



COUNTY OF LOS ANGELES
CHIEF EXECUTIVE OFFICER
Fesia A. Davenport

HEALTH AND MENTAL HEALTH CLUSTER AGENDA REVIEW MEETING

DATE: Wednesday, March 8, 2023

TIME: 11:30 A.M.

THIS MEETING WILL CONTINUE TO BE CONDUCTED VIRTUALLY TO ENSURE THE SAFETY OF MEMBERS OF THE PUBLIC AND EMPLOYEES AS PERMITTED UNDER STATE LAW.

TO PARTICIPATE IN THE MEETING, PLEASE CALL AS FOLLOWS:

DIAL-IN NUMBER: 1 (323) 776-6996

CONFERENCE ID: 322130288#

[MS Teams link](#) (Ctrl+Click to Follow Link)

AGENDA

Members of the Public may address the Health and Mental Health Services Meeting on any agenda item. Two (2) minutes are allowed for each item.

THIS TELECONFERENCE WILL BE MUTED FOR ALL CALLERS. PLEASE DIAL *6 TO UNMUTE YOUR PHONE WHEN IT IS YOUR TIME TO SPEAK.

11:00 A.M. - NOTICE OF CLOSED SESSION

CS-1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9(a)

Saharra M. White, as guardian ad litem for A.T., et al. v. County of Los Angeles.

United States District Court Case 2:19-cv-04669

Department of Health Services

Sheriff's Department

12:30 P.M.- NOTICE OF CLOSED SESSION

CS-2 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9(a)

Iris Ponce v. County of Los Angeles, et al.

Los Angeles Superior Court Case 19STCV42076

Department of Health Services

- I. Call to order
- II. **Information Item(s) (Any Information Item is subject to discussion and/or presentation at the request of two or more Board offices):**

- a. **DPH:** Authorization to Accept and Implement a Forthcoming Notice of Grant Award and Future Awards and/or Amendments from the United States Department of Agriculture, Animal and Plant Health Inspection Service, American Rescue Plan, SARS-COV-2 in Animals Grant Program for the Period of May 1, 2023, Through April 30, 2025 (#06753)
- b. **DHS:** Requesting approval of Expenditures for the Department of Health Services' (DHS) Leadership Development Program (LDP).

III. **Presentation Item(s):**

- a. **DPH:** Authorization to Accept and Sign Memorandum of Understanding Number DOJ-PROP56-2022-23-1-022 and Future Awards from the California Department of Justice to Support the Tobacco Control and Prevention Program (#06769)

IV. Items Continued from a Previous Meeting of the Board of Supervisors or from the Previous Agenda Review Meeting

V. Items not on the posted agenda for matters requiring immediate action because of an emergency situation, or where the need to take immediate action came to the attention of the Department subsequent to the posting of the agenda

VI. Public Comment

VII. Adjournment

BOARD LETTER/MEMO CLUSTER FACT SHEET

DRAFT

☒ Board Letter

☐ Board Memo

☐ Other

CLUSTER AGENDA REVIEW DATE	3/8/2023	
BOARD MEETING DATE	3/21/2023	
SUPERVISORIAL DISTRICT AFFECTED	<input checked="" type="checkbox"/> All <input type="checkbox"/> 1 st <input type="checkbox"/> 2 nd <input type="checkbox"/> 3 rd <input type="checkbox"/> 4 th <input type="checkbox"/> 5 th	
DEPARTMENT(S)	Department of Public Health	
SUBJECT	AUTHORIZATION TO ACCEPT AND IMPLEMENT A FORTHCOMING NOTICE OF GRANT AWARD AND FUTURE AWARDS AND/OR AMENDMENTS FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE, ANIMAL AND PLANT INSPECTION SERVICE, AMERICAN RESCUE PLAN, SARS-COV-2 IN ANIMALS GRANT PROGRAM FOR THE PERIOD OF MAY 1, 2023, THROUGH APRIL 30, 2025	
PROGRAM	Veterinary Public Health Program (VPH)	
AUTHORIZES DELEGATED AUTHORITY TO DEPT	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
SOLE SOURCE CONTRACT	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain why:	
DEADLINES/ TIME CONSTRAINTS	Grants are expected to be awarded by March 30, 2023, and activities and funds are required to be completed within 24 months of when the funds are available.	
COST & FUNDING	Total cost: Not to exceed \$2,000,000 annually	Funding source: United States Department of Agriculture, Animal and Plant Health Inspection Service (USDA APHIS)
	TERMS (if applicable): Grant term is from May 1, 2023, through April 30, 2025	
	Explanation: Funding will support surveillance for SARS-CoV-2 in animals, both at the Los Angeles International Airport (LAX) and regionally. Since the initial SARS-CoV-2 spread in humans, secondary host jumps of SARS-CoV02 from humans to multiple domestic and wild populations of mammals have been documented. Understanding the extent of adaptation to these animal hosts is critical for assessing the threat that the spill back of animal-adapted SARS-CoV-2 into humans poses. Funding will also be used to strengthen partnerships and collaboration among agencies involved in animal importation and animal disease surveillance, to improve response to future emerging zoonoses or animal disease threats.	
PURPOSE OF REQUEST	1. Delegate authority to the Director of the Department of Public Health (Public Health), or designee, to accept and implement a forthcoming grant award, from the USDA APHIS, Assistance Listing Number 10.025, for the ARP SARS-CoV-2 in Animals grant program for the anticipated period of May 1, 2023 through April 30, 2025, in an amount estimated not to exceed \$2,000,000 annually, subject to review and approval by County Counsel, and notification to your Board and the Chief Executive Office (CEO). 2. Delegate authority to the Director of Public Health, or designee, to accept future awards and/or amendments that are consistent with the requirements of the forthcoming grant award in Recommendation 1 and/or amendments, that extend the funding periods at amounts to be determined by the USDA APHIS; reflect revisions to the grant award's terms and conditions to include but not be limited to the rollover of unspent funds, redirection of funds, and/or increase or decrease in funding, subject to review and approval by County Counsel and notification to your Board and the CEO.	

