project and authorize the Chief Executive Office, County Counsel, Registrar Recorder/County Clerk, and Internal Services Department to implement the project. The seven-year lease will commence upon completion of the improvements by the 16<sup>th</sup> Street Builders, LLC and acceptance of the improvements by the County of Los Angeles.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The Monterey Park Dependency Court (Court) has closed Department 406 at the Edelman Court in Monterey Park. In order to hear a growing number of dependency cases in the Antelope Valley, the Court is opening Dependency Courtroom 426 at the McCourtney Courthouse campus in Lancaster. County Counsel will be relocating three staff from the Edelman Court to the McCourtney Court to support the growing dependency caseloads. County Counsel currently provides a direct revenue funded program servicing dependency clients in the Antelope Valley area. Three attorneys and support staff will be housed in approximately 1,967 rentable square feet of office space at the proposed 16<sup>th</sup> Street office in Lancaster. The proposed leased space is needed because there is insufficient space at the McCourtney Courthouse campus to house the five County Counsel staff that will be assigned to process dependency cases in Courtroom 426.

The Registrar-Recorder/County Clerk (RR/CC) has requested new space in the Antelope Valley to relocate its district office from the existing location at 1028 W. Avenue J2, Lancaster. Approximately 2,400 square feet of office space has been identified to house the program in a more efficient and improved office environment.

The RR/CC Antelope district office is currently housed in a County-owned modular trailer situated in a County parking lot at the McCourtney Courthouse campus in Lancaster. The district office provides similar services that are offered at RR/CC headquarters in Norwalk and the nearest district office in Van Nuys, which is 60 miles from the proposed Lancaster location. The RR/CC district office provides/issues copies of birth, death, and marriage records, marriage licenses and marriage ceremonies, recording of real property documents, fictitious business name statement filings, domestic partnership registration, voter abstracts, and campaign filing documents. The proposed lease for a new district office space will greatly assist the RR/CC in improving the delivery of services to the constituents residing in the Antelope Valley area.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan Goal of Operational Effectiveness (Goal 1) directs that we maximize the effectiveness of the County's operations to support the timely delivery of customer-oriented and effective public services. Approval of this lease will provide the occupancy of administrative support staff servicing customers in the northern part of the County. The lease is in conformance with the Asset management principles as outlined in Attachment A.

### **FISCAL IMPACT/FINANCING**

The annual base lease cost for the proposed facility will initially be \$45,556 for County Counsel and \$55,584 for RR/CC. The 16<sup>th</sup> Street Builders LLC (Landlord) will also provide \$131,010 for Tenant Improvements (TI) at their sole cost included in the rental rate and a maximum of approximately \$249,725 for additional TI and change order allowance for construction thereof. Attachment B is an overview of the fiscal impact in the lease.

The lease requires the County to reimburse the Landlord in a lump sum for the additional TI, and change order allowance including all or part of the telephone, data, and low voltage systems if provided by Landlord within 30 days after acceptance of the premises by the County or amortize additional TI and change order allowances over a term of 60 months at 7 percent.

The monthly rent under the lease will be a \$1.93 per square foot modified full service which will be adjusted annually at a minimum of 2 percent to a maximum of 4 percent of the prior year's base rent.

The total estimated cost for the telephone, data, and low voltage systems is not to exceed \$250,000. The purchase includes a current telephone system that is upgradeable to the current Voice over Internet Protocol and data network systems that are sufficiently robust to allow for future voice, data, and video convergence. Should the Landlord be able to provide the aforementioned work at a cost at or below the County's cost, the recommendation herein allows for the payment of these costs to the Landlord, or at the discretion of the Chief Executive Office (CEO), all or part of these costs may be paid to the Landlord on a lump sum basis.

All TI, telecommunication/data and low voltage systems, and rent expenses will be paid proportionately from County Counsel's operating budget. Funding is projected to be sufficient to fund the initial three years of the seven-year lease. In the event funding is not identified for the final four-years of the seven-year lease term, the County may cancel Premises 1 in the lease, upon 180 days notice to the Landlord. Additionally, all TI, telecommunication/data and low voltage systems, and rent expenses will be paid proportionately from RR/CC's operating budget.

### **PROVISIONS/LEGAL REQUIREMENTS**

The proposed lease provides 4,367 rentable square feet of office space and 30 off-street parking spaces. The lease contains the following provisions:

- The seven-year term of the lease begins 15 days after completion of improvements by the Landlord and acceptance of the improvements by the County.
- A monthly base rent of \$8,428 (\$3,796 County Counsel and \$4,632 for RR/CC or \$1.93 per rentable square foot.
- TI and change order allowance totaling \$249,715 in reimbursable TI funds is available. Any amount utilized for TI will be paid back to the Landlord in a lump sum payment within 30 days of acceptance of the improvements by the County or amortize over a term of 60 months at 7 percent or \$4,945 monthly.
- The Landlord will provide 30 parking spaces included in the rental rate which are sufficient to meet the parking needs of the department and patrons.
- The lease is on a modified full-service basis whereby the Landlord will be responsible for all structural and exterior and interior maintenance costs. The County must pay for its metered electricity consumption.
- A cancellation provision is provided in the lease which allows the County to cancel Premises 1 at or any time after the 36<sup>th</sup> month and Premises 2 at or any time after the 60<sup>th</sup> month, both with 180 days prior written notice.
- The County has two five-year options to renew the lease.

