

June 26, 2017

MOTION BY SUPERVISORS HILDA L. SOLIS AND SHEILA KUEHL

Los Angeles County Cultural Equity and Inclusion Initiative

The benefits of the arts are many, and everyone deserves to have equal access to them. In a County as ethnically and culturally diverse as well as geographically sprawling as Los Angeles, it is our responsibility to ensure that all the benefits of, and opportunities provided by, the arts are available and accessible to all residents, no matter who they are or where they live. From arts education for young people to arts programming for senior citizens, the arts have been proven to make individual lives better and strengthen communities. They improve health and well-being, and they improve cognitive skills. Even more, the arts can bring people together across demographic, economic and social lines. They are places where people can both see and express themselves, their communities and their cultures in public performances and exhibitions. The arts also offer important career and leadership opportunities. While Los Angeles County has invested in arts and culture for more than a century, there is more work to be done so that all residents have equal and meaningful access to the arts and the benefits they provide.

In November 2015, the Board of Supervisors directed the Los Angeles County Arts Commission to conduct “a constructive County-wide conversation about ways to improve diversity in cultural organizations” for all LA County residents. The Board specifically directed the Arts Commission to focus on four key target areas: Boards of

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Directors, Staffing, Audience/Participants, and Programming. To this the Arts Commission added a fifth: Artists/Creators. This resulted in the Cultural Equity and Inclusion Initiative (CEII).

Data collected about the arts and culture workforce as part of the CEII process show there is much work to be done. The work that arts institutions, funded by the County, have already done toward greater diversity, constitutes a strong base to build upon, but there is a growing recognition that it is necessary to move beyond simple measures of *diversity* to address deeper issues of cultural *equity, inclusion* and *access* in the arts. As a County, we have a historic opportunity to maximize LA County assets, including the institutions we fund, and to effect change in the wider arts ecology throughout LA County, to improve the engagement for all our residents in every community.

In addition to being a national leader in arts and culture, LA County is one of the largest and most diverse counties in the United States. The population of LA County has been a majority of “people of color” since the late 1980s. According to the US Census Bureau, 48 percent of residents are Latino or Hispanic, 14 percent are Asian or Pacific Islander, 8 percent are African American, 1 percent are Native American, Alaska Native or Other, and 2 percent are Two or More Races. The remaining 27 percent are White.

For most people, “diversity” first brings to mind concepts of race and ethnicity. However, the term includes other important areas of diversity such as socio-economic status and gender, and people experience them as intersectional rather than separated and hierarchical. In LA County, for example,

- 19 percent of LA County residents live at or below the poverty line
- 14 percent are unemployed or under-employed
- 56 percent speak a language other than English at home
- 6 percent report they are living with a disability
- 51 percent are women

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Today, the arts ecology of LA County includes major LA County cultural institutions, nonprofit arts organizations of all disciplines and sizes, social service, health and environmental organizations that utilize the arts to support their missions, and private businesses. In passing the CEII resolution, the Board of Supervisors committed itself to not only being at the forefront of a national conversation about how arts and cultural organizations can and should reflect and embrace diversity in all the ways it is experienced and understood, in all communities across LA County, but to go beyond conversation to actionable strategies.

Now it is time for the Board of Supervisors to lead in the implementation of the recommendations in the final report of the Cultural Equity and Inclusion Initiative (CEII), recommendations that were unanimously adopted by both the Advisory Committee and Arts Commissioners. We commend the Advisory Committee members, Arts Commissioners and staff who have led a robust public process over the past 18 months to arrive at these 13 recommendations. We recognize that all 13 recommendations work together to create a more equitable cultural future for LA County. While all may not be able to be implemented at one time, the recommendations create an important road map that should be travelled over the course of several years, and it is imperative that this journey begin now with recommendations that both build on existing successful programs, as well as those that chart a new course.