BACKGROUND (include internal/external issues that may exist including any related motions)	Accepting funding will support Public Health conducting SARS-CoV-2 and Influenza surveillance in imported and local animals, animal testing by the Public Health Laboratory and improve collaboration among agencies with animal importation oversight, animal health and disease surveillance, which will improve capacity to identify animals infected with these viruses and other animal health threats in the future.
EQUITY INDEX OR LENS WAS UTILIZED	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Develop and implement strategies that identify, prioritize and effectively support the most disadvantaged geographies and populations.
SUPPORTS ONE OF THE NINE BOARD PRIORITIES	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please state which one(s) and explain how:
DEPARTMENTAL CONTACTS	Name, Title, Phone # & Email: 1. Joshua Bobrowsky, Director Government Affairs, Public Health (213) 288-7871, jbobrowsky@ph.lacounty.gov 2. Karen Ehnert, DVM, Director Veterinary Public Health, Public Health, (213) 288-7060, kehner@ph.lacounty.gov 3. William Birnie, Senior Deputy County Counsel, Health Services Division, (213) 418-5668, wbirnie@counsel.lacounty.gov



DRAFT



BARBARA FERRER, Ph.D., M.P.H., M.Ed.
Director

MUNTU DAVIS, M.D., M.P.H.
County Health Officer

MEGAN McCLAIRES, M.S.P.H.
Chief Deputy Director

313 North Figueroa Street, Suite 806
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BOARD OF SUPERVISORS

Hilda L. Solis
First District

Holly J. Mitchell
Second District

Lindsey P. Horvath
Third District

Janice Hahn
Fourth District

Kathryn Barger
Fifth District

March 21, 2023

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

Dear Supervisors:

**AUTHORIZATION TO ACCEPT AND IMPLEMENT A FORTHCOMING NOTICE OF
GRANT AWARD AND FUTURE AWARDS AND/OR AMENDMENTS FROM THE
UNITED STATES DEPARTMENT OF AGRICULTURE, ANIMAL AND PLANT
HEALTH INSPECTION SERVICE, AMERICAN RESCUE PLAN, SARS-COV-2 IN
ANIMALS GRANT PROGRAM FOR THE PERIOD OF
MAY 1, 2023, THROUGH APRIL 30, 2025
(ALL SUPERVISORIAL DISTRICTS) (3 VOTES)**

SUBJECT

Provide authorization to accept and implement a forthcoming notice of grant award and/or accept and implement future awards and/or amendments from the United States Department of Agriculture, Animal and Plant Health Inspection Service, American Rescue Plan: SARS-CoV-2 in Animals grant program for the period of May 1, 2023, through April 30, 2025.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Delegate authority to the Director of the Department of Public Health (Public Health), or designee, to accept and implement a forthcoming grant award from the United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS), Assistance Listing Number 10.025, for the American Rescue Plan (ARP) SARS-CoV-2 in Animals grant program for the anticipated period of May 1, 2023, through April 30, 2025, in an amount estimated not to exceed \$2,000,000 annually, subject to review and approval by County Counsel, and notification to your Board and the Chief Executive Office (CEO).

2. Delegate authority to the Director of Public Health, or designee, to accept future awards and/or amendments that are consistent with the requirements of the forthcoming grant award in Recommendation 1 and/or amendments, that extend the funding periods at amounts to be determined by the USDA APHIS; reflect revisions to the grant award's terms and conditions to include but not be limited to the rollover of unspent funds, redirection of funds, and/or increase or decrease in funding, subject to review and approval by County Counsel and notification to your Board and the CEO.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Coronavirus-2019 (COVID-19) pandemic continues to have a significant negative impact on the health and well-being of Los Angeles County residents. Research has shown that the virus not only infects people but also many animal species. The virus has also been found to infect pets, livestock, and zoo and wild animals. Studies have shown that up to 40% of pets have contracted the virus from infected people and the virus can spread from animal to animal in certain circumstances. Since the initial SARS-CoV-2 spread in humans, secondary host jumps of SARS-CoV-2 from humans to multiple domestic and wild populations of mammals have been documented. Understanding the extent of adaptation to these animal hosts is critical for assessing the threat that the spill-back of animal-adapted SARS-CoV-2 into humans poses.

Testing has shown that the virus quickly spread from animal to animal on mink farms and in wild white tailed deer populations. To date, it has been difficult to verify the spread of the virus from animals to people since animals are generally infected when the virus is circulating in the community. It is important to monitor animals for the SARS-CoV-2 virus to detect if it becomes endemic in local animal species, mutates after passing through an animal, or otherwise poses a threat to public health.

Approval of Recommendation 1 will allow Public Health to accept a forthcoming grant award from the USDA APHIS to fund SARS-CoV-2 surveillance in animals in LA County and imported animals at the Los Angeles International Airport (LAX) for the period of May 1, 2023, through April 30, 2025. Veterinary Public Health (VPH) staff will collaborate with the Centers for Disease Control and Prevention (CDC) Quarantine Station staff at LAX, Customs and Border Protection and a federally approved kennel facility to monitor the health and obtain samples from imported animals for SARS-CoV-2 and influenza testing. VPH will also work with the Public Health Laboratory, local animal control agencies, veterinary clinics, the Los Angeles Zoo, wildlife facilities, federal and State animal health staff and others to monitor for the virus in animals, identify if the virus is mutating in animals, and if the virus is spreading in any animal populations locally.

