

**HIV Health Services Planning Council
Sacramento TGA**

Policy and Procedure Manual

Section 6 – Governance Committee

| SECTION | SECTION / POLICY TITLE | CURRENT VERSION |
|----------|--|-----------------|
| 6 | GOVERNANCE COMMITTEE | |
| | GOV 01 – Committee Development, Organization and Appointment | 06/24/20 |
| | GOV 02 – Policy and Procedure Manual | 05/25/22 |
| | GOV 03 – Needs Assessment Work Group | Became NAC 01 |
| | GOV 04 – Member Leave of Absence | Inactive |
| | GOV 05 – Grievance | 06/22/22 |
| | GOV 06 – Conflict of Interest | 05/25/22 |
| | GOV 07 – Open Meeting Requirements | 05/25/22 |
| | GOV 08 – Document Handling | 05/25/22 |
| | GOV 09 – Member Reimbursement Policy | 06/24/20 |
| | GOV 10 – Officer Elections | 06/24/20 |
| | GOV 11 – Member Removal | 06/24/20 |
| | GOV 12 – Member Policy Acknowledgement Declaration | 03/23/22 |
| | GOV 13 – Public Information Policy | 05/25/22 |
| | GOV 14 – Code of Conduct | 03/23/22 |
| | GOV 15 – Conflict of Interest | 03/23/22 |
| | GOV 16 – Council Staff Scope of Services | 05/25/22 |

HIV Health Services Planning Council
Sacramento TGA

Policy and Procedure Manual

Subject: Committee Development,
Organization and Appointment

No: GOV 01

Date Approved: 12/98

Date Revised: 06/24/20

Date Reviewed: 06/24/20

BACKGROUND

Committees carry out the majority of Council activity. The authority to establish a committee is stipulated in Article V Committee Structure Section 5.1 of the Bylaws. The effectiveness of a committee is dependent on diverse membership and a well-articulated work plan. The operational structure of committee work is determined by group process and the specific charge of the committee. In this manner, committees remain dynamic and able to address a variety of tasks necessary for the success of the Council.

POLICY

The Council will establish a structure of committees necessary to accomplish ongoing business and planning activities. There shall be at minimum an Executive and Governance Committee. The Executive Committee shall have decision-making authority in those business matters necessary for the uninterrupted operation of the Council and within the parameters established by the Council general membership.

COMMITTEE TYPES

The Council may use three types of committees as defined below;

1. Standing formed primarily from Council membership for permanent and ongoing functions
2. Ad Hoc formed from Council and community members to address a specific issue, task or activity that once resolved requires no further or ongoing meeting (commonly referred to as Work Groups)

3. Advisory formed from experts in a particular field or subject matter for the purpose of advising the Council on complex or sensitive issues

The Council may establish any number of standing committees including, but not limited to, priorities and allocation, needs assessment, service standards, administrative assessment and Council development.

ROLES, RESPONSIBILITIES AND TERMS

Committee Chair

- The Council or the Council Chair, at the direction of the membership, will appoint committee chairs annually
- Shall be the Committee Representative for Executive Committee
- Shall be a member of the Council in good standing
- Will consider the membership of the committee and will appoint new members as needed
- Will coordinate establishment of any new committee including development of goals, objectives or desired product
- Will notify members of location, day and hour of committee meeting
- Will prepare, in cooperation with Council staff, the committee meeting agenda
- Ensures that the committee's work plan is carried out in the most efficient manner reasonable
- Ensures that tasks are completed in a timely manner
- Facilitates open, honest and critical discussion
- Attends the Executive Committee meetings regularly
- Serves as a conduit of communication between committee members, council membership at large and the community
- Prepares written and verbal reports on committee activities
- Cooperates with Council staff

Committee Vice Chair

- Committee membership will elect
- Is a standing member of the Council or an alternate
- Assists the chair with the activities of conducting efficient meetings
- Chairs the committee in the absence of the chair
- Represents the committee to Executive Committee in the absence of the chair

Committee Membership

- Committee membership is expected of each Council member
- The length of membership term shall be two years and is renewable indefinitely
- Composition shall be maintained (optimal) between 5 and 11 with individuals possessing interest or skill base relative to the committee charge
- Composition for the Executive Committee shall be determined as outlined in Article V Committee Structure Section 5.4 of the Bylaws
- Should a Committee fail to include a majority of Council members, the Council Chair, with the assistance of Council staff, shall pursue Council members not actively participating on a Committee to sit as Committee members
- Diversity of stakeholders must be reflected in Committee membership.
- All committee members, regardless of Council membership, must complete an "Application for Appointment to Sacramento Transitional Grant Area (TGA) HIV Health Services Planning Council, Committees or Work Groups" prior to serving on a committee.
- All committee members, regardless of Council membership, must sign the Council's "Acknowledgement of HIV Health Services Planning Council Policies and Including Attendance, Conflict of Interest and Confidentiality."

Alternates

- Committee alternates may be appointed in accordance with rules set out for Council Alternates in the Bylaws Article III, Section 3.6.

Ex Officio Members

- Ex Officio members have the full rights and responsibilities of other members unless otherwise stated in the Council Bylaws.
- Officers of the Planning Council will sit as ex officio members of all committees with full voting privileges, but will not be included in establishing quorum.

Council Staff

- Solicit Council members for interest in standing committee service
- Provide the committee chairs with a sign-up list of interested Council members
- Schedule and publicize meeting times, location and agendas
- Minutes of committee activity will be documented at each meeting

- Provide committees with technical assistance, training or process facilitation as requested
- Ensure the timely dissemination of agendas, minutes and support documents
- Ensure the timely dissemination of committee reports to the Council
- Maintain committee meeting attendance records and provide the Council Chair an attendance report as requested

Committee Work:

- Committees may work flexibly in order to accomplish assigned tasks
- During regular meetings, committee members plan together, and all take part in discussions and decisions
- As needed, all committee members are expected to perform work outside of regular meetings, including, but not limited to, ongoing communication, timely project or activity input, and ability to provide real-time briefing to Council members as appropriate.