On April 4, 2017 Supervisors Hilda L. Solis and Sheila Kuehl requested that the CEO review and find funding for 4 of the 13 recommendations and come back to the Board with recommendations in the final budget. This motion passed unanimously with all Supervisors agreeing that Arts needed to be prioritized and funded. The motion asked for:

- Creation of Arts Equity Policy (\$50,000 one-time)
- Inclusive Language, Policies, and Infrastructure (\$50,000 ongoing)
- Teen Arts Pathways (\$230,000 ongoing)

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- Expanded Arts internship Program (\$454,000 ongoing)

The Final Changes Budget, presented to the Board today, funds two of the four recommendations and partially funds the third deferring the fourth to Supplemental Budget in the Fall. Specifically:

- Creation of Arts Equity Policy (\$50,000 one-time)
- Inclusive Language, Policies, and Infrastructure (\$50,000 ongoing)
- Teen Arts Pathways (Deferred until Supplemental)
- Expanded Arts internship Program (fund \$114,000 of the \$454,000 ongoing requested)

Postponing the Teen Pathways until the Supplemental Budget in the fall will result in a loss of programming for an entire year. Since there was unanimous support for these recommendations in April, the CEO should fully fund them as part of the 2017-18 Adopted Budget and not wait until Supplemental.

WE THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

1. Approve a \$230,000 appropriation increase in to the Arts Commission's budget in Fiscal Year 2017-18, to support the creation and implementation of a new Teen Arts Pathways Program for the 2017-18 academic year.
2. Direct the Auditor-Controller and the Chief Executive Officer to increase estimated additional fund balance by \$230,000 as a financing source for this adjustment.
3. Instruct the Chief Executive Officer to identify \$230,000 in ongoing funding to support the Teen Arts Pathways Program in the Fiscal Year 2018-19 Recommended Budget.
4. Instruct the Los Angeles County Arts Commission to implement the Teen Arts Pathways Program in partnership with LA County school districts, the California

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State Department of Education and institutions of higher education. The Program should be developed in coordination with the Entertainment and Information Technology sector strategy being implemented under the Regional Workforce Development Plan 2017-2020 creating access to work-based learning and leadership opportunities for all junior high and high school students, particularly students of color, low-income students, LGBTQ students, disabled students, current and former foster youth, and youth on probation, as well as others who experience barriers to participation, to prepare youth for careers in the arts and creative industries.

5. Instruct the Chief Executive Officer to identify \$274,000 in ongoing funding in the FY 2017-18 Supplemental Changes Budget, , to support 28 additional Arts Internships (\$159,000) and one additional Arts Commission Program Associate (\$115,000) to manage the additional workload. The Arts Internships shall be set aside for community college students, emphasizing inclusivity of those from communities of color, low-income neighborhoods, the disabled community, and other communities that experience barriers to arts access. This will increase the number of interns in the Arts Internship Program from 150, as included in the CEO's Final Changes Budget Proposal, to 178, reflecting a 36% increase from the existing program, with 131 interns.

WE FURTHER MOVE THAT THE BOARD OF SUPERVISORS:

6. Instruct the Arts Commission to:
 - a. Establish guidelines to maintain a CEII Advisory Committee as a standing committee of the Arts Commission,
 - b. Determine how frequently the CEII Advisory Committee should meet and how its members will continue to be selected, and

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- c. Report back to the Board of Supervisors on an annual basis on the progress of CEII implementation and evaluation.
7. Instruct the Advisory Committee of the CEII to continue to meet for the next five years in order to establish clear methods of evaluations and provide an annual report on progress of the above programs.

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AND CHAIR MARK RIDLEY-THOMAS

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Wells Fargo Consumer Banking Fraud Settlement Spending Plan

In 2016, the Los Angeles City Attorney's Office (City Attorney) and Wells Fargo Bank (Wells Fargo) settled a lawsuit alleging that Wells Fargo had engaged in unlawful, unfair, and fraudulent sales, resulting in harm to California consumers. Under the settlement, Wells Fargo paid \$50 million in civil penalties, which by law was split between the City Attorney and the County of Los Angeles (County). The County's one half portion of the civil penalties (\$25 million) can be allocated by the County Board of Supervisors (Board) to enforce consumer protection laws, subject to certain restrictions.