Approval of Recommendation 2 will allow Public Health to accept future awards from the USDA APHIS and/or amendments that extend the funding periods at amounts to be determined by the USDA APHIS and reflect revisions to the award's terms and conditions to include but not be limited to the rollover of unspent funds, redirection of funds, and/or increases or decreases in funding. This authority is being requested to

enhance Public Health's efforts to expeditiously maximize grant revenue, consistent with Board Policy 4.070: Full Utilization of Grant Funds.

Implementation of Strategic Plan Goals

The recommended actions support Strategy II.2, Support the Wellness of our Communities, of the County's Strategic Plan.

FISCAL IMPACT/FINANCING

Public Health will accept a forthcoming award from the USDA APHIS for the anticipated period of May 1, 2023, through April 30, 2025, in an estimated amount not to exceed \$2,000,000 annually. Final funding amounts are subject to USDA APHIS approval. Funds will support expenditures associated with personnel and testing.

Funding will be included in Public Health's fiscal year (FY) 2023-24 final changes or supplemental budget phase, and will be included in future FYs, as necessary.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On November 1, 2022, the USDA APHIS released a Funding Opportunity Announcement Number: USDA-APHIS-10025-OA00000-23-0001 soliciting applications from local, State and federal agencies, tribal nations, universities, nongovernmental organizations, and private entities to carry out the animal health provision as described in Section 1001 of the ARP Act. Through this provision, the USDA APHIS is providing funds to address gaps in surveillance of SARS-CoV-2 in animals, determine susceptibility of target species to SARS-CoV-2, understand transmission mechanisms in different animals, develop and optimize SARS-CoV-2 diagnostics and surveillance strategies for multiple species, and develop prevention and intervention strategies.

The USDA APHIS will make available up to \$25 million in funds to support SARS-CoV-2 in animal projects in 2023. Applicants were allowed to submit multiple proposals, requesting up to \$5,000,000 per proposal. Project priority areas include:

1. Address gaps in surveillance and investigation activities for SARS-CoV-2 in animals, including farmed animals, captive wildlife, free-ranging wildlife, and companion animals.
2. Expand knowledge of species' susceptibility to SARS-CoV-2 to improve understanding of potential roles or routes of transmission.
3. Develop surveillance tools and strategies for rapid detection and characterization of new variants of SARS-CoV-2 to support an early warning system to prevent or limit future SARS-CoV-2 outbreaks.
4. Identify effective interventions and other measures to prevent transmission of SARS-CoV-2 at the human-animal interface and/or impacts on the food supply.

Public Health responded by submitting two proposals. One proposal, in the amount of \$1,518,814 for the two-year project period, will support surveillance for SARS-CoV-2 in animals throughout LA County, including monitoring for the virus among companion animals, livestock, zoo animals, marine mammals, and other wildlife. The second proposal, in the amount of \$1,131,894 for the two-year project period, will support testing of domestic animals imported through LAX, in collaboration with the CDC Quarantine Station and Customs and Border Patrol. The total combined amount requested in both proposals does not exceed \$2,000,000 annually.

IMPACT ON CURRENT SERVICES

Approval of the recommended actions will allow Public Health to accept funds from the USDA APHIS to improve SARS-CoV-2 surveillance in animals, identify infected species, and monitor for virus mutation and potential threats to human and animal health.

Respectfully submitted,

Barbara Ferrer, Ph.D., M.P.H., M.Ed.
Director

BF:jb
BL#06753

c: Chief Executive Officer
Interim County Counsel
Executive Officer, Board of Supervisors

BOARD LETTER/MEMO CLUSTER FACT SHEET

☒ Board Letter

☐ Board Memo

☐ Other

CLUSTER AGENDA REVIEW DATE	3/8/2023	
BOARD MEETING DATE	3/21/2023	
SUPERVISORIAL DISTRICT AFFECTED	<input checked="" type="checkbox"/> All <input type="checkbox"/> 1 st <input type="checkbox"/> 2 nd <input type="checkbox"/> 3 rd <input type="checkbox"/> 4 th <input type="checkbox"/> 5 th	
DEPARTMENT(S)	Department of Health Services (DHS)	
SUBJECT	APPROVAL OF EXPENDITURES FOR THE DEPARTMENT OF HEALTH SERVICES' LEADERSHIP DEVELOPMENT PROGRAM	
PROGRAM	Leadership Development Program	
AUTHORIZES DELEGATED AUTHORITY TO DEPT	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
SOLE SOURCE CONTRACT	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	If Yes, please explain why:	
DEADLINES/ TIME CONSTRAINTS	N/A	
COST & FUNDING	Total cost: \$100,000.00	Funding source: FY 2023-24 DHS Status Quo Budget Request
	TERMS (if applicable): N/A	
	Explanation:	
PURPOSE OF REQUEST	Requesting Board approval to execute agreements and expend funds for facility use and catering services for the Department of Health Services' (DHS) Leadership Development Program (LDP).	
BACKGROUND (include internal/external issues that may exist including any related motions)	The DHS LDP is a leadership development program designed to help drive culture change at DHS in support of DHS's mission and vision, including DHS's Strategic Goal to have a high performing workforce. The LDP's charge is to develop transformational leaders who balance getting results and valuing people to collectively impact and change organizational culture. In calendar year 2022, the LDP held 35 two-day in person TOP program sessions for approximately 1,100 DHS supervisors and managers. In calendar year 2023, the MDP plans to hold 30 TOP program sessions for approximately 900 more participants and hold at least one TOP reunion in fall 2023, which will bring together hundreds of TOP alumni for further skill building and community strengthening.	
EQUITY INDEX OR LENS WAS UTILIZED	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain how:	
SUPPORTS ONE OF THE NINE BOARD PRIORITIES	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please state which one(s) and explain how:	

