



LOS ANGELES COUNTY COMMISSION ON HIV

3530 Wilshire Boulevard, Suite 1140 • Los Angeles, CA 90010 • TEL (213) 738-2816 • FAX (213) 637-4748
 HIVCOMM@LACHIV.ORG • http://hiv.lacounty.gov

PUBLIC POLICY COMMITTEE MEETING MINUTES

April 2, 2018



The Public Policy Committee acts in accordance with the role of the Commission on HIV, as dictated by Los Angeles County Code 3.29.090. Consistent with Commission Bylaws Article VI, Section 2, no Ryan White resources are used to support Public Policy Committee activities.

MEMBERS PRESENT	MEMBERS ABSENT	PUBLIC	COMM STAFF/ CONSULTANTS
Aaron Fox, MPM, <i>Co-Chair</i>	Kyle Baker	Jason Brown	Cheryl Barrit, MPIA
Terry Goddard, MA, <i>Co-Chair</i>	Andrew Lopez (<i>Alt.</i>)	Ann Fryman	Jane Nachazel
Jerry D. Gates, PhD	Eric Paul Leue	Craig Scott	Doris Reed
Lee Kochems, MA	Martin Sattah, MD		Julie Tolentino, MPH
Eduardo Martinez (<i>Alt.</i>)	Greg Wilson		
Katja Nelson		DHSP STAFF	
Ricky Rosales		None	

CONTENTS OF COMMITTEE PACKET

- 1) **Agenda:** Public Policy Committee Agenda, 4/2/2018
- 2) **Minutes:** Public Policy Committee Meeting Minutes, 3/5/2018
- 3) **Flyer:** Los Angeles County HIV/AIDS Strategy for 2020 and Beyond, Continuing the Community Dialogue in San Fernando Valley, March 2018
- 4) **Priorities:** 2018 Policy Priorities, 1/8/2018
- 5) **Bill:** Senate Bill 827: Planning and zoning: transit-rich housing bonus, 3/1/2018
- 6) **Letter:** 2018-2019 State Budget - Support California HIV Alliance Proposals, 2018
- 7) **Table:** Los Angeles County Commission on HIV, 2018-2019 Legislative Docket, State Assembly & Senate Bills, 3/19/2018
- 8) **Bill:** Assembly Bill 1136: Health facilities: residential mental or substance use disorder treatment, 2/5/2018
- 9) **Bill:** Assembly Bill 1985: Hate crimes: law enforcement policies, 2/28/2018
- 10) **Bill:** Assembly Bill 2153: Teachers: in-service training: lesbian, gay, bisexual, transgender, queer, and questioning pupil resources, 2/22/2018
- 11) **Bill:** Assembly Bill 2601: Pupil instruction: sexual health education: charter schools, 2/15/2018
- 12) **Bill:** Assembly Bill 2639: Pupil suicide prevention policies: evidence-based online training, 2/15/2018
- 13) **Bill:** Assembly Bill 2663: Property taxation: change in ownership: exclusion: local registered domestic partners, 2/15/2018
- 14) **Bill:** Assembly Bill 2719: Aging, 2/15/2018
- 15) **Bill:** Assembly Bill 2943: Unlawful business practices: sexual orientation change efforts, 2/16/2018
- 16) **Bill:** Senate Bill 918: Homeless Youth Act of 2018, 3/6/2018
- 17) **Bill:** Senate Bill 1125: Federally qualified health center and rural health clinic services, 2/13/2018
- 18) **Fact Sheet:** California Bills Target Prescription Drug Costs, 3/1/2018
- 19) **Article:** What health merger means, 2018
- 20) **Overview:** Care 4 All California, Legislative Priorities, 2018
- 21) **Memorandum:** Washington, D.C. Update, 3/6/2018
- 22) **Letter:** Comments on Proposed Measure H Funding Recommendations FY 2018-19, 3/19/2018

CALL TO ORDER: Mr. Fox called the meeting to order at 1:09 pm.

I. ADMINISTRATIVE MATTERS

1. APPROVAL OF AGENDA:

MOTION #1: Approve the Agenda Order, as presented (*Passed by Consensus*).

