



PUBLIC POLICY COMMITTEE Virtual Meeting

Monday, September 14, 2020

1:00PM-4:00PM (PST)

(Note the Extended Meeting time)

Agenda + Meeting Packet will be available on the
Commission's website at:

<http://hiv.lacounty.gov/Public-Policy-Committee>

REGISTER VIA WEBEX ON YOUR COMPUTER OR SMART PHONE:

<https://tinyurl.com/y6ztaay6>

Link is for members of the public

JOIN VIA WEBEX ON YOUR PHONE:

1-415-655-0001 US Toll

Access code: 145 088 9767

PUBLIC COMMENTS

Public Comments will open at the time referenced on the meeting agenda. For those who wish to provide live public comment, you may do so by joining the WebEx meeting through your computer or smartphone and typing **PUBLIC COMMENT** in the Chat box. For those calling into the meeting via telephone, you will not be able to provide live public comment. However, you may provide written public comments or materials by email to hivcomm@lachiv.org. Please include the agenda item and meeting date in your correspondence. All correspondence and materials received shall become part of the official record. For a brief tutorial on joining WebEx events, please check out:

<https://help.webex.com/en-us/nrbgeodb/Join-a-Webex-Meeting>

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AGENDA FOR THE **VIRTUAL** MEETING OF THE
LOS ANGELES COUNTY COMMISSION ON HIV
PUBLIC POLICY COMMITTEE

Please Note the Extended Meeting Time

Monday, September 14, 2020 | 1:00 PM – 4:00 PM

To Join by Computer: <https://tinyurl.com/y6ztaay6>
Link is for non-committee members

To Join by Phone: 1-415-655-0001
Access code: 145 088 9767

Public Policy Committee Members:			
Katja Nelson, MPP <i>Co-Chair</i>	Lee Kochems, MA <i>Co-Chair</i>	Pamela Coffey* <i>(Alasdair Burton, Alternate)</i>	Aaron Fox, MPM
Jerry D. Gates, PhD	Eduardo Martinez	Nestor Rogel	Ricky Rosales
Martin Sattah, MD	Tony Spears (Alternate)		
QUORUM: 6	<i>*Leave of Absence (LoA)</i>		

**Due to COVID-19, quorum requirements suspended for teleconference meetings per Governor Newsom's Executive Order N-25-20*

AGENDA POSTED: September 10, 2020

ATTENTION: Any person who seeks support or endorsement from the Commission on any official action may be subject to the provisions of Los Angeles County Code, Chapter 2.160 relating to lobbyists. Violation of the lobbyist ordinance may result in a fine and other penalties. For information, call (213) 974-1093.

ACCOMMODATIONS: Interpretation services for the hearing impaired and translation services for languages other than English are available free of charge with at least 72 hours notice before the meeting date. To arrange for these services, please contact the Commission Office at (213) 738-2816 or via email at HIVComm@lachiv.org.

Servicios de interpretación para personas con impedimento auditivo y traducción para personas que no hablan Inglés están disponibles sin costo. Para pedir estos servicios, póngase en contacto con Oficina de la Comisión al (213) 738-2816 (teléfono), o por correo electrónico á HIVComm@lachiv.org, por lo menos setenta y dos horas antes de la junta.

SUPPORTING DOCUMENTATION can be obtained at the Commission on HIV Website at: <http://hiv.lacounty.gov>. The Commission Offices are located in Metroplex Wilshire, one building west of the southwest corner of Wilshire and Normandie. Validated parking is available in the parking lot behind Metroplex, just south of Wilshire, on the west side of Normandie.

NOTES on AGENDA SCHEDULING, TIMING, POSTED and ACTUAL TIMES, TIME ALLOTMENTS, and AGENDA ORDER: Because time allotments for discussions and decision-making regarding business before the Commission's standing committees cannot always be predicted precisely, posted times for items on the meeting agenda may vary significantly from either the actual time devoted to the item or the actual, ultimate order in which it was addressed on the agenda. Likewise, stakeholders may propose adjusting the order of various items at the commencement of the committee meeting (Approval of the Agenda), or times may be adjusted and/or modified, at the co-chairs' discretion, during the course of the meeting.

If a stakeholder is interested in joining the meeting to keep abreast of or participate in consideration of a specific agenda item, the Commission suggests that the stakeholder plan on attending the full meeting in case the agenda order is modified or timing of the items is altered. All Commission committees make every effort to place items that they are aware involve external stakeholders at the top of the agenda in order to address and resolve those issues more quickly and release visiting participants from the obligation of staying for the full meeting.

External stakeholders who would like to participate in the deliberation of discussion of an a posted agenda item, but who may only be able to attend for a short time during a limited window of opportunity, may call the Commission’s Executive Director in advance of the meeting to see if the scheduled agenda order can be adjusted accordingly. Commission leadership and staff will make every effort to accommodate reasonable scheduling and timing requests - from members or other stakeholders - within the limitations and requirements of other possible constraints.

Call to Order, Introductions and Check-in, Conflict of Interest Statements 1:00 PM – 1:05 PM

I. ADMINISTRATIVE MATTERS 1:05 PM – 1:08 PM

- 1. Approval of Agenda **MOTION #1**
- 2. Approval of Meeting Minutes **MOTION #2**

II. PUBLIC COMMENT 1:08 PM – 1:10 PM

- 3. Opportunity for members of the public to address the Commission on items of interest that are within the jurisdiction of the Commission.

III. COMMITTEE NEW BUSINESS ITEMS 1:10 PM – 1:15 PM

- 4. Opportunity for Commission members to recommend new business items for the full body or a committee level discussion on non-agendized Matters not posted on the agenda, to be discussed and (if requested) placed on the agenda for action at a future meeting, or matters requiring immediate action because of an emergency situation, or where the need to take action arose subsequent to the posting of the agenda.

IV. REPORTS

- 5. Executive Director/Staff Report 1:15 PM – 1:25 PM
 - a. Approved Policy Priorities
 - b. Los Angeles Homeless Services Authority (LAHSA) – Presentation Questions
 - c. Committee and Caucus Updates
- 6. Co-Chair Report 1:25 PM – 2:00 PM
 - a. PPC Co-Chairs’ Efforts to Build Alliance with Black African American Community Task Force (BAAC/TF)
 - i. Racial Justice Policies and Procedures and Empowerment Activity Recommendations
 - b. Execute Measurable Objectives
 - c. Methamphetamine Use and HIV
 - d. Master Aging Plan Update

V. DISCUSSION ITEMS

- 7. State Policy & Budget Update 2:00 PM – 3:15 PM
 - a. 2020-2021 Legislative Docket Update
 - b. Ballot Measures
- 8. Federal Policy Update 3:15 PM – 3:30 PM
- 9. County Policy Update 3:30 PM – 3:50 PM
 - a. FY 2020-21 Measure H and Homeless Housing, Assistance and Prevention (HHAP) Funding Recommendations
 - b. STD Epidemic Update
 - c. Housing Saves Lives: HUD Rule Change serving Transgender Persons

VI. NEXT STEPS

3:50 PM – 3:55 PM

- 10. Task/Assignments Recap
- 11. Agenda development for the next meeting

VII. ANNOUNCEMENTS

3:55 PM – 4:00 PM

- 12. Opportunity for members of the public and the committee to make announcements

VIII. ADJOURNMENT

4:00 PM

- 13. Adjournment for the meeting of September 14, 2020

PROPOSED MOTIONS	
MOTION #1	Approve the Agenda Order as presented or revised.
MOTION #2	Approve the Public Policy Committee minutes, as presented or revised.



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> ORG • VIRTUAL WEBEX MEETING

Presence at virtual meetings is recorded based on the attendance roll call. Only members of the Commission on HIV are accorded voting privileges and must verbally acknowledge their attendance in order to vote. Approved meeting minutes are available on the Commission's website; meeting recordings are available upon request.

**PUBLIC POLICY COMMITTEE
MEETING MINUTES**

August 3, 2020

Draft

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 PRESENT (cont.)	PUBLIC	COMM STAFF/ CONSULTANTS
Lee Kochems, MA, <i>Co-Chair</i>	Ricky Rosales	Sunnie Rose Berger	Cheryl Barrit, MPIA
Katja Nelson, MPP, <i>Co-Chair</i>	Martin Sattah, MD	Leopoldo Cabral	Carolyn Echols-Watson, MPA
Alasdair Burton (<i>Alt. to Coffey</i>)		Geneviève Clavreul, RN, PhD	Jane Nachazel
Aaron Fox, MPM	MEMBERS ABSENT	Jennifer Gjurashaj	
Jerry D. Gates, PhD	Pamela Coffey (<i>Full to Burton</i>)	Gaston Lassalle	DPH/DHSP STAFF
Bridget Gordon	Eduardo Martinez (<i>Alt.</i>)	LCDR Jose Antonio Ortiz, MPH	None
Nestor Rogel (<i>Alt.</i>)	Tony Spears (<i>Alt.</i>)	Craig Pulsipher, MPP, MSW	
		Julie Tolentino, MPH	

*Some participants may not have been captured electronically. Attendance can be corrected by emailing the Commission.

CONTENTS OF COMMITTEE PACKET

- 1) **Agenda:** Public Policy Committee Agenda, 8/3/2020
- 2) **Minutes:** Public Policy Committee Meeting Minutes, 7/6/2020
- 3) **Recommendations:** (REVISED) Black/African American Community (BAAC) Task Force Recommendations, 10/10/2020
- 4) **Motion:** Establishing an Antiracist Los Angeles County Policy Agenda, 7/21/2020
- 5) **Table:** 2020-2021 Legislative Docket, *Commission Approved 6/11/2020 - Updated 8/3/2020*
- 6) **Table:** National Coalition of STD Directors, 2020
- 7) **Letter:** Barbara Ferrer, PhD, MPH, MEd; *STD crisis, 3/12/2020*
- 8) **Motion:** Increasing County Efforts to Address Rising STD Rates, 11/20/2018
- 9) **Memorandum:** Center for Sexually Transmitted Diseases (STDs) Prevention and Control, 1/22/2020

CALL TO ORDER-INTRODUCTIONS-CONFLICT OF INTEREST STATEMENTS: Ms. Nelson called the meeting to order at 1:07 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 7/6/2020 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 NEW BUSINESS ITEMS

4. OPPORTUNITY FOR COMMISSIONERS TO RECOMMEND ITEMS FOR FUTURE AGENDAS, OR ITEMS REQUIRING IMMEDIATE ACTION DUE TO AN EMERGENCY, OR IF NEED FOR ACTION AROSE AFTER POSTING AGENDA:

- Mr. Kochems had been in meetings since 7:00 am that morning. He noted a main reason for his election was to enhance Unaffiliated Consumer (UC) participation. Since the pandemic began, he noticed it is challenging for everyone to be on virtual meetings all day and expected to be available all the time because one is at home.
- He suggested adopting a practice from other groups that open meetings with a general check-in. For example, he is a UC, a Public Policy Committee Co-Chair, on the behavioral social scientist Commission seat, and was worn out today. The group needs to be attentive to that as he has HIV fatigue syndrome. Such active listening is a way to know and care for each other.
- There was general support and the body chose to initiate the practice with the current meeting.
- Feedback included: fatigue, working to take care of self, a racing mind, trying to keep an eye on all the different things going on, difficulty of being in connection especially with the need to be safe, fear rising and falling with COVID-19 data, excited with new head of clinic while trying to maintain balance in life, challenges with technology, difficulty as time goes on to minimize anger over this situation, good but with some anxiety on meeting needs of multiple assignments, concern with situation in Los Angeles County (LAC), trying to stay positive and provide uplifting online programming for clients.
- A few people noted being new or fairly new to the group, pleased to participate, and seeking how best to contribute.
- One person reported testing negative for COVID-19, but two others reported knowing someone who tested positive.
- ➡ Agreed to open each meeting with a voluntary check-in by all participants.

IV. REPORTS

5. EXECUTIVE DIRECTOR/STAFF REPORT

- Ms. Barrit reported membership recruitment was ongoing for quite a few vacant seats. All are welcome to attend Committee meetings and learn about the work. The Operations Committee will restart training open to the public soon.
- The next full Commission on HIV Meeting has been rescheduled to 8/20/2020 in order not to pose a conflict for those who wish to attend the virtual 2020 National Ryan White Conference on HIV Care and Treatment on 8/11-14/2020.
- Andrea Kim, PhD, MPH, Chief, HIV and STD Surveillance, will present at the 8/20/2020 Commission Meeting on the 2019 HIV Annual Surveillance Report recently released by DHSP.

6. CO-CHAIR REPORT

- a. Public Policy Committee Co-Chairs' Efforts to Build Alliance with Black African American Community (BAAC) Task Force**
- Mr. Kochems noted the Committee's interest in ensuring an in-depth conversation and cooperative process with the BAAC Task Force. Recommendation review began at the last meeting to identify a strategy, goals, and outcomes.
 - The BAAC Task Force will begin meeting again the next week. Per its last Committee meeting, the Public Policy Co-Chairs plan to meet with its Co-Chairs as well as encourage members of both bodies to attend each others' meetings. The Public Policy Co-Chairs also plan to request the Operations Committee review pertinent assignments.
 - Full BAAC Task Force recommendations and the Board of Supervisors (Board) anti-racist motion were in the packet for review. The Committee has agreed not to specify recommendations to highlight until it receives BAAC Task Force input.
 - Regarding an accountability question, Ms. Nelson hoped BAAC Task Force recommended priorities were available for the next meeting so the Committee can identify specific activities, timelines, and how to monitor for accountability.
 - ➡ Read resources and forward ideas to staff for consideration at the next meeting on improving collaboration with the BAAC Task Force and/or any racial justice, empowerment activities within the purview of the Public Policy Committee.
 - ➡ Mr. Kochems will report at the Executive Committee on Public Policy Committee recommendations for all Committees to: agendize, at a minimum, updates on their Committees' BAAC Task Force recommendations response; and, open meetings with introductions and a check-in. The Public Policy Committee welcomes feedback from both activities.

V. DISCUSSION ITEMS

7. POLICY REGARDING SYSTEMIC RACISM

- Ms. Nelson encouraged people to review the previously distributed Racial Justice Framework, pages 3-4, which further defines racial justice and identifies five core demands pertaining to the HIV epidemic:
 1. Integrating racial justice into organizations and political strategies;

2. Centering communities most impacted by the epidemic in leadership and decision-making;
3. Further efforts to advance the racial justice lens in the HIV movement;
4. Ensure equity in allocation of resources - human, material, and financial;
5. Transform or, as needed, dismantle institutions that support white supremacy and harm communities of color.

- She felt these principles were also reflected in the Board's motion on incorporating anti-racism in the LAC.
- The Committee expected to identify activities at the next meeting, e.g., meet with leadership, send letters, make public comment, generate white papers to support bills, build coalitions/strengthen networks, bring more people to the table.
- Mr. Kochems added the Commission has co-sponsored legislation with other organizations in the past. The Public Policy and Operations Committees have also discussed advocating with Health Resources and Services Administration (HRSA) to revise its representation requirements. Such activities may best be addressed after the national elections.
- In a broader context, perhaps decision-making itself needs revision rather than focusing on a "right" number of votes and people. Perhaps we need to think more broadly about the communities we represent. For example, perhaps we need to bring more people to the table who do not look like us, but are part of that group; or perhaps more people who may look like us, but think very differently; or perhaps the focus should be on coming to consensus.
- This is an opportunity to think creatively on decision-making, power-sharing, and related, but differing, empowerment.
- ➡ Referrals to staff were requested, especially from those working in public policy at their agencies, of any pertinent policies and procedures developed at the agencies, or associated alliances and coalitions.
- a. **Los Angeles County (LAC) Anti-Racist Policy Agenda**
 - ➡ Ms. Barrit will advise the Committee of pertinent LAC or California directives past the aforementioned Board Motion.

8. STATE POLICY AND BUDGET UPDATE

- Ms. Nelson reported it now appeared unlikely that the Legislature would augment the budget. There had been hope it might do so after assessing tax revenue in August, but a deficit is anticipated going into next year due to COVID-19 costs.
- Governor Gavin Newsom has made \$600 million available for Project Home Key. Local governments may apply for the funds to assist in purchasing housing for Californians experiencing homelessness who entered the Project Room Key Program during the COVID-19 pandemic. Any funds received by LAC will go towards permanent housing for that population.
- The California Department of Aging anticipates releasing the 10-year Master Plan For Aging in December 2020. The release was expected to include data dashboards and an implementation plan for review and public comment.
- ➡ People were encouraged to offer public comment on the Master Plan for Aging. The comment due date was fairly soon.
- a. **2020-2021 Legislative Docket Update**
 - Ms. Nelson reviewed the Docket and noted nine bills were still working their way through committee hearings. The Legislature may send Governor Newsom bills to sign or veto until 8/31/2020. He has until 9/30/2020 to do so.
 - ➡ Staff will monitor and update the Docket for the next Committee Meeting.

9. FEDERAL POLICY UPDATE

- Ms. Nelson noted the House passed the Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act representing about \$3 trillion in COVID-19 related funding. The Senate Republicans released their proposal in the last week of July. The Health, Economic Assistance, Liability Protections and Schools (HEALS) Act represents about \$1 trillion. Senate and House negotiations have begun. Congress hoped to complete a relief package before the August recess.
- The next Presidential Advisory Council on HIV/AIDS (PACHA) meeting will be 8/6/2020, 12:00 noon to 2:00 pm, Pacific time.
- A nationwide injunction was issued in the last week of July that prevents implementation of the Public Charge rule while there is a "declared national emergency related to the COVID-19 pandemic."
- The United States Census 2020 has announced that it will end door knock operations 9/30/2020 rather than 10/31/2020. That raised concerns as there have been continued setbacks with only four in ten households responding to date nationwide. The Census determines congressional representation among other things. LAC is pushing participation.
- ➡ Ms. Nelson will forward the PACHA meeting agenda for distribution to the Committee. It was also on the HIV.gov website.
- ➡ Ms. Nelson will forward updated resources pertaining to the Public Charge rule for informational purposes.
- a. **Proposed Housing and Urban Development (HUD) Rule to Deny Transgender People Access to Single-Sex Shelters**
 - Ms. Nelson noted this was briefly discussed at the last meeting. Public Policy Committee Co-Chairs and Ms. Barrit have discussed crafting a letter to urge the Board of Supervisors (Board) to oppose the change.
 - ➡ Public Policy Co-Chairs and Ms. Barrit will draft an opposition letter to the Board and report back next month.

10. COUNTY POLICY UPDATE

a. Local Response to the STD Epidemic

- Ms. Nelson noted the Committee has reviewed the draft letter to Department of Public Health (DPH) leadership on the LAC STD response several times. The Co-Chairs and Ms. Barrit acknowledge the current LAC focus on the COVID-19 pandemic. That does not diminish the STD epidemic, but the letter would not receive its due attention now.
- The 3/12/2020 letter was scheduled for presentation, discussion, and approval at the 3/13/2020 Commission on HIV Meeting. That meeting, however, was cancelled due to the COVID-19 pandemic.
- ➡ Continue to monitor situation to determine the most strategic time to update and move forward with the letter.

b. National Coalition of STD Directors (NCS) STD and HIV Federal Funding Chart: The chart was in the packet for review.

VI. NEXT STEPS

11. TASK/ASSIGNMENTS RECAP: There were no additional items.

12. AGENDA DEVELOPMENT FOR NEXT MEETING:

- ➡ Reschedule next meeting to 9/14/2020, 1:00 to 3:00 pm, due to conflict with Labor Day Holiday.

VII. ANNOUNCEMENTS

13. OPPORTUNITY FOR PUBLIC AND COMMITTEE TO MAKE ANNOUNCEMENTS:

- ➡ Ms. Nelson will forward information for distribution on a webinar regarding the HPTN 083 PrEP injectable trial. Dr. R. Landovitz will present on 8/6/2020, 3:00 to 4:30 pm, hosted by the University of California, Los Angeles (UCLA), Center for HIV Identification, Prevention, and Treatment Services (CHIPTS).

VIII. ADJOURNMENT

14. ADJOURNMENT: The meeting adjourned at 2:30 pm.

For Executive Committee Review
Approved by Public Policy Committee - 3/2/2020



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2020 POLICY PRIORITIES

The Public Policy Committee recommends the following policy priorities (in no particular order) for the Commission on HIV to focus on in 2020:

1. Preserve access to and continuity of care for people living with HIV/AIDS (PLWHA) and communities at highest risk for the acquisition and transmission of HIV disease.
 - Preserve or increase federal funding for Medicaid, Medicare, and for HIV/AIDS programs.
 - Preserve or increase health insurance coverage for individuals with pre-existing conditions.
2. Protect and expand service access and availability for syndemic HIV, STD, and viral hepatitis in California's annual budgeting process and ensure the impact of services and allocation of resources are distributed in accordance to the HIV burden within Los Angeles County.
3. Preserve or increase the Ryan White Program at current or increased funding levels and, where appropriate and strategically viable, support stronger compatibility and greater effectiveness between the RWP, Medicaid, Medicare, and other health systems.
4. Advance and enhance routine HIV testing, expanded linkage to care, and other improvements to the local, state, and national HIV service delivery systems that optimize health outcomes in the HIV Continuum and advance HIV services in LA County consistent with efforts to end the HIV epidemic.
5. Support policies that use data, without risking personal privacy and health, to improve health outcomes and eliminate health disparities among PLWHA and communities highly impacted by HIV/STDs.
6. Enhance accountability for deliverables from a heightened and coordinated federal, state, and local response, particularly in the context of local planning and responsiveness to end the HIV epidemic.
7. Support proposals and increased funding for the provision of and access to: prevention, care and treatment services, bio-medical interventions (such as PrEP and PEP) for people at risk for acquiring HIV and people living with HIV/AIDS, and comprehensive HIV/STD counseling, testing, education, outreach, research, harm reduction services including syringe exchange, and social marketing programs.
8. Support proposals that seek to advance health equity, reduce HIV-related stigma, and address social determinants of health such as poverty, education, violence, substance use, food insecurity, and transportation in order to improve health outcomes for PLWHA and special populations at highest risk for contracting HIV.
9. Preserve or improve systems, strategies and proposals that seek to expand affordable housing, as well as prioritize housing opportunities for people living with, affected by, or at risk of contracting HIV/AIDS.