DEPARTMENTAL CONTACTS	<p>Name, Title, Phone # & Email:</p> <p>DHS – Donna Nagaoka, Director of Organizational Development, (213)288-8416, DNagaoka@dhs.lacounty.gov</p> <p>County Counsel – Victoria Mansourian, Principal Deputy County Counsel, (213) 974-6681, VMansourian@counsel.lacounty.gov</p>
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DRAFT

March 21, 2023

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

Dear Supervisors:

**APPROVAL OF EXPENDITURES
FOR THE DEPARTMENT OF HEALTH SERVICES'
LEADERSHIP DEVELOPMENT PROGRAM
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

Request approval to execute agreements and expend funds for facility use and catering services for the Department of Health Services' Leadership Development Program.

IT IS RECOMMENDED THAT THE BOARD:

1. Authorize the Department of Health Services (DHS) to continue to host and conduct the DHS Leadership Development Program (LDP) (formerly, the Management Development Program (MDP) events during Fiscal Year (FY) 2023-24 at an aggregate maximum cost of \$100,000.
2. Delegate authority to the Director of Health Services (Director), or authorized designee, to execute agreements with qualified entities, including necessary agreement amendments, for facility use and catering services to support the DHS LDP events during FY 2023-24 at an aggregate maximum cost of \$100,000, and with all agreements subject to prior review and approval as to form by County Counsel.
3. Delegate authority to the Director, or authorized designee, (i) to extend the authorities granted under Recommendations 1 and 2 above for FY 2024-25, 2025-26, 2026-27, 2027-28, and (ii) to increase the incidental expense limit for each FY subsequent to FY 2023-24 by ten percent of the previous FY limit to \$110,000.00, \$121,000.00, \$133,100.00, and \$146,410.00 respectively.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Background/Purpose

The DHS LDP is a leadership development program designed to help drive culture change at DHS in support of DHS's mission and vision, including DHS's Strategic Goal to have a high performing workforce. The LDP's charge is to develop transformational leaders who balance getting results and valuing people to collectively impact and change organizational culture. This includes, but is not limited to, (1) moving from a culture of compliance to one of commitment; (2) moving from a strictly volume-based approach to one that is centered on creating value; (3) creating high-performing teams that contribute to achieving healthcare excellence; and (4) practicing Emotional Intelligence (EQ) in order to create an environment of psychological safety.

The DHS LDP has three main blended (both in-person and online) learning programs, strengthened by a learning reinforcement infrastructure (e-newsletter, SharePoint resource site, social network platforms, LDP Leadership Faculty, etc.) and focused on the principles of learning retainment and transfer, practice for progress, continuous development, and community building and support. These programs include:

1. The TOP program (Transforming the Organization through People), which is focused on creating foundations for transformational leadership for team effectiveness and success.
2. The LEAP program (Leadership Excellence & Advanced Practicum), which is for more experienced managers learning 'quantum' leadership skills for organizational impact. These learned skills are to be applied across teams, departments and facilities, as well as during a 6-month practicum working on a DHS enterprise strategic initiative.
3. The LDP Annual Alumni Reunion & Learning Symposiums, which reinforces and advances the learnings from TOP and LEAP, as well as provides a platform for communities of practice to share best practices, ideas and offer support and to identify ways to collaborate across teams and facilities.

In calendar year 2022, the LDP held 35 two-day in person TOP program sessions for approximately 1,100 DHS supervisors and managers. In calendar year 2023, the MDP plans to hold 30 TOP program sessions for approximately 900 more participants and hold at least one TOP reunion in fall 2023, which will bring together hundreds of TOP alumni for further skill building and community strengthening.

After 2023, the LDP will transition the TOP program to a 'steady state', with a focus on serving the new managers and supervisors for whom program participation will be part of their leadership onboarding, as well reaching as any incumbent managers who for any reason haven't yet completed the TOP program. Further, the LDP plans to begin the application process to select candidates for the next version of the LEAP program, which will support retention and succession planning through career development as well as

create a pipeline of highly qualified candidates for leadership position within the organization.

Justification

Approval of the recommendations will allow DHS to use a portion of the LDP program's budget to provide space and food at the in-person workshops. This investment is a key part of LDP's broader strategy to engage with and support DHS managers for the crucial work of bringing their teams to ever-higher levels of development and performance. With a readily available food source, the LDP can simultaneously address the following goals: (1) creating an environment in which participants feel valued as whole people in ways that authentically reflect the kind of culture for which they will be ambassadors; when managers feel valued, they will be best able to make their teams feel valued as well; (2) allowing participants to focus on learning, without having to expend time and energy figuring out how and where to find food, especially in locations where travel is required to find food; (3) using this time for spontaneous opportunities to build relationships- and community, as participants not only learn but grow together, and develop networks that will help them sustain practice in support of culture change back on the job; (4) fostering a culture of psychological safety in which participants actively engage in order to talk about significant challenges, debrief what they have just learned, and understand ways they can create similar climates with their teams; and (5) leveraging scarce time by allowing participants to enjoy breaks with food while at the same time engaging with content (videos, articles, activities) that reinforce key learnings.