2. APPROVAL OF MEETING MINUTES:

MOTION #2: Approve the 3/5/2018 Public Policy Committee Meeting Minutes, as presented (*Passed by Consensus*).

II. PUBLIC COMMENT

- 3. OPPORTUNITY FOR PUBLIC TO ADDRESS COMMISSION ON ITEMS OF INTEREST WITHIN COMMISSION JURISDICTION:** There were no comments.

III. COMMITTEE COMMENT

- 4. NON-AGENDIZED OR FOLLOW-UP:** There were no comments.

IV. REPORTS

5. EXECUTIVE DIRECTOR/STAFF REPORT:

- Ms. Barrit highlighted the first Los Angeles County HIV/AIDS Strategy (LACHAS) Health District (HD) community outreach meeting on 4/12/2018 at the Van Nuys City Hall. Everyone is urged to promote the event, especially Commissioners representing the San Fernando Valley/Northeast Valley areas. Flyers have disseminated by email and were on the table.
- Objectives for meetings are: raise awareness on how HIV impacts each HD; review LACHAS; and foster community dialogue.
- Meetings will not follow a formal business structure, but staff will document the meeting and record attendance as usual.
- This first event was scheduled for the San Fernando Valley/Northeast Valley because the Northeast Valley Health Corporation (NEVHC) immediately stepped up to offer support and identify an event site. Commission staff are working with DHSP to schedule more HD events alternating with Commission business meetings at St. Anne's Maternity Home. If logistics are favorable, the next HD event will be 6/14/2018 in the El Monte area of the San Gabriel Valley.
- Saving highest morbidity areas for later in the year is purposeful so they can benefit from experience with earlier events.

- 6. CO-CHAIR REPORT:** Mr. Fox reported Mr. Leue had a heart attack some two weeks ago and was in the hospital for a week due to complications. He is back home and in good spirits, but finds the pace of recovery slow and looks forward to returning to Public Policy as soon as he can. Well wishes are welcome.

V. DISCUSSION ITEMS

7. SB 827 PRESENTATION:

- Ms. Fryman, Legislative Aide, Housing Policy, Senator Scott Weiner, California Senate District 11, thanked Public Policy for inviting her to speak on Senator Weiner's SB 827 and for the Commission's leadership on public health and housing issues.
- Senator Weiner represents San Francisco and some adjacent areas. The housing crisis has expanded from a coastal and urban problem to every area of the state. Last year Senator Weiner participated in a housing packet to streamline housing approvals and provide some affordable housing funds. He developed SB 827 to mitigate extremely low density building in close proximity to public transit. Increasing the range of housing options for people at all income levels near transportation and infrastructure supports both equity and environmental goals by fostering walkable, livable, mixed income communities.
- Los Angeles and San Francisco down-zoned large areas in the 1960s and 1970s restricting building to single family homes which price out inexpensive market rate or affordable housing. SB 827 is designed to re-ignite support for four, five or, in some cases, eight story buildings within one-quarter to one-half mile of high quality public transportation by prohibiting local governments from setting density requirements. Small and mid-rise apartment buildings are least costly, fastest to safely construct, and allow developers of 100% affordable housing the minimum density needed for project viability.
- The bill also waives local parking requirements and allows developers to determine appropriate parking for their projects. While a bit controversial in Los Angeles, the City has already started to create incentive programs to waive requirements near public transit which is considered an urban planning best practice. Typical parking requirements also add \$30,000 to \$50,000 per unit of housing which makes it harder to build inexpensive market rate or affordable housing.