On November 22, 2016, the Board of Supervisors directed the Chief Executive Officer (CEO) to consult with the District Attorney, County Counsel, the Department of Business and Consumer Affairs (DCBA), and other necessary County departments to prepare a multi-year proposal for consumer protection, enforcement, and education activities aligned with the Board's adopted strategic priorities for which the \$25 million in Wells Fargo settlement funds could be deployed, including investigating the feasibility of using a portion of the Wells Fargo civil penalties to create an Affirmative Litigation Consumer Protection Unit within County Counsel to identify and bring legal action against those whose violation of consumer protection laws harms County residents. On March 10, 2017, the CEO submitted a report identifying County consumer protection, enforcement and education programs for which the Wells Fargo civil penalties could be used. On May 5, 2017, the CEO submitted updated recommendations.

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The CEO's updated recommendations strike a prudent balance between the aggressive enforcement of consumer protection laws and preserving flexibility to identify and address new threats to consumers.

One issue merits further comment. While consumer protection is a key component of any cannabis regulatory structure, funding decisions regarding that regulatory structure should be based on a comprehensive strategy that includes projections of regulatory costs and offsetting revenues recovered from fees, fines, and taxation. The County is currently in the process of developing a regulatory proposal that includes comprehensive cost and revenue projections, and is expected to complete this proposal by year's end. It is appropriate that some of the Wells Fargo funding be used to fund the "start-up" costs required to establish the regulatory structure by January 2018 because of its relevance to consumer protection, but the ongoing regulatory costs should be funded by other available means. Furthermore, it is imperative that the Wells Fargo settlement funds be utilized in ways that serve the intended purpose—to protect consumers from unethical and harmful business practices.

WE, THEREFORE, MOVE THAT THE BOARD OF SUPERVISORS:

1. Approve the following spending plan for the Wells Fargo settlement funds:
 - a. To County Counsel
 - i. \$3,272,000, over 3 years with \$1,444,000 in 2017-18, to support DCBA's Consumer Protection Program, consumer protection hotline improvements, and consumer protection operations enhancements;
 - ii. \$5,950,000, over 2 years with \$2,975,000 in 2017-18, to support County Counsel's Affirmative Litigation Consumer Protection Unit;
 - iii. \$900,000, over 2 years with \$600,000 in 2017-18, to support the Treasurer and Tax Collector's business license consumer protection enhancements;
 - iv. \$1,861,000 to support the Department of Public Health's Consumer Protection Cannabis Inspection Program;
 - v. \$523,000, to support the CEO's Cannabis Consumer Protection Contingency Fund and Licensed Cannabis Emblem Program.
 - b. To the District Attorney
 - i. \$1,366,000, over 3 years with \$335,000 in 2017-18, to support the Unauthorized Practice of Law (UPL) or "Notario fraud" unit;

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When a child is being removed from the family, a social worker goes out to the home to assess the family, and a public health nurse in the Department of Children Family Services may also go out and assess the child's health and link them to services. When a child is in the foster care system, there are Public Health Nurses (PHN) in the Department of Public Health (DPH) that follow the child and are responsible for the child's health and will continue linking them to additional services if needed.

Currently, there are over 21,000 foster children and youth in out-of-home placements in the County. There are 75 DPH PHN assigned to the Health Care Program for Children in Foster Care (HCPFC), which means that each HCPFC public health nurse is responsible for approximately 318 foster care children. Currently there are 11 items in the program that are not being funded due to increases in County costs not covered by the State's level funding. Restoring staffing to prior levels with targeted funding would unfreeze eight PHN and reduce the case load to one PHN to 280 youth, which would help with caseload and provide better care for our foster care children.

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When the legislature launched the HCPCFC program nearly two decades ago, Counties were expected to maintain PHN caseloads of 1 PHN to 200 youth.

Governor Brown is considering the Legislature-approved Fiscal Year (FY) 2017-18 Budget which allocates \$3.84 million in State General Fund and assumes a Federal match for a total \$15.4 million for FY 2017-18 and ongoing, to provide statewide an additional 96 PHNs in the Health Care Program for Children in Foster Care. The Governor has until June 30, 2017 to sign the State Budget.