PROCEDURES FOR MEETINGS

Meeting access and Notification

- Meeting times and locations are scheduled and coordinated by Council staff.
- All committee meetings are open to the public, except for closed sessions as defined in the most current bylaws and/or the Brown Act with associated amendments.
- Meeting times and places, and to the extent possible, meeting agenda items will be announced to all Council members and to members of the public through Council mailings and other means of communication
- A closed session is permissible only as allowed in accordance with the Brown Act
- Members expecting to be absent from a scheduled meeting are to notify the Council Staff as soon as possible

Quorum

- Business is conducted only if a quorum is present
- As defined in Article VI meetings and Operating Procedures Section 6.3 Quorum of the Bylaws
- Attendance by a member via telephone conference call is allowable

Agenda

- An agenda will be produced for each meeting reflecting the annual work plan or issues at hand
- Agenda items not addressed in the course of the meeting will be carried over to the next scheduled meeting and prioritized at the beginning of the succeeding agenda
- Time will be allotted for public comment at each meeting
- Public comment may be limited to previously announced agenda topics at the discretion of the Chair
- Public comment may be limited to a time constraint at the discretion of the Chair.

Decision-making Process

- Each chair will facilitate a group process that best addresses the dynamics of committee membership to ensure timely and successful outcomes
- The chair will ensure that discussion is focused and that all views are represented
- Meetings will be conducted in accordance with Robert's Rules of Order Newly Revised, most current edition.
- If a minority of a committee holds a position different from a majority recommendation, the minority's position will be submitted as a part of the committees report for information purposes

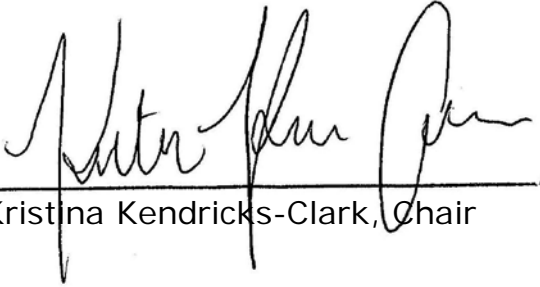
Meeting Participation

- *Appointed members*: Committee members may make motions and vote in committee.
- *Council staff*: Staff members do not participate in the discussion of an agenda item except when called upon by a committee member
- *Invited Advisory Guests*: the chair may invite a person or persons to attend a meeting to participate in the discussion of one or more agenda items, or to provide technical assistance, training or other expertise.
- *Council members not appointed to the committee*: may attend any committee meeting and may participate in the discussion of agenda items but shall not be permitted to vote.
- *Members of the public*: may attend and participate in the discussion during allotted time at any (non-closed) committee meeting, but may not make motions or vote on issues.

Meeting Minutes and Committee Reports

- Meeting minutes will be documented at every meeting and will document attendance, actions taken and agenda topics for the next committee session
- The most recent meeting minutes will be distributed to committee members in a manner reasonably consistent with public information dissemination methods, at least one week in advance of the next scheduled meeting
- All attachments and supplementary materials will be available prior to the scheduled meeting

Signed:



Kristina Kendrick-Clark, Chair

Date: 6/24/20

HIV Health Services Planning Council Sacramento TGA

Policy and Procedure Manual

Subject: Policy and Procedure Manual

No.: GOV 02

Date Approved: 12/98

Date Revised: 05/25/22

Date Reviewed: 05/25/22

Policy

The Planning Council will maintain a manual containing current policies and procedures that support the effective and efficient transaction of business in fulfillment of the organization's mission. The manual design will reflect a logical order, standardized format, and consistent document cataloging for simplicity of member use.

Structure

The main sections of the manual shall include but not be limited to:

1. Table of Contents
 - A complete table of contents that lists all policies and procedures and the date that they were last updated. See Attachment "A.1." for format.
 - Additionally, each section will include its own table of contents that lists all policies and procedures specific to the section. See Attachment "A.2." for format.
2. Purpose, Structure and Membership
 - Overview of Council History and Mission
 - Organizational Chart of the Council
 - Committee Descriptions
 - Council Membership Roster (to include: contact, seat, term, and officer information)
 - Committee Chair Rosters
 - Sacramento TGA Ryan White Service Provider Listing
3. Legislation
 - Ryan White CARE Act
 - HRSA Policy Updates
 - Brown Act
 - Additional Federal/State/Local Policies
4. Bylaws
 - Current, ratified and signed Bylaws

5. Executive Committee
6. Governance Committee
7. Administrative Assessment Committee
8. Affected Communities Committee
9. Needs Assessment Committee
10. Priorities and Allocations Committee
11. Quality Advisory Committee
12. Prevention Committee
13. Miscellaneous Correspondence/Information
14. Forms
 - Listing of all Policy and Procedures Forms (May include, but not limited to: Information Request Form, Reimbursement Form, Membership Declaration Form, Membership Application Form, Form 700, etc.)
15. Appendices
 - Listing of all appendices to the Policies and Procedures Manual
 - Needs Assessment
 - Memo re: Needs Assessment Reports
 - Comprehensive Plan
 - Memo re: Comprehensive Plan
 - Current Part A Application
 - Current Recipient Work Plan
 - Current Priorities and Allocations
 - Current Planning Council Directives

Standardized headings will be used for all policy / procedure and committee documents. See sample Attachment "B".

All members and officers of the Council will be provided a current manual at the time of orientation and each individual will be responsible for maintaining the document in good order.

Council Staff is responsible for distribution, cataloging and tracking of all updates and material compiled for the manual over the lifetime of the organization.

The Table of Contents will be distributed to all members and officers quarterly (preferred) but in no case less than twice per year.

Signed:



Richard Benavidez, Chair

Date: 05/25/22

ATTACHMENT A.1.

SAMPLE COMPLETE TABLE OF CONTENTS

| SECTION | SECTION / POLICY TITLE | CURRENT VERSION |
|----------------|------------------------------------|-------------------------------------|
| 8 | Committees - Governance | |
| | GOV 01 Committee Development | MM-DD-YY |
| | GOV 02 Administrative Manual | MM-DD-YY |
| | GOV 03 Needs Assessment Work Group | <i>Policy transferred to NAC 01</i> |
| | GOV 04 Member Leaves of Absence | <i>Not active</i> |
| | GOV 05 Grievance | MM-DD-YY |
| | GOV 06 Conflict of Interest | MM-DD-YY |
| | GOV 07 Open Meeting Requirements | MM-DD-YY |
| | GOV 08 Document Handling | MM-DD-YY |
| | GOV 09 Reimbursement Policy | MM-DD-YY |
| | | |
| | | |

ATTACHMENT A.2.