10. Preserve or improve systems, strategies, and proposals that seek to prevent homelessness for people living with, affected by, or at risk of contracting HIV/AIDS.
11. Support proposals that seek to create and expand medical and supportive services for PLWHA ages 50 and over.
12. Support proposals that eliminate discrimination against or the criminalization of people living with or at risk of HIV/AIDS.
13. Support proposals that expand access and reduce barriers and cost of HIV/AIDS, STD, and viral hepatitis prevention and treatment medication.
14. Preserve full funding and accessibility to the AIDS Drug Assistance Program (ADAP), Pre-Exposure Prophylaxis Assistance Program (PrEP-AP), Office of AIDS Health Insurance Premium Payment (OA-HIPP) Assistance, Employer Based Health Insurance Premium Payment (EB-HIPP), and Medigap.
15. Support proposals and policies that prioritize mental health services for people living with, affected by, or at risk of contracting HIV/AIDS.
16. Support proposals and policies, especially in the event of Ryan White Reauthorization, that advocate for and encourage the empowerment and engagement of consumer PLWHA and those at risk for contracting HIV on all levels of policy creation, legislation, regulation, and service provision related to HIV prevention and treatment and care with the goal of ending all HIV transmissions and curing all PLWHA.

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.



2020-2021 Legislative Docket

Commission Approved 06/11/2020 – Updated for 09/14/2020 Meeting

POSITIONS: SUPPORT | OPPOSE | SUPPORT w/AMENDMENTS | OPPOSE unless AMENDED | WATCH | County bills noted w/asterisk

BILL	TITLE	DESCRIPTION / COMMENTS	RECOMMENDED POSITION	STATUS
AB 362 (Eggman)	Controlled substances: overdose prevention program	This bill would, until January 1, 2026, authorize the City and County of San Francisco <i>and the City of Oakland</i> to approve entities to operate overdose prevention programs for persons 18 years of age or older that satisfy specified requirements. http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB362	Support	08/01/20 Hearing Canceled with Author's Request
AB 683 (Carrillo)	Medi-Cal: eligibility	This bill would update the assets limits for programs serving seniors to \$10,000 for an individual and an additional \$5,000 for each additional household member, with annual indexing; expand and simplify the list of items to be excluded from the assets test for those Medi-Cal programs still subject to the assets test; and eliminate the assets test entirely for the Medicare Savings Programs, programs where Medi-Cal pays for an individual's Medicare premiums and co-payments. https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB683	Support 2019 Docket: Support	6/23/20 Referred to Committee on Health
AB 732 (Bonta)	County jails: prisoners: incarcerated pregnant persons	This bill would improve the quality of reproductive health care for pregnant people in county jails and state prisons: require an incarcerated person in a county jail or the state prison who is identified as possibly pregnant or capable of becoming pregnant to be offered a pregnancy test upon intake or request, and in the case of a county jail, within 72 hours of arrival at the jail, require an incarcerated person who is confirmed to be pregnant to be scheduled for pregnancy examination with a physician, nurse practitioner, certified nurse midwife, or physician assistant within 7 days, require incarcerated pregnant persons to be scheduled for prenatal care visits, provided specified prenatal services and a referral to a social worker, given access to community-based programs serving pregnant, birthing, or lactating inmates, have a support person present during childbirth, and more. https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB732 <i>Committee questions:</i> (Received email response from bill sponsor ACLU on 4/3/20) - <i>Can community-based organizations appeal if they are denied access to support a client or potential client? Grievances may be filed; grievance process depends on whether the grievance is considered a healthcare grievance or non-health related grievance.</i>	Support	09/08/20 <i>Enrolled and Presented to the Governor</i>

Commission Approved 06/11/2020 – Update 09/14/2020

BILL	TITLE	DESCRIPTION / COMMENTS	RECOMMENDED POSITION	STATUS
<p>AB 890 (Wood)</p>	<p>Nurse practitioners: scope of practice: practice without standardized procedures</p>	<p>Existing law authorizes the implementation of standardized procedures that authorize a nurse practitioner to perform in collaboration with a physician and surgeon. A violation of the act is a misdemeanor. <i>This bill, until January 1, 2026, would establish the Advanced Practice Registered Nursing Board which would consist of 9 members.</i> Nurse Practitioner Advisory Committee to advise and give recommendations to the board on matters relating to nurse practitioners. The bill would require the board to define minimum standards for a nurse practitioner to transition to practice without the routine presence of a physician and surgeon. <i>The bill would require the committee to provide recommendations or guidance to the board when the board is considering disciplinary action against a nurse practitioner. The bill would require the occupational analysis to be completed by January 1, 2023.</i></p> <p>https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB890</p>	<p>Support 2019 Docket: Support</p>	<p>09/04/20 Enrolled (Filed with Governor Accepted by Both Houses)</p>
<p>AB 1938 (Weiner)</p>	<p>Prescription drugs: 340B discount drug purchasing program.</p>	<p><i>This bill would define a “designated entity” as a nonprofit organization. The bill would prohibit a designated entity from using any revenue from a contract with the department, a contract with the federal Centers for Medicare and Medicaid Services, and from the 340B program on specified activity, such as funding litigation under the California Environmental Quality Act. The bill would require a designated entity, and any subsidiary of that entity, to annually report on its internet website specified information, including the amount of gross revenue generated from a contract with the department, a contract with the federal Centers for Medicare and Medicaid Services, and from the 340B program for the previous year, and would condition the implementation of these provisions to the extent that federal financial participation is available and federal approvals are obtained.</i></p> <p>https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1938</p>	<p>Watch</p>	<p>05/19/20 From committee: Do pass and re-refer to Committee on Appropriations</p>

Commission Approved 06/11/2020 – Update 09/14/2020

BILL	TITLE	DESCRIPTION / COMMENTS	RECOMMENDED POSITION	STATUS
AB 1965 (Aguiar-Curry)	Family Planning, Access, Care, and Treatment (Family PACT) Program	<p>Existing law establishes the Family PACT Program under Medi-Cal, under which comprehensive clinical family planning services are provided to a person who is eligible and has a family income at or below 200% of the federal poverty level. Existing law provides that comprehensive clinical family planning services under the program includes preconception counseling, maternal and fetal health counseling, and general reproductive health care, among other things. This bill would expand comprehensive clinical family planning services under the program to include the human papillomavirus (HPV) vaccine for persons of reproductive age.</p> <p>http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1965</p>	Support	3/17/20 In Committee: Set, first hearing. Hearing canceled at the request of author.
AB 2007 (Salas)	Medi-Cal: federally qualified health center: rural health clinic: telehealth	<p>FQHC and RHC services are reimbursed to providers on a per-visit basis, and a “visit” is defined as a face-to-face encounter between a patient of an FQHC or RHC and specified health care professionals, including dental providers. The bill would clarify, for purposes of an FQHC or RHC visit, that face-to-face contact between a health care provider and a patient is not required for an FQHC or RHC to bill for telehealth.</p> <p>http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB2007</p>	Support	3/17/20 In Committee: Hearing postponed by committee.
AB 2077 (Ting)	Hypodermic needles and syringes	<p>Existing law, until January 1, 2021 authorizes a physician or pharmacist to, without a prescription or permit, to furnish hypodermic needles and syringes for human use to a person 18 years of age or older, and authorizes a person 18 years of age or older to, without a prescription or license, obtain hypodermic needles and syringes solely for personal use from a physician or pharmacist, as a public health measure, as specified.</p> <p>This bill would extend this authority until January 1, 2026 and would make other conforming changes.</p> <p>http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB2077</p>	Support	<i>08/31/20 Sent to Governor's Desk</i>

Commission Approved 06/11/2020 – Update 09/14/2020

BILL	TITLE	DESCRIPTION / COMMENTS	RECOMMENDED POSITION	STATUS
AB 2204 (Arambula)	Health care coverage: sexually transmitted diseases	<p>This bill would require a health care service plan contract or health insurance policy issued, amended, or renewed on or after January 1, 2021, to provide coverage for sexually transmitted disease testing, treatment, and referral at a contracting or noncontracting health facility at the same cost-sharing rate an enrollee or insured would pay for the same services received from a contracting health facility. The bill would require a plan or insurer to reimburse a noncontracting health facility providing sexually transmitted disease testing, treatment, and referral at the same rate at which it reimburses a contracting health facility for those covered services.</p> <p>http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB2204</p> <p>Committee questions:</p> <ul style="list-style-type: none"> - What is the billing process? How will organizations and clinics bill insurance? 	Watch *Need more info	3/02/20 Re-referred to Committee on Health.
AB 2218 (Santiago)	Transgender Wellness and Equity Fund	<p>This bill would establish the Transgender Wellness and Equity Fund, for grants the purpose of funding grants, upon appropriation by the legislature, to transgender-led (Trans-led) organizations and hospitals, health care clinics, and other medical providers that provide gender-conforming health care services and have an established partnership with a Trans-led organization, to create, or fund existing, programs focused on coordinating trans-inclusive health care, as defined for people that identify as transgender, gender nonconforming, or intersex. The bill would appropriate \$15,000,000 from the General Fund to the Transgender Wellness and Equity Fund. <i>to organizations serving people that identify as transgender, gender non-conforming of intersex (TGI), to create or fund TGI specific housing programs and partnerships with hospitals, health care clinics, and other medical providers to provide TGI focused health care, as defined and related education programs for health care providers.</i></p> <p>http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB2218</p>	Support	09/01/20 Sent to Governor's Desk
AB 2258 (Reyes)	Doula care: Medi-Cal pilot program	<p>A new bill targeting the maternal mortality crisis seeks to address pregnancy care inequities by requiring Medi-Cal to cover doulas. This bill would require the department to establish, commencing July 1, 2021, a full-spectrum doula care pilot program to operate for 3 years for pregnant and postpartum Medi-Cal beneficiaries residing in 14 counties that experience the highest burden of birth disparities in the state, and would provide that any Medi-Cal beneficiary who is pregnant is entitled to doula care.</p> <p>http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB2258</p>	Support	2/20/20 Referred to Committee on Health.

Commission Approved 06/11/2020 – Update 09/14/2020

BILL	TITLE	DESCRIPTION / COMMENTS	RECOMMENDED POSITION	STATUS
AB 2275 (Nazarian)	State armories: homeless shelters: security	This bill would require, prior to shelter services commencing, that the county or city notify local law enforcement officers and request that officers make periodic visits to the armory on each night of operation. https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB2275 Note: The County is in support of this bill.	Support	<i>08/30/20 Engrossing and Enrollment (Prepares and delivers bills to governor)</i>
AB 2329 (Chiu)	Homelessness: statewide needs and gaps analysis	This bill, upon appropriation by the Legislature, would require the council to conduct, or contract with an entity to conduct, a statewide needs and gaps analysis, to among other things, identify state programs that provide housing or services to persons experiencing homelessness and create a financial model that will assess certain investment needs for the purpose of moving persons experiencing homelessness into permanent housing. http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB2329	Support	06/03/20 In Committee Held under submission.
AB 2389 (Garcia)	Adult performers: employment rights	This bill would, on and after July 1, 2022, require adult entertainers and performers to complete a specified biennial training program regarding employee safety and working rights for adult entertainer workers to work in an adult entertainment video. The bill would, by January 1, 2022, require the Department of Industrial Relations to create the training program and to convene an advisory group, composed of specified representatives of the adult performance industry, to provide recommendations for the creation and dissemination of the training. https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB2389	Watch	03/02/20 Re-referred to Committee on Labor & Employment
AB 2405 (Burke)	Housing: children and families	This bill would declare that it is the policy of the state that every child and family individual has the right to safe, decent, and affordable housing, and would require the policy to consider homelessness prevention, emergency accommodations, and permanent housing. https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB2405 Committee questions: (Call w/Burke's office on 3/12) - How does the bill define family? Not defined at this time, anticipate it will broaden - Does the bill include youth experiencing homelessness? Not at this time, anticipate it will broaden. Already received requites to expand beyond children & families. - How is this plan different from existing plans? Could potentially be the same plan as long as the plan is measurable/includes metrics.	Watch/Support	<i>09/01/20 Sent to Governor's Desk</i>

Commission Approved 06/11/2020 – Update 09/14/2020

BILL	TITLE	DESCRIPTION / COMMENTS	RECOMMENDED POSITION	STATUS
SB 132 (Wiener)	(Corrections) The Transgender Respect, Agency, and Dignity Act	<p>This bill commencing January 1, 2021 <i>would</i>, require the Department of Corrections and Rehabilitation to, during initial intake and classification <i>and in a private setting</i>, ask each individual entering into the custody of the department to specify the individual's gender identity and sex assigned at birth, and, if the individual's gender identity is different from their sex assigned at birth whether the individual identifies as transgender, non-binary, or intersex and their gender pronoun and honorific.</p> <p>https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB132</p>	Support 2019 Docket: Support	<i>09/04/20 Sent to Governor's Desk</i>
SB 175 (Pan)	Health Care Coverage	<p>This bill would delete the requirement that a plan comply with the prohibition on lifetime or annual limits to the extent required by federal law, and would instead prohibit an individual or group health care service plan contract from establishing lifetime or annual limits on the dollar value of benefits for an enrollee, thereby indefinitely extending the prohibitions on lifetime or annual limits, except as specified. Because a willful violation of these provisions by a health care service plan would be a crime, the bill would impose a state-mandated local program. This bill would ban health insurers from imposing annual or lifetime limits on coverage and indefinitely extend the requirement for insurers to cover preventive care without patient cost-sharing.</p> <p>https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB175</p> <p>Similar to SB 406 which repeals and adds to 1367.002 of the Health and Safety Code</p>	Support 2019 Docket: Support, County position: Watch	06/18/20 Referred to Committee on Health.
SB 406 (Pan)	Health care coverage: Omnibus bill	<p>This bill would delete the requirement that a plan <i>or a health insurer</i> comply with the requirement to cover preventive health services without cost sharing to the extent required by federal law, and would instead require a group or individual health care service plan contract <i>or health insurer</i> to, at a minimum, provide coverage for specified preventive services without any cost-sharing requirements for those preventive services, thereby indefinitely extending those requirements. Because a willful violation of these provisions by a health care service plan would be a crime, the bill would impose a state-mandated local program. This bill would ban health insurers from imposing annual or lifetime limits on coverage and indefinitely extend the requirement for insurers to cover preventive care without patient cost-sharing.</p> <p>https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB406</p> <p>Similar to SB 175 which repeals and adds to 1367.001 of the Health and Safety Code</p>	Support	<i>09/04/20 Enrolled (Filed with Governor Accepted by Both Houses.)</i>

Commission Approved 06/11/2020 – Update 09/14/2020

BILL	TITLE	DESCRIPTION / COMMENTS	RECOMMENDED POSITION	STATUS
SB 854 (Beall/ Wiener)	Health care coverage: Substance use disorders	<p>This bill will prohibit insurers from requiring authorization before coverage for FDA-approved prescriptions, like Medication Assisted Treatment (MAT). It will also place FDA-approved medications for treatment of substance use disorders on the lowest cost-sharing tier.</p> <p>https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB854</p>	Support	<p>04/24/20 From committee with author's amendments . Read second time and amended. Re-referred to Committee on HEALTH.</p>
SB 859 (Wiener)	Master Plan for HIV, HCV, and STDs	<p>This bill would require the Secretary of California Health and Human Services and the Chief of the Office of Aids to develop and implement a master plan on HIV, HCV, and STDs, for the purpose of improving the health of people living with, and vulnerable to, those conditions, reducing new transmissions, and ending these epidemics. The bill would require the secretary and chief to create a Master Plan on HIV, HCV, and STDs Stakeholder Advisory Committee and work with that advisory committee and relevant state agencies to identify recommended programs, policies, strategies, and funding necessary to implement the master plan.</p> <p>https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB859</p>	Support	<p>03/17/20 March 25 hearing postponed by committee.</p>
SB 885 (Pan)	Sexually transmitted diseases	<p>This bill would specify that family planning services for which a Medi-Cal managed care plan may not restrict a beneficiary's choice of a qualified provider for STD testing and treatment. The bill would authorize an office visit to a Family PACT provider or Medi-Cal provider for specified STD-related services for uninsured, income-eligible patients, or patients with health care coverage who have confidentiality concerns, who are not at risk for experiencing or causing an unintended pregnancy, and who are not in need of contraceptive services, to be reimbursed at the same rate as comprehensive clinical family planning services.</p> <p>http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB885</p>	Support	<p>05/12/20 Referral to Committees on Health, and Judiciary. rescinded due to the shortened 2020 Legislative Calendar.</p>

Commission Approved 06/11/2020 – Update 09/14/2020

BILL	TITLE	DESCRIPTION / COMMENTS	RECOMMENDED POSITION	STATUS
SB 888 (Wiener)	Substance use disorder services: contingency management services	<p>This bill would, to the extent funds are made available in the annual Budget Act, expand substance use disorder services to include contingency management services, a preventative measure to ensure continuity of access to Medi-Cal healthcare services for beneficiaries and payments to providers in the event of a disruption. The bill would require the department to issue guidance and training to providers on their use of contingency management services for Medi-Cal beneficiaries who access substance use disorder services under any Medi-Cal delivery system, including the Drug Medi-Cal Treatment Program and the Drug Medi-Cal organized delivery system.</p> <p>https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB888</p>	Support	03/11/20 Re-referred to Committee on Health.
SB 932 (Wiener)	Communicable Diseases: COVID-19 Data Collection	<p>This bill would require any electronic communicable disease reporting tool used tool used by local health officers for the purpose of reporting cases of communicable diseases to be by the State Department of Public Health, and each local health officer department, as specified, to include the capacity to collect and report data relating to the sexual orientation and gender identity of individuals who are diagnosed with coronavirus disease 2019 (COVID-19). The bill would also require a health care provider that knows of, or is in attendance on, a case or a suspected case of COVID-19 that knows of or is attendance on a case or suspected case of any specified communicable disease to report to the local health officer for the jurisdiction in which the patient resides, the patient's sexual orientation and gender identity, if known because the patient self-reports this information. By imposing new duties on local health officers, this bill would impose a state-mandated local program.</p> <p>This bill would declare that it is to take effect immediately as an urgency statute.</p> <p>https://leginfo.legislature.ca.gov/faces/billStatusClient.xhtml?bill_id=201920200SB932</p> <p>Previously HIV Counselor training bill. Language amended 5/5/2020 to current bill. Committee supported previous bill.</p>	Support	09/02/20 Sent to Governor's Desk
SB 961 (Gonzalez)	<i>The Equal Insurance HIV Act.</i>	<p>The Equal Insurance HIV Act will stop insurance companies from rejecting Californians from life and disability income insurance coverage based solely on their HIV status.</p> <p>https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB961</p>	Support	Hearing set for 5/14/20 Postponed by Committee on Insurance.

Commission Approved 06/11/2020 – Update 09/14/2020

BILL	TITLE	DESCRIPTION / COMMENTS	RECOMMENDED POSITION	STATUS
SB 1255	Committee on Insurance	<p>This bill, on and after January 1, 2023, would prohibit an insurer from declining an application or enrollment request for coverage under a policy or certificate for life insurance or disability income insurance based solely on the results of a positive HIV test, regardless of when or at whose direction the test was performed. However, the bill would not prevent or restrict an insurer from refusing to insure an applicant that is HIV positive, limiting the amount, extent, or kind of coverage for an applicant that is HIV positive, or charging a different rate to an applicant that is HIV positive, if the refusal, limitation, or charge is based on sound actuarial principals and actual or reasonably anticipated experience.</p> <p>Note: This bill is related to SB 961</p> <p>http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB1255</p>	Watch	<p>09/04/20 Sent to Governor's Office</p>
FEDERAL				
H.R. 266 (McCollum/Betty)	Paycheck Protection Program and Health Care Enhancement Act	<p>This is the fourth legislative measure Congress has enacted in response to the Coronavirus pandemic. It provides additional funding for hospitals and COVID-19 testing, as well as additional funding to replenish Small Business Administration (SBA) programs.</p> <p>https://www.congress.gov/bill/116th-congress/house-bill/266?</p> <p> 4-30-20 WASHINGTON D.C. I</p>	Support	<p>4/24/20 signed into law</p>
H.R. 748 (Courtney/ Joe)	Coronavirus Aid Relief and Economic Security (CARES) Act	<p>The third measure enacted to address the impacts of the Coronavirus pandemic on state and local governments, health care workers, law enforcement and first responders, small businesses and individual Americans.</p> <p>https://www.congress.gov/bill/116th-congress/house-bill/748?q</p> <p> 4-7-20 Washington, D.C. Update - The Pe</p>	Support	<p>3/27/20 signed into law</p>

Commission Approved 06/11/2020 – Update 09/14/2020

BILL	TITLE	DESCRIPTION / COMMENTS	RECOMMENDED POSITION	STATUS
H.R. 5806 (Lewis)	HIV Epidemic Loan-Repayment Program (HELP) Act of 2020	<p>The HIV Epidemic Loan-Repayment Program (HELP) Act responds to the increasing shortage of qualified healthcare professionals needed to provide care for people living with HIV by creating a new loan repayment program to help replenish the field of professionals. H.R. 5806 authorizes up to \$250,000 over five years in loan repayment to physicians, nurse practitioners, physician assistants, and dentists, who provide HIV treatment in health professional shortage areas or at Ryan White funded clinical sites.</p> <p>https://www.congress.gov/bill/116th-congress/house-bill/5806?s=1&r=15</p>	Support	02/07/20 Referred to the House Committee on Energy and Commerce.
H.R. 6074 (Lowey/Nita)	Coronavirus Preparedness & Response Supplemental Appropriations Act of 2020	<p>This bill provides \$8.3 billion in emergency funding for federal agencies to respond to the coronavirus outbreak.</p> <p>https://www.congress.gov/bill/116th-congress/house-bill/6074</p>	Support	03/06/20 signed into law

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County of Los Angeles CHIEF EXECUTIVE OFFICE

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SACHI A. HAMAI
Chief Executive Officer

Board of Supervisors
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First District

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Second District

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Third District

JANICE HAHN
Fourth District

KATHRYN BARGER
Fifth District

August 24, 2020

To: Supervisor Kathryn Barger, Chair
Supervisor Hilda L. Solis
Supervisor Mark Ridley-Thomas
Supervisor Sheila Kuehl
Supervisor Janice Hahn

From: Sachi A. Hamai 
Chief Executive Officer

OVERVIEW OF THE NOVEMBER 3, 2020 GENERAL ELECTION BALLOT MEASURES

This memorandum is to provide the Board with information regarding the 12 statewide propositions on the November 3, 2020 General Election Ballot. Advocacy positions on ballot measures are a matter for Board policy determination.

