

183093

ORDINANCE NO. \_\_\_\_\_

An ordinance proposed by initiative petition establishing a City of Los Angeles Health Commission.

**THE PEOPLE OF THE CITY OF LOS ANGELES  
DO ORDAIN AS FOLLOWS:**

Section 1. Title.

This ordinance shall be known and may be cited as "The City of Los Angeles Health Protection Act."

Sec. 2. Purpose and Intent.

The purpose and intent of The City of Los Angeles Health Protection Act is to create the Los Angeles City Health Commission within the City of Los Angeles' government. The Commission's purpose is to determine the health needs of the people of the City of Los Angeles, determine whether those needs are being met, and to help determine the best and most cost effective ways of meeting those needs.

Sec. 3. Amendment to Division 8 of the Administrative Code of the City of Los Angeles.

(a) Chapter 22, entitled "Health Commission," is added to Division 8 of the Administrative Code of the City of Los Angeles to read:

Article 1. Creation and Organization of the Los Angeles City Health Commission.

Section 8.270.

(a) The Los Angeles City Health Commission (the "Commission") is hereby created within the government of the City of Los Angeles (the "City").

(b) The Commission is composed of fifteen (15) members. Each member of the City Council of the City of Los Angeles (the "City Council") shall appoint one member of the Commission, who shall serve as a Commission member, without compensation, for a term of one year.

(c) The Commission shall be staffed and funded at a level necessary to fulfill the functions and requirements of the Commission.

(d) The funding for the Commission shall be allocated by the City Council, in a revenue-neutral manner and not from the City's general fund.

(e) The Commission's operations shall be governed by such rules and procedures as the members of the Commission shall adopt and as required by law.

Article 2. Duties of the Commission.

Section 8.271.

(a) The Commission is empowered to and shall:

(1) Cause one or more Commission members or Commission staff members to attend all meetings, hearings, working sessions, and other events held or conducted by any and all governmental bodies, agencies, or entities of the County of Los Angeles (the "County") that formulate, debate, enact, and/or implement health policies or actions, unless otherwise prohibited by law. The City will request representation by Commission members on all relevant Los Angeles County bodies dealing with health policy where the City is not already represented on that body.

(2) Publish an annual health services plan, setting forth health information, including but not limited to, the health needs of the City, specific goals for improving health in the City, and a strategic plan to achieve those goals. The City Council shall consider and respond to the Commission's annual health services plan in a public meeting to which the Commission members and Commission staff shall be invited.

(3) Prepare and present a report, twice yearly, to the City Council evaluating the City's progress toward meeting its health goals as set forth in the Commission's annual health services plan.

(4) Review, on an annual basis, a representative sample of health services contracts executed by the County which provide health services in the City. The Commission shall report to the City Council whether these contracts maximize: (i) the quality and quantity of health services in the City, (ii) competition in the delivery of health services in the City, including maximizing competitive bidding for health service contracts, and (iii) efficiency and cost effectiveness in the delivery of health services. If the Commission finds that the contracts do not maximize these criteria, it will make recommendations to the City and the County as to how these contracts may be drafted or amended in the future to better fulfill these criteria.

Article 3. The City Council's Annual Health Services Evaluation.

Section 8.272

The City Council shall evaluate, on an annual basis, whether the health needs of its residents are best served by continuing to contract with the County to satisfy such health needs. The Council shall, at such time as it deems appropriate, study and publicly report on the feasibility of returning to an independent City health department, which it had until 1964, such as those in the cities of Long Beach, Pasadena, Vernon, and Berkeley, instead of continuing to contract with the County to satisfy such health needs.

Sec. 4. Effective Date.

Except as otherwise provided herein, this ordinance shall become effective the day after its approval by the voters.

Sec. 5. Conflicting Measures.

This measure is intended to be comprehensive. It is the intent of the people of the City that in the event this measure and one or more measures relating to the same subject shall appear on the same City-wide ballot, the provisions of the other measure or measures shall be deemed to be in conflict with this measure. In the event that this measure receives a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and all provisions of the other measure or measures shall be null and void.

Sec. 6. Liberal Construction.

This measure is an exercise of the public power of the people of the City for the protection of the health, safety, and welfare of the people of the City, and shall be liberally construed to effectuate its purposes.

Sec. 7. Amendment and Repeal.

This measure may be amended to further its purposes by ordinance passed by a two thirds vote of the City Council and signed by the Mayor of the City, after at least thirty (30) days' notice has been provided to the Commission.

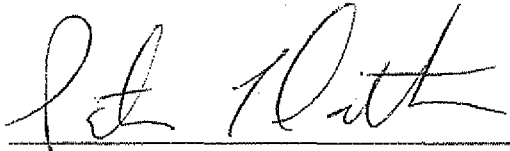
Sec. 8. Severability.

If any provision of this measure, or part thereof, or the applicability of any provision or part to any person or circumstances, is for any reason held to be invalid or unconstitutional, the remaining provisions and parts shall not be affected, but shall remain in full force and effect, and to this end the provisions and parts of this measure are severable. The voters hereby declare that this measure, and each portion and part, would have been adopted irrespective of whether any one or more provisions or parts are found to be invalid or unconstitutional.

Sec. 9. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of MAY 27 2014

HOLLY L. WOLCOTT, Interim City Clerk

By   
Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By \_\_\_\_\_

Date \_\_\_\_\_

File No. 14-0596

Said ordinance was presented to the Mayor on MAY 28 2014; the Mayor returned said ordinance to the City Clerk on JUN 10 2014 without his approval or his objections in writing, being more than ten days after the same was presented to the Mayor.

Said ordinance shall become effective and be as valid as if the Mayor had approved and signed it. (Section 250(b), City Charter)