



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

SACHI A. HAMAI
Chief Executive Officer

REVISED

DATE: October 4, 2018
TIME: 1:00 p.m. – 2:30 p.m.
LOCATION: Kenneth Hahn Hall of Administration, Room 830

AGENDA

Members of the Public may address the Operations Cluster on any agenda item by submitting a written request prior to the meeting.
Two (2) minutes are allowed for each item.

1. **Call to order / Introductions – Kieu-Anh King/Gevork Simdjian**
2. **Public Comment**
(2 minutes each speaker)
3. **INFORMATIONAL ITEM(S):**
(5 minutes total) [Any Information Item is subject to discussion and/or presentation at the request of two or more Board offices]:
None available at this time.
4. **PRESENTATION/DISCUSSION ITEMS:**
 - A) BUSINESS REGISTRATION PROGRAM REPORT BACK (20 minutes)
DCBA – Joseph Nicchitta, Interim Director or designee
TTC – Joe Kelly, Director or designee
 - B) REVIEW OF \$5 MILLION POLICY FOR OUTSIDE COUNSEL (20 minutes)
CIO – William Kehoe, CIO and Peter Loo, Chief Deputy CIO
5. **Adjournment**

NOTICE OF CLOSED SESSION (20 minutes)

CS-1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Government Code section 54956.9)

Judicial Watch, Inc. v. Alex Padilla, Secretary of State and Dean C. Logan,
Registrar-Recorder/County Clerk;
Case No. 2:17-CV-08948-R-SK

This lawsuit alleges the voter rolls are not maintained in accordance with the
National Voter Registration Act.

FUTURE AGENDA TOPICS

CALENDAR LOOKAHEAD:

(5 minutes)

- A) Board Memo:
COPLINK SOFTWARE SOLE SOURCE CONTRACT
LASD – Sheriff Jim McDonnell or designee
CIO – William Kehoe, CIO and Peter Loo, Chief Deputy CIO
- B) Board Memo:
PHOTOMANAGER SYSTEM SOLE SOURCE AGREEMENT EXTENSION
LASD – Sheriff Jim McDonnell or designee
CIO – William Kehoe, CIO and Peter Loo, Chief Deputy CIO
- C) REVIEW OF INFORMATION SECURITY BOARD POLICIES
CIO – William Kehoe, CIO and Peter Loo, Chief Deputy CIO
- D) REVIEW OF BOARD POLICY NO. 6.020
CIO – William Kehoe, CIO and Peter Loo, Chief Deputy CIO
- E) E-WORKFLOW: CEO HALL OF RECORDS
CIO – William Kehoe, CIO and Peter Loo, Chief Deputy CIO
CEO CP – Brad Bolger, Senior Manager or designee

October 4, 2018
Treasurer and Tax Collector
Business Registration Program Draft Ordinance and Report Back

On February 13, 2018, your Board instructed the Chief Executive Officer and the Treasurer and Tax Collector (TTC) working in consultation with County Counsel, the Director of Consumer and Business Affairs, and any other relevant Department Directors, to develop a new Los Angeles County (County) Business Registration Program (Program) and report back in 120 days with a proposed ordinance that would establish the Program.

BRP Ordinance
<ul style="list-style-type: none"> • We prepared the attached draft Ordinance. <ul style="list-style-type: none"> ○ All businesses operating within the unincorporated area of the County, except Home-based occupations, must possess either a Business Registration Certificate or a Business License, valid for one year. ○ Businesses are required to re-apply every year and submit all related documents (or attest to no change in documents). Documents include Articles of Incorporation, CA Secretary of State - Statement of Information, Doing Business As and Fictitious Name Statement, Seller's Permit (if applicable per location) and any other required permits. ○ The annual Business Registration fee of \$185 is based on Departmental costs for administering the Program. Those businesses with multiple locations will pay \$185 for the first location and a reduced fee of \$65 for each additional location. No fee waivers or exemptions are recommended. ○ Penalties and Enforcement: failure to register within 12 months after the required registration deadline shall subject the business to an administrative fine for noncompliance of \$185.
Protocols – Administrative and Data Sharing
<ul style="list-style-type: none"> • We developed administrative protocols to prevent illegal business types from registering. If we suspect an illegal business is operating, we will seek additional information from the applicant. We will engage with County Counsel's Code Enforcement Unit, as necessary. • We developed a protocol for data sharing with other County departments. The TTC will share business data information with various departments (CEO, WDACS, and DCBA) as well as co-users of EPIC-LA (DRP, DPW, Fire, and Parks and Recreation) as appropriate, for program and economic development, and/or enforcement issues.
EPIC-LA Implementation
<ul style="list-style-type: none"> • Identified EPIC-LA cost estimates of \$250,000. • We anticipate presenting the contract amendment to the Board for approval in early 2019, followed by a six month implementation timeline.
Business License
<ul style="list-style-type: none"> • We developed an Enhanced Business License Compliance pilot project which incorporated DRP's Green Zone Program's "ground truthing" survey findings focusing on commercial and industrial areas with a heavy industrial use. • As stated at the June 14, 2018, Operations Cluster Meeting, new business activities including janitorial services, car wash facilities, and garment manufacturers will be reported separately in the summer of 2020.