Currently, the Board supports Proposition 15, related to The California Schools and Local Communities Funding Act of 2020 (commonly referred to as Split Roll), pursuant to the August 4, 2020 Board-approved motion. The Board currently has no position on the remaining 11 measures. The official titles of the measures are:

- **Proposition 14:** Authorizes Bonds Continuing Stem Cell Research. Initiative Statute. **No Position.**
- **Proposition 15:** Increases Funding Sources for Public Schools, Community Colleges, and Local Government Services by Changing Tax Assessment of Commercial and Industrial Property. Initiative Constitutional Amendment. **County-supported.**
- **Proposition 16:** Allows Diversity as a Factor in Public Employment, Education, and Contracting Decisions. Legislative Constitutional Amendment. **No Position.**
- **Proposition 17:** Restores Right to Vote After Completion of Prison Term. Legislative Constitutional Amendment. **No Position.**

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August 24, 2020
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- **Proposition 18:** Amends California Constitution to Permit 17-Year-Olds to Vote in Primary and Special Elections if They Will Turn 18 by the Next General Election and be Otherwise Eligible to Vote. Legislative Constitutional Amendment. **No Position.**
- **Proposition 19:** Changes Certain Property Tax Rules. Legislative Constitutional Amendment. **No Position.**
- **Proposition 20:** Restricts Parole for Certain Offenses Currently Considered to be Non-Violent. Authorizes Felony Sentences for Certain Offenses Currently Treated Only as Misdemeanors. Initiative Statute. **No Position.**
- **Proposition 21:** Expands Local Government's Authority to Enact Rent Control on Residential Property. Initiative Statute. **No Position.**
- **Proposition 22:** Exempts App-Based Transportation and Delivery Companies from Providing Employee Benefits to Certain Drivers. Initiative Statute. **No Position.**
- **Proposition 23:** Establishes State Requirements for Kidney Dialysis Clinics. Requires On-Site Medical Professional. Initiative Statute. **No Position.**
- **Proposition 24:** Amends Consumer Privacy Laws. Initiative Statute. **No Position.**
- **Proposition 25:** Referendum on Law That Replaced Money Bail with System Based on Public Safety and Flight Risk. **No Position.**

Attachment I includes a summary of each proposition and comments from affected County departments.

Attachment II is a copy of the July 31, 2020 County analysis of Proposition 15.

If you have any questions or require additional information, please have your staff contact Samara Ashley at (213) 974-1464.

SAH:FAD:SA
OR:JAC:dr

Attachments

c: All Department Heads

PROPOSITION 14: AUTHORIZES BONDS CONTINUING STEM CELL RESEARCH.
Initiative Statute. COUNTY POSITION: **NONE**

If approved by the voters, Proposition 14 would authorize the State to sell \$5.5 billion in general obligation bonds to primarily fund additional grants to support research and the development of treatments (including clinical trials) for many diseases. The measure would set aside at least \$1.5 billion specifically to research and develop treatments for diseases affecting the brain and central nervous system, such as Alzheimer's disease and Parkinson's disease. It would also direct the California Institute for Regenerative Medicine (CIRM) to allocate a small share of grant funding for training opportunities for California State University and California Community College students, as well as a small share to help establish and support facilities focused on research and clinical trials.

To help improve patient access to stem cell treatments, the measure would also allow CIRM to hire additional employees to develop policies and programs relating to improving access to and the affordability of treatments for patients. Among other changes, the measure would increase the number of members on CIRM's governing board from 29 to 35, which would be supported by a new advisory working group of experts. Further, any invention-related revenue deposited into the State General Fund (SGF) would be used to help pay for patients' regenerative medicine treatments.

The measure would limit the amount of bonds the State could sell to \$540.0 million per year, thereby spreading out bond sales over at least 11 years. For the first five years after the measure is approved, the State would make interest payments using funds from the bond sales, thereby reducing the amount of bond funding available for research projects. Beginning January 1, 2026, the State would make remaining debt payments from the SGF.

Background. Stem cells have been researched as treatments and cures for certain diseases, including Alzheimer's, diabetes, and cancer, due to their potential to regenerate cells, tissues, and organs. In 2004, voters approved Proposition 71, which added a provision to the State Constitution affirming the right of researchers to conduct stem cell research. The measure created the CIRM, primarily for the purpose of providing grants to universities and other entities in California to support stem cell research, the development of new treatments, clinical trials, new research facilities, and other related activities.

Proposition 71 allowed the State to sell \$3.0 billion in general obligation bonds. The money generated from the sale of bonds to investors fund CIRM grants and operations. Grant funds have supported basic science research, the development of potential treatments, clinical trials, construction of new research facilities, and research internships for college students. After selling bonds, the State has been repaying investors with interest over many years. While most debt payments were paid from the SGF, the measure required that a small amount of interest be paid by funds from the bond sales.

Proposition 71 required the State to receive a portion of income resulting from the sales or licensing of the inventions of grant recipients, including the University of California which has received the greatest amount of grant funding. The State began receiving income from CIRM-funded inventions in 2017, which have provided approximately \$350,000 to date. This income is deposited into the SGF and may be used to support any State program. As of June 2020, CIRM had spent most of its Proposition 71 funds with approximately \$30.0 million available for grants.

Legislative Analyst's Office Report. While noting that the cost to repay the bonds authorized by this measure is dependent on factors that include the interest rates on the bonds and the time period over which they are repaid, the Legislative Analyst's Office (LAO) estimates the total cost to pay off the bonds would be approximately \$7.8 billion—\$5.5 billion for the principal and \$2.3 billion for the interest. State costs would average \$260.0 million per year for about 30 years, which is less than one percent of the current SGF budget. Additionally, the LAO notes that the measure could have indirect impacts on State and local governments for which the fiscal ramifications are unknown. For example, the development of new treatments, could impact State and local government costs for programs such as Medi-Cal.

County Impact. The Department of Health Services is supportive of increased funding for promising stem cell medical research/training, therapy development, and state-of-the-art research facilities with the potential to transform patient lives through new and innovative treatments.

County Counsel indicates that although this ballot measure does not directly impact any County departments, its impact can be measured in terms of the potential enhancement to public health, based on the medical progress and possible cures for chronic conditions and diseases that impact a significant portion of County residents. County Counsel also indicates that County residents would benefit from improved access and affordability for stem cell treatment and innovative therapies. Furthermore, County Counsel indicates that growth of the biotech industry in the greater Los Angeles area may result in benefits to the County and its residents, such as increasing the number of well paying, high-tech jobs, driving innovation and academic pursuits, increasing patient access to new and innovative treatments, and improving the ability of the County to establish and/or expand partnerships with universities and research institutes.

Support: Californians for Stem Cell Research, Treatments and Cures, which is a coalition of individuals and over 70 organizations that include the University of California Board of Regents, Alzheimer's Los Angeles, Amyotrophic Lateral Sclerosis (ALS) CURE Project, San Francisco Acquired Immune Deficiency (AIDS) Foundation, and California Hepatitis C Task Force.

Opposition. There is no known opposition to Proposition 14 at this time.

PROPOSITION 15: INCREASES FUNDING SOURCES FOR PUBLIC SCHOOLS, COMMUNITY COLLEGES, AND LOCAL GOVERNMENT SERVICES BY CHANGING THE TAX ASSESSMENT OF COMMERCIAL AND INDUSTRIAL PROPERTY. Initiative Constitutional Amendment. COUNTY POSITION: **SUPPORT**

If approved by the voters, Proposition 15, the *California Schools and Local Communities Funding Act of 2020* (commonly referred to as Split Roll), would tax most commercial and industrial real property, including some vacant land, based on current fair market value, eliminating the limitation on increasing assessed value by no more than two percent per year for those properties.

The measure would not apply to residential property, property owned or occupied by small businesses with a market value of less than \$3.0 million, or farmland (though it would apply to a farm's buildings, such as processing and refrigeration facilities). The \$3.0 million threshold for small businesses will be adjusted for inflation every two years by the State Board of Equalization (BOE) beginning in 2025. The BOE will be tasked with calculating the inflation adjustment on a county by county basis, taking into consideration the average market values of each.

The first \$500,000 of a business' personal property (e.g., machinery, computers, and office equipment) will be exempt from taxation, and businesses with fewer than 50 employees will be exempt from taxation on all personal property. Aircraft and vessels are not included in the personal property exemptions.

Proposition 15 would require the Legislature to establish a Task Force on Property Tax Administration, made up of a county assessor, a member of the BOE, a proponent of Proposition 15, a taxpayer representative, and a member of the Legislature. The Task Force is instructed to make recommendations to the Legislature on certain aspects of implementation which the measure leaves to the Legislature to decide.

The measure's shift to market value assessment would be phased in over three fiscal years, beginning in 2022-23. After the initial reassessment, applicable commercial and industrial real property will be regularly reassessed at intervals determined by the Legislature, but no less frequently than every three years. There is an exception to this timeline for property where a majority of square footage is occupied by small businesses with 50 or fewer employees. These properties would not shift to market value taxation until 2025-26, unless a different date is set by the Legislature.

Before allocating funds raised by this measure to local governments and schools, the proposal requires a portion of the new revenues be allocated to: 1) the SGF to compensate for any reductions in personal income and corporate tax revenue resulting from the measure; and 2) counties to cover the costs of administering the changes. The Legislature will determine which county costs are eligible for reimbursement. However, the measure does state that such costs shall at a minimum include the costs of assessment, assessment appeals, legal counsel, tax allocation and distribution, auditing

and enforcement, with the intent to provide full adequate funding to counties to cover all costs associated with implementation of the Act.

Proposition 15 also directs the Legislature to work with county assessors to develop a process for hearing appeals resulting from the required reassessments. The measure outlines several requirements for this process. Most notably, the appeals process would not automatically accept an applicant's opinion of value on the property. Under current law, County Boards of Equalization and Assessment Appeals Boards are required to render their decision on an appeal within two years. If they do not, the new value of the property will default to whatever the applicant's opinion of value is, even if that value is unrealistically or artificially low. In addition, Proposition 15 would require the applicant to shoulder the burden of proof that their property was not properly valued, as opposed to the assessor.

Background. Article XIII of the California Constitution, originally enacted by Proposition 13 in 1978, does not distinguish commercial and industrial property from residential and agricultural property. It caps the ad valorem tax rate for all property at one percent and limits increases to the assessed value. Each year, the property's assessed value can increase by no more than two percent or the rate of inflation, whichever is lower. Property is only reassessed when there is a change in ownership or new construction, at which point it is reassessed at fair market value.

California cities, counties, schools, and special districts (e.g. fire protection district) collect property taxes from property owners based on the value of their property. Property taxes raise around \$65.0 billion each year for these local governments. Statewide, approximately 46 percent of property tax revenues are allocated to local agencies, counties (14 percent), cities (13 percent), and special districts (19 percent), while the remaining 54 percent is allocated to schools and community colleges, although the allocation varies among counties.

Legislative Analyst's Office Report. The LAO estimates that most owners of commercial land and buildings worth more than \$3.0 million would pay higher property taxes. Only some of these property owners would start to pay higher taxes in 2022 given the three year phase-in of the reassessment of commercial and industrial real property. However, by 2025, most of these property owners would pay higher taxes. Beginning in 2025, total property taxes from commercial land and buildings probably would be \$8.0 billion to \$12.5 billion higher in most years.

The LAO notes that the value of commercial property can change substantially from year to year, which means that the amount of increased property taxes could also change substantially from year to year. The LAO also notes that taxes on business equipment would probably be several hundred million dollars lower each year. Overall, the LAO estimates that between \$6.5 billion to \$11.5 billion per year in new property taxes would go to local governments. Specifically, 60 percent would go to cities, counties, and special districts. Each city, county or special district's share of the money depends on the amount of new taxes paid by commercial properties in that community, among others. The LAO

notes that not all governments would be guaranteed new money. Some in rural areas may end up losing money because of lower taxes on business equipment. The other 40 percent would increase funding for schools and community colleges with each school or community college's share of the funds being based on their student population.

County Impact. On October 1, 2019, the Chief Executive Office Budget Operations and Management Branch (CEO-BOMB), in collaboration with the Office of the Assessor, the Auditor-Controller, the Executive Office of the Board, and other County departments that would be impacted, provided a report to the Board that estimated the fiscal impact to the County's General Fund, should voters approve the Split Roll Initiative and an increase in assessment is required.

The Chief Executive Office Budget Operations and Management Branch estimates that upon full implementation, the estimated impact to the County's General Fund would be an increase in property tax revenue of approximately \$393.4 million, which is a net of the \$151.9 million in ongoing operational costs estimated for implementation. The CEO-BOMB reports that the estimate to the County's General Fund remains the same.

The Assessor anticipates full implementation of the initiative in approximately five to ten years depending on the final provisions of the initiative, with five years being the earliest possible. The Assessor also projects that a substantial increase in appraisal staffing, training, and technology will be needed to implement this measure if approved.

The Executive Office of the Board anticipates that the number and complexity of assessment appeals would increase considerably which would necessitate the creation of new or expanded assessment appeals boards and staff to manage the significant increase if this measure is approved.

County Counsel reports that it will need more attorneys and staff assigned to the County's Assessor's Office and the Assessment Appeals Board because there could be an increase in workload with litigating property tax administrative lawsuits, statutory analysis to relevant County departments, and an influx of taxpayer and County department questions regarding the legality of the application of Proposition 15.

Support: Abundant Housing LA; Alliance for Community Transit – Los Angeles; American Federation of Teachers; California Nurses Association; California Teachers Association; East Los Angeles Community Corporation; LA Voice; Los Angeles Community College District; Los Angeles Unified School District; Parent Teachers Association (PTA) of California; Partnership for Los Angeles Schools; State Superintendent Tony Thurmond; and The Los Angeles Trust for Children's Health, among many others.

Opposition: California Business Roundtable; California Chamber of Commerce; California Restaurants Association; California Retailers Association; California Taxpayers Association; and Howard Jarvis Taxpayers Association; among others.

PROPOSITION 16: ALLOWS DIVERSITY AS A FACTOR IN PUBLIC EMPLOYMENT, EDUCATION, AND CONTRACTING DECISIONS. Legislative Constitutional Amendment. COUNTY POSITION: **NONE**

If approved by the voters, Proposition 16 would repeal Section 31 of Article 1 of the California Constitution that was enacted by Proposition 209 (1996). Specifically, Proposition 16 would eliminate the prohibition on the consideration of race, sex, color, ethnicity, or national origin in public education, public employment, and public contracting. This would allow State and local government entities to establish policies and programs that permit the use of race, gender, and ethnic diversity as factors in college admissions, government hiring, and government contracting so long as they are consistent with Federal and State law related to equal protection.

Proposition 16 would also make findings and declarations on how Article 31 (Proposition 209) invalidated a series of laws that required State agencies to eliminate traditional patterns of segregation and exclusion in the workforce, and the intent of the Legislature to allow the consideration of gender, racial, and ethnic diversity to be among the factors used for college admissions and government hiring and contracting.

Background. Proposition 209, *The California Civil Rights Initiative*, was passed by a majority of California voters in November 1996. According to the LAO, prior to the passage of Proposition 209, State and local government entities had policies and programs, known as “affirmative action” programs, which sought to increase opportunities and representation for individuals who traditionally experienced inequities based on race, sex, color, ethnicity, or national origin. Of note, these programs had to also comply with Federal law which establishes a right to equal protection. As such, there are certain conditions that limit the consideration of these characteristics for eligibility purposes. For example, the characteristics may be considered as one of several factors but cannot be the decisive factor. These conditions are in place to prevent discrimination that violates equal protection. In addition, State law also has antidiscrimination provisions that are similar to those in Federal law. After voters approved Proposition 209, “affirmative action” policies and programs were discontinued or modified unless they qualified for one of the exceptions allowed under State and Federal law.

Legislative Analyst’s Office Report. The LAO indicates that this measure would have no direct fiscal effect on State and local entities because it would create a new requirement or mandate for changes to current policies or programs. Rather, the repeal of Proposition 209 would permit State and local governments to make policy or programmatic changes to include the use of the currently prohibited factors for public employment, public education, and public contracting. Given that the specific decisions about changes that would be made to policies and programs are unknown, the potential fiscal impacts are also uncertain and could vary depending on the decisions made by the various State and local government entities.

County Impact. The Chief Executive Office Administrative Services Branch indicates that in the absence of Proposition 209 restrictions, the County could choose to extend

existing preference program benefits. The County currently has the Community Business Enterprise (CBE) program which encourages minority and women business owners to apply for opportunities in government and private-sector procurement programs, but CBEs cannot receive County preference program benefits due to Proposition 209 restrictions. If the County chose to extend the benefits, including the 15 percent bid reduction preference, currently offered to County certified Local Small Business Enterprises (LSBEs), Disabled Veteran Business Enterprises (DVBE), and Social Enterprises (SEs), to the CBE program, then it would increase contracting/procurement opportunities to certified CBE firms. The 15 percent bid reduction preference for CBEs would likely cause a minimal (but unpredictable) increase in department contracting and procurement costs.

The Internal Services Department (ISD) indicates that in the absence of Proposition 209 restrictions, the County could redesign the CBE program. The framework of the program would remain the same, but components such as data collection, definitions, and program management would be revised to adhere to Federal (and pending State) requirements. This would have some impact on systems and program development and management costs, but the size and amount are unclear. ISD agrees that the 15 percent preference will result in unknown increased costs, but the amount is unclear due to the lack of data on the current overlap of LSBEs vs. CBEs. ISD further reports that the current simplified acquisition program (SAP) allows for a sheltered marketplace for LSBEs for purchases up to \$25,000. Per the request of the Board, various departments are looking at expanding this program. It is expected that CBE would be included. While this would most likely not impact the bottom line on department budgets, it may increase the velocity of purchases as well as potentially increase certain purchase costs, depending on the category of spending. ISD indicates that an additional policy discussion would be needed to determine whether and how the County should maintain its existing programs.

The Department of Consumer and Business Affairs (DCBA) reports that its CBE program includes Disadvantaged Business Enterprises (DBEs) along with Minority Business Enterprises (MBE) and Women Business Enterprises (WBE). Adding a preference to the CBE program may require the adoption of a new ordinance. DCBA agrees that calculating the potential budget impact would be difficult since it is not only a matter of determining the overlap of LSBEs and CBEs, it would also require determining how many eligible CBEs (certified and non-certified) that participated in a competitive bid would have won if they were eligible for a bid price reduction or preference.

The Department of Human Resources (DHR) indicates its support of ACA 5 which, if passed and approved by voters, would assist with the County's Code of Ordinance, Chapter 5.08 in analyzing and identifying where equity issues exist in our workforce and put in place measurable action plans to remedy those issues consistent with applicable law. According to DHR, Proposition 209 has created a barrier to developing equitable hiring practices by government agencies and businesses. Removing this language would be a step towards progress and will help close the equity gap that Proposition 209 helped facilitate.

Support: Assemblymembers Shirley Weber, Mike A. Gipson, Miguel Santiago, Autumn Burke, Jim Cooper, Chris Holden, Reggie Jones-Sawyer, Sydney Kamlager-Dove, Kevin McCarty, and Mark Stone; and Senators Steven Bradford, Holly Mitchell, and Ben Hueso; Insurance Commissioner Ricardo Lara, Controller Betty Yee, Los Angeles Mayor Eric Garcetti; the California Faculty Association; Chinese for Affirmative Action; League of Women Voters of California; Mexican American Legal Defense and Educational Fund; Equal Justice Society; American Civil Liberties Union (ACLU); Advancement Project; Coalition for Humane Immigrant Rights; California Commission on the Status of Women and Girls; University of California; and over 180 elected officials and organizations.

Opposition: Asian American Coalition for Educational Organization for Justice and Equality; San Diego Asian Americans for Equality; Silicon Valley Chinese Association Foundation; Silicon Valley Community United; and over 170 individuals.

PROPOSITION 17: RESTORES RIGHT TO VOTE AFTER COMPLETION OF PRISION TERM. Legislative Constitutional Amendment. COUNTY POSITION: NONE

If approved by the voters, Proposition 17 would amend the State Constitution to grant individuals on parole for felony convictions the right to vote in California.

If approved by the voters, this measure would become effective immediately.

Background. Under the State Constitution, electors who are mentally incompetent, imprisoned, or on parole for the conviction of a felony are disqualified from voting. As of 2020, 19 states across the nation allowed people on parole for felonies to vote.