SAMPLE SECTION TABLE OF CONTENTS

| SECTION | SECTION / POLICY TITLE | CURRENT VERSION | PREVIOUS REVISIONS |
|----------------|------------------------------------|-------------------------------------|---------------------------|
| 8 | Committees - Governance | | |
| | GOV 01 Committee Development | MM-DD-YY | 1999 |
| | GOV 02 Administrative Manual | MM-DD-YY | 1998 |
| | GOV 03 Needs Assessment Work Group | <i>Policy transferred to NAC 01</i> | |
| | GOV 04 Member Leaves of Absence | <i>Not active</i> | |
| | GOV 05 Grievance | MM-DD-YY | 1997 |
| | GOV 06 Conflict of Interest | MM-DD-YY | 1999 |
| | GOV 07 Open Meeting Requirements | MM-DD-YY | 2001 |
| | GOV 08 Document Handling | MM-DD-YY | |
| | GOV 09 Reimbursement Policy | | |

ATTACHMENT B

**HIV Health Services Planning Council
Sacramento TGA**

Policy and Procedure Manual

Subject:

No:

Date Approved:

Date Revised:

Date Reviewed:

**HIV Health Services Planning Council
Sacramento EMA**

Policy and Procedure Manual

Subject: Needs Assessment Work Group
(Annual Ad Hoc Committee)

No: GOV 03

Date Approved: 10/98

Date Revised:

Date Reviewed:

Policy: In order to complete the required annual EMA-wide assessment of service need for HIV+ persons, an ad hoc committee, called the Needs Assessment Work Group, will be appointed on an annual basis. The Needs Assessment Work Group (Group) will review existing data, determine new information needed, design and conduct data collection, evaluate epidemiological trends, assess client needs and inventory services available. Any update will consider past efforts, federal or state guidance, information needs of the Council and committees (especially the Priorities and Allocations Committee), changes in the disease or medical management of it, and other trends and information.

Procedure:

1. The Council Chair will select a chairperson, and the Executive Committee will appoint a Needs Assessment Work Group (Group) annually, no later than September. Group work will commence in October.
2. The Group will report to the Executive Committee. It will schedule its work and complete its tasks in March of each year, in order to present its findings to the Priorities and Allocations Committee and Council in April of each year.
3. Members of the Group will include representatives from the Council, as well as community members with specific areas of expertise. It is recommended that, at a minimum, the Group consist of:
 - one member with epidemiological expertise,
 - one member with advanced skills in research techniques and interpretation of data,
 - one or more members of the affected community,
 - one representative from the Priorities and Allocations Committee,
 - one or more members from the service provider community,
 - a representative from the fiscal agent.
 - persons with expertise in particular areas of study that the Group is called upon to address (e.g., medical care, mental health, drug treatment, etc.) may be incorporated into the work of the Group on a periodic or interim basis as needed.
4. Data and reports from past needs assessment processes will be made available through Council support staff to assist in development of priorities for the new assessment.

5. The Council's Comprehensive Plan will be used in development of the needs assessment report and the Group will assess current priorities and allocations in light of the Plan and updated needs assessment.
6. The Group's report, following acceptance by the Council, will be provided to the Priorities and Allocations Committee for use in determination of service funding priorities each year.
7. During years in which the Council determines it necessary to augment the needs assessment update with the assistance of outside consultation services, the Group will be responsible for the direction of such consultation processes and consultants.

INACTIVE - BECAME NAC 01

**HIV Health Services Planning Council
Sacramento TGA**

Policy and Procedure Manual

Subject: Grievance Policy

No: GOV 05

Date Approved: 5/97

Date Revised: 06/24/20

Date Reviewed: 06/24/20

BACKGROUND

The function and the activities of the Planning Council are governed through Sacramento Transitional Grant Area's (TGA) HIV Health Services Planning Council's bylaws. Work of the Council is primarily carried out through committee structure and a grievant is welcome to first take any disputed issue to the appropriate committee or committee chair. If resolution cannot be reached at the committee level, the grievant is encouraged to contact Council staff, who will place the issue on the next available Executive Committee agenda for review and consideration. If the dispute cannot be resolved, a request for third-party mediation may be appropriate. Should mediation fail, the process of binding arbitration may be considered.

POLICY:

The Ryan White CARE Act requires that every Planning Council have a grievance procedure in place to resolve disputes related to processes such as priority-setting, funding allocations, and membership representation. The following procedure describes the Council's philosophy regarding conflict resolution and provides step-by-step instructions for non-binding and binding action.

WHO MAY BRING A GRIEVANCE

Individuals or entities directly affected by the outcome of a Planning Council decision related to funding or Council operations are eligible to file a formal grievance with the Planning Council. Directly affected party is defined as

1. Providers eligible to receive Ryan White funds;
2. Consumer groups/people living with HIV (PLWH), coalitions and caucuses within the Sacramento TGA; and

3. Any individual eligible to receive Ryan White Services

Service agencies may not bring forth a contractual agreement grievance under this procedure and are referred to the Recipient.

BASIS FOR GRIEVANCES

Any party meeting the above criteria is eligible to grieve deviations from the Council's bylaws and established written policies in the following areas:

- Council's priority setting process
- Standards for meeting established priorities
- Funding allocations according to priorities
- Process for changing priorities or allocations
- Membership representation/appointment process

Disputes involving conflict of interest are addressed specifically in GOV 06. In addition, procedural irregularity pertaining to general business or Committee meeting processes are governed by parliamentary principles as noted in Robert's Rules of Order, Newly Revised, current edition.

LENGTH OF TIME TO BRING A GRIEVANCE RELATED TO PLANNING AND SERVICES

In order to insure continuity of the Council's process and prevent delays in the provision of services, a grievance may be considered up to 30-calendar days after the Council at large has made a service decision. A grievance beyond the 30-day stipulation will not be heard.

