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**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

FROM: Community Health Agency/Department of Public Health

SUBMITTAL DATE:
November 4, 2008

SUBJECT: Approval of the Intergovernmental Agreement (# 102008) with San Bernardino County for the distribution of Ryan White Comprehensive AIDS Resource Emergency (CARE) Act Part A funds.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the fifth revision of the Intergovernmental Agreement with San Bernardino County for the Distribution of Ryan White Care Act Title I Funds; and,
- 2) Authorize the Chairman of the Board to sign five (5) copies of the Agreement.

BACKGROUND: The Ryan White Comprehensive AIDS Resource Emergency Act (RWCA) of 1990 provides financial relief to geographic areas significantly impacted by AIDS and HIV. These funds are given to eligible metropolitan areas (EMA) that have a cumulative number of AIDS cases that exceed 2,000. In 1993, the counties of Riverside and San Bernardino together became eligible to receive funds under Title I of the RWCA.

(Continued)

Susan D. Harrington

Susan Harrington, Director of Public Health

VJB:jaf

FINANCIAL DATA

Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	0
Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
Annual Net County Cost:	\$ 0	For Fiscal Year:	N/A

SOURCE OF FUNDS: N/A

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: *Debra Cournoyer*
Debra Cournoyer

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
 DATE: 11/13/08
 BY: *Marshall Victor*
 MARSHALL VICTOR
 Departmental Concurrence
 ATTACHMENTS FILED WITH THE CLERK OF THE BOARD
 Dept't Recomm.: Consent Policy
 Per Exec. Ofc.: Consent Policy

FORM 11

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SUBJECT: Approval of the Intergovernmental Agreement (# 102008) with San Bernardino County for the distribution of Ryan White CARE Act Part A funds.

BACKGROUND (Continued): The RWCA requires that multi-jurisdictional EMA's negotiate an intergovernmental agreement (IGA) that:

- 1) Establishes an HIV/AIDS planning council;
- 2) Designates the size of the planning council;
- 3) Designates planning council chairs or co-chairs; and
- 4) Designates a method to allocate RWCA funds between the jurisdictions.

The first IGA was signed in 1994 and renegotiated in 1998, 2003 and in 2007. A recommendation from the federal Health Resources Services Administration (HRSA) regarding the membership for the Inland Empire HIV Planning Council (IEHPC) has necessitated this renegotiation of the IGA. The most recent authorization of the RWCA changed the designation of the Riverside/San Bernardino service area from an EMA to a Transitional Grant Area (TGA).

The first change in this revised IGA allows for floating membership from a minimum of 18 to a maximum of 32 instead of the 25-45 stated in the previous agreement. There continues to be a challenge in recruiting and retaining members for the IEHPC. As such, under the current IGA, the IEHPC is often out of compliance with RWCA requirements. Reducing the minimum number of members will make compliance with this requirement attainable.

The second change eliminates the current requirement of fifteen members from each county. This requirement has created an additional burden in recruiting members. This change will allow members to join regardless of which county they reside.

The third change establishes term limits for most members. The exceptions are the two county health officers and the two members appointed by the California Department of Public Health and the Department of Health Services. The implementation of term limits will allow new members with different perspectives on the provision of HIV services in the two county TGA to have a voice in HIV/AIDS care planning.

The fourth change limits RWCA funded providers to one seat on the IEHPC. The RWCA requires the decisions of the IEHPC be free of conflict of interest. The current membership of the IEHPC includes multiple members from the same provider agencies, all of which receive RWCA funds to provide HIV services. This can create a real or perceived conflict of interest in the decisions of the IEHPC.

Section VI of the IGA requires an annual review of the IGA by both counties to ensure that content remains relevant and practical. The IGA does not have an expiration date, however the agreement includes a sixty day out clause for either party. This IGA will be effective when the San Bernardino County Board of Supervisors executes the agreement after being approved by the Riverside County Board of Supervisors.

Financial Data: This agreement has no financial impact on the County of Riverside.

This IGA has been approved as to form by County Counsel.