WE, THEREFORE, MOVE that the Board of Supervisors:

1. Direct the Chief Executive Officer to report back during the Supplemental Budget phase regarding the status of additional State funding for the Health Care Program for Children in Foster Care; and
2. Direct Sacramento County Advocates to pursue any state funding for positions and to explore options with the state to provide flexibility for the PHN services that would include in-home visits.

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MOTION BY SUPERVISORS JANICE HAHN AND
MARK RIDLEY-THOMAS

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FUNDING FOR THE MOBILE STROKE UNIT

In response to a motion that Supervisor Mark Ridley-Thomas and I introduced on April 17, 2017 regarding the feasibility of implementing a mobile stroke unit program through the County, the Department of Health Services (DHS) provided a set of potential options on June 1, 2017. One of these options was to support the Mobile Stroke Unit (MSU) pilot program that is being implemented by the UCLA Medical Center.

MSU is a highly advanced, modified ambulance vehicle equipped with a mobile computed tomography (CT) scanner, point-of-care laboratory testing equipment, telemedicine connection with a hospital, as well as appropriate medication and assessment tools. Essential medical personnel who are dispatched in the field on the unit include a critical care nurse, CT Technician, paramedic and physician stroke specialist (neurologist), in vehicle or equally effective via a versatile telemedicine connection. MSUs may be able to improve patient outcomes by reducing

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the time to treatment or the time required to transport a patient requiring endovascular interventions to a Comprehensive Stroke Center, of which there are only currently five such centers in the County.

Currently, the UCLA MSU program is 1 of 14 other MSU programs in the United States that is currently operating or in the process of launching. The UCLA MSU program intends to participate in the first national research study through the Memorial Hermann Texas Medical Center on the effectiveness of the MSU. UCLA is one of four other MSU programs in the nation that is participating in the research study and will provide data about the impact of MSU on patient outcomes and cost. We anticipate that positive results from the study could encourage Centers for Medicare & Medicaid Services to start reimbursing hospitals and healthcare systems for mobile stroke clinical activities.

During the duration of the research study, the MSU will respond to calls that may indicate a stroke victim, and they will respond to the patient along with the ambulance so that there is no lapse in care. If it is determined on the scene that the patient does indeed have a stroke amenable to intervention, the MSU will be able to do preliminary testing and treat the patient, if applicable, right on the scene and/or take them to a Comprehensive Stroke Center for definitive care.

Funding from the Arline and Henry Gluck Foundation provided philanthropic funding that allowed UCLA to purchase the Mobile Stroke Unit and other equipment necessary for the program to start in August and operate the first 18 months of the anticipated 36-month trial on a one-week-on, one-week-off basis. During the on-weeks, the unit would operate 4-days-per-week, 10-hours-per-day in an area of the City of Los Angeles that is specified by the research protocol.

An additional \$1.36 million from the County as recommended below would allow UCLA to operate additional time outside of the research study limitations. Thus, the MSU would be operational every week of the year, on a 4-day-per-week, 10-hour-per-day schedule, and extend the overall life of the research study beyond the original 18 months to 30 months. During the “off-week,” the MSU would be planned to operate in the southern part of Los Angeles County.

Finally, \$98,000 in additional County funds will be used by UCLA to provide consultative services to DHS/Emergency Medical Services (EMS) Agency for the analysis of the MSU program (including an analysis of the impact on LA County EMS operations) after completion of the study protocol, including an evaluation of the Mobile Stroke Unit Pilot Project’s efficacy, based on clinical outcomes, cost savings and enhanced quality of care for patients treated.

After receipt and consideration of the MSU Pilot Project evaluation report, the County may request additional consultative services by UCLA, included in the \$98,000 allocation above, for a potential county-wide Mobile Stroke Program plan based on the evaluation’s cost analysis, with a proposal for geospatial mapping and planning for multiple stroke units across the county based on population density, disease incidence, community need, traffic patterns, and other factors. This work would help to determine the optimum number and placement of Mobile Stroke Units, shared across different EMS providers, to serve all stroke patients in the County.