PROCEDURE:

The grievance procedure has been organized into three phases:

1. Informal non-binding dispute resolution
2. Formal non-binding dispute resolution (mediation)
3. Binding arbitration

A grievance will only progress to the next phase if the parties involved are unable to adequately resolve the grievance through the earlier, less formal phase.

Time lines for all procedures are noted in Table I.

NON-BINDING PROCEDURES FOR RESOLVING CONFLICTS

1. Informal Non-binding Dispute Resolution

- Anyone with an issue or dispute that needs to be resolved is encouraged to contact Council staff at:

Ryan White CARE Program
HIV Health Services Planning Council
9616 Micron Ave, Suite 930
Sacramento, CA 95827

- Staff will explain the grievance procedure and provide a copy of the Council's Grievance Procedures.
- Council staff will refer the issue to the Executive Committee.
- When a formal grievance is presented, the Council Staff, Chair of the Governance Committee, community representative (non-member) and a facilitator (non-member) are responsible for reviewing the grievance to determine whether it is consistent with the type of grievance defined in the Basis for Grievance and shall also determine that the person grieving is eligible to file a grievance.
- Staff shall provide notice by mail to any person whose interests may be impacted by the disposition of the grievance that a grievance has been filed.
- The review may include an investigation and or a hearing, and will be scheduled within 30 working days of the date on which the grievance is filed.
- Until a review panel determines the nature of the complaint in relation to criteria substantiating valid grievance as defined in this document, the person(s) and or party(s) named in the grievance shall not be notified of the grievance.
- The filing party shall be notified in writing of the review, finding and disposition of the filed grievance, by the Chair of the Council Executive Committee. This notice will be provided within 10 working days of the Committee findings.

2. Formal Non-binding Dispute Resolution (Mediation)

The Council's rules for formal non-binding dispute resolution include the following:

INITIATING MEDIATION

If resolution of the disputed issue is not achieved by informal non-binding dispute resolution (as described above):

- The grievant must complete a Request for Mediation Form (Attachment A).
- The form should be returned to the Council staff at:

Ryan White CARE Program
HIV Health Services Planning Council
9616 Micron Ave, Suite 930
Sacramento, CA 95827

- Council staff will make arrangements for third-party mediation of the issue and a time and place that is acceptable to all parties.

APPOINTMENT OF THE MEDIATOR

Following review of a grievance, the TGA Council Staff shall contact the American Arbitration Association (AAA) and request that a qualified mediator be appointed. Normally a single mediator will be appointed unless the parties agree otherwise or the AAA determines otherwise. The mediator or mediation service shall be selected concurrently with the notice of response to the grievance.

QUALIFICATIONS OF THE MEDIATOR

No person shall serve as a mediator in any dispute in which that person has any financial or personal interest in result of the mediation. Prior to accepting an appointment, the prospective mediator shall disclose any circumstances likely to create a presumption of bias or prevent a prompt meeting with the parties. Upon receipt of such information the Program Manager shall either replace the mediator or immediately communicate the information to the parties for their comments. In the event that the parties disagree as to whether the mediator shall serve, the AAA shall appoint another mediator.

REPRESENTATION

The grievant and the Council may choose any representation appropriate to the nature of the grievance. The names and addresses of such persons shall be communicated in writing to all parties and the mediator.

DATE, TIME AND PLACE OF MEDIATION

The mediator shall fix the date and time of each mediation session. The mediation shall be held at a convenient location, within the Sacramento TGA, agreeable to the mediator and the parties, as the mediator shall determine. Parties shall be advised in writing of the date, time and location of the mediation session at least ten (10) days in advance unless agreed to otherwise by the parties.

IDENTIFICATION OF MATTERS IN DISPUTE

At least ten (10) days prior to the first scheduled mediation session, each party shall provide the mediator with a brief memorandum setting forth its position with regard to the issue(s) that need to be resolved. At the discretion of the mediator, the parties may mutually exchange such memorandum.

At the first session, the parties will be expected to produce all information reasonably required for the mediator to understand the issue(s) presented.

The mediator may request any party to supplement such information.

AUTHORITY OF THE MEDIATOR

The mediator does not have the authority to impose a settlement on the parties but will attempt to help them reach a satisfactory resolution of their dispute. The mediator is authorized to conduct joint and separate meetings with the parties and to make oral and written recommendations for settlement. Whenever necessary, the mediator may also obtain expert advice concerning the technical aspects of the dispute, provided that all the parties agree and assume the expense of obtaining such advice. Arrangements for obtaining such advice shall be made by the mediator per the parties, as the mediator shall determine.

The mediator is authorized to end the mediation whenever, in the judgment of the mediator, further efforts at mediation would not contribute to a resolution of the dispute between the parties.

EXCLUSION OF LIABILITY

Neither the mediation service nor any mediator is a necessary party in judicial proceedings relating to the mediation.

Neither the mediation service nor any mediator shall be liable to any party for any act or omission in connection with any mediation conducted under these rules.

PRIVACY

Mediation sessions are private. The parties and their representatives may attend mediation sessions. Other persons may attend only with the permission of the parties and the consent of the mediator.

CONFIDENTIALITY

The mediator shall not divulge confidential information disclosed to a mediator by the parties or by the witnesses in the course of the mediation. All records, reports, or other documents received by the mediator while serving in that capacity shall be confidential. The mediator shall not be compelled to divulge such records or to testify in regard to the mediation in any proceeding or judicial forum.

The parties shall maintain the confidentiality of the mediation and shall not rely on, or introduce as evidence in arbitration, judicial, or other proceeding:

- A. Views expressed or suggested made by another party with respect to a possible settlement of the dispute;
- B. Admissions made by another party in the course of the mediation proceedings;
- C. Proposals made or views expressed by the mediator; or
- D. The fact that another party had or had not indicated a willingness to accept a proposal for settlement made by the mediator.

NO STENOGRAPHIC RECORD

With respect to confidentiality of the mediation process, there shall be no stenographic and/or audio recording of these proceedings.

CONCLUSION OF MEDIATION

The mediation shall be concluded:

- A. By the execution of a settlement agreement by the parties;
- B. By a written declaration of the mediator to the effect that further efforts at mediation are no longer worthwhile; or
- C. By written declaration of a party or parties to the effect that the mediation proceedings are terminated.