Providing food at these workshops contributes to an optimal learning experience and support including post-workshop learning reinforcement, on-the-job resources, community-strengthen infrastructure, and other touch points that will help us expand the impact of our efforts exponentially beyond the numbers of program participants to impact our entire organization.

The experience and evolution of the LDP program over several years, including its focus on harnessing the leadership potential of all DHS managers and supervisors to help lead organizational change, led to its renaming as the DHS Leadership Development Program in late 2022. The Board's support for this request in the past year was key to the program's success, which has graduated approximately 1,100 alumni. Further, the recent DHS employee engagement survey indicated improvement in rates of workforce members indicating both that their supervisors care about them and that their supervisors encourage teamwork within their teams, reflecting the positive and measurable impact of the LDP's efforts.

Implementation of Strategic Plan Goals

The recommended actions support Strategy III.1, "Continually Pursue Development of Our Workforce;" and Strategy III.3, "Operational Effectiveness, Fiscal Responsibility, and Accountability;" of the County's Strategic Plan.

FISCAL IMPACT/FINANCING

The aggregate maximum cost limit for facility and catering services for the FY 2023-24 DHS LDP events shall not exceed \$100,000. With the delegated authority, the cost limit will increase for each FY subsequent to FY 2023-24 by ten percent to \$110,000, \$121,000, \$133,100, and \$146,410 for FYs 2024-25 through 2027-28, respectively. Funding is included in the FY 2023-24 DHS Status Quo Budget Request subject to Board's approval, and will be requested in future FYs, as needed. There is no impact to net County cost.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Section 5.40.097 of the County Code permits departments to purchase food and beverages for official functions and meetings authorized by the department head up to \$500 per occasion with a maximum of \$5,000 per year. Any expenditure of more than \$500 per occurrence must be approved in advance by the Chairperson of the Board of Supervisors. Expenditures exceeding the \$5,000 annual limit must be approved in advance by the Board as an agenda item.

Expenses for the following are authorized : (a) coffee, other liquid refreshments, and food items for departmental meetings; meetings with individual Board members and/or their representatives, and/or other County officials; and meetings of Board-appointed advisory commissions and committees; (b) refreshments or meals when meeting with County business clients, including individuals or organizations which directly or indirectly benefit the community and/or the main mission of the Department; and (c) other reasonable expenses including, but not limited, to refreshments or meals incurred by the Director, or designee, associated with County business, including special recognition, non-routine events, matters of protocol, staff training, and management strategy or planning sessions, and retreats conducted to improve the quality of service provided to the public.

However, pursuant to a January 7, 2020 Motion, the Board approved adoption of the Incidental Expense Board Policy (Policy), which states, in part, "It is the County's policy to allow departments to purchase meals, food, and non-alcoholic beverage items for County employees for meetings, conferences, and events (e.g., training) deemed necessary by the Department Head to support their department's mission (Incidental Expense Policy)." Per the policy, DHS is a Tier 3 department with an annual incidental expense limit of \$50,000 and a per-occurrence limit of \$10,000. In addition, department heads must ensure incidental expenses are reasonable and necessary, maintain appropriate stewardship of public funds, and deploy limited public resources in a prudent and cost-effective manner.

The policy provides that a Department may submit a signed request with the Auditor-Controller to exceed the per occurrence limit. Should your Board approve the Department's request to exceed the annual \$50,000 limit, the Director, or designee, will make such a request to exceed the per occurrence limit in the event the corresponding cost for an event will exceed the per occurrence limit.

All agreements will be subject to prior review and approval as to form by County Counsel.

CONTRACTING PROCESS

Facility use and catering service vendors will be selected based on availability, costs and proximity to the LDP workshop locations. Certain vendors, such as The California Endowment (the Endowment), do not charge for conference space when an agency, such as DHS, conducts a conference geared to promoting fundamental improvements in health care. The Endowment's facility use and catering agreement requires the County to indemnify and hold harmless the Endowment for all claims, actions and liabilities arising out of, or resulting from, the County's use of the facility.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the recommendations will enable DHS to develop transformational leaders who balance getting results and valuing people to collectively impact and change organizational culture.