ANALYSIS

This ordinance amends Title 7, Business Licenses, of the Los Angeles County Code, by adding a new Division 3, related to business registration.

MARY C. WICKHAM
County Counsel

By
SHAHIEDAH PALMER
Deputy County Counsel
Government Services Division

SSP:

Requested:
Revised:

ORDINANCE NO. _____

An ordinance adding Division 3, Business Registration Program, to Title 7, Business Licenses, of the Los Angeles County Code, to establish the Los Angeles County Business Registration Program.

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

SECTION 1. The title of Title 7 is hereby amended to read as follows:

Title 7 – BUSINESS LICENSES AND BUSINESS REGISTRATION

SECTION 2. Division 3 is hereby added to Title 7 to read as follows:

DIVISION 3 – BUSINESS REGISTRATION PROGRAM

Chapter 7.94 – Business Registration Requirement

Section 7.94.010 – Short Title

The short title of this Division 3 is the "Business Registration Program Ordinance."

Section 7.94.020 – Definitions

Except where the context otherwise requires, the terms used in this Division 3 shall have the meanings given to them in Division 1 of this title. Otherwise, the terms below shall have the following meanings:

A. "Home-based Occupation" shall have the meaning set forth in Section 22.08.080 H of this Code.

B. "Registration Certificate" means a written proof of registration issued by the Tax Collector in accordance with the provisions of this Division.

Section 7.94.030 – Business Registration Requirement

A. Starting on TBD every business operating within the unincorporated areas of the County, except Home-based Occupations, must possess either a valid Registration Certificate or, if required by Division 2 of this Title 7, a Business License. Each Registration Certificate shall be conspicuously displayed on the business premises if the business is conducted at a fixed location. Itinerants may satisfy the foregoing requirement by carrying a current Registration Certificate on their person and displaying the same upon request by the Tax Collector, Sheriff, or any other person authorized to enforce the Business Registration Program Ordinance.

B. Each Registration Certificate shall be valid for one year from its date of issuance, and must be renewed prior to expiration.

C. Businesses in operation prior to the effective date of the Business Registration Program Ordinance must complete the initial registration no later than the deadlines set forth below by applying for a Registration Certificate on the form prescribed by the Tax Collector and paying the required non-refundable fee.

TBD	Businesses with 100 or more employees
TBD	Businesses with 50 or more employees
TBD	Businesses with 25 or more employees
TBD	Businesses with fewer than 24 employees
TBD	Deadline for all businesses in operation prior to the effective date of the Business Registration Program Ordinance

Section 7.94.040 – Business Registration Certificate – Application, Fee and Issuance

A. Businesses commencing operation within the unincorporated area of the County after the effective date of the Business Registration Program Ordinance must, within fifteen (15) days after commencing business, apply for a Registration Certificate on the form prescribed by the Tax Collector and pay the non-refundable registration fee. The fee shall be \$185; however, if a business conducts the same activity in more than one location in the unincorporated area of the County, the fee for each additional location shall be \$65.00.

B. Each Registration Certificate application shall set forth the name under which the applicant transacts or intends to transact business, the location of the proposed place of business, and such other information as the Tax Collector may require. In the case of a sole proprietorship, the application shall be signed by the sole proprietor; in the case of a partnership, the application shall be signed by a general partner; in the case of a limited liability company, the application shall be signed by the managing member; and in the case of a corporation, the application shall be signed by the person authorized by the corporation to sign on its behalf.

C. After the Tax Collector receives a properly completed application and fee, the Tax Collector shall determine whether the applicant is required to obtain a Registration Certificate or Business License, or whether the applicant is engaged in a business activity not authorized by the Code. Within sixty (60) days of determining that a Registration Certificate is required, the Tax Collector shall issue a Registration Certificate to the applicant.

D. Registered businesses shall notify the Tax Collector in writing within thirty (30) days of changes in the following:

1. The sole owner of a sole proprietorship;
2. A partner of a general partnership or limited partnership;
3. A member of a limited liability company;
4. The Chief Executive Officer, Secretary, Chief Financial Officer, or Agent of a corporation; or
5. Any address listed in the Registration Certificate application.