EXPENSES

The party producing witnesses shall pay the expenses of their witnesses. All other expenses of the mediation, including required traveling and other expenses of the mediator or mediation service, and the expenses of any witness and the cost of any proofs or expert advice produced at the direct request of the mediator, shall be borne equally by the parties unless they agree otherwise. Expenses shall be paid within thirty days (30) days of receipt of an invoice. Any cost incurred in the process will be shared by both parties. Cost may be amortized or adjusted by a sliding scale as determined by gross income for individuals earning between 200% and 300% of Federal Poverty Guidelines (FPG). The sliding scale shall be proportionate to the individual's earnings as a percentage of the FPG, less 200%. For example, an individual earning 210% of FPG will be charged 10% of their total share of cost, while a person earning 290% of FPL will be charged 90% of their total share of cost.

TIME PERIOD FOR CONDUCTING MEDIATION

Determination that grievances fall within scope of procedures, and notification of other party, and selection of mediator: 20 days.
Meeting(s) with parties and resolution or decision by 3rd party not to Continue (impasse): 30 days.

AGREEMENT OF PARTIES

As a prerequisite to binding arbitration the parties shall endeavor to resolve the dispute by mediation.

ADMINISTRATION AND DELEGATION OF DUTIES

When parties agree to arbitrate under these rules they thereby authorize the arbitrator or arbitration service to administer the arbitration.

FILING A REQUEST FOR BINDING ARBITRATION

Within five (5) days of mediation being terminated under TERMINATION OF MEDIATION (b) or (c) above the grieving party may request binding arbitration by filing a request for arbitration with the Governance Committee in a timely manner.

FORM

The request for binding arbitration shall be in writing and shall be signed and verified by the requesting party before a notary public or other person authorized by law to administer oaths and take acknowledgments.

CONTENT

1. The full name of person adversely affected/party filing the grievance.
2. The full name and current mailing address of the party alleged to have committed the violation.
3. A short and plain statement of the grievance including the date that the questionable process took place, by what component of the Council and reason for filing grievance.
4. A statement of what results the grieving party is seeking.
5. If this request is a request for binding arbitration the filing party must attach a copy of the document terminating mediation (see attached form).

EXPENSES

The steps involved in administering the grievance process may include fees for third party arbitrators. To balance the need for recovery of reasonable costs of administering the arbitration process, without discouraging the filing of legitimate grievances, the Planning Council has established the following policy:

Whenever possible, the Council will attempt to secure appropriate arbitration services at no cost. In the event that fees are charged by the arbitrator, the Council and grievant will share equally the cost.

All other expenses associated with the arbitration will be shared as described in Mediation section.

ARBITRATION

GOVERNING STANDARDS

Arbitration will be in accordance with standards set forth by the American Arbitration Association (AAA). An arbitrator shall be appointed by the AAA or in consultation with the McGeorge School of Law.

PLACE OF FILING

Requests for Arbitration shall be filed with the Council Staff. Please call (916) 876-5548 to assure someone will be in the office at your arrival.

DATE OF FILING & MANNER OF FILING

The request for arbitration shall be deemed filed as of the date of receipt of the grievance at the HIV Health Services Planning Council of Sacramento office.

Grievance can be filed in person at the:

Ryan White CARE Program
HIV Health Services Planning Council
9616 Micron Ave, Suite 930
Sacramento, CA 95827

Grievances can be filed by certified mail to:

Ryan White CARE Program
HIV Health Services Planning Council
9616 Micron Ave, Suite 930
Sacramento, CA 95827

The request for arbitration shall be in writing and shall be signed and verified by the grieving party before a notary public or other person authorized by law to administer oaths and take acknowledgments.

FILING FEE

There is no filing fee for arbitration. The \$50 filing fee will be paid by the HIV Health Services Planning Council.

APPOINTMENT AND QUALIFICATION OF THE ARBITRATOR

No person shall serve as an arbitrator in any dispute in which that person has any financial or personal interest in result of the arbitration. Prior to accepting an appointment, the prospective arbitrator shall disclose any circumstances likely to create a presumption of bias or prevent a prompt meeting with the parties. Upon receipt of such information the Council Program Manager shall immediately communicate the information to the parties for their comments. In the event that the parties disagree as to whether the arbitrator shall serve the AAA shall appoint another arbitrator.

VACANCIES

If any arbitrator shall become unwilling or unable to serve, the AAA shall appoint another arbitrator, unless the parties agree otherwise

REPRESENTATION

The grievant and the Council may choose any representation appropriate to the nature of the grievance. The names and addresses of such persons shall be communicated in writing to all parties and the arbitrator.

DATE, TIME AND PLACE OF ARBITRATION

The arbitrator shall fix the date and time of each arbitration session. The arbitration shall be held at a convenient location, within the TGA, agreeable to the arbitrator and parties. Parties shall be advised in writing of the time, date and location of the arbitration session at least 10 days in advance of the hearing date, unless otherwise agreed by the parties.

TIME PERIOD FOR CONDUCTING BINDING ARBITRATION

1. Determination by the grievant to use binding arbitration: 5 days
2. Notification of the other parties and selection of arbitrator and agreement of the parties to arbitrate: 10 days.
3. Hearing (if necessary): 60 days
4. Decision by arbitrator: 30 days.

TIME OF DECISION

The decision shall be made promptly by the arbitrator and, unless otherwise agreed by the parties, no later than thirty (30) days from the date of the closing of the hearing.

FORM OF DECISION

The decision shall be in writing and shall be signed by the arbitrator. The decision shall be mailed to all parties involved in the dispute. No monetary damages shall be awarded.

FINAL DECISION


If a ruling of binding arbitration required that any process, policy & procedure be revised said revision(s) should be completed within the time specified in the arbitrator's order. All such revisions shall be applied prospectively.