- SB 827 defers to local affordable housing policies, e.g., City of Los Angeles guidelines adopted through Proposition JJJ and ordinances in various Los Angeles County (LAC) communities that require a percentage of new units to be affordable.
- With a focus on creating new housing, not demolition, local governments also retain demolition permit process control.
- Mr. Goddard requested a response to concerns raised in the community as well as in *The Los Angeles Times* that current low income housing would be demolished to make way for new building. Ms. Fryman replied SB 827 includes multiple protections starting with a ban on demolition of any rent-stabilized housing in pursuit of development of a covered project. All units would continue to be subject to all current local review and community engagement processes.
- This bill also has a "right to remain guarantee." Tenants of a building not under rent control that is approved for demolition will receive full relocation costs and any difference in rent at a nearby comparable unit for three and one-half years at the developer's expense. They will then be entitled to a unit in the new building at their prior rent. Units revert to affordable housing if a renter chooses to leave so that affordable housing is retained and there is no profit motive to remove renters.
- Protections would be enforced through the demolition and building certification process like any other permit condition.
- Building owners, including single family home owners, need not sell prosperities to developers unless they choose to do so.
- Protections pertaining to evictions are being developed along with minimum affordable housing requirements for any communities statewide that lack them now. Based on state "no net loss" law, amendments will also clarify that rent may not be increased so long as the tenant occupies that unit. Ms. Fryman expected updated amendments in the next week.
- Senator Weiner and his staff have engaged in extensive ongoing discussions with the City of Los Angeles starting early in the bill process including with Mayor Eric Garcetti's staff, several council members, and the Department of City Planning, especially on maintenance of Proposition JJJ, affordability guidelines, and linkage fees. Interaction with LAC is minimal.
- There was also a meeting a few weeks ago with some City of Long Beach council members and planning staff. Again, their main concern was to preserve current City efforts and Senator Weiner's office will continue to work with them to do so.
- Most community opposition is from very wealthy, exclusionary areas concerned about new populations moving in.
- Mr. Kochems noted the City of Long Beach continues its five years of land use discussions including on rent control which will likely be on the next ballot. At the last land use meeting, the Mayor supported increasing housing stock as much as possible. He noted that rent stabilized units already exist for the elderly and disabled, but construction is slow, e.g., one such project remains under construction after 10 years compared to three times faster for standard units.
- There are genuine community group concerns that SB 827 may not address all pertinent issues. Property values are skyrocketing and thousands have been displaced even in the last six months as fear of rent control pushes rent spikes. That also means that populations served by the Commission are being shifted away from existing services.
- Ms. Fryman said Senator Weiner supports rent control, leading to strong protection in the bill. Much of the discussion with the City of Long Beach has focused on ensuring that plans with similar goals to increase density near transit have the appropriate amount of local flexibility. Several independent analyses show the bill would have an exponential impact on net affordable housing by enabling apartment buildings that can support affordable housing where they could not before, e.g., 73% of the City of San Francisco is now zoned at too low a density to support affordable housing and apartment buildings.
- Mr. Martinez said a group spent three hours on 1/19/2018 waiting to speak to Senator Weiner, but he refused. They were demanding rent control and exclusion of areas like Boyle Heights and El Monte where people have lived in their houses for 20 to 40 years. Developers tend toward such areas, displace residents, then build just one affordable unit or units that are not affordable for the population, e.g., many residents do not qualify as very low or low income. He opposes the bill.
- Ms. Fryman noted the aforementioned 3/1/2018 iteration clarifies "right to remain" language ensuring displaced residents do not pay moving expenses or more for rent. It appears to be the strongest protection in the state, particularly for tenants of market rate housing who are generally not addressed. Senator Weiner remains open to further improvements.
- Many local programs focus on limiting permits for buildings with recent tenant evictions under the Ellis Act. In Los Angeles, there are also restrictions on buying out tenants at less than their entitled amount. Some protections were developed for public housing, e.g., for Jordan Downs, and programs may be created for specific developments. Local governments may also adjust the number of affordable units required per development, but do not guarantee housing for those displaced.
- Ms. Barrit noted the bill's language respects local government authority to enforce its zoning law, but asked if it addresses local governments changing ordinances to a review or permitting process that differs from the bill's intent. Ms. Fryman replied Section 2, 65918.10 prohibits local governments from down-zoning residential capacity on or after introduction of the bill. When projects use the law to apply for the bonus, like the state density bonus, state law is layered on local zoning so a city could be sued under the Housing Accountability Act if it does not issue a permit for which a developer is entitled.
- The body further discussed the bill once Ms. Fryman ended her call. Dr. Gates felt conceptually the bill was wonderful, but so complex he anticipated astounding unintended consequences and consequent construction delays of 10 or 15 years.