This proposition was placed on the ballot as a result of the Legislature's passage of Assembly Constitutional Amendment (ACA) 6 (McCarty), the Free the Vote Act. On August 13, 2019, the Board approved a motion to support ACA 6.

Legislative Analyst's Office Report. The LAO indicates that, if approved by voters, Proposition 17 could create annual costs in the hundreds of thousands of dollars for counties statewide.

County Impact. The Registrar-Recorder/County Clerk (RR/CC) reports that ACA 6 aligns with the goals of its Outreach Program and the objectives of the County's LA Free the Vote Campaign, which the Department co-leads. The RR/CC indicates that if enacted by voters, Proposition 17 would have minor impact on their current operations.

The Public Defender (PD) strongly supports restoring the right to vote for those who have completed their prison sentences. Specifically, the PD reports that research has shown that states that allow parolees to vote experience lower rates of recidivism. The PD concludes that participation in the democratic process is an essential part of connection to a shared community.

Support: ACLU of California; League of Women Voters of California; U.S. Senator Kamala Harris; California Senators Steve Bradford, Holly Mitchell, and Scott Wiener; and Assemblymembers Rob Bonta, Wendy Carrillo, Mike Gipson, Lorena Gonzalez, Ash Kalra, Sydney Kamlager, Kevin McCarty, Kevin Mullin, Mark Stone, and Shirley Weber, among other elected officials.

Opposition: Senator Jim Nielsen.

PROPOSITION 18: AMENDS CALIFORNIA CONSTITUTION TO PERMIT 17-YEAR-OLDS TO VOTE IN PRIMARY AND SPECIAL ELECTIONS IF THEY WILL TURN 18 BY THE NEXT GENERAL ELECTION AND BE OTHERWISE ELIGIBLE TO VOTE. Legislative Constitutional Amendment. COUNTY POSITION: **NONE**

If approved by the voters, Proposition 18, would authorize eligible 17-year-old United States citizens who are residents of California and will be at least 18 years of age by the date of the November general election, to vote in any special election or primary election that occurs before the next general election in November.

Background. Existing law permits individuals who are at least 18 years old on the date of an election to vote in that election if they are a resident of the State. During even-numbered years California holds two statewide elections, the primary and general elections. According to the proponents of Proposition 18, this measure will enable more first-time voters to take part in the full election cycle rather than only in the general election by allowing them the opportunity to select candidates that will appear on the November ballot.

Legislative Analyst's Office Report. The LAO reports that Proposition 18 would increase statewide county costs, likely between several hundreds of thousands of dollars and \$1.0 million every two years, to send and process voting materials to eligible registered 17-year-olds. The cost to each county would depend on the number of eligible 17-year-olds within their jurisdiction. Proposition 18 is estimated to increase one-time costs to the State in the hundreds of thousands of dollars to update existing voting registration systems. Proposition 18 would also create one-time work for the State to update existing registration systems. The one-time State costs would likely be in the hundreds of thousands of dollars.

County Impact. The Registrar-Recorder/County Clerk indicates that the passage of Proposition 18 would have minimal impact to the department. The RR/CC indicates that it may need to conduct IT configuration and testing, as the system would need to reflect inclusion of a new group of voters for Primary Elections, which would require approximately four to six weeks of work, though time could be less. The Department may also need to update its voter registration form to allow a person who is 17 years old to register instead of only pre-registering to vote. In addition, expansion of the pool of eligible voters has inherent costs, though marginal, as there would be more printing and related election information.

Support: Secretary of State Alex Padilla; Alliance for Boys and Men of Color; California Association of Student Councils; California League of Conservation Voters; California School Boards Association; California YMCA Youth and Government; IGNITE; League of Women Voters of California; Peninsula Young Democrats; Power California; and the University of California Student Association.

Opposition: California Election Integrity Project, Inc.

PROPOSITION 19: CHANGES CERTAIN PROPERTY TAX RULES. Legislative Constitutional Amendment. COUNTY POSITION: **NONE**

If approved by the voters, Proposition 19, *The Home Protection for Seniors, Severely Disabled, Families, and Victims of Wildfire or Natural Disasters Act*, would allow base year value transfers for disabled taxpayers, those over the age of 55, as well as victims of wildfires or other natural disasters, regardless of the replacement property's value or location, so long as the replacement property is purchased or constructed within two years of the date the original property is sold.

To implement these provisions beginning April 1, 2021, the measure provides that if the replacement property is of equal or lesser value of the original property, its taxable value is equal to that of the original property. In addition, Proposition 19 provides that if the replacement property is of equal or greater value of the original property, its taxable value is equal to that of the replacement property, plus the difference in value between the sales price of the original property and the sales price of the replacement property. For example, if the original property has a base year value of \$250,000, sells for \$500,000, and the taxpayer purchases a \$750,000 replacement property, its new base year value is \$500,000 ($\$750,000 - \$500,000 = \$250,000 + \$250,000 = \$500,000$).

Of note, Proposition 19 allows disabled taxpayers or those over 55 years of age up to three transfers and victims of wildfires and natural disasters default to the current one transfer limit. Proposition 19 would also require taxpayers to file an application with the assessor to claim a transfer with contents identical to the application for current transfers.

Proposition 19 limits the parent-child and grandparent-grandchild exclusion from change in ownership of a principal residence only if the property continues as the primary residence of the transferee. Furthermore, it provides that even if the property continues as the primary residence of the transferee, and the property has a current market value of more than \$1.0 million, the exclusion can only reduce the assessed value by \$1.0 million. For example, a home with a taxable value of \$500,000 that could be sold at the date of transfer for \$2.0 million, would have a new assessed value of \$1.0 million.

Proposition 19 would require the transferee to claim the homeowner or disabled veterans at the time of transfer to apply the exclusion. However, a transferee can apply the exclusion up to one year after the purchase or transfer and receive a refund of previous taxes paid or owed between the date of the transfer and the date, they file the claim.

Proposition also 19 directs the BOE to adjust the \$1.0 million exclusion amount annually for inflation beginning on February 16, 2023. In addition, it would repeal the parent-child, grandparent-grandchild exclusion for up to \$1.0 million in aggregate value of all other types of property that is not the principal residence, effective February 15, 2021.

Proposition 19 would allocate any additional revenues or savings to the State to the California Fire Response Fund (CFRF) and the County Revenue Protection Fund, and continuously appropriate moneys to those purposes by requiring the California

Department of Finance (DOF) Director to: calculate additional revenues and net savings to the State resulting from the measure during the preceding fiscal year each September 1 between 2022 and 2027; certify the calculation no later than September 1 of each year; and multiply the amount calculated in the previous fiscal year by the increase in property tax revenues allocated to local agencies in that fiscal year, commencing on September 1, 2028, and each September 1 thereafter.

Proposition 19 would also require the State Controller to transfer 75 percent of the amount certified by the DOF Director for the applicable year to the CFRF, and 15 percent of the amount to the County Revenue Protection Fund to reimburse counties with negative gain, specifying that funds in the CFRF are subject to appropriation by the Legislature. Funds must be used to expand fire suppression staffing in underfunded special districts that provide fire suppression staffing and must not supplant existing State or local funds utilized for those purposes. Approximately 20 percent would be allocated to the California Department of Forestry and Fire Protection to fund fire suppression staffing and 80 percent to the Special District Fire Response Fund, a subaccount, for districts that provide fire protection services.

Proposition 19 would direct counties to annually determine the gain for each county and each local agency within the county. Counties with a positive gain cannot receive funds from the County Revenue Protection Fund, but a county with a negative gain is eligible to receive the funds. It also requires the California Department of Tax and Fee Administration (CDTFA) to determine each eligible local agency's aggregate gain every three years, based on the amounts determined by the counties, and provide reimbursements to eligible local agencies that have a negative gain. At the end of the three-year period, CDTFA must transfer any remaining money from the County Revenue Protection Fund to the SGF, if each local agency that has a negative gain has been reimbursed. The CDTFA must issue regulations pursuant to the Administrative Procedures Act to implement ACA 11.

Background. California cities, counties, schools, and special districts (e.g. fire protection district) collect property taxes from property owners based on the value of their property. Property taxes raise around \$65.0 million each year for local governments. Each property owner's annual property tax bill is equal to the taxable value of their property multiplied by their property tax rate which is typically 1.1 percent. In the year a new owner takes over a property, its taxable value typically is its purchase price. Each year after that, the property's taxable value is adjusted for inflation by up to two percent. When a property changes ownership again, its taxable value is reset to its new purchase price.

The taxable value of most properties is less than what they could be sold for because the price most properties could sell for grows faster than two percent per year. Because of this, when a property changes ownership, its taxable value often resets to a higher amount. This leads to a higher property tax bill for that property. This means new homeowners usually pay higher property taxes for their new home than they paid for their old home. In some cases, special rules allow existing homeowners to move to a different home without paying higher property taxes. These special rules apply to homeowners

who are over 55 years old or severely disabled, or whose property has been impacted by a natural disaster or contamination. These eligible homeowners can move within the same county and keep paying the same amount of property taxes if their new home is not more expensive than their existing home. Also, certain counties allow these rules to apply when an eligible homeowner moves to their county from another county. Homeowners who are over 55 or severely disabled generally can use these special rules only once in their lifetime. This limit does apply to properties impacted by a natural disaster or contamination.

Special rules also allow properties to pass between parents and children without an increase in their property tax bill. These rules also apply to grandparents and grandchildren if the grandchildren's parents are deceased. Properties passed between parents and children or grandparents and grandchildren are known as inherited property. The rules apply to a parent's or grandparent's home and a limited amount of other types of property.

County assessors determine the taxable value of property, county tax collectors bill property owners, and county auditors distribute tax revenue to local governments. Statewide, counties spend approximately \$800.0 million annually on these activities. Schools receive funding from both local property taxes and State taxes. State law says that schools must receive a minimum amount of total funding from these two sources.

Legislative Analyst's Office Report. The LAO estimates that some provisions within Proposition 19 could increase property taxes while others could decrease them. For example, narrowing the special rules for inherited properties could lead to higher property taxes for some inherited properties, which in turn, could increase property taxes for local governments and schools. However, expanding the special rules for eligible homeowners could allow more homeowners to receive property tax savings when moving from one home to another, which in turn, could decrease property taxes for local governments and schools.

Overall, the LAO estimates that property taxes for local governments would increase and estimates that in the first few years, local governments could gain tens of millions of dollars per year statewide. Over time, these revenue gains could grow to a few hundred million dollars per year.

In limited situations, the LAO estimates that school funding from property taxes and State taxes could be about the same in some years, despite property tax gains for schools, because existing law may cause State funding for schools to decrease by about the same amount as their property tax gains. The LAO anticipates that if this happens, the State would get cost savings in those years. The amount of savings would be similar to the amount of school property tax gains. The measure requires most of these savings to be spent on fire protection.

According to the LAO, the measure would also allow more people to buy and sell homes without facing an increased property tax bill. As a result, the measure would probably

increase the number of homes sold each year. This would increase money going to the State and local governments from a number of other taxes collected on the sale of a home. These increases could be in the tens of millions of dollars per year statewide. The measure requires that most of the increase in State tax revenue be spent on fire protection.

The LAO estimates that counties will likely need to hire new staff and make computer upgrades to carry out the measure which could increase costs for counties by tens of millions of dollars per year statewide.

County Impact. The Auditor-Controller estimates that the loss in property tax revenue growth to the County, including the General Fund, the Fire Department, and the Los Angeles County Library, could be approximately between \$8.0 million to \$12.1 million the first year, compounded annually each year thereafter, and up to \$80.0 million to \$121.4 million over ten years, based on the following two estimating methods:

- Los Angeles County represents approximately 24.7 percent of the statewide property tax assessments, of which 32.4 percent is apportioned to the County (26.5 percent to the General Fund, 5.0 percent to the Fire Department, and 0.9 percent to the Los Angeles County Library). Using LAO's projected statewide loss estimate of \$100.0 million per year and up to \$1.0 billion over time, the County is estimated to generate approximately \$8.0 million less in property tax revenue growth the first year, compounded annually each year thereafter, and up to \$80.0 million less over ten years.
- The LAO indicates that, based on the US Census Bureau American Community Survey Public Use Microdata Sample data, approximately 15,000 eligible homeowners sold their homes and either remained in the County or moved to the County where they purchased a new personal residence. LAO data also shows that the median annual property tax savings each eligible homeowner received was about \$2,500. If 15,000 eligible homeowners continue to sell their homes each year with an average tax savings of \$2,500, the County is estimated to generate approximately \$12.1 million less in property tax revenue growth the first year, compounded annually each year thereafter, and up to \$121.4 million over ten years.

Support: California Association of Realtors; California Professional Firefighters; California Business Properties Association; California Business Roundtable; and the California Farm Bureau Federation, among others.

Opposition: San Bernardino County Assessor Clerk-Recorder Bob Dutton; Howard Jarvis Taxpayers Association; San Luis Obispo County Assessor Tom Bordonaro, Jr.; and Urban Counties of California, among others.

PROPOSITION 20: RESTRICTS PAROLE FOR CERTAIN OFFENSES CURRENTLY CONSIDERED TO BE NON-VIOLENT. AUTHORIZES FELONY SENTENCES FOR CERTAIN OFFENSES CURRENTLY TREATED ONLY AS MISDEMEANORS. Initiative Statute. COUNTY POSITION: NONE

If approved by the voters, Proposition 20 would make specified changes to Assembly Bill (AB) 109 of 2011, Proposition 47 of 2014, and Proposition 57 of 2016. Specifically, it would amend State law to increase criminal penalties for some theft-related crimes by creating two new crimes that could be punished as either a felony or a misdemeanor. These crimes include:

- *Serial Theft.* Any person with two or more past convictions for certain theft-related crimes (such as burglary, forgery, or carjacking) who is found guilty of shoplifting or petty theft involving property worth more than \$250.00 could be charged with serial theft.
- *Organized Retail Theft.* Any person acting with others who commits petty theft or shoplifting two or more times where the total value of property stolen within 180 days exceeds \$250.00 could be charged with organized retail theft.

Specifically, Proposition 20 would make the theft of property worth less than \$950.00 that is not for sale (such as a cash register) eligible for felony sentences. The measure would also change State parole and Post-Release Community Supervision (PRCS) practices, including requiring probation officers to ask the court for a change in terms of supervision for individuals who have violated their PRCS terms for a third time. In addition, Proposition 20 would make changes to the process for considering the release of inmates from prison, as prescribed in Proposition 57, including:

- Excluding certain inmates from the process, such as those convicted of some types of assault and domestic violence;
- Denying release to inmates who pose an unreasonable risk of committing felonies that result in victims, rather than only those who pose an unreasonable risk of violence; and
- Requiring inmates denied release to wait two years, rather than one, before being reconsidered; among other provisions.

Proposition 20 would require State and local law enforcement to collect DNA from adults convicted of certain crimes, including shoplifting, forging checks, and certain domestic violence crimes. If approved by the voters, this measure would become effective immediately.

Background. AB 109 of 2011 realigned the management and supervision of certain felons, who were convicted of non-serious, non-violent, and non-sexual crimes, from the

State to counties. Under AB 109, counties receive a designated percentage of State sales tax revenue to cover related costs.

Proposition 47 of 2014, reclassified certain crimes from felonies to misdemeanors, including: personal use of most illegal drugs; theft and shoplifting involving property worth \$950.00 or less; and forgery or fraud involving a check, draft or order that does not exceed \$950.00. State correctional savings resulting from these reclassifications are made available to local jurisdictions and other stakeholders via a grant process.

Proposition 57 of 2016, amended the State Constitution to make prison inmates convicted of nonviolent felonies eligible to be considered for release after serving the term for their primary crimes. This measure also allows judges, not prosecutors, to decide whether to try certain minors as adults in court.

Legislative Analyst's Office Report. The LAO indicates that, if approved by voters, Proposition 20 would increase State and local correctional costs, likely in the tens of millions of dollars annually, including by increasing: county jail populations; the level of community supervision for impacted individuals; and the State prison population by reducing the number of inmates released from prison. The LAO estimates that more than several thousand people would be affected by this proposition annually.

County Impact. The Probation Department reports that under Proposition 20, in the specific provisions related PRCS practices, the Department would have a mandatory obligation to return those on AB 109 supervision to the court for modification of conditions of supervision when it already has the authority to address violations without court intervention. The Probation Department reports that AB 109 places those released from State prison under the jurisdiction of the county approved supervision agency. That entity has the authority to determine and set the condition of supervision. That entity also has the ability to impose custody sanctions without the intervention of the court through a 10-day Flash Incarceration, which is an evidence-based means of addressing non-compliance with community supervision conditions.

The Probation Department reports that the only time the court becomes involved in the matter is at the request of the supervision agency, and with the court's approval that their intervention is needed. This is usually done to request arrest warrants for absconding from supervision or to address new arrests, or repeated or serious violations of supervision conditions and a custody sanction of more than 10-days, but less than 180-days is being requested. In most cases, the supervision entity can use non-court-imposed sanctions and adjustments to supervision to gain compliance.

The Probation Department notes that AB 109 supervision is based on the use of evidence-based practices for the supervision of those released to local communities. Evidence-based practices are founded on empirically proven methods of supervision and case management of the community supervised populations that are proven to be effective. It also provides for a more efficient use of resources to address those most in need of interventions, providing supervision agencies with a means of being effective

without the requirement for resources that are not politically feasible. According to the Probation Department, the PRCS changes under Proposition 20 could tie the hands of supervision agencies, forcing the use of a court-imposed sanction that may not be necessary and is detrimental to the evidence-based model for community supervision.

Finally, the Probation Department reports that this measure, if enacted, would require the unnecessary filing of petitions for revocation hearing, resulting in more use of court time and resources, and possible additional county jail commitments. It may also result in the waste of resources and additional burdens on local supports such as General Relief, Food Stamps, and referrals to the Coordinated Reentry System, and create collateral effects such as loss of employment, loss of housing, loss of custody of children, or loss of connection to treatment services due to unnecessary court hearings and possible remands to custody. The Probation Department notes that the impacts could be wide-ranging and contradict the County's current efforts to reduce the reliance on custody sanctions and increase engagement in community-based treatment and services alternatives.

The Office of the Public Defender (PD) reports that they strongly oppose Proposition 20, reporting that it is a regressive attack on recent justice reform measures, including AB 109, Proposition 47 and Proposition 57. The PD reports that Proposition 20 would increase the rate at which non-violent probationers are incarcerated in county jail, would send people to jail or prison for years for non-violent petty theft conduct, and would disproportionately affect racial and ethnic minorities.

Support: Assemblymembers Jim Cooper and Vince Fong; Association for Los Angeles Deputy Sheriffs; Los Angeles Police Protective League; Orange County Board of Supervisors; and Peace Officers Research Association of California.

Opposition: Former Governor of California Jerry Brown; American Civil Liberties Union of Northern California; and Service Employees International Union (SEIU) California State Council.

PROPOSITION 21: EXPANDS LOCAL GOVERNMENTS' AUTHORITY TO ENACT RENT CONTROL ON RESIDENTIAL PROPERTY. Initiative Statute. COUNTY POSITION: **NONE**

If approved by the voters, Proposition 21 would allow counties and cities to apply rent control to more properties than under current law.

Specifically, Proposition 21 would:

- Allow cities and counties to apply rent control on a residential property provided that it has been at least 15 years since it received its certificate of occupancy;
- Exempt single-family homes owned by people with two or fewer properties from local rent control ordinances; and
- Allow landlords to increase rents by up to 15 percent, in addition to any other increase allowed under a local ordinance, during the first three years after a vacancy occurs.

Background. The Costa-Hawkins Rental Housing Act (Chapter 331, Statutes of 1995) places limitations on locally enacted rent control laws. Specifically, Costa-Hawkins allows residential property owners to charge market-rate rent upon vacancy of existing rent stabilized units (vacancy decontrol), permanently decontrolled single-family rental housing and housing first occupied on or after February 1, 1995, and prohibits new construction from being subject to rent control.

In addition to local rent control allowed by Costa-Hawkins, a new state law (County-supported AB 1482, Chapter 597, Statutes of 2019) limits rent increases for most rental housing in California. Landlords cannot increase rent by more than five percent plus inflation in a year, or 10 percent, whichever is lower. This applies to most housing that is more than 15 years old. Single family residences are exempt unless owned by a real estate trust or a corporation. This law sunsets on January 1, 2030.

The courts have ruled that rent control laws must allow landlords to receive a fair rate of return on their property, thereby allowing landlords to increase rents enough to receive some profit each year.

In November 2018, voters rejected Proposition 10, which would have expanded rent control in California by repealing Costa-Hawkins.

Legislative Analyst's Office Report. The LAO reports that if Proposition 21 passes and local governments enact or expand their rent control laws beyond the existing protections for renters, it could lead to several economic impacts. For example, some landlords may sell their rental property to avoid rent regulation or the value of rental housing may decline because potential landlords would not want to pay as much for these properties. The LAO indicates that some renters would spend less on rent or may move less often.

The LAO also reports that a decline in the value of rental properties would lead to a decrease in property tax payments made by owners of those properties over time. These property tax losses would be partially offset by higher property tax payments resulting from the sales of rental housing; however, revenue losses from lower property values would be larger than revenue gains from increased sales.

County Impact. The Department of Consumer and Business Affairs reports that Proposition 21 would complement the Los Angeles County's efforts to preserve and expand affordable housing options and limit rent prices from continuing to rise at significantly higher rates than other areas of the country. If passed by voters, the measure would give the County and incorporated cities greater flexibility to enact rent control provisions to aid families and individual renters.

The Department of Consumer and Business Affairs also reports that under current law, the County and incorporated cities within the County are limited to enacting rent control provisions to multi-family housing units that have certificates of occupancy issued prior to February 1, 1995. The County's current Rent Stabilization Ordinance (RSO) provides protections to tenants residing in qualifying units within unincorporated areas of Los Angeles County; however, as the gap between the current year and 1995 increases, fewer and fewer tenants are eligible for the protections outlined in the RSO. DCBA also indicates that the recently enacted AB 1482 only applies to properties that are over 15 years old and expires on January 1, 2030.