E. Registration Certificates are non-assignable and non-transferable, and shall be null and void thirty (30) days after the sale or transfer of the business for which the Registration Certificate was issued or thirty (30) days after the business for which the Registration Certificate was issued ceases to be conducted at the location designated in the certificate.

F. A separate registration application and fee shall be submitted for each location within the unincorporated areas of the County where business subject to the Business Registration Program Ordinance is conducted, and the Tax Collector shall issue a separate Registration Certificate for each such location.

G. Each Registration Certificate shall state: a unique Registration Certificate number; the business to whom it is issued; date of issuance; expiration date; business address; and the business activity or activities specified on the application, as defined by the North American Industry Classification System.

H. Duplicate Registration Certificates shall be issued pursuant to the same process as a duplicate License set forth in Section 7.02.070.D. of Division

2 of Title 7, and subject to the same fee as a duplicate License set forth in the License fee schedule.

Section 7.94.050 – Penalties and Enforcement

Starting on TBD, failure to register or renew registration in a timely manner shall be subject to an administrative fine in the amount of the business registration fee. The Tax Collector shall establish procedures and policies necessary to administer this provision.

Section 7.94.060 – Administration of Business Registration Program

The Tax Collector shall have the primary responsibility for administration of the Business Registration Program. The Department of Consumer and Business Affairs shall be responsible for conducting outreach, marketing, and supportive services to businesses subject to the Business Registration Program. Where appropriate, the Tax Collector and Department of Consumer and Business Affairs shall consult and cooperate with the County Counsel in performing their respective duties set forth in this Division 3.



Los Angeles County
BOARD OF SUPERVISORS POLICY MANUAL

<i>Policy #:</i>	<i>Title:</i>	<i>Effective Date:</i>
5.150	Oversight of Information Technology Contractors and Retention of Outside Legal Counsel for County Information Technology Solicitations and Contracts	12/21/1998

PURPOSE

To enhance County departments' ability to take a responsible and systematic approach when reviewing contractors for Information Technology (IT) contracts and to implement a Countywide strategic approach for determining whether and when to retain outside counsel to assist County departments in conducting IT solicitations, negotiating contracts and implementing projects.

REFERENCE

October 11, 1994 Board Order, Synopsis No. 64

December 21, 1998 Board Order, [Synopsis No. 24](#)

FI

May 10, 1999 Chief Information Officer memo, " [Information Technology \(I/T\) Contractor Database](#) "

FI

February 23, 2004 Internal Services Department memorandum, " [New and Enhanced County Database](#) "

FI

October 4, 2005 Auditor-Controller memorandum, " [Revised Non-Responsibility and Debarment Implementation Instructions](#) "

FI

July 11, 2011 Auditor-Controller memorandum, " [Contractor Alert Reporting Database Final Report \(Board Agenda Item 26-c, April 27, 2010\)](#) "

FI

November __, 2018 Board Order, Synopsis No. ____

POLICY

Selection, Oversight and Evaluation of Information Technology Contractors. Departments are to develop processes that consider contractors' past performances during their evaluation and selection process for future County Information Technology (IT) contracts to ensure the County's exposure to risk is minimized.

To assist County departments, the Chief Information Office (CIO) and Internal Services Department developed an automated database that collects and stores performances of all County IT contractors. In addition, the Auditor-Controller developed a centralized online database that tracks poorly performing County contractors.

All County departments are responsible for entering relevant information into the appropriate contractor performance databases and reviewing these systems when selecting contractors.

Retention of Outside Legal Counsel. To assist departments in developing processes for selecting and evaluating County IT contractors and in minimizing risk exposure during implementation of IT projects, County Counsel, in consultation with the CIO and the involved department(s), will utilize a Countywide strategic approach to determine whether and when outside legal counsel is to be retained to assist the County with IT solicitations, contracts and project implementation. The approach will take into account various factors, including but not limited to, the costs, risks and security needs of the proposed project; the type of technology, software, and licensing needs involved; and the nature and extent of contractor concerns, anticipated exceptions to County contract terms and conditions and the legal expertise required. To ensure cost-effective and efficient use of legal resources, County Counsel will also determine the appropriate stage(s) of a project (e.g., solicitation development, negotiation, implementation, etc.) in which outside legal counsel will be retained to assist the County.

RESPONSIBLE DEPARTMENT

Chief Information Office

Internal Services Department

County Counsel

Auditor-Controller

DATE ISSUED/SUNSET DATE

Issue Date: December 21, 1998

Review Date: July 1, 2004

Review Date: February 19, 2009

Review Date: October 25, 2012

Review Date: October 20, 2016

Sunset Review Date: December 21, 2003

Sunset Review Date: December 31, 2008

Sunset Review Date: December 31, 2012

Sunset Review Date: December 31, 2016

Sunset Review Date: December 31, 2019



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