- Mr. Goddard supported the 2018 Policy Priorities, including housing. People are pushed out of areas with transportation, food, schools, and other services. Mr. Fox added this area is the densest in Los Angeles, but buildings continually go up that are not fully leased even as tents line the sidewalks. Mr. Scott felt it would not increase low income housing. Mr. Martinez felt it would not increase affordable housing and those who are housed will not use public transportation.
- Mr. Rosales reported the City of Los Angeles voted to take no position as it removes local control. It will sue if it passes.
- Mr. Kochems said opposition comes from a variety of fronts. It does promote the conversation and embodies some key principles pertaining to protections for low and very low income, senior and disabled, those in stabilized and rent-controlled buildings, and homeless individuals. On the other hand, it is unlikely such populations could hire the lawyers needed to enforce it. On balance, he supported the bill as a statement consistent with Commission policy and principal.
- Ms. Barrit noted there are bills the Board of Supervisors (BOS) will not touch for strategic reasons. This is such a bill because local ordinance law is traditionally the purview of cities. The LAC Department of Regional Planning addresses unincorporated areas and reviews policies impacting multiple cities, but this pertains to individual cities.
- Mr. Rosales reported the City of Los Angeles did a review of investments in affordable housing and very little was actually made into affordable housing. He felt the main need was for enforcement which is an area the City is working to address.
- Mr. Fox normally does not support the state attempting to redress issues within the purview of cities simply due to city ineffectiveness. It appears enforcement is already an issue and that is a state issue as well. California makes many laws and funding for enforcement is seldom included as it increases state costs and, therefore, the risk that the Governor will veto.
- He felt, for this meeting, it was best to retain a Watch position until the Committee can review amendments. Also, the author and coauthors are from northern California so advantages and unintended consequences may be regional.
- ➡ Ms. Fryman will forward SB 827 amendments to Ms. Tolentino once available.
- ➡ Ms. Fryman will forward the San Francisco Planning Department SB 827 analysis regarding housing impact to Ms. Tolentino.
- ➡ Ms. Fryman will forward a plain language outline.
- ➡ Ms. Fryman will report back on whether family members living with tenants who utilize the right to remain option for a unit in a new project at their prior rent may remain in the unit at the same rent if the tenant dies.
- ➡ Mr. Kochems will forward information on the senior/disabled building under construction for 10 years to Ms. Fryman.
- ➡ Ms. Fryman can be reached at ann.fryman@sen.ca.gov or 916.651.4011.
- ➡ Continue Watch position and bring back at next meeting with review of additional materials noted above.

8. STATE LEGISLATION AND BUDGET: A sign-on letter with this year's budget asks by the California HIV Alliance was in the packet.

- a. **Draft Legislative Docket:** The updated Docket was in the packet with bills lacking positions shaded, as reflected below.

Bill	Title	Discussion	Position
AB 1136 (Eggman)	Health facilities: residential mental or substance use disorder treatment	It is common for the state to solicit grant funds for statewide initiatives. This grant is authorized under the federal 21st Century Cures Act for a real-time database of beds, as described.	Support (unanimous)
AB 1985 (Ting)	Hate crimes: law enforcement policies	Updates and upgrades enforcement of hate crime laws and standardizes procedures in law enforcement agencies	Support (unanimous)
AB 2153 (Thurmond)	Teachers: in-service training: lesbian, gay, bisexual, transgender, queer, and questioning pupil resources	This bill imposes a state-mandated local program for public and charter schools, grades 7 through 12, inclusive.	Support (unanimous)
AB 2601 (Weber)	Pupil instruction: sexual health education: charter schools	This bill imposes a state-mandated local program for charter school pupils, grades 7 through 12, inclusive, to receive comprehensive sexual health and HIV prevention education. This mirrors existing public school education.	Support (unanimous)
AB 2639 (Berman, O'Donnell)	Pupil suicide prevention policies: evidence-based online training	Contingent on funding, the Department of Education will identify and provide for free one or more online suicide prevention programs for staff and pupils in county offices of education, school districts, state special or charter schools, for grades 7 through 12, inclusive.	Support (unanimous)