According to DCBA, Proposition 21 would allow the County and incorporated cities to enact local laws to control initial and subsequent rental rates for any residential real property first occupied at least 15 years ago, with moderate exceptions, beyond any current statewide limits, as well as apply those rent control laws to single-family homes (provided the property owner does not own more than two dwelling units). DCBA notes that these provisions would expand the County's ability to enact rent control regulation on a greater number of rental properties.

The Department of Consumer and Business Affairs indicates that under Costa-Hawkins, the County and unincorporated cities have no authority to regulate a landlord's ability to increase rent after a tenant vacates a unit. DCBA indicates that Proposition 21 would allow municipalities to limit rent increases for a vacated unit to no more than 15 percent of the immediately preceding tenancy, inclusive of any additional rent increases, within the first three years after the unit is vacated. This provision would limit rental prices in the County from continuing to rise at unprecedented rates, and subsequently provide more rental housing options to low-and moderate-income families and individuals.

The CEO Affordable Housing Division reports that the County's own Rent Stabilization Ordinance (RSO) caps rent increases based on the Consumer Price Index, which is not to exceed eight percent, with a maximum allowable increase of three percent through June 30, 2021. Proposition 21 would allow increases of 15 percent over three years.

The CEO Affordable Housing Division also indicates that Proposition 21 would allow for rent stabilization for properties over 15 years old, whereas the County exempts properties with certificate of occupancy after February 1, 1995. If passed, the measure could potentially cover more newly constructed rental properties than the County's existing RSO, providing much needed rent stabilization for tenants renting newer properties.

County Counsel indicates that Proposition 21 does not appear to have a significant impact on the County. In 2019, the County enacted its own RSO on housing units built before 1995, unless exempt. The County's RSO also allows a landlord to set the initial rent, without restrictions, at the commencement of a new tenancy. If Proposition 21 is passed, the County would be able to amend its ordinance to expand on those housing units it can impose rent control, and indicate a maximum percentage allowed at the start of a new tenancy.

Support: ACLU of Southern California; AIDS Healthcare Foundation; Burbank Tenants' Rights Committee; California Democratic Party; California Renters Caucus; Chinatown Community for Equitable Development; City of Santa Monica; City of West Hollywood; Courage California; Dolores Huerta Foundation; Eviction Defense Network; Housing Now! California; Inquilinos Unidos; LA Voice; Los Angeles Alliance for a New Economy; Los Angeles Tenants Union; National Lawyers Guild - Los Angeles; Pomona Economic Opportunity Center; Pomona United for Stable Housing; San Diego Tenants United; Santa Monicans for Renters Rights; Small Property Owners for Reasonable Controls - Long Beach; Union de Vecinos; UNITE HERE Local 11; and Urban League of Los Angeles, among others.

Opposition: Association of California Cities – Orange County; Bay Area Homeowners Network; Bridge Housing; California Asian Pacific Chamber of Commerce; California Builders Alliance; California Chamber of Commerce; California Council for Affordable Housing; California Housing Consortium; California Senior Advocates League; California Taxpayers Association; Central City Association Los Angeles; Coalition of Small Rental Property Owners; Congress of California Seniors; Crenshaw Chamber of Commerce; Hollywood Chamber of Commerce; Howard Jarvis Taxpayers Association; Latin Business Association; Long Beach Area Chamber of Commerce; Los Angeles Area Chamber of Commerce; Los Angeles County Business Federation (LA BizFed); Los Angeles/Orange County Building & Construction Trades Council; Pasadena Chamber of Commerce and Civic Association; Regional Chamber of Commerce - San Gabriel Valley; San Gabriel Valley Economic Partnership; State Building and Construction Trades Council of California; and VICA, among others.

PROPOSITION 22: EXEMPT APP-BASED TRANSPORTATION AND DELIVERY COMPANIES FROM PROVIDING EMPLOYEE BENEFITS TO CERTAIN DRIVERS.
Initiative Statute. COUNTY POSITION: **NONE**

If approved by the voters, Proposition 22, would enact *the Protect App-Based Drivers and Services Act* which establishes different criteria for determining whether app-based transportation (rideshare) and delivery drivers are employees or independent contractors. This measure would classify app-based drivers as independent contractors instead of employees, unless the company sets the drivers' hours, requires acceptance or specific ride or delivery requests or restricts the driver from working for other companies.

Proposition 22 would also establish that independent contractors are not entitled to certain State-law protections afforded to employees including: minimum wage, overtime, unemployment insurance, and workers' compensation. Instead, companies with independent contractor drivers would be required to provide specified alternative benefits, including: minimum compensation and healthcare subsidies based on engaged driving time, vehicle insurance, safety training, and sexual harassment policies. In addition, this measure would restrict local regulation of app-based drivers, criminalize impersonation of such drivers, and require background checks.

Background. In 2018, the California Supreme Court, in *Dynamex Operations West v. Superior Court* (2018) 4 Cal.5th 903 opined that certain package delivery drivers were misclassified as independent contractors rather than employees under a California wage order specific to the transportation industry. In *Dynamex*, the Court developed a new test for whether a worker is an independent contractor, or an employee known as the "ABC" test, requiring that all employers prove that their workers meet all parts of the test in order to be properly classified as independent contractors.

Under the "ABC" test, a worker will be classified as an independent contractor, if: A) the worker is free from the control and direction of the hirer in connection with the performance of the work, both under the contract for the performance of such work and in fact; B) the worker performs work that is outside the usual course of the hiring entity's business; and C) the worker is customarily engaged in an independently established trade, occupation, or business of the same nature as the work performed for the hiring entity.

The Court's ruling specifically applied to claims under California wage order; the Court expressly left open the question of which test applies to claims asserted under other statutes. Subsequently, the Legislature adopted AB 5 (Chapter 296, Statutes of 2019), which codified the ABC Employment Test and expanded its application to the Labor Code and Unemployment Insurance Code. Existing law also provides for "ABC" test exemptions for specified industries and professional services. Current law also authorizes the state Labor Commissioner to enforce wage and hour, workplace retaliation, and employment classification laws.

The California Attorney General has interpreted State law to mean that rideshare and delivery companies must hire drivers as employees. The rideshare and delivery companies disagree that drivers are fundamental to the business, arguing that the companies are multi-sided platforms whose activities encompass more than transportation. Subsequently, they continue to hire drivers as independent contractors. In response, the State Attorney General sued two rideshare companies to require them to hire drivers as employees.

Legislative Analyst's Office Report. The LAO projects that Proposition 22 would result in a minor increase in State income taxes paid by rideshare and delivery company drivers and investors.

On August 10, 2020, the San Francisco Superior Court Judge opined that the rideshare companies must treat California drivers as employees instead of independent contractors. This ruling would guarantee drivers benefits such as overtime, sick leave and expense reimbursement. However, the ruling will not take effect immediately as an appeal is expected to be filed. In addition, the voters will ultimately decide on whether drivers should be treated as employees based on whether or not Proposition 22 is approved in November.

County Impact. Proposition 22 would apply to rideshare and delivery companies with app-based drivers and would not have direct impact on the County's hiring practices. However, this measure would limit the ability of cities and counties to place additional rules on rideshare and delivery companies.

Support: Uber; Lyft; Doordash; Instacart; Postmates; California Small Business Association; California State NAACP; California Peace Officers' Association; National Hispanic Council on Aging; and California Senior Advocacy League, among others.

Opposition: Former Vice President Joe Biden; U.S. Senators Kamala Harris and Elizabeth Warren; Assembly Speaker Anthony Rendon, Assemblymember Lorena Gonzalez; California Labor Federation; California Teachers Association; Gig Workers Rising; Mobile Workers Alliance; SEIU California State Council; Unite HERE; Transport Workers Union of America; and Black Women for Wellness Action Project, among others.

PROPOSITION 23: ESTABLISHES STATE REQUIREMENTS FOR KIDNEY DIALYSIS CLINICS. REQUIRES ON-SITE MEDICAL PROFESSIONAL. Initiative Statute. COUNTY POSITION: NONE

If approved by the voters, Proposition 23 would increase requirements on chronic dialysis clinics (CDCs) and prohibit CDCs from discriminating with respect to offering or providing care, or refusing to offer or to provide care, on the basis of who is responsible for paying for a patient's treatment (e.g. patient, private insurance, Medicaid, etc.).

Proposition 23 would require each CDC to maintain, at its expense, at least one doctor onsite during all the hours patients receive treatments. The doctor at the CDC would be responsible for patient safety and the provision and quality of medical care. A CDC may request an exception from the California Department of Public Health (CDPH) if there is a valid shortage of doctors in the CDC's area, and if approved, the CDC can meet the requirement with a nurse practitioner or physician's assistant for up to one year.

Proposition 23 would require a CDC or its governing entity to notify CDPH in writing and obtain written consent prior to closing or significantly reducing services. It would also require each CDC, or its governing entity, to report dialysis-related infection information to CDPH every three months. The CDPH must specify the information to be reported, as well as the frequency and method of reporting, to be posted on the CDPH website. CDPH may issue a penalty against CDCs for failure to report, or reporting inaccurate data, up to \$100,000 depending on the severity of the violation. Penalties collected would be used by CDPH to implement and enforce laws concerning CDCs. Proposition 23 would also require CDPH to implement and administer the CDC requirements and adopt regulations within one year after the law takes effect, though it would permit the issuance of emergency regulations if CDPH cannot meet the deadline.

Background. Kidney disease refers to improper kidney function that fails to properly filter a person's blood to remove waste and extra fluid. When kidney failure develops, also known to as end-stage renal disease, the kidneys cease functioning well enough for a person to live without a kidney transplant or ongoing dialysis treatment. Although some people receive dialysis, which artificially mimics the function of healthy kidneys, at hospitals or in their homes, most people receive treatment at CDCs. There are approximately 600 licensed CDCs in the State that provide dialysis to about 80,000 patients each month.

While various entities own and operate CDCs, two private, for-profit companies are the governing entity of nearly three-quarters of licensed CDCs in California. The remaining CDCs are owned and operated by a variety of nonprofit and for-profit governing entities, most of which have multiple CDCs in California. The CDPH is responsible for licensing CDCs to operate in the State.

The California Department of Public Health also certifies CDCs on behalf of the Federal government, which allows CDCs to receive payment from Medicare and Medi-Cal. Currently, California relies primarily on Federal regulations as the basis for its licensing

program. Under Federal regulation, CDCs are required to have a medical director who is a board-certified physician who is responsible for quality assurance, staff education and training, and development and implementation of clinic policies and procedures. While Federal guidance indicates that the medical director's responsibilities should reflect one-quarter of a full-time position, regulations do not require a medical director to spend a specific amount of time at a CDC.

In 2018, voters did not pass California Proposition 8, which would have required dialysis clinics to issue refunds to patients (or patients' insurers) for profits above 115 percent of the costs of direct patient care and healthcare improvements. Proposition 8 would have capped profits and required refunds, whereas Proposition 23 would address minimum physician staffing, data reporting, and clinic closures.

Legislative Analyst's Office Report. According to the LAO, the measure would increase costs for CDCs, primarily due to the requirement that each CDC have a doctor onsite during all treatment hours resulting in increased costs estimated at several hundred thousand dollars annually. The LAO notes that CDC governing entities might address the increased costs by: negotiating increased rates with payers, such as private commercial insurance companies; continuing to operate with lower profits; and/or closing clinics.

The LAO estimates that the measure could increase health care costs for State and local governments by the low tens of millions of dollars annually. The LAO indicates that State Medi-Cal costs and State and local employee and retiree health insurance costs could increase, due to governing entities negotiating higher payment rates, as well as patients requiring treatment in more costly settings like hospitals due to fewer CDCs. The LAO notes that the measure would require CDPH to adjust the annual licensing fee paid by CDCs to cover costs associated with the new regulatory responsibilities, which are estimated not to exceed the low millions of dollars annually.

County Impact. The Department of Health Services reports that, while it does not directly operate outpatient dialysis centers, it maintains a dialysis service agreement for inmates of the County's jail. If passed, this measure could impact the patients served by the Department by possibly increasing dialysis treatment costs or reducing access to treatment.

Support: SEIU United Healthcare Workers West and Californians for Kidney Dialysis Patient Protection.

Opposition: Stop the Dangerous & Costly Dialysis Proposition, which is comprised of over 90 health, community, business, and taxpayer organizations that include: California Medical Association; California Dialysis Council; LA County Medical Society; Community Health Action Network; California Hepatitis C Task Force, Inc.; AMVETS, Department of California; LA BizFed; and Long Beach Area Chamber of Commerce.

PROPOSITION 24: AMENDS CONSUMER PRIVACY LAWS. Initiative Statute.
COUNTY POSITION: NONE

If approved by the voters, Proposition 24, would enact *The California Privacy Rights and Enforcement Act of 2020* (Act) to change existing consumer privacy data laws, expand consumer privacy rights and protections, modify existing penalties, limit the Legislature's use of penalty revenues, preempt any conflicting privacy rights related legislation, create a new State agency to oversee and enforce consumer data privacy laws and provide \$10.0 million SGF annually (adjusted over time) to support the agency's operations. While the creation of the new State agency and certain requirements for developing new regulations would go into effect immediately, the civil and enforcement provisions of the law would not become effective until July 1, 2023.

Proposition 24 would expand consumer privacy rights to: prevent businesses from sharing personal information; allow consumers to correct inaccurate personal information; and limit businesses' use and disclosure of sensitive personal information. According to Proposition 24, personal information includes: precise geolocation, race, ethnicity, religion, genetic data, union membership, private communications, and certain sexual orientation, health, and biometric information. Businesses would also be required to provide consumers conspicuous opt out of sharing their personal information.

In addition, Proposition 24 would change which businesses must meet data privacy requirements by increasing the current threshold of 50,000 consumers or households up to 100,000. Devices would no longer be counted under the threshold. It would also change consumer data privacy requirements by both adding and removing requirements. Additional requirements would include prohibiting businesses' retention of personal information for longer than reasonably necessary and triple maximum penalties of up to \$7,500 for violations concerning consumers under age 16. Conversely, businesses could choose not to delete certain information such as student grades, under specific conditions.

This measure would establish the California Privacy Protection Agency (CPPA) to enforce and implement consumer privacy laws and impose administrative fines. To further bolster implementation, businesses would be allowed to provide additional information about consumers to law enforcement, retain information pursuant to law enforcement request, and cooperate with a government agency request for emergency access to a consumer's personal information under certain conditions. Businesses would no longer be able to avoid penalties by addressing violation with 30 days of being notified of violations.

Proposition 24 would also modify the terms of the Consumer Privacy Fund (CPF) to require that excess funds beyond costs of enforcement shall be made available to the CPPA for the purpose of making privacy-related grants. CPF funds would first be used to pay for State trial court and Department of Justice costs each year, the remaining 91 percent would be vested with interest to the State General Fund. In addition, this measure would limit the Legislature's ability to use CPF revenue for purposes other than consumer privacy.

In addition to limiting the Legislature's authority to allocate CPF revenue, Proposition 24 also limits the Legislature's ability to amend the Act. Amendments would be limited to those that are consistent with and further the purpose of the Act. Limitations to include: amendments to the provided exemptions or those which seek to codify a court finding that a provision of the Act is unconstitutional or preempted by Federal law. Proposition 24 also includes a preemption clause which indicates that the Act prevails over any conflicting legislation enacted after January 1, 2020.

Background. Existing law requires that certain businesses that operate in California and collect personal data must meet consumer data privacy requirements. Impacted businesses include those that: 1) earn more than \$25.0 million in annual revenue; 2) buy, sell or share the personal data of 50,000 or more consumers, households or devices annually; or 3) earn 50 percent or more of annual revenues from selling personal data. These businesses must notify consumers of data collection, comply with personal data privacy rights, and not provide differential treatment to consumers who utilize their rights.

Violations of these requirements could result in penalties up to \$2,500 for each offense, up to \$7,500 for intentional violations. If the business addresses the violation within 30 days of being notified about the violation, then penalties can be avoided. Currently, only the California Department of Justice (DOJ) has penalty enforcement authority. Penalty revenues are placed into the CPF where funds must first be used to pay for state trial court and DOJ enforcement costs. The Legislature has the authority to allocate any remaining funds for other purposes.

Legislative Analyst's Office Report. The LAO reports that Proposition 24 would impact state costs and State and local tax revenues. The increase of State costs would be at least \$10.0 million annually to support the new California Privacy Protection Agency. Other increased State costs would include increased court and DOJ enforcement workload, which is currently projected to be low millions of dollars annually. Some of these costs would be offset by penalties.

According to the LAO, there would be an unknown impact on State and local revenues due to the economic effects resulting from new requirements on businesses to protect consumer data. If the cost of fulfilling the requirements under Proposition 24 reduces a business' profits, it could reduce tax revenues. Alternatively, if the new law reduces the severity or number of data breaches, tax revenues could increase if consumers spend more on taxable items or businesses earn more revenue.

County Impact. While the fiscal impact of Proposition 24 is largely uncertain, it could provide possible funding for local law enforcement agencies to fund cooperative programs with international law enforcement organizations to combat fraudulent activities with respect to consumer data breaches. Proposition 24 allows up to three percent of remaining CPF funds to be allocated for that purpose. The measure could also expand County law enforcement officers' access to consumer information from businesses in the event of a consumer data breach.

The Department of Consumer and Business Affairs (DCBA) indicates that Proposition 24 would simultaneously strengthen and weaken the California Consumer Privacy Act (CCPA). While the establishment of the CPPA as an additional enforcement agency and new restrictions on the collection of personal data would help increase consumer protections, the measure also reduces the number of businesses that would need to comply with the law. It also includes exemptions that could be problematic and not within the spirit of expanding consumer privacy rights. For example, the loyalty program exemption is troubling given the amount of personal information that is collected. Another problematic provision would allow businesses to charge consumers more if they choose to exercise their privacy rights, which could have lasting equity impacts and deter the exercise of one's rights.

The Department of Consumer and Business Affairs notes that while the concept behind Proposition 24 to further protect private consumer information is a good one, the measure includes provisions that could result in decreased consumer protections. Specifically, the preemption language in the measure would limit local government's ability to legislate consumer privacy protections at the local level. Local governments need more flexibility to address local needs to increase consumer protections, not less. Proposition 24 is a step in the right direction, but as currently written there are concerns that this could weaken consumer protections.

Support: Alastair Mactaggart; Common Sense Media; California for Consumer Privacy; and NAACP of California, among others.

Opposition: Consumer Federation of California; ACLU of California; Media Alliance; California Alliance for Retired Americans; Color of Change; Internet Association; TechNet; California Chamber of Commerce; California Retailers Association; and Computing Technology Industry Association, among others.

PROPOSITION 25: REFERENDUM ON LAW THAT REPLACED MONEY BAIL WITH SYSTEM BASED ON PUBLIC SAFETY AND FLIGHT RISK. COUNTY POSITION: NONE

If approved by the voters, Proposition 25 would approve and uphold a State law (Senate Bill (SB) 10, Chapter 244, Statutes of 2018) before it takes effect. A "No" vote would repeal SB 10, keeping in place the current cash bail system.

If upheld by the voters, SB 10 would reform current bail laws and implement new pretrial detention and release procedures that would eliminate monetary bail options. If approved by the voters, SB 10 would become effective immediately.

Background. Under SB 10, most misdemeanor arrestees would be booked and released without being taken into custody (or, if taken into custody, released from custody without a risk assessment within 12 hours of booking). Individuals with specified prior repeat charges and/or those charged with specified violent or serious felonies, would not be eligible for pretrial release.

All other individuals would be subject to a pretrial risk assessment conducted by Pretrial Assessment Services, as follows: 1) individuals assessed as being low-risk would be released on his or her own recognizance; 2) individuals assessed as being medium-risk would be released on their own recognizance or supervised own recognizance release, prior to arraignment, with the least restrictive nonmonetary condition(s) to reasonably assure public safety and the person's return to court; and 3) individuals assessed as being high-risk would not be released prior to arraignment.

SB 10 would require the use of a validated risk assessment instrument selected by the court, in consultation with stakeholders. In addition, the court would have the option to directly run Pretrial Assessment Services, or to contract for those services with a local public agency with relevant probation-type experience. The measure would place pretrial release supervision directly within probation departments. Finally, the California Department of Finance would estimate the annual funding needs of pretrial assessment services and pretrial release supervision in collaboration with the Judicial Council and the Chief Probation Officers of California.

On June 19, 2018, the Board approved a motion supporting SB 10 if amended to further align the bill to the County's needs, including adequate local funding and flexibility. SB 10 was enacted in August 2018 without the County's requested amendments. This law would have gone into effect on October 1, 2019, but was held as a result of the referendum. Under the State Constitution, when a referendum on a new State law qualifies for the ballot, the law is placed on hold until voters determine whether to put it into effect.

Legislative Analyst's Office Report. The LAO indicates that, if approved by voters, Proposition 25 will impact State and local costs, potentially in the mid-hundreds of millions of dollars annually, depending on how SB 10 is implemented. In addition, the LAO

indicates this measure could lead to decreased county jail costs possibly in the high tens of millions of dollars annually. Finally, the LAO notes that it is yet unclear whether some of the increased state costs would be offset by local funds currently spent on this type of workload.

County Impact. Pending the SB 10 referendum, the Governor and the Legislature approved \$75.0 million in the FY 2019-20 State Budget Act to fund the implementation, operation, and/or evaluation of pretrial release decision-making pilot programs in 16 courts over two years. The Probation Department, the Office of the Public Defender, and County Counsel report that the County is currently participating in a pilot funded by this funding. The Pretrial Risk Assessment Pilot is operated by the Superior Court in partnership with the Los Angeles City Attorney, Probation, Sheriff, and the Offices of the District Attorney, Public Defender, and Alternative Defender.