TABLE I

| ACTION | TIME LINE |
|--|---|
| <u>INFORMAL CONFLICT RESOLUTION</u> | |
| TGA Program Staff will respond in writing to party filling grievance | 2-5 working days |
| Review Panel determines that grievant and grievance fall within the scope of procedures with party notification | 5-10 working days |
| Resolution of grievance | 20 working days |
| <u>FORMAL DISPUTE RESOLUTION (NON-BINDING MEDIATION)</u> | |
| TGA Program Staff will respond in writing to party filling Request for Mediation Form | 2-5 working days |
| Appointment of the Mediator | 10 working days |
| Meeting of parties with mediator | 10-15 working days |
| Memorandum brief submitted to mediator | 10 working days prior mediation session |
| Resolution of grievance or decision by mediator not to continue due to impasse. Inform parties how to pursue binding arbitration | 15-20 working days |
| <u>BINDING ARBITRATION</u> | |
| Request for arbitration | 5 days from mediation termination |
| Notification of parties and selection of arbitrator | 10 working days |
| Hearing | 30 working days |
| Decision by arbitrator | 30 working days |

EPILOGUE

Considering resolution of the issue, regardless of a binding or non-binding nature, each party is expected to operate in good faith to implement the conditions of the agreement.

Signed: 
Richard Benavidez, Chair

Date: 06/22/22

HIV Health Services Planning Council Sacramento TGA

Policy and Procedure Manual

Subject: Conflict of Interest and Ethics Code **No:** GOV 06
Date Approved: 4/99
Date Revised: 05/25/22
Date Reviewed: 05/25/22

Background:

The potential for conflict of interest is present in all Ryan White processes: needs assessment, priority setting, planning, allocation of funds and evaluation. Conflict of interest is a breach of an obligation to the Council that has the effect or intention of advancing one's own interest or the interests of others in a way detrimental to the interests or potentially harmful to the fundamental mission of the Council.

Policy:

Personal Conduct

Since the possibilities for conflict of interest are limitless, officers and members of the Council shall conduct themselves in such a way as not to convey the impression on any person that they can be influenced into actions that conflict with their personal duties. It is expected that all council members conduct themselves in the highest ethical standards in a manner that will bear the closest scrutiny.

General Principles

- Officers and members of the Council shall not get economic benefit as a result of their affiliation with the Council.
- A member is not in conflict when the sole relationship to an affiliated organization is that of a client receiving services.
- Government officials who are acting on behalf of a public entity or the constituents within the service district are not conflicted.
- Members and Officers who also serve in a non-government entity as a director, trustee, board member, or salaried employee, consultant or otherwise benefit from association with any agency that receives or

may receive funds from the Council is deemed to have an "interest" in said agency or agencies.

The following actions on the part of council members are prohibited:

- Personal Gain
Transmitting to outsiders or otherwise using for personal gain Council-funded or supported property, work products, results, materials, property records or information.
- Confidential/privileged information
Using for unauthorized purposes confidential information acquired in connection with council supported activities. Confidential or privileged information includes; but is not limited to, records designated medical, personal or security of individuals; anticipated contract actions, selection of contractors or subcontractors in advance of official announcements.
- Approvals
Participation in the negotiation or acting in an advisory capacity to the Recipient's process for selecting entities to receive funding or giving of final approval to agreements between the Council and other organizations in which the individual or an immediate family member has a significant financial relationship or an immediate family member has an employment or consulting arrangement.
- Gratuities and special favors
Acceptance of gratuities, gifts, or special favors from private or public organizations or individuals with which the Council does or may conduct business or extending special favors to employees of any sponsoring government or other agency or entity.
- Client Solicitation
Soliciting clients for private practice through affiliation with the Council.

Procedure

1. All Council members are required to file annually a Statement of Economic Interest (Form 700) as issued by The Fair Political Practices Committee (FPPC) consistent with instruction as provided by the Clerk of the Board. Statements of economic interest are public documents and are accessible to the public for inspection and copying upon request during normal business hours. Regulatory language pertaining

to public disclosure can be found in The Political Reform Act Government Code sections 81000-91015.

2. Members are encouraged to participate in discussions on all topics, but shall state any conflict of interest at the beginning of their statement. Officers and members of the Council shall publicly disclose any of the following interests that they may have with an agency doing business with or proposing to do business with the Council or its subsidiaries. For the purpose of this code, an interest shall be any of the following:
 - Employment with said agencies
 - A financial interest in said agencies
 - A business relationship with said agencies
 - Being related to any of the owners or employees of said companies/agencies
 - A board member, trustee or consultant to said agencies
3. Public disclosure of any such business affiliation shall be made to the officers and Members of the Council at any open meeting at the time that the officer member learns of conflict related to any of the preceding interests. The officer or member will:
 - Publicly identify the interests that gives rise to the conflict or potential conflict in detail sufficient to be understood by the public
 - Include in the public disclosure the name of the agency intending to conduct or conducting business with the Council
 - Declare "conflict abstention" in the voting process.
4. Public disclosure at open meetings is a matter of public record.
5. Where there is uncertainty about the existence of a conflict of interest, or about how to avoid it, it is the responsibility of the Council member to seek consultation and or clarification regarding the issue.
6. The individual Council member is responsible for "self disqualification" during voting on an issue that represents a conflict for the member.
7. Challenge by any Council member relative to a perceived conflict of interest shall be pursued through Parliamentary procedure including but not limited to a motion of Personal Privilege.
8. Any member of the Council may request a review of the conflicts of interest of any other member by submitting such a request in writing

to the Chair of the Council with a copy to the member whose conflict is in question.

9. The Executive Committee shall take up the issue at the next regularly scheduled Committee meeting and shall render a decision as to whether a conflict exists within twenty (20) working days from the Committee date. The member has a right to appeal the decision in writing fifteen (15) working days by following the established Council grievance policy.
10. During the time that a conflict of interest inquiry is under review by the Executive Committee or is in the grievance process, the Council member retains all voting privileges.
11. Any member, individual or entity that believes that a conflict of interest has not been properly acknowledged or dealt with by another member or the Executive Committee may file a complaint directly with the FPPC, according to the FPPC directives and policies.
12. In accordance with Article III, Section 3.8 Termination of the Planning Council bylaws, any member may be removed from the Council and all committees when it is determined that the member knowingly attempted to influence the Council in an area of interest conflict.