CEO-Real Estate staff surveyed the North Regional area to determine the market rate of comparable sites. Based upon said survey, staff has established that the base rental range including parking for similar property is between \$23 and 26 per square foot per year modified full-service. Thus, the base annual rent of \$23.16 per square foot for the base lease cost is within market rate for this area. Attachment C shows County-owned and leased facilities within the search area for these programs and none are available to house these programs.

The Department of Public Works was not required to inspect this facility as it was built in 2011 and meets current standards for the County's occupancy.

It is not feasible to construct a child care center in the proposed leased premises. However, there are several private child care centers available within a one-mile radius of the subject location.

Notices have been sent to the City of Lancaster (City) pursuant to Government Code Sections 65402 and 25352. The City has not objected to the proposed lease.

#### **ENVIRONMENTAL DOCUMENTATION**

The CEO has made an initial study of environmental factors and has concluded that this Project will have no significant impact on the environment and no adverse effect on the wildlife resources. Accordingly, a Negative Declaration has been prepared and a notice posted at the site as required by the California Environmental Quality Act and the California Administrative Code, Section 15072. Copies of the completed Study, the resulting Negative Declaration, and the Notice of Preparation of Negative Declaration as posted are attached. No comments to the Negative Declaration were received. A fee must be paid to the State Department of Fish and Game when certain notices are filed with the RR/CC. The County is exempt from paying this fee when the Board finds that a project will have no impact on wildlife resources.

#### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The proposed lease will provide the necessary space to establish administrative office space and parking for support personnel in addition to space to accommodate the RR/CC District office. County Counsel and RR/CC concur with this recommendation.

The Honorable Board of Supervisors  
May 21, 2013  
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## **CONCLUSION**

It is requested that the Executive Officer, Board of Supervisors return two originals of the executed lease, two certified copies of the Minute Order and the adopted, stamped Board letter to the CEO, Real Estate Division at 222 South Hill Street, 4<sup>th</sup> Floor, Los Angeles, CA 90012 for further processing.

Respectfully submitted,

WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:RLR:CMM  
CEM:TS:ls

### Attachments

c: Executive Office, Board of Supervisors  
County Counsel  
Auditor-Controller  
Registrar Recorder/ County Clerk  
Internal Services

**COUNTY COUNSEL and REGISTRAR RECORDER/ COUNTY CLERK  
44509 16<sup>th</sup> STREET, LANCASTER**

**Asset Management Principles Compliance Form<sup>1</sup>**

1. <u>Occupancy</u>		Yes	No	N/A
A	Does lease consolidate administrative functions? <sup>2</sup>			X
B	Does lease co-locate with other functions to better serve clients? <sup>2</sup>	X		
C	Does this lease centralize business support functions? <sup>2</sup>			X
D	Does this lease meet the guideline of 200 sq. ft of space per person? <sup>2</sup> <b>This guideline is for office space use and a resource center which requires a large areas than for for public use and flow.</b>		X	
<b>2. <u>Capital</u></b>				
A	Is it a substantial net County cost program? <b>100 percent net County cost for County Counsel and approximately 100 revenue funded for RR/CC</b>	X		
B	Is this a long term County program?	X		
C	If yes to 2 A or B; is it a capital lease or an operating lease with an option to buy?		X	
D	If no, are there any suitable County-owned facilities available?		X	
E	If yes, why is lease being recommended over occupancy in County-owned space?			X
F	Is Building Description Report attached as Attachment B?	X		
G	Was build-to-suit or capital project considered? <b>Construction of a new space in North Region area is not feasible at present time due to cost constraints.</b>		X	
<b>3. <u>Portfolio Management</u></b>				
A	Did department utilize CEO Space Request Evaluation (SRE)?	X		
B	Was the space need justified?	X		
C	If a renewal lease, was co-location with other County departments considered?	X		
D	Why was this program not co-located?			X
	1. ___ The program clientele requires a "stand alone" facility.			
	2. ___ No suitable County occupied properties in project area.			
	3. ___ No County-owned facilities available for the project.			
	4. ___ Could not get City clearance or approval.			
	5. ___ The Program is being co-located.			
E	Is lease a full service lease? <sup>2</sup> <b>No, County pays for its metered electricity consumption, Landlord was unwilling to offer these services in the Lease.</b>		X	
F	Has growth projection been considered in space request?	X		
G	Has the Dept. of Public Works completed seismic review/approval? <b>Building built in 2011, meets current standards.</b>		X	
	<sup>1</sup> As approved by the Board of Supervisors 11/17/98			
	<sup>2</sup> If not, why not?			