The Pretrial Risk Assessment Pilot has two phases. In Phase 1, all individuals arrested in Los Angeles County receive a risk assessment score generated automatically by a static tool that is based on their live-scan fingerprints. These scores are evaluated by a unit of judges, the Magistrate Unit, that work shifts 24/7 and make the decision whether to release the arrestee on their own recognizance before their arraignment with a promise to appear later. Phase 2 is being conducted in three arraignment courtrooms using a dynamic risk and needs assessment tool that arraignment judges use to make a release decision. Depending on an individual's needs, judges can refer the person to community-based services which can include anger management counseling, drug/alcohol counseling, and other services instead of detention in County jail. In addition, the arraignment judge can also impose electronic monitoring.

In funding the Pretrial Risk Assessment Pilot program, the State intended to assist participating counties to identify and implement, on a smaller scale, some of the infrastructure systems, policies, and practices that could be expanded and/or amended should Statewide bail reform, including under SB 10, be implemented.

In response to the LAO's estimates, the Probation Department reports that the County's Pretrial Workgroup has not determined that SB 10 is likely to result in notable decreased county jail costs; in particular because SB10 would likely increase incarceration for chronic offenders, frequent Failure To Appear, prior failures on pretrial release and any type of formal supervision, in addition to any individuals deemed high risk.

County Counsel reports that if Proposition 25 is successful, it would be a repeal of SB 10 and a return to the existing Penal Code statutes and bail system and would not have a significant impact on County operations. However, if Proposition 25 does not succeed, then SB 10 would be the governing law and it would most likely have an impact on the Courts, Probation, District Attorney, Public Defender, (including Alternate Public Defender and indigent defense panel), and the Sheriff's Department due to the transition from a long-established bail system to a new county-wide risk-assessment only system, that would require significant changes to the processes established for pre-trial release. In addition, there is some concern that more people may remain in custody as a result of

SB 10, than as a result of the bail system based on concerns that risk assessments may have implicit racial bias.

Support: Anti-Recidivism Coalition; California Democratic Party; California Teachers Association; League of Women Voters of California; SEIU California State Council; among others. It is supported by over 20 officials, including: U.S. Representatives Karen Bass and Ted Lieu; State Senate President Toni Atkins; California Senator Robert Hertzberg; Assembly Speaker Anthony Rendon; and Sacramento Mayor Darrell Steinberg, among others.

Opposition: California Asian Pacific Chamber of Commerce; California Bail Agents Association; American Bail Coalition; California Black Chamber of Commerce; California Business Roundtable; California Hispanic Chambers of Commerce; California Small Business Association; California NAACP State Conference; Crime Victims United; Golden State Bail Agent's Association; Howard Jarvis Taxpayers Association; and Orange County Board of Supervisors.



SACHI A. HAMAI
Chief Executive Officer

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July 31, 2020

To: Supervisor Kathryn Barger, Chair
Supervisor Hilda L. Solis
Supervisor Mark Ridley-Thomas
Supervisor Sheila Kuehl
Supervisor Janice Hahn

From: Sachi A. Hamai 
Chief Executive Officer

Board of Supervisors
HILDA L. SOLIS
First District

MARK RIDLEY-THOMAS
Second District

SHEILA KUEHL
Third District

JANICE HAHN
Fourth District

KATHRYN BARGER
Fifth District

MOTION TO SUPPORT PROPOSITION 15 RELATED TO THE CALIFORNIA SCHOOLS AND LOCAL COMMUNITIES FUNDING ACT OF 2020 (ITEM NO. 25, AGENDA OF AUGUST 4, 2020)

Item No. 25 on the August 4, 2020 agenda is a motion by Supervisor Ridley-Thomas recommending that the Board of Supervisors take an official position to support The California Schools and Local Communities Funding Act of 2020 (Proposition 15), which increases funding for K-12 public schools, community colleges, and local governments by requiring that commercial and industrial real property be taxed based on current market value.

Approval of this motion is a matter of Board policy determination.

Background

Article XIII A of the California Constitution, originally enacted by Proposition 13 in 1978, does not distinguish commercial and industrial property from residential and agricultural property for property tax purposes. It caps the ad valorem tax rate for all property at one percent and limits annual increases to the assessed value to no more than two percent or the rate of inflation, whichever is lower. Property is only reassessed at market value when there is a change in ownership or new construction. California cities, counties, schools, and special districts rely on property tax revenues which total around \$65.0 billion statewide and \$6.3 billion in the County of Los Angeles (County) to provide critical services and community programs.

Proposition 15 – The California Schools and Local Communities Funding Act of 2020

If approved by the voters, The California Schools and Local Communities Funding Act of 2020 (Proposition 15), also known as Split Roll, would tax most commercial and industrial real property, including some vacant land, based on current fair-market value, eliminating the limitation on increasing assessed value by no more than two percent per year.

Residential property, property owned or occupied by small businesses with a market value of less than \$3.0 million, and farmland would be exempt. The \$3.0 million threshold for small businesses would be adjusted for inflation every two years by the State Board of Equalization (BOE) beginning in 2025. The first \$500,000 of a business' personal property (e.g., machinery, computers, and office equipment) would be exempt from taxation, and businesses with fewer than 50 employees would be exempt from taxation on all personal property. Aircraft and vessels are not included in the personal property exemptions.

The shift to market value assessment would be phased in over three fiscal years, beginning in 2022-23. After the initial reassessment, applicable commercial and industrial real property would be regularly reassessed at intervals determined by the State Legislature, but no less frequently than every three years. Properties where the majority of their square footage is occupied by small businesses with 50 or fewer employees would not shift to market value taxation until 2025-26, unless a different date is set by the State Legislature.

The State Legislature would establish a Task Force on Property Tax Administration, consisting of a county assessor, a member of the BOE, a proponent of Proposition 15, a taxpayer representative, and a member of the State Legislature. The Task Force would make recommendations to the State Legislature on certain aspects of the implementation of this proposition.

Proposition 15 requires that a portion of the new revenues be allocated to the State General Fund to compensate for any reductions in personal income and corporate tax revenue resulting from the measure and to counties to cover their costs of administering the changes needed to implement this proposition before the funds raised by this proposition is allocated to schools and local governments. The State Legislature will determine which county costs are eligible for reimbursement but, at a minimum, must include the costs of assessment, assessment appeals, legal counsel, tax allocation and distribution, and auditing and enforcement to ensure adequate funding is provided to counties to cover all costs associated with the implementation of this proposition.

The State Legislature would work with county assessors to develop a process for hearing appeals resulting from the required reassessments. The appeals process would not automatically accept an applicant's opinion of value on the property. Under current law, Assessment Appeals Boards are required to render their decision on an appeal within two years. If they do not, the new value of the property defaults to the applicant's opinion of the value, even if that value is unrealistically or artificially low. In addition, Proposition 15 would require the applicant to shoulder the burden of proof that their property was not properly valued, as opposed to the assessor.

The Legislative Analyst Office (LAO) estimates that between \$6.5 billion to \$11.5 billion per year in new property taxes would go to local governments after 2025. Specifically, 60 percent would go to cities, counties, and special districts. Each city, county, or special district's share of the money depends on several things including the amount of new taxes paid by commercial properties in that community. The LAO notes that not all governments would be guaranteed new money. Some in rural areas may end up losing money because of lower taxes on business equipment. The other 40 percent would increase funding for schools and

community colleges. Each school or community college's share of the money is mostly based on how many students they have.

Support and Opposition

Proposition 15 is supported by: Abundant Housing LA; Alliance for Community Transit – Los Angeles; American Federation of Teachers; California Nurses Association; California Teachers Association; East Los Angeles Community Corporation; LA Voice; Los Angeles Community College District; Los Angeles Unified School District; Parent Teachers Association (PTA) of California; Partnership for Los Angeles Schools; State Superintendent Tony Thurmond; and The Los Angeles Trust for Children's Health, among many others.

Proposition 15 is opposed by: California Business Roundtable; California Chamber of Commerce; California Restaurants Association; California Retailers Association; California Taxpayers Association; and Howard Jarvis Taxpayers Association; among others.

County Impact

The Chief Executive Office Budget Operations and Management Branch estimates that upon full implementation, the estimated impact to the County's General Fund would be an increase in property tax revenue of approximately \$393.4 million, which is a net of the \$151.9 million in ongoing operational costs estimated for implementation.

The Assessor anticipates full implementation of the initiative in approximately five to ten years depending on the final provisions of the initiative, with five years being the earliest possible. The Assessor also projects that a substantial increase in appraisal staffing, training, and technology will be needed to implement this measure if approved.

The Executive Office of the Board anticipates that the number and complexity of assessment appeals would increase considerably necessitating the creation of new assessment appeals boards and staff to manage the significant increase if this measure is approved.

Conclusion

Positions on ballot measures are a matter of Board policy determination. Therefore, **approval of this motion to support Proposition 15 is a matter of Board policy determination.**

SAH:FAD:SA
OR:JAC:dr

c: Executive Office, Board of Supervisors
County Counsel

From: [Diana Rubio](#)
Subject: Washington - Administration Action in Response to COVID-19 Related to Evictions - 9/2/20
Date: Wednesday, September 2, 2020 10:35:20 AM

Washington – Administration Action in Response to COVID-19 Related to Evictions

Executive Summary

This report contains an update on the following Administration action related to responding to COVID-19:

- **Agency Order Related to Evictions.** On September 1, 2020, the Centers for Disease Control and Prevention (CDC) announced the issuance of an Order to temporarily halt residential evictions to prevent the further spread of COVID-19. The Order is effective through December 31, 2020.
-

AGENCY ORDER RELATED TO EVICTIONS

- On September 1, 2020, the CDC announced the issuance of an [Agency Order](#) (Order) to temporarily halt residential evictions to prevent the further spread of COVID-19. The Order is effective through December 31, 2020.
- A tenant seeking the eviction protections under this Order must provide a declaration, under penalty of perjury, to their landlord indicating that he or she:
 1. has made an effort to obtain all available government assistance for rent or housing;
 2. Earns less than \$99,000 per year (or less than \$198,000 if filing a joint tax return), they were not required to report income in 2019 to the U.S. Internal Revenue Service, or they received a stimulus check under the CARES Act;
 3. Is unable to pay the full rent or housing payment due to substantial loss of household income, loss of compensable hours of work or wages, a lay-off, or extraordinary out-of-pocket medical expenses;
 4. is making an effort to make timely partial payments that are as close to the full payment as the individual's circumstances may permit, taking into account other nondiscretionary expenses; and
 5. would likely become homeless or forced to move into a congregate living setting if evicted because he or she has no other housing options available.
- This Order does not:
 - 1) relieve tenants of any obligation to pay rent, make a housing payment, or comply with any other obligation they may have under a tenancy, lease, or similar contract;
 - 2) preclude landlords from charging or collecting fees, penalties or interest as a result of the failure to pay rent.;

- 3) does not apply in any State or local jurisdiction with a moratorium on residential evictions that provides the same or greater level of public-health protection under the Order;
- 4) preclude State or local governments from imposing additional requirements that provide greater public-health protection and are more restrictive than the requirements in this Order; or
- 5) preclude evictions for reasons other than not paying rent or making a housing payment.

This office is working with the Department of Consumer and Business Affairs and County Counsel to analyze the Order. Specifically, to determine its impact on the County's Temporary Eviction Moratorium as well as AB 3088 (Chapter 37, Statutes of 2020), which establishes a moratorium on evictions in California for non-payment of rent due to COVID-19 financial hardship, subject to numerous conditions, until January 31, 2021.

Sent on behalf of:

*Samara Ashley
Assistant Chief Executive Officer
Legislative Affairs and Intergovernmental Relations
County of Los Angeles
(213) 974-1464
SAshley@ceo.lacounty.gov*



County of Los Angeles CHIEF EXECUTIVE OFFICE

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SACHI A. HAMAI
Chief Executive Officer

Board of Supervisors
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First District
MARK RIDLEY-THOMAS
Second District
SHEILA KUEHL
Third District
JANICE HAHN
Fourth District
KATHRYN BARGER
Fifth District

September 15, 2020

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:

FISCAL YEAR 2020-21 MEASURE H AND HOMELESS HOUSING, ASSISTANCE AND PREVENTION (HHAP) FUNDING RECOMMENDATIONS (ALL AFFECTED) (3 VOTES)

SUBJECT

Approve the Fiscal Year (FY) 2020-21 Measure H and HHAP funding recommendations.

IT IS RECOMMENDED THAT THE BOARD:

1. Approve the FY 2020-21 Measure H and HHAP funding recommendations totaling \$465.4 million for Measure H-eligible Homeless Initiative (HI) strategies as indicated in Attachment I.
2. Authorize the CEO, or her delegate to shift Measure H funding to Strategies A5, B4, C7, and/or D6, if any cities allocate ESG-CV funding subsequent to September 1, 2020 to enable such a shift in Measure H funding, without reducing total FY 2020-21 funding for any strategy below the amount specified in Attachment I.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Measure H Funding Recommendations Process

On August 13, 2019, the Board directed the Chief Executive Office (CEO) to implement a process to develop final FY 2020-21 Measure H funding recommendations for the Measure H-funded HI Strategies and to develop tentative FY 2021-22 and FY 2022-23 Measure H Funding Recommendations. This process included plans for extensive engagement with the public and various homeless services stakeholders across the County from September 2019 through August 2020.

On February 4, 2020, the Board modified the Measure H funding recommendations process by directing the CEO to instead develop and present final recommendations for FY 2020-21 for Board consideration in September 2020, but not develop tentative recommendations for the two additional fiscal years.

Between September 2019 and August 2020, the CEO Homeless Initiative (HI) implemented the following public and stakeholder engagement activities:

- Eight Homeless Policy Summits, open to the public, were held from September 26 – November 14, 2019, to gather input from key partners, including system leaders, service providers, people with lived experience, researchers, cities and Councils of Government, faith organizations, philanthropic organizations, and others. Opening and Closing System Summits bookended summits 2 through 7, each of which in turn covered one of the following six topics: Prevention and Diversion, Outreach, Interim Housing, Permanent Housing, Employment, and Partnerships with Cities. Each summit was framed by Measure H performance outcome and expenditure data, interim findings from five strategy-specific HI evaluations, and other data and research.
- Public comment was solicited from September 26 – November 30, 2019, across the eight summit topic areas through the HI website. Over 100 written comments were submitted. All public comments are available for review at [\[insert weblink here\]](#).
- Eight Community Input Sessions (one in each Service Planning Area) were held in collaboration with the Los Angeles Homeless Services Authority (LAHSA) during October and November 2019.
- Eight Strategy Lead Discussions were held from early December 2019 through July 2020 to consider relevant data, policy summit discussions, community input, and emerging revenue forecasts and service needs considering the evolving impact of the COVID-19 pandemic.
- A public webinar was held on July 2, 2020, after the June 26, 2020, public release of draft FY 2020-21 Measure H Funding Recommendations.
- Written public comment was solicited through the HI website from June 26 – July 15, 2020. Over 3,000 written comments were submitted. All public comments are available for review at [\[insert weblink here\]](#).
- A virtual public hearing was held on July 8, 2020. A transcript and audio of the hearing are available at [\[insert weblink here\]](#).

Planned programmatic changes based on the Policy Summits, Community Input Sessions, and five strategy-specific Measure H evaluations are set forth in Attachment II.

Impact of COVID-19 on People Experiencing Homelessness and Measure H Funding

The CEO estimates a FY 2020-21 Measure H revenue shortfall of \$67 million below projections prior to the onset of the COVID-19 pandemic and resulting economic slow-down.

In March 2020, both the State and federal governments declared states of emergency and by mid-March, the Governor allocated, by Executive Order, \$150 million in statewide COVID-19 Emergency Homeless Funding and launched Project Roomkey (PRK) to lease-up thousands of motel and hotel rooms to serve as non-congregate shelter to temporarily house COVID-vulnerable homeless individuals and families. Los Angeles County received \$10.6 million of this emergency state funding for immediate use as local match to draw down up to 75 percent Federal Emergency Management Agency (FEMA) reimbursement in response to the state of emergency. The City of Los Angeles, LAHSA, the City of Long Beach, and three other Continuums of Care in LA County (Long Beach, Pasadena, and Glendale) also received shares of this State COVID-19 Emergency Homeless Funding.

At the end of March 2020, the federal government approved the Coronavirus Aid, Relief, and Economic Security (CARES) Act, a \$2.2 trillion economic stimulus package which, among its many elements, included the following emergency allocations to State and local governments that could be leveraged as part of local homeless COVID-19 mitigation actions: 1) Coronavirus Relief Fund (CRF); 2) Emergency Solutions Grants (ESG-CV); and 3) Community Development Block Grant (CDBG-CV). The ESG-CV and CDBG-CV funding are supplemental allocations beyond the standard annual ESG and CDBG grants allocated through the annual federal appropriations process. In addition to the County, several cities within the County, including Los Angeles, Long Beach, Pomona, Pasadena, Glendale, and El Monte, also received direct federal ESG-CV and CDBG-CV allocations.

On May 12, 2020, in response to the growing pandemic, the Board directed LAHSA to develop a Homeless COVID-19 Recovery Plan and directed the CEO to develop a Funding Plan to support the Recovery Plan. LAHSA's Recovery Plan was submitted to the Board on June 23, 2020, and the CEO's Funding Plan was submitted to the Board on July 2, 2020. The CEO's Funding Plan identified four funding streams to support the Recovery Plan: \$111 million from the County's CRF allocation for use through December 2020; \$80 million in County ESG-CV funding for use through mid-2022; \$65 million in Measure H funding for Strategy B3-Rapid Re-Housing through FY 2022-23, and \$52 million in potential federal Medicaid funding.

Additional funding to support the cost of the Homeless COVID-19 Recovery Plan may come from the City of Los Angeles and LAHSA, but it is pending decisions from their respective governing bodies. In addition, a portion of the permanent supportive housing and prevention and diversion costs included in LAHSA's Recovery Plan will be funded with existing resources in the countywide homeless services delivery system, including some Measure H funding.

FY 2020-21 Funding Recommendations for Measure H Eligible Strategies

Against the backdrop of the County's efforts to mitigate the impacts of the pandemic on people experiencing homelessness, renewed County and societal focus to address systemic racism, and within our dynamic, uncertain funding environment, the FY 2020-21 recommended allocations for each Measure H-funded strategy are set forth in Attachment I, including the following components:

- Total Measure H funding for FY 2020-21 is \$410.5 million. This decrease from \$460.0 million allocated for FY 2019-20 is due to the impact of COVID-19 on the economy and dramatic drop in projected Measure H revenue.
- The recommendations include \$54.9 million in County HHAP funding originally allocated by the State in FY 2019-20. On March 4, 2020, the Board approved utilizing this funding in FY 2020-21 and FY 2021-22; however, these recommendations include utilizing all this funding in FY 2020-21, in order to mitigate the impact of the drop in Measure H revenue in FY 2020-21.

In addition, consistent with prior Board action, \$19.72 million in County ESG-CV funding is being allocated to mitigate the impact of the reduction in Measure H funding in the unincorporated areas and the 82 cities for which the County is receiving ESG-CV funding. The CEO has worked with the 6 cities which receive their own ESG-CV funding (Los Angeles, Long Beach, El Monte, Glendale, Pasadena, and Pomona) with the goal of similarly mitigating the impact of the reduction in Measure H funding in those cities. The results of the work with those 6 cities is reflected in Attachment I.

Further, some of the cities which receive ESG-CV are still considering the potential allocation of ESG-CV funding, so that Measure H funding could be shifted to sustain one or more of the following strategies in those cities through June 30, 2021: A5 Homeless Prevention for Individuals; B4 Facilitate Utilization of Federal Housing Subsidies; C7 Increase Employment for Homeless Adults; and/or D6 Criminal Record Clearing Project. Recommendation 2 asks the Board to delegate authority to the CEO to shift Measure H funding to sustain one or more of these four strategies based on city allocations of ESG-CV funding, provided that there is no resulting reduction in total FY 2020-21 funding for any strategy.

Consistent with and in support of the Board's action on July 21, 2020 (Item No. 3) Establishing an Antiracist Los Angeles County Policy Agenda, CEO-HI will continue working with LAHSA, Measure H-funded County departments, and other stakeholders to implement the recommendations developed by the Ad Hoc Committee for Black People Experiencing Homelessness, and to otherwise ensure that Measure H-funded strategies are implemented in a manner which combats the systemic racism that causes Black People in Los Angeles County to be four times as likely to experience homelessness as County residents overall.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommended actions are in compliance with County Strategic Plan, Goal 1, Make Investments That Transform Lives, and Goal 2, Foster Vibrant and Resilient Communities.

FISCAL IMPACT/FINANCING

There is no net County cost impact from these recommendations.

County Budget Process

Upon Board approval of the funding recommendations, the CEO will incorporate the approved Measure H and HHAP allocations into the FY 2020-21 Supplemental Changes budget request scheduled for the Board's consideration on September 29, 2020. These budget changes will provide appropriation authority for the various departments to continue implementing the Measure H strategies.

Measure H Revenue

The California Board of Equalization began collecting the Measure H quarter-cent sales tax from businesses and consumers on October 1, 2017.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On December 6, 2016, the Board approved an Ordinance to place Measure H on the March 7, 2017, Countywide ballot, which proposed a quarter cent sales tax for a period of 10 years to fight homelessness. Additionally, the Ordinance emphasized accountability by requiring the following:

Independent Audit

An independent auditor to annually report on the amount of revenue collected and expended and the status of the projects and services funded. Under the guidance of the Auditor-Controller, the independent auditor has completed the FY 2017-18 and FY 2018-19 audits in compliance with the ordinance requirement. The FY 2019-20 audit is scheduled for release at the end of December 2020.