Signed: _____



Richard Benavidez, Chair

Date: 05/25/22

HIV Health Services Planning Council Sacramento TGA

Policy and Procedure Manual

Subject: Planning Council Open Meeting Requirements

No: GOV07

Date Approved: 05/23/01

Date Revised: 05/25/22

Date Reviewed: 05/25/22

Background:

The HIV Health Services Planning Council reflects the demographics of the population of individuals with HIV disease in the Sacramento TGA and as such provides a forum for the coordinated planning, dissemination of information and advocacy at the community level related to HIV health services on behalf of persons at risk for and/or living with HIV/AIDS (PLWH).

Policy:

The HIV Health Services Planning Council will maintain proactive and transparent operating principles in conformance to all open meeting requirements as specified in the [Ryan White HIV/AIDS Treatment Extension Act of 2009](#) and the generally applicable requirements of the California Ralph M. Brown Act.

Procedure:

Public notice for any gathering of a Council quorum to discuss or transact business including standing committees and/or work groups will be given at least seven (7) days and in no case less than 72 hours prior to the meeting. The notice at minimum will provide an agenda with brief general description of each matter to be considered or discussed.

Public notice including an agenda with brief general description of each matter to be considered or discussed for special meetings will be provided to Council members no less than 24 hours prior to the meeting.

All items to be considered in closed session must be described in the notice or agenda for the meeting. Prior to each closed session, the body must orally announce the subject matter of the closed session.

Agenda exceptions will be announced in open session where a need for immediate action came to the attention of the Council after posting of the agenda.

Communication of Council activities will be distributed to a broad selection of messaging mediums including but not limited to:

- Clerk of the Board, El Dorado, Placer, Sacramento and Yolo County Board of Supervisors
- General and targeted news outlets within the TGA
- Written publications in the form of periodicals, newsletters, information flyers, posters
- e-news, blogs, web-based community forums and social media as may be appropriate

Public Rights:

All meetings of the Council and its standing committees and/or work groups will be held at non-discriminatory facilities accessible by public transit, and to persons needing assistance with mobility, hearing and/or language upon request.

The public may comment on any agenda item or other matter before the Council at a time determined by the Council.

All votes except those cast in permissible closed session shall be cast in public.

Final action taken by the Council during closed session will be reported in open session following the end of the closed session.

Materials provided to Council members who are not exempt from disclosure under the Public Records Act will be provided to the public as outlined below.

Meeting Transcripts

A written summary of the Council meetings, certified by the Chair of the Planning Council, and all meeting materials (including delineation of those present at the meeting) will be available for public viewing by no later than six weeks following a scheduled meeting. Meeting summaries and related materials will be available for viewing at the offices of:


**HIV Health Services Planning Council
9616 Micron Ave, Suite 930
Sacramento, CA 95827
916-876-5548
Hiv-hspc@saccounty.net**

One (1) reproducible copy of meeting summaries and related materials will be provided on request at no charge to the requesting party. The requesting party may make additional copies at their own expense.

Meeting summaries and related materials will be posted to the Sacramento TGA, HIV Health Services Planning Council website, www.sacramento-tga.com, no later than six weeks following a scheduled meeting.

Disclosure of Personal/Confidential Information

It is the policy of the Council to refrain from transcribing personal and/or confidential information in meeting summaries. Members, guests and staff are admonished to refrain from releasing of any confidential information disclosed during Council and/or committee/work group meetings. Violation of confidentiality can lead to expulsion from the Council.

Signed: 
Richard Benavidez, Chair

Date: 05/25/22

HIV Health Services Planning Council Sacramento TGA

Policy and Procedure Manual

Subject: Document Handling

No: GOV 08

Date Approved: 07/23/03

Date Revised: 05/25/22

Date Reviewed: 05/25/22

Policy: It is the intention of the Council to maintain clarity in how documents are labeled and handled in both draft and final format. In order to maintain clarity, all documents requiring committee or Council approval will be labeled consistently, indicating the current draft of the document.

Procedure: Documents will be labeled in the heading according to the following nomenclature:

- 1) Committee Draft - Materials that have not moved completely through committee and are intended primarily for acquiring additional input from within the source committee.
- 2) Draft for Discussion - Informational material to solicit additional perspective from committees, the Council, or other sources.
- 3) Committee Report - Information/research results from committees that contain statements of fact and or opinion.
- 4) Draft for Adoption - Final version from committee that contains a resolution number.
- 5) Adopted Material – Materials formally approved by the Council will be signed by the Chair at the closing of the document.

Adopted material in final form will be distributed to Council members at the meeting following formal adoption. Any materials that require the Recipient to pursue legal or contractual changes will be sent to the Recipient via certified mail.

Adopted: _____



Richard Benavidez, Chair

Date: 05/25/22

HIV Health Services Planning Council Sacramento TGA

Policy and Procedure Manual

Subject: Member Reimbursement Policy

No: GOV 09

Date Approved: 02/25/04

Date Revised: 08/26/15

Date Reviewed: 06/24/20

Background

Current Health Resources and Services Administration (HRSA) policy allows for Planning Council members to receive reimbursement for reasonable expenses incurred as a result of their participation in the work of the HIV Health Services Planning Council. The "work of the Council" has traditionally included the activities of standing committees and work groups formed by the Council.

Mileage Reimbursement

Mileage reimbursement eligibility shall include travel to and from Planning Council and Committee meetings and other Council functions. Mileage is reimbursed at the current Federal Government rate. No receipt is required, but an Automobile Expense Form must be submitted indicating actual distance traveled. *In addition to proof of auto insurance and current driver's license, a Mileage Reimbursement Authorization Information form must be on file in order to receive mileage reimbursement.*

Public Transportation

Public transportation will be reimbursed when request is accompanied by a receipt or a valid ticket indicating the fare paid. Members are required to utilize the most economical means of transportation available.

Childcare Expenses

Childcare expenses incurred as a result of Planning Council meetings and functions will be reimbursed at a rate equivalent to the maximum rate paid by Ryan White childcare providers which are reviewed annually. Childcare will be reimbursed for up to one (1) hour before and one (1) hour after scheduled Planning Council meetings and functions. A receipt must accompany your request.

Parking Expenses

Parking expenses will be reimbursed when accompanied by a receipt. Duration of eligible parking reimbursement shall include up to one (1) hour prior to and one (1) hour following scheduled Planning Council meetings and functions.