Respectfully submitted,

Christina R. Ghaly, M.D., Director
Department of Health Services

CRG:aw

c: Chief Executive Office
County Counsel
Executive Office, Board of Supervisors

**BOARD LETTER/MEMO
CLUSTER FACT SHEET**

DRAFT

☒ Board Letter

☐ Board Memo

☐ Other

CLUSTER AGENDA REVIEW DATE	3/8/2023	
BOARD MEETING DATE	3/21/2023	
SUPERVISORIAL DISTRICT AFFECTED	<input checked="" type="checkbox"/> All <input type="checkbox"/> 1 st <input type="checkbox"/> 2 nd <input type="checkbox"/> 3 rd <input type="checkbox"/> 4 th <input type="checkbox"/> 5 th	
DEPARTMENT(S)	Department of Public Health (Public Health)	
SUBJECT	Authorization to accept Memorandum of Understanding (MOU) Number DOJ-PROP56-2022-23-1-022 and future awards from the California Department of Justice (DOJ) to support tobacco control retail policy and enforcement efforts throughout Los Angeles County.	
PROGRAM	Chronic Disease Injury Prevention (Tobacco Control and Prevention Program)	
AUTHORIZES DELEGATED AUTHORITY TO DEPT	<input type="checkbox"/> Yes <input type="checkbox"/> No	
SOLE SOURCE CONTRACT	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain why:	
DEADLINES/ TIME CONSTRAINTS	Signed MOU (Award) due to DOJ by March 29, 2023	
COST & FUNDING	Total cost: \$1,696,968	Funding source: DOJ
	TERMS (if applicable): January 1, 2023, through June 30, 2025	
	Explanation:	
PURPOSE OF REQUEST	Authorize and instruct the Director of Public Health, or designee, to accept and sign an award under MOU Number DOJ-PROP56-2022-23-1-022 from the DOJ for Public Health Tobacco Control and Prevention Program (TCPP) services. Delegated authority to accept future awards/amendments from DOJ PROP56.	
BACKGROUND (include internal/external issues that may exist including any related motions)	<p>Since 2007, Public Health TCCP in partnership with its County partners, has been providing services to support the Tobacco Retail License (TRL) program. The objective of TRL is to encourage responsible tobacco retailing and to discourage violations of federal, state, and local tobacco related laws.</p> <p>On November 27, 2007, your Board approved an ordinance to amend the Los Angeles County Code (LACC) Title 8, Consumer Protection and Business Regulations, Chapter 8.04, Public Health Licenses, to define "tobacco retailing," to establish an annual tobacco retail licensing fee of \$235, and to add LACC, Title 11, Health and Safety, Chapter 11.35, Tobacco Retailing, to set forth the provisions for the TRL program for tobacco retailers.</p> <p>In September 2019, to address the increasing use by youths of electronic smoking devices (ESD)/vaping devices and flavored tobacco your Board created a new business license for tobacco only retailers and strengthened the County's existing TRL program to include provisions updating the definition of tobacco products to include ESDs; prohibiting the sale of all flavored tobacco products; prohibiting the sale of tobacco products in pharmacies; and requiring minimum pack size for little cigars.</p>	

	<p>On August 17, 2022, Public Health submitted an application in response to a new DOJ grant opportunity, to expand the County's efforts in reducing youth access to tobacco products by increasing enforcement of and compliance with existing and new tobacco laws in the retail environment.</p>
EQUITY INDEX OR LENS WAS UTILIZED	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, please explain how:</p>
SUPPORTS ONE OF THE NINE BOARD PRIORITIES	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, please state which one(s) and explain how: Strategy II.2, Support the Wellness of Our Communities</p>
DEPARTMENTAL CONTACTS	<p>Name, Title, Phone # & Email: Joshua Bobrowsky, Public Health Director Government Affairs, (213) 288-7871 jbobrowsky@ph.lacounty.gov Jose Garcia, Senior Staff Analyst, (213) 351-7844, jsgarcia@ph.lacounty.gov Craig L. Kirkwood Jr. , Deputy County Counsel, (213) 974-1751 CKirkwood@counsel.lacounty.gov</p>



BARBARA FERRER, Ph.D., M.P.H., M.Ed.
Director

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County Health Officer

MEGAN McCLAIRE, M.S.P.H.
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DRAFT



BOARD OF SUPERVISORS

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Second District

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Third District

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Kathryn Barger
Fifth District

March 21, 2023

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:

**AUTHORIZATION TO ACCEPT MEMORANDUM OF UNDERSTANDING NUMBER
DOJ-PROP56-2022-23-1-022 AND FUTURE AWARDS FROM THE
CALIFORNIA DEPARTMENT OF JUSTICE TO SUPPORT THE TOBACCO
CONTROL AND PREVENTION PROGRAM
(ALL SUPERVISORIAL DISTRICTS) (3 VOTES)**

SUBJECT

Provide authorization to accept and sign Memorandum of Understanding Number DOJ-PROP56-2022-23-1-022 from the California Department of Justice and delegate authority to accept and sign future Memoranda of Understanding and related amendments that provide for the continued support of tobacco control retail policy and enforcement efforts throughout Los Angeles County.

IT IS RECOMMENDED THAT THE BOARD:

1. Authorize and instruct the Director of the Department of Public Health (Public Health), or designee, to accept and sign an award under Memorandum of Understanding (MOU) Number DOJ-PROP56-2022-23-1-022 (Exhibit I) from the California Department of Justice (DOJ) for Public Health Tobacco Control and Prevention Program (TCPP) services for the period of January 1, 2023, through June 30, 2025, in the amount of \$1,696,968. The MOU includes indemnification language requiring the County to indemnify DOJ, its officers, agents and employees from all claims, liabilities, or losses in connection with the performance of this MOU.

2. Delegate authority to the Director of Public Health, or designee, to accept future tobacco control and prevention Prop 56 awards and/or amendments from DOJ that extend the funding periods for the MOU referenced above or for new grant terms/periods at amounts to be determined by DOJ; reflect revisions to the award's terms and conditions to include but not be limited to the rollover of unspent funds, redirection of funds, and/or an increase or decrease in funding, subject to review and approval by County Counsel, and notification to your Board and the Chief Executive Officer (CEO).

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of Recommendation 1 will allow Public Health to accept and sign MOU Number DOJ-PROP56-2022-23-1-022 from DOJ to support Public Health TCCP's tobacco retail license enforcement efforts for retailers in unincorporated Los Angeles County.

Since 2007, Public Health TCCP in partnership with its County partners, including Public Health Environmental Health, Los Angeles Sheriff's Department (LASD), and the Los Angeles County Department of Regional Planning (DRP), has been providing services to support the Tobacco Retail License (TRL) program. The objective of the TRL program is to encourage responsible tobacco retailing and to discourage violations of federal, state, and local tobacco related laws.