We believe that this program will deliver life-saving stroke treatment to residents and provide additional data for the study, which will help demonstrate the effectiveness of the MSU compared to conventional ambulance transport to primary and

comprehensive stroke centers. If the results of the study indicate that the MSU is indeed a gold-standard in providing stroke care, this may enable future program expansion throughout the County.

WE, THEREFORE, MOVE that the Board of Supervisors direct

1. The Director of the Department of Health Services to allocate \$1.46 million in one-time Measure B funding to be used for the UCLA Medical Center Mobile Stroke Unit in a 30-month pilot and follow-up evaluation; and
2. The Auditor-Controller and Chief Executive Officer to realign \$244,000 from Appropriation for Contingencies to Services and Supplies in the Measure B Special Revenue Fund to support the first year of the pilot in Fiscal Year 2017-18; and
3. The Department of Health Services EMS Agency to partner with the UCLA Medical Center Mobile Stroke Unit pilot to evaluate and submit a report on program effectiveness, as described above; and
4. Delegate Authority to the Director of the Department of Health Services to execute an agreement with The Regents of the University of California on behalf of its UCLA Medical Center to include the funding required for the 30-month pilot and follow-up evaluation.

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HILDA L. SOLIS**

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Funding for the Los Angeles County High School for the Arts

The Los Angeles County High School for the Arts (LACHSA) is a public arts high school program that pairs college preparatory academics with conservatory style training in the visual and performing arts. The school is run by the Los Angeles County Office of Education through a partnership with the California State University, Los Angeles (CSULA).

The student body at LACHSA consists of approximately 600 culturally and socio-economically diverse teens from more than 80 school districts across the county. Students who meet the acceptance criteria audition and may be accepted into one of the following departments: Cinematic Arts, Dance, Music (vocal and instrumental), Theatre, or Visual Arts.

LACHSA has received a number of prestigious awards and distinctions over the years, including the California Distinguished School for Academic Excellence, Golden Bell Award, Grammy Signature School, Bravo Award for excellence in arts education, the Exemplary School Designation by the Arts Schools Network, identification as one of "America's Best High Schools" by Newsweek Magazine, and identification as one of the area's best high schools by Los Angeles Magazine. More than 95 percent of the school's graduates pursue higher education options and many receive scholarships to the world's finest institutions.

WE, THEREFORE, MOVE THAT THE BOARD OF SUPERVISORS:

1. Approve a \$125,000 appropriation increase to the Board of Supervisor's budget in Fiscal Year 2017-18 to support the Los Angeles County High School for the Arts;
2. Direct the Auditor-Controller and the Chief Executive Officer to increase estimated additional fund balance by \$125,000 as a financing source for this adjustment; and
3. Instruct the Chief Executive Officer to identify \$125,000 in ongoing funding to support LACHSA in the Fiscal Year 2018-19 Recommended Budget.

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Placement of Cross-Sector Artists within County Departments

On November 10th, 2015, the Board of Supervisors directed the Los Angeles County (County) Arts Commission to develop proposals that would lead to more diverse boards, staff, audiences, exhibits, performances and programming at arts institutions. In its subsequent report, a culmination of town hall and working group discussions, the Arts Commission recommended an innovative approach by County departments to addressing complex social problems: "...embed artists, arts administrators and other creative workers as creative strategists in County departments." The purpose of these placements is for artists to "...formulate strategies that foster transformational changes by increasing community engagement and participation, identifying cultural and community assets, create new public artworks and beautification projections and increase access to artistic and creative experiences." In keeping with the core values of the Cultural Equity and Inclusion Initiative, these creative strategists would be representative of diverse constituencies.