**Attachment B**

**FISCAL IMPACT / FINANCING  
OVERVIEW OF NEW LEASE**

<b>44507 16<sup>th</sup> Street, Lancaster</b>	<b>PROPOSED SEVEN-YEAR LEASE</b>
Area (Square feet)	4,367
Term	Seven years (Commencing 15 days after acceptance of space by County)
Annual Base Rent	\$101,136 (Premises 1 \$45,562, Premises 2 \$55,584)
TI, Change Orders	\$249,715 (funds for TI construction will be repaid via lump sum by the County within 30 days of acceptance by the County)
Maximum 1 <sup>st</sup> Year Rent	\$350,851,297*
Parking Included in Rent	30 off-street spaces
Cancellation	Any time after the 36 <sup>th</sup> month for Premises 1 and any time after the 60 <sup>th</sup> month for Premises 2, both with on 180 day's written notice.
Option to Renew	Two five-year options to renew the lease.
Rental Adjustment	Base rent adjusted annually based on CPI at a minimum of 2 percent to a maximum of 4 percent of the prior year's base rent.

\* This includes annual base rent of \$101,136 and one time reimbursement, in lump sum payment, of TI, and change order allowances which could total \$249,715. Additionally, the County pays directly for the cost of its electrical consumption within the Premises.

## Attachment C

### SPACE SEARCH – WITHIN ANTELOPE VALLY AREA COUNTY COUNSEL and REGISTRAR RECORDER/COUNTY CLERK

Laco	Name	Address	Gross SQFT	Net SQFT	Ownership	SQFT Available
A623	LANCASTER DCFS REGIONAL OFFICE	1150 W AVENUE J, LANCASTER 93534	18,410	18,410	LEASED	NONE
A294	LANCASTER COURTHOUSE- JURY ASSEMBLY ROOM	1040 W AVENUE J, LANCASTER 93534	1,440	1,296	OWNED	NONE
A445	FIRE-LANCASTER FIRE PREVENTION SUBOFFICE	44933 N FERN AVE, LANCASTER 93534	30	30	GRATIS USE	NONE
Y247	DCSS-ANTELOPE VALLEY SENIOR CENTER	777 W JACKMAN ST, LANCASTER 93534	9,424	6,965	OWNED	NONE
Y397	PUBLIC LIBRARY- LANCASTER LIBRARY	601 W LANCASTER BLVD, LANCASTER 93534	48,721	43,850	OWNED	NONE
A623	DCFS - F.I.L.P.	1420 W AVENUE I, LANCASTER 93534	194	184	LEASED	NONE
A297	SHERIFF-LANCASTER ADMINISTRATIVE OFFICE	501 W LANCASTER BLVD, LANCASTER 93534	7,557	6,801	PERMIT	NONE
Y373	PW WWD#04-NORTH ADMINISTRATION BUILDING	419 W AVENUE J, LANCASTER 93534	4,128	3,446	OWNED	NONE
A192	PROBATION- ANTELOPE VALLEY AREA OFFICES	321 E AVENUE K-4, LANCASTER 93535	6,400	6,080	LEASED	NONE
0302	PW-SEWER MAINTENANCE NORTH YARD OFFICE	45712 N DIVISION ST, LANCASTER 93534	864	821	OWNED	NONE
A079	ASSESSOR- LANCASTER REGIONAL OFFICES	251 E AVENUE K-6, LANCASTER 93534	15,338	13,712	LEASED	NONE
A623	DCFS FILP	251 E AVENUE K-6, LANCASTER 93534	2,669	2,357	LEASED	NONE
X495	PW-WATERWORKS NORTH MAINTENANCE AREA HQ BLDG	260 E AVENUE K-8, LANCASTER 93535-4527	13,200	11,155	OWNED	NONE
A343	LANCASTER DCFS REGIONAL OFFICE	300 E avenue K-6	45,000	45,000	Leased	None
X542	PW-WATERWORKS NORTH MAINT AREA OFFICE	260 E AVENUE K-8, LANCASTER 93535-4527	2,000	1,900	OWNED	NONE
A008	ANTELOPE VALLEY SERVICE CENTER-BUILDING B	335 E AVENUE K-6 , LANCASTER 93534	51,000	42,592	LEASED	NONE
A433	ANTELOPE VALLEY SERVICE CENTER-BUILDING A	349 E AVENUE K-6, LANCASTER 93534	51,000	33,932	LEASED	NONE
A642	DPSS-LANCASTER GR/GROW OFFICE	335 E AVENUE K-10, LANCASTER 93535-4539	22,040	20,938	LEASED	NONE
A035	BOARD OF SUP- 5TH DISTRICT FIELD OFFICE	1113 W AVENUE M-4, PALMDALE 93550	1,241	1,164	LEASED	NONE
4122	ANIMAL CONTROL #5- ADMINISTRATION	5210 W AVENUE I, LANCASTER 93536	2,237	788	OWNED	NONE
4586	LANCASTER COURTHOUSE SEVICES BLDG	1110 W AVENUE J, LANCASTER 93534	18,488	12,314	OWNED	12,314