Funding from this MOU will allow Public Health to implement five objectives related to tobacco control and prevention: 1) increase enforcement operations of all retailers, including vape/flavored products; 2) increase retailer education and compliance checks with a focus on flavored products; 3) implement compliance checks of tobacco only retailers; 4) integrate systems that are tracking enforcement operations, suspensions, and compliance checks; and 5) develop a regional taskforce to coordinate policy enforcement methods and best practices related to flavored tobacco products.

Public Health TCCP will specifically focus its enforcement operations on retailers, including smoke shops and hookah bars, and tobacco only shops (e.g., retailers that exclusively or predominantly sale tobacco or flavored tobacco/vape products); and increase retailer engagement and education through the continuation and expansion of the Tobacco Retailer Ambassador pilot program, which is currently serving the unincorporated areas of San Fernando Valley, San Gabriel Valley, and South Los Angeles. This educational pilot program will be expanded under this grant to other areas across LA County to help retailers improve their understanding of existing laws on flavored tobacco and to improve overall compliance.

Additionally, through this project, Public Health TCCP will develop a regional taskforce with the County's cities that are presently enforcing restrictions on the sale of flavored tobacco products. The taskforce will help coordinate the enforcement of ambiguously flavored tobacco products, troubleshoot local policy implementation, and collaborate on regional and state efforts. The taskforce on flavored tobacco

products will also support or provide aid to those 24 jurisdictions in the County that are currently implementing a regulation to prohibit the sale of flavored tobacco products and those jurisdictions facing new regulations (state ban on flavored tobacco) as a result of Proposition 31 which was recently approved by California voters in November 2022.

Approval of Recommendation 2 will allow Public Health to accept future TCPP awards from the DOJ and/or amendments for the MOU referenced above or for new grant terms/periods that extend the funding periods and reflect revisions to the award's terms and conditions. This authority is being requested to enhance Public Health's efforts to expeditiously maximize grant revenue, consistent with Board Policy 4.070: Full Utilization of Grant Funds.

Implementation of Strategic Plan Goals

The recommended actions support Strategy II.2, Support the Wellness of Our Communities, of the County's Strategic Plan.

FISCAL IMPACT/FINANCING

MOU Number DOJ-PROP56-2022-23-1-022 provides funding for the period of January 1, 2023, through June 30, 2025, in the total amount of \$1,696,968 (\$510,825 for fiscal year (FY) 2022-23; \$384,258 for FY 2023-24; and \$801,885 for FY 2024-25). Funds will support Public Health personnel costs (salaries and employee benefits) and operating expenses as a result of Public Health's partnership with other County departments such as LASD and DRP.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On November 27, 2007, your Board approved an ordinance to amend the Los Angeles County Code (LACC) Title 8, Consumer Protection and Business Regulations, Chapter 8.04, Public Health Licenses, to define "tobacco retailing," to establish an annual tobacco retail licensing fee of \$235, and to add LACC, Title 11, Health and Safety, Chapter 11.35, Tobacco Retailing, to set forth the provisions for the TRL program for tobacco retailers. The approval of this ordinance established the TRL program, which includes administration, enforcement, and retailer education to prevent minors from purchasing tobacco products. The ordinance created provisions within the LACC to allow the County to recover program costs and to impose fines and suspend or revoke TRLs on retailers that engage in unlawful sales of tobacco products to minors, or who otherwise violate the provisions of the TRL program.

In September 2019, to address the increasing use by youths of electronic smoking devices (ESD)/vaping devices and flavored tobacco your Board created a new business license for tobacco only retailers and strengthened the County's existing TRL program to include provisions updating the definition of tobacco products to include ESDs; prohibiting

the sale of all flavored tobacco products; prohibiting the sale of tobacco products in pharmacies; and requiring minimum pack size for little cigars.

On August 17, 2022, Public Health submitted an application in response to the new DOJ grant opportunity, to expand the County's efforts in reducing youth access to tobacco products by increasing enforcement of and compliance with existing and new tobacco laws in the retail environment.

In response to Public Health's application, the DOJ issued MOU Number DOJ-PROP56-2022-23-1-022 in the amount of \$1,696,968 to continue support of tobacco control retail policy and enforcement efforts throughout LA County.

This MOU includes indemnification language requiring the County to indemnify the DOJ from all claims, liabilities, or losses in connection with the performance of this MOU. This is a standard requirement of the DOJ and cannot be waived or modified. The CEO of Risk Management advised Public Health and County Counsel of the risks associated with these provisions. However, it was determined that these risks are acceptable in light of the need for these services and the resulting benefit to public health.

Attachment A is the Grant Management Statement for grants exceeding \$100,000.

County Counsel has reviewed and approved Exhibit I as to form.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the recommended actions will allow Public Health to expand tobacco retail policy and enforcement efforts throughout LA County.

Respectfully submitted,

Barbara Ferrer, Ph.D., M.P.H., M.Ed.
Director

BF:mel
#06769

Enclosures

c: Chief Executive Officer
Interim County Counsel
Executive Officer, Board of Supervisors

Los Angeles County Chief Executive Office
Grant Management Statement for Grants Exceeding \$100,000

Department: Public Health

Grant Project Title and Description:

Tobacco Grant Program Award for Public Health's Tobacco Control and Prevention Program:

The grant award from the California Department of Justice will allow Public Health and its County partners to expand efforts to reduce youth access to tobacco products by increasing enforcement and retailer education and compliance of existing and new tobacco laws throughout Los Angeles County.