AB 2663 (Friedman, Low)	Property taxation: change in ownership: exclusion: local registered domestic partners	Confirms exclusion of local registered domestic partners for property tax reassessments and expands reassessment refund period beyond the 4-year limit to include from 1/1/2000 through 6/26/2015.	Support (unanimous)
AB 2719 (Irwin)	Aging	State and federal funding for elderly individuals is prioritized by "greatest economic or social need." This bill revises the definition of the latter to include cultural or social isolation caused by sexual orientation, gender identity, or gender expression.	Support (unanimous)
AB 2943 (Low, 7 principal coauthors)	Unlawful business practices: sexual orientation change efforts	This bill expands the current prohibition of engaging in sexual orientation change efforts with patients under 18 years of age to prohibiting such efforts with an individual and charges any licensed practitioner doing so with fraud.	Support (unanimous)
SB 918 (Wiener, principal coauthor Rubio, 14 coauthors)	Homeless Youth Act of 2018	This bill would establish the Office of Homeless Youth in the Department of Housing and Community Development, set duties of the Office, and require a grant proposal to ensure services.	Support (unanimous)
SB 1125 (Atkins, principal coauthor Wood, 9 coauthors)	Federally qualified health center and rural health clinic services	This bill would allow a Federally Qualified Health Center (FQHC) or Rural Health Clinic (RHC) to bill two visits for the same patient on the same day at the same location if the patient is in need of additional diagnosis or treatment after the first visit, or if one is a medical visit and the second is another health visit, e.g., a mental health visit.	Support (unanimous)

- Add to Docket for May meeting (submitted by Fox): AB 1971, part of Health 4 All California package of bills to streamline Medi-Cal into one system with no share of cost and also expands definition of "gravely disabled."
- Add to Docket for May meeting (submitted by Martinez): HR 4710, (Peterson), eventually would harm 340B drug program; and, S 2312, HELP Act (Cassidy), related Senate bill.
- Mr. Scott provided a list of federal bills to Ms. Tolentino for Docket consideration with the following prioritized: HR 1739, repeal existing policies that encourage and allow HIV discrimination act; HR 1882, stop AIDS in prison act; HR 2119, therapeutic fraud prevention act; HR 3602, real education for healthy youth act.
- Forward any additional bill recommendations to Ms. Tolentino.
- Ms. Tolentino will distribute the updated Docket for review prior to the May meeting to facilitate finalizing the Docket in time for presentation for approval at the May Commission meeting.

9. COUNTY LEGISLATION AND POLICY ISSUES:

- The Chief Executive Office Washington DC Update to the BOS focuses on the census and support for HR 4906 (Norton), Ensuring Full Participation in the Census Act of 2018 and similar bills. HR 4906 prohibits the inclusion of questions on citizenship, nationality, or immigration status on the 2020 Census form.
 - BOS elevated this issue due to implications for metropolitan areas with large undocumented and lower income individuals.
- a. **Housing Policy Advocacy:**
- Ms. Barrit noted the letter to the BOS in the packet with the continuing message to elevate and carve out funding across all types of housing for PLWH. In particular, it highlights FY 2018-19 Measure H funding recommendations.
 - The letter also calls attention to underrepresentation of PLWH on the Vulnerability Index - Service Prioritization and Decision Assistance Tool (VI-SPDAT) which is used to prioritize homeless individuals into housing.
 - Mr. Brown spoke on VI-SPDAT issues at the prior week's Los Angeles Homeless Services Authority (LAHSA) meeting. A commissioner asked Peter Lynn, Executive Director, LAHSA, for a Coordinated Entry System report at the next meeting.

10. HEALTHCARE ACCESS:

- Mr. Fox reported the omnibus bill flat-funded Ryan White so cuts, including cuts to AIDS Education Training Centers, proposed in the President's budget and in the House will not occur.
- Housing Opportunities for People With AIDS (HOPWA) actually received an increase rather than the proposed cut.

VI. NEXT STEPS

11. TASK/ASSIGNMENTS RECAP: There was no additional discussion.

12. AGENDA DEVELOPMENT FOR NEXT MEETING: There was no additional discussion.

VII. ANNOUNCEMENTS

13. OPPORTUNITY FOR PUBLIC AND COMMITTEE TO MAKE ANNOUNCEMENTS: There were no announcements.

VIII. ADJOURNMENT

14. ADJOURNMENT: The meeting adjourned at 2:50 pm.