Citizens' Oversight Advisory Board

The Citizens' Oversight Advisory Board (COAB) is comprised of five members, with one member nominated by each Supervisorial District and appointed by the Board. The COAB's role is to ensure public accountability for Measure H funds. All FY 2017-18 and FY 2018-19 COAB meeting minutes and charts on Measure H expenditures are available at <http://homeless.lacounty.gov/oversight>.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the funding recommendations for Measure H strategies will affirm the County's commitment to combat and prevent homelessness in Los Angeles County by

investing in proven strategies and seeking new and innovative solutions to the many issues that contribute to homelessness.

Respectfully submitted,

SACHI A. HAMAI
Chief Executive Officer

SAH:FAD:TJM
PA:JR:BT:tv

Attachments

- c: Executive Office, Board of Supervisors
- County Counsel
- Sheriff
- Alternate Public Defender
- Animal Care and Control
- Arts Commission
- Beaches and Harbors
- Child Support Services
- Children and Family Services
- Los Angeles County Development Authority
- Consumer and Business Affairs
- Fire
- Health Services
- Mental Health
- Military and Veterans Affairs
- Parks and Recreation
- Probation
- Public Defender
- Public Health
- Public Social Services
- Public Works
- Regional Planning
- Superior Court
- Workforce Development, Aging and Community Services
- Los Angeles Homeless Services Authority

FY 2020-21 MEASURE H and HHAP FUNDING RECOMMENDATIONS

STRATEGY	FY19-20 MEASURE H ALLOCATION (APPROVED MAY 2019)	FY20-21 MEASURE H FUNDING RECOMMENDATION	OTHER FUNDING SOURCES TO SUPPLEMENT MEASURE H	EXPLANATION FOR VARIANCE FROM FY19-20
A1 - LAHSA Homeless Prevention Program for Families	\$11,500,000	\$8,991,000	COUNTY ESG-CV: \$2,509,000	Reduction in Measure H will be supplemented by County ESG-CV.
A1 - DCFS Homeless Prevention Program for Families	\$0	\$500,000	N/A	In FY19-20, the CEO was allocated a total of \$3,000,000 to support the utilization of mainstream County systems to prevent homelessness among families; this funding was not utilized in FY 19-20. On May 21, 2020, the CEO submitted the Mainstream Systems Homelessness Prevention Action Plan to the Board of Supervisors, which included one recommendation involving families to utilize \$500,000 for the Prevention and Aftercare Program for a pilot to assist families who are referred to DCFS, do not have an open DCFS case, and have unstable housing.
A5 - LAHSA Homeless Prevention Program for Individuals	\$11,500,000	\$3,833,000 (July – October)	COUNTY ESG-CV: \$2,509,000 (November – June) CITIES ESG-CV: (PENDING) (November – June)	Strategy will be funded for the first four months of the FY with Measure H. For November 2020 – June 2021, the County will allocate CARES Act ESG funding to sustain this strategy at the FY 19-20 funding level in the unincorporated areas and 82 cities for which the County receives ESG funding. The County is collaborating with the 6 cities that receive their own ESG funding (Los Angeles, Long Beach, Pomona, El Monte, Pasadena, and Glendale) with the goal of using ESG funding to sustain this strategy. In order to sustain this strategy countywide through June 2021, the 6 cities which receive ESG-CV funding would need to allocate a combined total of \$5,158,000 for this strategy.
A5 – DHS/DCFS Homeless Prevention Program for Individuals	-	\$1,500,000 (DHS) \$300,000 (DCFS)	N/A	In FY19-20, the CEO was allocated a total of \$3,000,000 to support the utilization of mainstream County systems to prevent homelessness among families and individuals; this funding was not utilized in FY 19-20. On May 21, 2020, the CEO submitted the Mainstream Systems Homelessness Prevention Action Plan to the Board of Supervisors, which included two recommendations involving individuals for which funding is required: (1) a new Homelessness Prevention Unit in DHS focused on County single adult clients at the greatest risk of becoming homeless as identified by the California Policy Lab using predictive analytics (\$1.5 million needed for October 2020 – June 2021); and (2) \$300,000 for transition age youth who need additional services to take advantage of the Supervised Independent Living Program (SILP).
B1 - DPSS Provide Subsidized Housing to Homeless Disabled Individuals Pursuing SSI	\$5,138,000	\$0	ONE-TIME DPSS FUNDING: \$5,138,000	Reduction to Measure H funding to be backfilled with one-time funding available to DPSS.
B3 – LAHSA Expand Rapid Re-Housing	\$78,200,000	\$74,877,000	COUNTY ESG-CV: \$15,823,000	In September 2019, the Board of Supervisors approved a one-time \$30 million increase in rapid rehousing for families, which can also be used for interim housing for families as part of Strategy B3. This recommended funding level reflects maintaining half of that one-time increase in FY 20-21, while other changes are implemented in the Coordinated Entry System for Families.

FY 2020-21 MEASURE H and HHAP FUNDING RECOMMENDATIONS

STRATEGY	FY19-20 MEASURE H ALLOCATION (APPROVED MAY 2019)	FY20-21 MEASURE H FUNDING RECOMMENDATION	OTHER FUNDING SOURCES TO SUPPLEMENT MEASURE H	EXPLANATION FOR VARIANCE FROM FY19-20
B3 - DHS Expand Rapid Re-Housing	\$ 7,205,000	\$150,000	N/A	Elimination of almost all DHS funding reflects sunseting of DHS' Rapid Rehousing program and transfer of remaining clients to LAHSA.
B4 - LACDA Facilitate Utilization of Federal Housing Subsidies	\$14,189,000	\$4,365,000 Countywide (July – October) \$2,857,000 in Measure H for County ESG Service Area (November – June)	CITIES ESG-CV: (PENDING) (November – June)	Reduction in full-year cost due to shift of certain costs to the Veterans Administration for VASH vouchers, partially offset by an increase in the overall cost per subsidy. Measure H Funding for November 2020 – June 2021 is based on the use of ESG-CV for Strategy B3, which frees up Measure H funding for this strategy. \$2,857,000 is for the unincorporated areas and 82 cities for which the County receives ESG funding, based on the County's allocation of ESG-CV funding for Strategy B3 which frees up Measure H funding for this strategy. To sustain this strategy countywide through June 2021, the 6 cities which receive ESG-CV funding would need to allocate a combined total of \$5,873,000 of ESG-CV funding for Strategy B3 to enable Measure H funding to be shifted. Discussions between the County and these 6 cities are in process.
B6 – DCFS Family Reunification Housing Subsidies	\$1,468,000	\$0	Potential reinvestment of DCFS savings	Measure H funding eliminated due to overall shortfall in Measure H revenue.
B7 – DHS Interim/Bridge Housing for those Exiting Institutions	\$ 21,878,000	\$21,878,000	N/A	No change
B7 – DMH Interim/Bridge Housing for those Exiting Institutions	\$72,000	\$72,000	N/A	No change
B7 – DPH Interim/Bridge Housing for those Exiting Institutions	\$6,683,000	\$9,415,000	N/A	Increase in bed rate results in increase in cost to maintain current beds.
B7 – LAHSA Interim/Bridge Housing for those Exiting Institutions	\$4,627,000	\$4,627,000	N/A	No change

FY 2020-21 MEASURE H and HHAP FUNDING RECOMMENDATIONS

STRATEGY	FY19-20 MEASURE H ALLOCATION (APPROVED MAY 2019)	FY20-21 MEASURE H FUNDING RECOMMENDATION	OTHER FUNDING SOURCES TO SUPPLEMENT MEASURE H	EXPLANATION FOR VARIANCE FROM FY19-20
C4/5/6 - DHS/DPSS Countywide Supplemental Security/Social Security Disability Income and Veterans Benefits Advocacy	\$11,051,000	DHS: \$3,951,000 DPSS: \$4,600,000	None	Reduced funding due to increased efficiency from centralization of certain functions, with no reduction in services.
C4/5/6 - DMH Countywide Supplemental Security/Social Security Disability Income and Veterans Benefits Advocacy	\$1,101,000	\$1,101,000	N/A	No change
C7 - WDACS/CEO Increase Employment for Homeless Adults	\$14,300,000	LA: RISE \$3,767,000 Countywide (July-October) \$2,468,000 in Measure H for County ESG Service Area (November - June)	CITIES ESG-CV: (PENDING) (November - June)	Funding for November 2020 - June 2021 is based on the use of ESG for Strategy B3, which frees up Measure H funding for this strategy. \$2,468,000 is for the unincorporated areas and 82 cities for which the County receives ESG funding, based on the County's allocation of ESG-CV funding for Strategy B3 which frees up Measure H funding for this strategy. To sustain this strategy countywide through June 2021, the 6 cities which receive ESG-CV funding would need to allocate a combined total of \$5,065,000 of ESG-CV funding for Strategy B3 to enable Measure H funding to be shifted. Discussions between the County and these 6 cities are in process.
D2 - DHS Jail In-Reach	\$1,870,000	\$1,870,000	N/A	No Change
D2 - LASD Jail In-Reach	\$465,000	\$465,000	N/A	No Change
D6 - PD Criminal Record Clearing Project	\$2,941,000	\$980,000 Countywide (July - October) \$642,000 In Measure H for County ESG Service Area (November - June)	CITIES ESG-CV: (PENDING) (November - June)	Funding for November 2020 - June 2021 is based on the use of ESG-CV funding for Strategy B3, which frees up Measure H funding for this strategy. \$642,000 is for the unincorporated areas and 82 cities for which the County receives ESG funding, based on the County's allocation of ESG-CV funding for Strategy B3 which frees up Measure H funding for this strategy. To sustain this strategy countywide through June 2021, the 6 cities which receive ESG-CV funding would need to allocate a combined total of \$1,319,000 of ESG-CV funding for Strategy B3 to enable Measure H funding to be shifted. Discussions between the County and these 6 cities are in process.

FY 2020-21 MEASURE H and HHAP FUNDING RECOMMENDATIONS

STRATEGY	FY19-20 MEASURE H ALLOCATION (APPROVED MAY 2019)	FY20-21 MEASURE H FUNDING RECOMMENDATION	OTHER FUNDING SOURCES TO SUPPLEMENT MEASURE H	EXPLANATION FOR VARIANCE FROM FY19-20
D7 Provide Services and Rental Subsidies for Permanent Supportive Housing	DHS: \$69,946,000 DMH: \$5,814,000 DPH: \$1,564,000	DHS: \$48,536,000 DMH: \$9,613,000 DPH: \$1,564,000	COUNTY HHAP (DHS): \$43,384,000	Reduction in Measure H allocation from FY19-20 to be backfilled by County Homeless Housing Assistance and Prevention funding. Increase in total strategy allocation necessary for services for clients in permanent supportive housing which will open in FY 20-21 and annualized, full-year costs for clients in permanent supportive housing which opened in FY 19-20.
E6 – DHS Countywide Outreach System	\$16,931,000	\$26,473,000	N/A	Increase to sustain current outreach workers, except for reduction of public space generalist teams from 20 to 8 (one per SPA). Increase from May 2019 allocation for FY 2019-20 due to: (1) continuation of increased ongoing funding approved in September 2019 as part of the FY 2019-20 Supplemental County Budget; and (2) replacement of one-time Homeless Prevention Initiative funding, which has been exhausted. Increase also represents \$390k shift from LAHSA E6 for 5 Skidrow Case Managers.
E6 – DPH Countywide Outreach System	\$0	\$ 756,000	N/A	Funding for four public health nurses added in September 2019 as part of the FY 2019-20 Supplemental County Budget to assist outreach teams in addressing public health issues at large encampments.
E6 – LAHSA Countywide Outreach System	\$12,001,000	\$11,611,000	N/A	This funding recommendation does not include funding for Safe Storage. Initial funding for Safe Storage was added in September 2019 as part of the FY 2019-20 Supplemental Changes budget; however, no Safe Storage sites have been established as of now. Decrease represents \$390k shift to DHS E6 for 5 Skid Row Case Managers.
E7 – CEO Strengthen the Coordinated Entry System	\$6,700,000	\$500,000	N/A	Funding was already allocated in FY 19-20 to support implementation of city homelessness plans through FY 20-21. Because the FY19-20 funding spans two fiscal years, no additional funding needs to be allocated for this purpose in FY 20-21. Remaining \$500,000 is to support Council of Governments (COGs) regional coordination services.
E7 – LAHSA Strengthen the Coordinated Entry System	\$34,693,000	\$14,024,000	LAHSA HHAP/HEAP: \$11,586,000 WDACS: \$54,000	See Appendix A for funding by program component.
E8 – DHS Enhance the Emergency Shelter System	\$20,450,000	\$23,673,000	COUNTY HHAP: \$2,115,000	Increase is due to operating costs for new interim housing where the County is funding the capital cost and is committed to fund the operating cost.
E8 -DMH Enhance the Emergency Shelter System	\$72,000	\$72,000	N/A	No change

FY 2020-21 MEASURE H and HHAP FUNDING RECOMMENDATIONS

STRATEGY	FY19-20 MEASURE H ALLOCATION (APPROVED MAY 2019)	FY20-21 MEASURE H FUNDING RECOMMENDATION	OTHER FUNDING SOURCES TO SUPPLEMENT MEASURE H	EXPLANATION FOR VARIANCE FROM FY19-20
E8 – DPH Enhance the Emergency Shelter System	\$668,000	\$668,000	N/A	No change
E8 – LAHSA Enhance the Emergency Shelter System	\$71,632,000	\$71,632,000	N/A	No change
E14 – LAHSA Enhanced Services for Transition Age Youth	\$19,900,000	\$14,499,000	COUNTY HHAP: \$9,401,000	See Appendix B for funding by program component..
F7 – CEO Preserve and Promote the Development of Affordable Housing for Homeless Families and Individuals	\$3,300,000	\$0	N/A	The FY 19-20 funding for this strategy was one-time funding for the Housing Innovation Challenge.
CENTRAL MEASURE H ADMINISTRATION	\$2,071,000	\$3,511,000	N/A	FY19-20 funding was increased in September 2019 as part of the County's Supplemental Budget to support 5 new positions and contract-related costs. The FY 20-21 funding recommendation maintains these positions, includes \$70,000 in funding for an Office of Emergency Management position formerly funded under Strategy E6, and reflects a \$200,000 reduction in funding for contract costs.
TOTALS	FY19-20 MEASURE H ALLOCATION (APPROVED MAY 2019) \$460,000,000	FY20-21 MEASURE H FUNDING RECOMMENDATIONS \$380,481,000	FUNDING FROM OTHER SOURCES TO SUPPLEMENT MEASURE H: OTHER FUNDING SOURCES (BEYOND ESG-CV): \$72,478,000 COUNTY ESG-CV: \$20,841,000 CITIES ESG-CV: Pending	

FY 2020-21 MEASURE H and HHAP FUNDING RECOMMENDATIONS

FY19-20 One-time Measure H Carryover Requested for Board Approval			
Strategy - Department Program Component	FY19-20 Allocation for Strategy Program Component	FY19-20 Unavoidable Carryover into FY 20-21	Explanation for Carryover
A1/A5 – DCBA Eviction Defense	\$2,000,000	\$50,000	Implementation of eviction defense program
C7 – CEO Employment Innovation Contract	\$1,200,000	\$800,000	Employment innovation contract with United Way
C7 – WDACS HireUp Program	\$2,500,000	\$1,275,000	July 7, 2020 Board motion directed funding to be carried over for Hire Up program
E7 – CEO Cities Homelessness Planning Grants	\$15,700,000	\$2,067,000	Contracts with cities implementing homelessness plans and COGs for city homelessness activities
E7 – LAHSA Ad hoc Committee on Black People	\$1,000,000	\$1,000,000	Implementation of Recommendations from Ad hoc Committee on Black People Experiencing Homelessness
E8 – DHS Interim Housing Capital	\$15,349,000	\$11,500,000	Interim Housing Capital Projects
LAHSA CoC Contracts	\$5,273,000	\$5,273,000	Contracts with Long Beach, Glendale and Pasadena CoCs for certain HI strategies
LAHSA FY19-20 Claims	N/A	\$8,082,000	The amount reflects claims submitted to the County CEO's office by LAHSA after the Auditor-Controller's deadline for payment in FY19-20.
TOTAL FY19-20 CARRYOVER REQUESTED		\$30,047,000	

Homeless and Housing Assistance Program Funding Recommendations Request for Board Approval to Supplement Measure H Funded Programs in FY2020-21*		
Strategy - Department	Previous Board-Approved FY20-21 HHAP Allocations	Revised FY20-21 HHAP Allocation Recommendations
D7 – DHS	\$18,800,000	\$43,384,000
E8 – DHS	\$900,000	\$2,115,000
E14 – LAHSA	\$4,000,000	\$9,401,000
TOTAL	\$23,700,000	\$54,900,000

*The March 4, 2020 Board letter allocated FY 19-20 State HHAP funding for the three strategies in this table. The CEO recommends utilizing the \$31,200,000 in HHAP funding previously approved for use in FY 21-22 for FY 20-21 to partially offset the decline in FY 20-21 Measure H revenue.

FY 2020-21 MEASURE H and HHAP FUNDING RECOMMENDATIONS

APPENDIX A

HOMELESS INITIATIVE STRATEGY E7: Strengthen the Coordinated Entry System

STRATEGY PROGRAM COMPONENT	FY19-20 MEASURE H ALLOCATION	FY20-21 MEASURE H RECOMMENDATION	FUNDING FROM OTHER SOURCES TO SUPPLEMENT MEASURE H	EXPLANATION FOR VARIANCE FROM FY19-20
Regional Coordination	\$8,613,000	\$6,513,000	\$247,000 (CoC HHAP)	
LAHSA Regional Coordinator	\$92,000	\$92,000	-	
Housing Navigation	\$8,982,000	\$0	\$8.982m (CoC HEAP/HHAP)	
Housing Navigation CoC	\$454,000	\$454,000	-	
Domestic Violence Coordinators	\$937,000	\$841,000	-	\$96,000 reduction can be absorbed without impacting agencies who provide domestic violence coordinators.
Gerontologist	\$109,000	\$55,000	\$54,000 (WDACS)	
Housing Locators	\$3,060,000	\$3,060,000	-	
Training	\$1,249,000	\$1,149,000	-	
Technical Assistance	\$2,301,000	\$0	\$2.193m (CoC HHAP)	
Legal	\$3,060,000	\$1,560,000	-	
Representative Payee	\$1,468,000	\$300,000	\$164,000 (CoC HEAP)	Reduction in client cost/month results in maintenance of current services, despite reduction in funding.
Technology Investment	\$564,000	\$0	-	
Adhoc Committee on Black People Experiencing Homelessness	\$1,000,000	Funding reflected in above Measure H Carryover Chart		
*TOTAL	*\$34,693,000	\$14,024,000	\$11,640,000	

*FY19-20 total reflects the LAHSA E7 allocation as of May 2019 and includes LAHSA administrative funding, but administrative funding is not reflected in the program component line items for FY 19-20.

APPENDIX B

HOMELESS INITIATIVE STRATEGY E14: Enhanced Service for Transition Age Youth

STRATEGY PROGRAM COMPONENT	FY19-20 MEASURE H ALLOCATION	FY20-21 MEASURE H RECOMMENDATION	FUNDING FROM OTHER SOURCES TO SUPPLEMENT MEASURE H
Youth Family Reconnection	\$1,890,000	\$0	\$1,890,000 (County HHAP funds)
Peer Navigators	\$700,000	\$0	\$700,000 (County HHAP funds)
Educational Coordinators	\$800,000	\$0	\$800,000 (County HHAP funds)
Transitional Housing Beds	\$15,592,000	\$14,447,000	\$1,145,000 (County HHAP funds)
Transitional Housing- Host Home Slots	\$866,000	\$0	\$866,000 (County HHAP funds)
Youth System	\$4,000,000	\$0	\$4,000,000 (County HHAP funds)
Youth Collaboration	\$52,000	\$52,000	None
TOTAL	*\$23,900,000	\$14,499,000	\$9,401,000 (County HHAP funds)

*Reflects adjusted strategy amount in the Supplemental Budget adopted in September 2019.

**Programmatic Changes to Measure H Strategies Based on
Eight Policy Summits, Eight Community Input Sessions, and
Five Strategy-Specific Evaluations**

[Pending]



COUNTY OF LOS ANGELES DEPARTMENT OF AUDITOR-CONTROLLER

KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, ROOM 525
LOS ANGELES, CALIFORNIA 90012-3873
PHONE: (213) 974-8301 FAX: (213) 626-5427

ARLENE BARRERA
AUDITOR-CONTROLLER

OSCAR VALDEZ
CHIEF DEPUTY AUDITOR-CONTROLLER

August 26, 2020

TO: Each Supervisor

FROM: Arlene Barrera, Auditor-Controller *Arlene Barrera*

SUBJECT: **LOS ANGELES HOMELESS SERVICES AUTHORITY – HOMELESS INITIATIVE – MEASURE H STRATEGIES - PERFORMANCE DATA VALIDATION AND LIMITED INTERNAL CONTROLS REVIEW**

NUMBER OF RECOMMENDATIONS	
PRIORITY 1	2
PRIORITY 2	1
PRIORITY 3	1

With the support and active participation of the Chief Executive Office and Los Angeles Homeless Services Authority (LAHSA or Agency), we completed a review of LAHSA's Homeless Initiative – Measure H Strategies (Strategies) performance data and internal controls. LAHSA provides services under various Strategies, as described in Attachment III, which are primarily funded through Measure H. Our review focused primarily on evaluating LAHSA's internal controls over their performance reporting and validating their performance data from July 2018 through June 2019.