Funding Agency	Program (Fed. Grant #State Bill or Code #)	Grant Acceptance Deadline
California Department of Justice	DOJ-PROP56-2022-23-1-022	3/29/2023

Total Amount of Grant Funding: \$1,696,968

County Match Requirements: N/A

Grant Period: 30 months

Begin Date: 1/1/23

End Date: 6/30/25

Number of Personnel Hired Under this Grant: 2 Full-Time

0 Part-Time

Obligations Imposed on the County When the Grant Expires

Will all personnel hired for this program be informed this is a grant funded program? Yes ☒ No ☐

Will all personnel hired for this program be placed on temporary "N" items? Yes ☒ No ☐

Is the County obligated to continue this program after the grant expires Yes ☐ No ☒

If the County is not obligated to continue this program after the grant expires, the Department will:

a). Absorb the program cost without reducing other services Yes ☐ No ☒

b). Identify other revenue sources Yes ☐ No ☒

(Describe)

c). Eliminate or reduce, as appropriate, positions/program costs funded by this grant Yes ☒ No ☐

Impact of additional personnel on existing space: None.

Other requirements not mentioned above: None

Department Head Signature

Barbara Ferrer
Barbara Ferrer (Feb 15, 2023 16:29 PST)

Date Feb 15, 2023

MEMORANDUM OF UNDERSTANDING

PURPOSE

This Memorandum of Understanding (“MOU”) is entered into by the Department of Justice (“Department”) and the Los Angeles County Department of Public Health (“Grantee”), for the purpose of disbursing grant funds to Grantee for reimbursement of expenditures in compliance with the California Code of Regulations and the Fiscal Year 2022-23 Grantee Handbook.

Commencing January 1, 2023, the California Code of Regulations, Title 11, Division 1, Chapter 5: Department of Justice Tobacco Grant Program (“TGP Regulations”) shall govern the policies and procedures of the Tobacco Grant Program.

The TGP Regulations, Request for Proposals, Grantee Handbook (dated April 2022), and Summary of Award document are hereby incorporated by reference into this MOU. Grantee will expend funds for the purposes identified in the approved Summary of Award document. Reimbursements are to be funded under the California Healthcare, Research and Prevention Tobacco Tax Act of 2016, approved by the voters as Proposition 56.

COST REIMBURSEMENT

The Department agrees to reimburse Grantee in arrears, for Grantee’s actual expenditures in performing the project or scope of work included in the approved Summary of Award document. Reimbursements will be made upon receipt of invoices from Grantee and approval of the invoices by the Department, in accordance with the reimbursement procedures set forth in the TGP Regulations and Grantee Handbook.

BUDGET CONTINGENCY CLAUSE

It is mutually agreed, if the Budget Act of the current fiscal year and/or any subsequent years covered under the MOU does not appropriate sufficient funds, the MOU shall be of no further force and effect. In the event this situation occurs, the Department shall have no liability to reimburse/pay any funds to Grantee, or to furnish any other considerations under this MOU. As well, Grantee shall not be obligated to continue performing the provisions of this MOU, for which the Grantee would have been reimbursed.

If funding for any fiscal year is reduced or deleted in the Budget Act for purposes of this MOU, the Department shall have the option to either cancel this MOU with no liability occurring to the Department, or offer an addendum to the Grantee to reflect the reduced amount.

PROJECT BREACH-TERMINATION

Failure of a Grantee to comply with this MOU or the TGP Regulations shall be treated by the Department as a breach of contract. If an act of noncompliance occurs, the Department may take actions described within the TGP Regulations, including termination. The Department may terminate this MOU and be relieved of any obligation to disburse grant funds to Grantee should Grantee fail to perform the scope of work at the time and in the manner provided in this MOU.

MISCELLANEOUS PROVISIONS

Addendum – No addendum or variation of the terms of this MOU is valid unless made in writing, and signed by the duly authorized representatives of the parties.

Assignment – This MOU is not assignable by Grantee in whole or in part.

Indemnification – Grantee agrees to indemnify and hold harmless the Department, its officers, agents and employees from all claims, liabilities, or losses in connection with the performance of this MOU.

TERMS

Grant Duration: 1/1/2023 – 6/30/2026

Award Amount				
Category of Expenditure	Budget FY 2022- 2023	Budget FY 2023- 2024	Budget FY 2024- 2025	Budget FY 2025- 2026
Personal Services	\$0	\$0	\$307,532	\$0
Operating Expenses and Equipment	\$486,500	\$365,960	\$456,168	\$0
Administrative Costs (Not to Exceed 5%)	\$24,325	\$18,298	\$38,185	\$0
TOTAL AWARD AMOUNT	\$1,696,968			

The time limit for reimbursements against this award ends 6/30/2026. Requests for reimbursement received after 7/15/2026 cannot be considered by the Department.

GRANTEE CONTACT INFORMATION

Tony Kuo, MD, MSHS, Division Director
Los Angeles County Department of Public Health
3530 Wilshire Boulevard, Suite 800
Los Angeles, CA 90010
(213) 351-7825
tkuo@lacounty.gov

AUTHORIZATION

The Department and Grantee, by their duly authorized officials, have executed this MOU on the respective dates indicated below. This MOU and any future addendums shall be e-mailed to TobaccoGrants@doj.ca.gov, care of the Division of Operations, Local Assistance Unit, Tobacco Grant Program, and will become fully executed upon completion of signatures from all parties.

NAME:

Title:

Agency:

Date

NAME:

Title:

Agency:

Date

NAME:

Title:

Agency:

Date

SHAYNA RIVERA, Grant Manager
Division of Operations
California Department of Justice

Date

STACY HEINSEN, Administrative Manager
Division of Operations
California Department of Justice

Date

CHRIS RYAN, Chief
Division of Operations
California Department of Justice

Date