I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

1. Direct the Chief Executive Officer to identify \$235,000 during the Fiscal Year 2017-18 Supplemental Budget phase to be allocated to the Arts Commission, to fund the placement of two artists, arts administrators, or creative staff, who are representative of diverse constituencies, in Los Angeles County

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- departments in paid positions as creative strategists to develop innovative solutions to social challenges;
2. Instruct the Chief Executive Officer to identify ongoing funding for three placements in the Fiscal Year 2018-19 Recommended Budget; and for four placements in the Fiscal Year 2019-20 Recommended Budget;
 3. Instruct the Arts Commission to implement the seventh recommendation entitled "Artists Working Cross-Sector to Address Social Problems" from the Cultural Equity and Inclusion Initiative report in partnership with County departments;
 4. Instruct the Arts Commission to present a recommendation to the Board of Supervisors within 15 days on which departments should be the hosts of the resident artists, and once approved, immediately conduct a recruitment campaign to select the two artists; and
 5. Instruct the Arts Commission to develop criteria for measurement of success of this program, and to work with the host departments on an effective reporting format and timeframe.

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Evaluating Los Angeles County's Emergency Preparedness

Natural and man-made disasters are unpredictable by nature and tend to be extremely costly and disruptive for an extended period beyond the originating event. It is during these calamitous events that the public's reliance on government agencies increases significantly as there is a collective effort to address the immediate health and public safety impacts and strive to restore order. Given the increasing vulnerability to disasters of all kinds, it is important that Los Angeles County (County) departments take steps to ensure that County residents can rely on them to provide critical services and continue essential operations in the face of a calamity or any other widespread service disruption.

In particular, certain departments that provide vital services and perform key functions must have plans in place in the event that the staff members in those departments are unable to access their primary work spaces. These departments should also have simple and clear communication methods to facilitate notifications of the public, County staff, or other governmental agencies as well as alternative processes and procedures that can be quickly employed to continue operations. By having these strategies in place, protection of County residents and the continuity of business operations would be enhanced

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in the event of a disaster.

The Office of Emergency Management (OEM) was established with the purpose of organizing and directing the preparedness efforts of the County. Each County department would benefit greatly from working closely with OEM to review their respective emergency preparedness plans and determine the best course of action in the event their principal place of business and operating systems become inaccessible.

I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

1. Direct the Office of Emergency Management (OEM) to work with all County departments and report back in writing in 120 days with the emergency readiness level of each department. The assessment of emergency readiness should include consideration of the departments' completion and maintenance of a current Department Emergency Plan and a Business Continuity Plan, as well as a communications and outreach plan to members of the public, County departments, other governmental agencies, at the state and federal level, and nonprofit recovery and aid organizations.
2. Direct all County departments to assist OEM by completing OEM's department emergency preparedness surveys and assessments in a timely manner so the findings can be used in OEM's written report back to this Board.

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Sheriff's Department Budget Status Reports

Upon adoption, the Fiscal Year (FY) 2017-18 Budget will approximate \$30 billion, a sizable amount by most standards. If approved as recommended, Los Angeles County's (County) two largest departmental budgets, Health Services and Sheriff's, will have gross appropriation of \$6.1 billion and \$3.2 billion respectively. All County departments are required to regularly monitor their budgetary performance and report on their department's year-to-date expenditures, year-end-cost projections and variances from adopted budget. Given the size of the Health and Sheriff's Departmental budgets and the fact that they collectively comprise approximately 30% of the total County budget, it is important that the Board more closely monitor them and subject each of them to a greater level of accountability.

Currently, the Department of Health Services provides more extensive and frequent reports on its budget and financial status than those required by all other County departments. In addition, these reports are presented publicly at the regularly scheduled

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meetings of the Board. However, there is no comparable report from the Sheriff's Department. In order to enhance accountability, budget transparency, and more effectively identify and anticipate potential challenges and vulnerabilities the Sheriff's Department should provide periodic financial status reports on the Department's budget and present those to the Board.

I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

Direct the Chief Executive Officer and Auditor-Controller, in consultation with the Sheriff's Department, to report to the Board of Supervisors semi-annually in writing and at the Board of Supervisors' meeting with an overview of the financial status of the Sheriff's Department. The reports should include the number of vacancies compared to budgeted positions, actual overtime costs in comparison to the budgeted overtime amounts, estimated costs associated with litigation and legal settlements, funding and resources dedicated to unincorporated areas of the County, and emerging issues with significant fiscal impacts to the Sheriff's budget.

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