During our review period, LAHSA and their contractors provided services to approximately 70,000 individuals who were either homeless or at risk of being homeless, and the Agency maintained detailed records for the services provided. To enhance their performance data reporting of Measure H services, we noted various opportunities for LAHSA to improve and strengthen internal controls. For example:

- LAHSA was unable to provide documentation (e.g., detailed list of clients served) during our initial request for support of their July through December 2018 performance data.
- We noted instances where LAHSA's performance data was not always accurately reported and resulted in an overstatement of program outcomes.

For details of our review, please see Attachment I. LAHSA's response indicates agreement with our findings and recommendations and is included in Attachment II.

We thank LAHSA management and staff for their cooperation and assistance during our review. If you have any questions please call me, or your staff may contact Terri Kasman at tkasman@auditor.lacounty.gov.

AB:OV:PH:TK:JH

Attachments

- c: Sachi A. Hamai, Chief Executive Officer
- Sarah Dusseault, Commission Chair, Los Angeles Homeless Services Authority
- Heidi Marston, Executive Director, Los Angeles Homeless Services Authority

FAST FACTS

No material weakness in the internal controls structure was noted by the independent auditors in the Measure H Annual Financial Audit report for the year ended June 30, 2019.

LAHSA received approximately \$172 million in Measure H funds from July 2018 through June 2019.

Services include preventing homelessness, subsidized housing, and creating a coordinated system, as described in Attachment III.

LOS ANGELES COUNTY AUDITOR-CONTROLLER

Peter Hughes
ASSISTANT AUDITOR-CONTROLLER

Terri Kasman
DIVISION CHIEF

COUNTYWIDE CONTRACT MONITORING DIVISION

Report #X19706

LOS ANGELES HOMELESS SERVICES AUTHORITY HOMELESS INITIATIVE – MEASURE H STRATEGIES PERFORMANCE DATA VALIDATION AND LIMITED INTERNAL CONTROLS REVIEW

BACKGROUND AND AUDIT SCOPE

The Los Angeles Homeless Services Authority (LAHSA or Agency) provides services under various Homeless Initiative – Measure H Strategies¹ (Strategies), as described in Attachment III, which are primarily funded through Measure H, a voter-approved quarter-cent sales tax measure enacted to combat homelessness. The Chief Executive Office (CEO) oversees the implementation and administration of the Strategies and is responsible for administering the use of Measure H funds. LAHSA received approximately \$172 million in Measure H funds from July 2018 through June 2019.

Our review focused primarily on evaluating LAHSA’s internal controls over their performance reporting and validating their Homeless Initiative performance data from July through December 2018. After initial review, we expanded our scope to include performance data through June 2019, as described below. We examined policies and procedures, interviewed management and staff, and conducted detailed walkthroughs to evaluate the effectiveness of existing controls.

TABLE OF FINDINGS AND RECOMMENDATIONS FOR CORRECTIVE ACTION

	ISSUE	RECOMMENDATION
1	<p>Supporting Documentation for Performance Data - LAHSA is the lead Agency for eight Strategies¹ and submits performance data to the CEO quarterly. However, the Agency was initially unable to provide supporting documentation (e.g., detailed list of clients served) for six of the eight Strategies during our review of their July through December 2018 performance data. According to LAHSA management, this was due to issues with the software used to convert data from their Homeless Management Information System (HMIS), a database used to track client services, into a usable format. Specifically, LAHSA could not re-generate the requested detailed reports due to the software issues, and could not locate the past generated reports that were used due to staff turnover within their Data Management Department.</p> <p>LAHSA indicated they filled the vacant positions and were actively addressing these issues by implementing updates to their data collection and reporting process, including replacing the software used to convert their HMIS data. Therefore, we expanded our scope to include a review of their cumulative performance data for July 2018 through June 2019 and LAHSA was able to provide documentation to support the reported numbers, except for the minor discrepancies as mentioned below in Issue 4. However, LAHSA must continue to assess their HMIS data to ensure appropriate</p>	<p>Priority 1 - LAHSA management establish a review process to ensure adequate documentation for their reported performance data is appropriately maintained and readily available upon request.</p> <p>LAHSA Response: Agree</p> <p>LAHSA’s response indicates they have made substantial improvements since our review and plan to fully implement our recommendation by August 2020.</p>

Priority Ranking: Recommendations are ranked from Priority 1 to 3 based on the potential seriousness and likelihood of negative impact on the Agency’s operations if corrective action is not taken.

¹ For information on the Homeless Initiative Strategies reviewed, please refer to Attachment III.

TABLE OF FINDINGS AND RECOMMENDATIONS FOR CORRECTIVE ACTION	
ISSUE	RECOMMENDATION
<p>documentation is consistently maintained and available upon request.</p> <p>Impact: Increased risk of inaccurate and/or unsupported performance data, which may result in an inability to determine whether program services are being provided in an effective/efficient manner or whether corrective action is needed in the event of an undesirable deviation.</p>	
<p>2 Inaccurate Reporting of Performance Data - As mentioned above, LAHSA submits performance data for various Strategies¹ to the CEO quarterly. During our review, we noted instances where the data was not always accurately reported and resulted in an overstatement of program outcomes. Specifically, for each Strategy, we reviewed a sample of supporting documentation for their July 2018 through June 2019 performance data and noted for:</p> <ul style="list-style-type: none"> • Strategies A1 and A5, which focus on preventing homelessness, four (8%) of the 50 clients reviewed were ineligible clients who did not receive A1/A5 program services and incorrectly captured as being placed in permanent housing. • Strategy B3, which provides subsidized/rapid re-housing services, LAHSA incorrectly reported that program participants obtained employment or secured permanent housing with a subsidy when the case files did not support these outcomes for 11 (39%) of the 28 clients reviewed. • Strategy E6, which focuses on Countywide outreach, LAHSA incorrectly captured individuals as being placed into permanent housing when the case files either indicated no placements were made or conflicting information (i.e., individuals were placed prior to LAHSA/agency engagement) for four (15%) of the 26 clients reviewed. <p>LAHSA attributed the inaccuracies to various factors, such as HMIS input errors, the need for additional training for service providers and standardized processes.</p> <p>Impact: Increased risk of misinterpreted program results if performance metrics are not reported accurately, which may result in an inability to determine whether program services are being provided in an effective/efficient manner or whether corrective action is needed in the event of an undesirable deviation.</p>	<p>Priority 1 - LAHSA management:</p> <p>a) Develop written standards and procedures that adequately guide the data collection and entry into HMIS process.</p> <p>b) Establish a review process to ensure the procedures are appropriately followed and program services are accurately reported.</p> <p>LAHSA Response: Agree</p> <p>LAHSA’s response indicates they have made substantial improvements since our review and plan to fully implement our recommendations by September 2020.</p>

Priority Ranking: Recommendations are ranked from Priority 1 to 3 based on the potential seriousness and likelihood of negative impact on the Agency’s operations if corrective action is not taken.

¹ For information on the Homeless Initiative Strategies reviewed, please refer to Attachment III.

TABLE OF FINDINGS AND RECOMMENDATIONS FOR CORRECTIVE ACTION		
	ISSUE	RECOMMENDATION
3	<p>HMIS Quality Control Plan - LAHSA maintains HMIS, a system also used by their contracted agencies, and during our review the Agency had not yet fully implemented a quality control plan to ensure data in the system is reliable, accurate, and complete. Specifically, we noted procedures in LAHSA's existing HMIS Data Quality Plan (Plan) that were not always in effect. For example, LAHSA did not:</p> <ul style="list-style-type: none"> • Always require contracted agencies to review and certify the accuracy of HMIS generated performance data prior to submitting the data to the CEO. • Monitor, review, and discuss HMIS data error reports as indicated in the Plan. <p>During our review, LAHSA indicated they were making improvements to the Plan which were pending management review.</p> <p>Impact: Increased risk that inaccurate and/or incomplete data is not identified timely, which may result in an inability to determine whether program services are being provided in an effective/efficient manner or whether corrective action is needed in the event of an undesirable deviation.</p>	<p>Priority 2 - LAHSA management fully implement their Plan to ensure their performance data is reliable, accurate, and complete.</p> <p>LAHSA Response: Agree</p> <p>LAHSA's response indicates they have made substantial improvements since our review and plan to fully implement our recommendation by September 2020.</p>
4	<p>Data Input Errors - As noted above in Issue 1, we identified minor input errors in our review of LAHSA's supporting documentation for their July 2018 through June 2019 performance data reported to the CEO. According to LAHSA management, the data was manually transferred into the established quarterly report templates and the discrepancies were due to clerical error. Although this generally resulted in minor understatements of program outcomes, which LAHSA indicated would be corrected in subsequent reports, the Agency should implement a review process to ensure all performance data is accurately reported.</p> <p>Impact: Increased risk of inaccurately reported performance data, which may result in an inability to determine whether program services are being provided in an effective/efficient manner or whether corrective action is needed in the event of an undesirable deviation.</p>	<p>Priority 3 - LAHSA management implement a review process to ensure performance data is accurately inputted into quarterly reports.</p> <p>LAHSA Response: Agree</p> <p>LAHSA's response indicates they have made substantial improvements since our review and plan to fully implement our recommendation by August 2020.</p>

For more information on our auditing process, including recommendation priority rankings and the resolution process, visit <http://auditor.lacounty.gov/contract-monitoring-audit-process-information/>.

Priority Ranking: Recommendations are ranked from Priority 1 to 3 based on the potential seriousness and likelihood of negative impact on the Agency's operations if corrective action is not taken.

¹ For information on the Homeless Initiative Strategies reviewed, please refer to Attachment III.



July 21, 2020

Arlene Barrera, Auditor-Controller

████████████████████
500 West Temples Street, Room 525
Los Angeles, CA 90012

**Subject: LAHSA's response to Homeless Initiative Measure H Strategies-
Performance Data validation and Limited Internal Controls Review.**

Dear Arlene Barrera,

The Los Angeles Homeless Services Authority (LAHSA) is in receipt of Auditor-Controller (AC) Measure H Review issued by the County of Los Angeles, regarding the on-site review that began on October 1, 2019. We appreciate the opportunity to respond to the review and to work to strengthen LAHSA's operations. LAHSA is committed to data integrity and accurate reporting. Data is integral to demonstrating progress towards our system goals. Through detailed system evaluation, we have made substantive progress in improving business application to reflect our achievements.

Restatement of Issue #1: Lack of Supporting Documentation for Performance Data

LAHSA is the lead Agency for eight Strategies and submits performance data to the CEO quarterly. However, the Agency was initially unable to provide supporting documentation (e.g., detailed list of clients served) for six of the eight Strategies during AC review of their July through December 2018 performance data. According to LAHSA management, this was due to issues with the software used to convert data from their Homeless Management Information System (HMIS), a database used to track client services, into a useable format. Specifically, LAHSA could not re-generate the requested detailed reports due to the software issues and could not locate the past generated reports that were used due to staff turnover within their Data Management Department.

LAHSA indicated they filled the vacant positions and were actively addressing these issues by implementing updates to their data collection and reporting process, including replacing the software used to convert their HMIS data. Therefore, AC expanded our scope to include a review of their cumulative performance data for July 2018 through June 2019 and LAHSA was able to provide documentation to support the reported numbers, except for the minor discrepancies as mentioned below in Issue 4. However, LAHSA must continue to assess their HMIS data to ensure appropriate documentation is consistently maintained and available upon request

Heidi Marston
Executive Director

Board of Commissioners

Sarah Dusseau
Chair

Mitchell Kamin
Vice Chair

Kelli Bernard

Noah Farkas

Wendy Greuel

Lawson Martin

Irene Muro

Booker Pearson

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Los Angeles, CA 90017

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www.lahsa.org

Recommendation 1: LAHSA management establish a review process to ensure adequate documentation for their reported performance data is appropriately maintained and readily available upon request

LAHSA Response:

LAHSA Agrees. Target Implementation Date August 2020.

As stated by AC, this error was due to a change in the application used to produce the reports and staff turnover. The prior application did not maintain a data capture at the time of reporting, which made producing data for subsequent reviews challenging. LAHSA has since updated its approach with regard to maintaining supporting documentation for performance data reports. More specifically, the HMIS database that includes the relevant reporting data elements will be captured and stored on LAHSA servers on the day that data report queries are run for the purpose of metric reporting.

Furthermore, after completion of each individual metric, LAHSA will systematically and consistently store backup documentation that clearly identifies the applicable programs from which data outcomes were pulled, and list of those client records for which an outcome was counted and reported.

Restatement of Issue #2: Inaccurate Reporting of Performance Data

As mentioned above, LAHSA submits performance data for various Strategies to the CEO quarterly. During AC review, AC noted instances where the data was not always accurately reported and resulted in an overstatement of program outcomes. Specifically, for each Strategy, we reviewed a sample of supporting documentation for their July 2018 through June 2019 performance data and noted for:

- Strategies A1 and A5, which focus on preventing homelessness, four (8%) of the 50 clients reviewed were ineligible clients who did not receive program services and incorrectly captured as being placed in permanent housing.
- Strategy B3, which provides subsidized/rapid re-housing services, LAHSA incorrectly reported that program participants obtained employment and secured permanent housing with a subsidy when the case files did not support these outcomes for 11 (39%) of the 28 clients reviewed.
- Strategy E6, which focuses on Countywide outreach, LAHSA incorrectly captured individuals as being placed into permanent housing when the case files either indicated no placements were made or conflicting information (i.e., individuals were placed prior to LAHSA/agency engagement) for four (15%) of the 26 clients reviewed.

LAHSA attributed the inaccuracies to various factors, such as HMIS input errors, the need for additional training for service providers and standardized processes.

Recommendation 2:

- a) **Develop written standards and procedures that adequately guide the data collection and entry into HMIS process.**
- b) **Establish a review process to ensure the procedures are appropriately followed and program services are accurately reported.**

LAHSA Response:

LAHSA Agrees. Target Implementation date September 2020.

Between the eight homeless initiative strategies that LAHSA reports on, there is a relatively high number of total metrics for which LAHSA is tasked with providing outcome data that at times is not consistent with system-wide data that is normally reported. The high volume of specified metrics requires the creation and development of many distinct data queries and the level of complexity varies widely.

The metrics cited here by the AC are quite possibly the three most challenging/complex of the 100+ metrics LAHSA reported on. Each requires multiple condition parameters and mix several data elements that have a history of provider data entry challenges and relies on data from external sources. Based off the sample selection by the AC only 11 of these clients had inadequate supporting documentation, indicating less than 1% of error across all 19,909 clients that were reported across all metrics for B3.

LAHSA has always, as a matter of practice, cross-referenced aggregate reporting results with individual case files in HMIS to ensure accuracy. In the past, staffing capacity and a relatively short window of time between the end of the reporting period and expected due dates limited the amount of manual cross-referencing.

Increased staff capacity will allow for more comprehensive and extensive manual cross-referencing, and the accumulated knowledge and experience in report development for specific/more-complex metric queries will greatly reduce the likelihood of discrepancy between case files and aggregate results.

We requested our HMIS vendor to conduct system health check review and it is expected to complete in August. It is a top to bottom review of the business application. Large volume of data is captured daily, and we rely on our providers to enter accurate information. Resources to verify programmatic information against data entered in the business system is limited. LAHSA also relies on its provider to enter accurate information.

Restatement of Issue #3: HMIS Quality Control Plan

LAHSA maintains HMIS, a system also used by their contracted agencies, and during AC review the Agency had not yet fully implemented a quality control plan to ensure data in the system is reliable, accurate, and complete. Specifically, AC noted procedures in LAHSA's existing HMIS Data Quality Plan (Plan) that were not always in effect. For example, LAHSA did not:

- Always require contracted agencies to review and certify the accuracy of HMIS generated performance data prior to submitting the data to the CEO.
- Monitor, review, and discuss HMIS data error reports as indicated in the Plan.

During our review, LAHSA indicated they were making improvements to the plan which were pending management review.

Recommendation 3: LAHSA management fully implement their Plan to ensure their performance data is reliable, accurate, and complete.

LAHSA Response:

LAHSA Agrees. Target Implementation Date September 2020.

LAHSA recognizes the importance of monitoring, reviewing, and the discussion of data discrepancies outlined in the Plan. This plan has been under development to supplement the current data quality requirements outlined in the LA HMIS Policies and Procedures. The phased implementation will begin in July 2020.

LAHSA will ensure staff and contracted service providers are following the procedures outlined in the Plan moving forward from the implementation date. To encourage the accurate, completeness, and timely entry of data, LAHSA will actively engage and utilize the partnership with our Regional Data Coordinators across all eight service planning areas to assist with the direct support and bridge meaningful relationships with our service providers.

Restatement of Issue #4: Data Input Errors

As noted above in Issue 1, AC identified minor input errors in the review of LAHSA's supporting documentation for July 2018 through June 2019 performance data reported to the CEO. According to LAHSA management, the data was manually transferred into the established quarterly report templates and the discrepancies were due to clerical error. Although this generally resulted in minor understatements of program outcomes, which

County of Los Angeles
Department of Auditor-Controller
LAHSA Response
Page 5 of 6

LAHSA indicated would be corrected in subsequent reports, the Agency should implement a review process to ensure all performance data is accurately reported.

Recommendation 4 - LAHSA management implement a review process to ensure performance data is accurately inputted into quarterly reports.

LAHSA Response:

LAHSA agrees. Target Implementation Date August 2020.

As the AC indicated, these input errors were minor and due to clerical errors made when the data results were transposed into the established quarterly report templates. Because the process established by the CEO's office requires that the data be entered into a document that its staff creates – it is not possible to avoid the manual input of information. LAHSA has implemented management review to ensure data accuracy. Each of the eight strategies now has both a primary and secondary front-line staff assigned. Additionally, Director, Manager and Supervisor review and sign-off of the data as inputted into the quarterly template is mandatory. As a result, LAHSA is confident that clerical errors such as those outlined above have been eliminated.

Conclusion

We appreciate the opportunity to address the issues identified in the final Auditor-Controller Measure H Review. We look forward to continuing our collaboration in the administration of Measure H funding with the Auditor-Controller to ensure the continued success of individuals and families experiencing homelessness and the programs that serve them in the County of Los Angeles. We continue to invest in technology to enhance data collection but also recognize business systems end users play a key role to ensure data is complete, timely and accurate. LAHSA looks forward to demonstrating progress towards its goals through the timely and accurate reporting of data. LAHSA believes that substantial improvements have been made in the areas of concern noted by the Auditor-Controller Review.

If you or your staff have any questions or require additional information, please contact Holly Henderson, DPA, Monitoring and Compliance Interim Associate Director, at 213-683-3334 or by email at hhenderson@lahsa.org.

Sincerely,

Heidi Marston

Heidi Marston (Jul 20, 2020 15:51 PDT)

Heidi Marston
Executive Director

County of Los Angeles
Department of Auditor-Controller
LAHSA Response
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Cc: Anthony Creed
Nathaniel Vergow
Emily Andrade
Darcie Mulholland
Mazharul Islam
Ahmad Chapman
Holly Henderson, DPA
Jeffrey Proctor

**LOS ANGELES HOMELESS SERVICES AUTHORITY
HOMELESS INITIATIVE – MEASURE H STRATEGIES
DESCRIPTIONS OF SERVICES**

Strategy	Description
Prevent Homelessness	
A1	Assists families at-risk of becoming homeless to preserve their current housing situation through diversion services, financial assistance, case management and employment services, and legal services.
A5	Assists single adults and youth at-risk of becoming homeless to preserve their current housing situation through diversion services, financial assistance, case management, supportive services, and legal services.
Subsidize Housing	
B3	Connects homeless individuals and families to permanent housing through financial assistance, case management, targeted supportive services, and housing identification support.
B7	Increases the interim housing stock across the County for individuals exiting institutions such as jails, prisons, foster care, hospitals, urgent care centers and other medical, behavioral health, and substance abuse treatment facilities and is designed to facilitate permanent housing placement.
Create a Coordinated Entry System	
E6	Enhances current outreach efforts through the countywide network of multidisciplinary, integrated street-based teams to identify, engage and connect, or re-connect, homeless individuals to interim and/or permanent housing and supportive services.
E7	Enhances the regional coordination of the entire coordinated entry system for single adults, families, and youth to strengthen the overall system and add additional service capacity to support participants served.
E8	Enhances the emergency shelter system to be an effective point-of-access to and component of an integrated homeless services system.
E14	Enhances the resources to house and service transition age youth who are homeless/at-risk of homelessness and expands programs providing housing navigation, shelter, transitional housing, and case management.

Comments: Housing Saves Lives Coalition HUD Rule Change To Remove Protections for Transgender Individuals

<https://housingsaveslives.org/>

<https://nlihc.org/news/joint-statement-hud-proposal-would-allow-discrimination-against-transgender-people-seeking>

HUD must maintain protections for transgender people under the Equal Access Rule in order to support your own administration's priority to end HIV by 2030 (<https://www.hiv.gov/federal-response/ending-the-hiv-epidemic/overview>). HUD has documented the link between housing instability and both delayed HIV diagnosis and increased risk of acquiring and transmitting HIV infection. Homelessness and unstable housing are strongly associated with inadequate access to healthcare and poor health outcomes. It is important to note that as an infectious disease without a cure, HIV/AIDS continues to be a critical public health issue, and there is a disproportionate risk of transmission and lack of healthcare among the homeless and unstably housed. In Los Angeles County, transgender individuals shoulder a disproportionate burden of HIV, with poorer health outcomes across the HIV continuum.

For people living with HIV/AIDS (PLWHA) and those at a high-risk of contracting HIV, stable housing is the most effective health intervention, over time having a bigger impact on preventing transmission and retaining PLWHA in medical care than demographics, health status, insurance coverage, mental illness and substance abuse, or other supportive services. Stable housing is linked to more frequent HIV testing and fewer transmissions, and this three-pronged benefit of housing PLWHA will help bring LA County and the Nation one step closer to realizing the federal initiative to end HIV by 2030.