Out of Town Travel Expense Reimbursement

Planning Council members may be requested to attend out of town conferences or meetings. All requests to attend these meetings will be made by the Executive Committee.

Additionally, Planning Council members may request assistance in attending conferences not mandated by the Health Resources and Services Administration (HRSA). Requests for assistance to attend non-HRSA conferences will be made to the Executive Committee and shall include estimated costs as well as a justification for assistance in relation to the mission of the Planning Council. Requests will be judged by the Executive Committee based on availability of funds and benefits of Council representation at each conference.

Airfare and hotel accommodations (when required) will be arranged and prepaid by the Council. ***Do not anticipate reimbursement for air or hotel expenses unless arranged by Council staff.*** Original receipts must be submitted with a completed Expense Reimbursement Form.

The rates for reimbursement for Council business expenses requiring out of town travel shall be determined according to the United States General Services Administration's annual per diem rate schedule for the dates and location of travel. Rates will be reviewed annually.

Meal rates are actual amounts, meaning that unspent funds cannot be carried over from one meal to the next.

Receipts are to be turned in with the reimbursement form. No receipts are required for incidentals.

When necessary, it may be possible to advance the cost of out of town travel for members. This will not be the general policy. However, should the need arise for a member to travel who does not have the ability to cover the costs of meals and incidentals out of pocket, the Council may calculate and advance the daily appropriate amount as outlined in the United States General Services Administration's annual per diem rate schedule. Should a member receive an advance on travel expenses, detailed receipts must be presented upon return. Any unused monies shall be returned to the Council upon return.

Additional Information

In addition, expenses incurred by Council members in the performance of their duties (i.e., consumable supplies, long distance telephone charges, and FAX charges) may be reimbursed.

Should members have any questions or need further clarification of the reimbursement policy, please contact the HIV HEALTH SERVICES PLANNING COUNCIL STAFF.

Signed: 
Kristina Kendrick-Clark, Chair

Date: 6/24/20

HIV Health Services Planning Council Sacramento TGA

Policy and Procedure Manual

Subject: Officer Elections

No.: GOV 10

Date Approved: 01/26/05

Date Revised: 08/26/15

Date Reviewed: 06/24/20

Background:

As noted in Section 4.4 of the Bylaws of the HIV Health Services Planning Council, "Officers are nominated and elected by the members of the Council to serve for three years. Officers will be elected within the three months following the annual appointment of members." "Vacancies which occur prior to the end of a term of office shall be filled by an election at the next regular or special meeting of the Council and will serve until the next regular election of officers."

Policy:

Officers of the HIV Health Services Planning Council will be nominated and elected as soon as possible when positions become vacant through expiring terms, removal or resignation from office and will follow a uniform procedure to ensure consistency and fairness to all candidates.

Procedure:

Elections will be formally announced and publicized one month prior to the meeting of the Planning Council wherein officer elections will be held. Formal announcement will include a description of officer roles and responsibilities as well as an overview of the nomination and election process.

Officer elections will take place in the following sequence: Chair and Vice Chair. Members may be nominated for more than one officer position, but may only serve in the capacity of one position at a time. All nominations and elections will occur in sequence, and distinct from one another. The following procedure shall be followed in the election of Planning Council officers:

- 1) Nominations for Chair will be taken from the floor, including self-nominations

- 2) Nominees will accept or decline nomination for open position
- 3) Staff will record nominations
- 4) Each nominee will be allowed a chance to speak to their qualifications/intentions for the position
- 5) A question and answer session will follow the nominee speeches
- 6) Each nominee will cast his or her vote and step out of the room
- 7) Staff will moderate a brief open comment period for voting members
- 8) Staff will call the question of the election
- 9) By a show of hands, voting members will choose the new officer
- 10) Staff will record and announce the vote to members
- 11) Nominees will be called back in to the room for the formal announcement of the vote
- 12) Proceed to nomination and election of the Vice Chair as outlined above.

Immediately following each vote, the newly elected officers will assume the responsibilities of their position.

Approved: 
Kristina Kendricks-Clark, Chair

Date: 6/24/20

**HIV Health Services Planning Council
Sacramento TGA**

Policy and Procedure Manual

Subject: Member Removal from Planning Council

No.: GOV 11

Date Approved: 05/25/05

Date Revised: 08/26/15

Date Reviewed: 06/24/20

Background

The Sacramento HIV Health Services Planning Council relies on active, constructive participation of its members to carry out its mission of planning for the effective delivery of quality health and supportive services to people living with HIV/AIDS in the Sacramento region. As such, Council membership must be prepared to remove those peers not able to fulfill the responsibilities of membership.

Policy

A Council member may be removed prior to the end of the individual's term by a two-thirds vote of the Council. Members may be considered for removal from the Council for any of the following reasons as detailed in the Planning Council Bylaws, Article III, Section 3.8:

- (a) Unexcused and/or excessive absence from regular Council meetings [*defined below*];
- (b) Loss of the member's qualifying status for continued appointment;
- (c) Habitual behavior that disrupts the Council's ability to conduct business in a timely and efficient manner;
- (d) Conduct that negatively impacts community confidence in the Council, such as a violation of conflict of interest or breach of confidentiality.

Procedure

1. Excessive Absences

In the event that a member has two (2) consecutive unexcused absences or four (4) absences within a twelve (12) month period, the Chair or Chair delegate with discretion may initiate the following procedure:

- 1. The Chair or Chair delegate will notify the member of membership requirements by telephone and document such attempts (See Attachment A, Absentee Contact Log).
- 2. The Chair or Chair delegate will inform the member that another absence will prompt a review of continued membership by the Executive Committee, and possibly, their removal from the Council.

- a. Should the Chair or Chair delegate contact a member three (3) times without a reply, it will be taken to mean the member has received the messages.

In accordance with Council Bylaws, Article III, Section 3.10, should a member have three (3) consecutive unexcused absences or five (5) absences within a twelve (12) month period, the Chair or Chair delegate within discretion may initiate the following procedure:

1. The Chair or Chair delegate will send a registered/certified letter to the member noting that the member's membership status is under review and the member's resignation is implicit if no response is received as instructed within the letter by the next meeting of the Executive Committee
2. The Chair will inform the Executive Committee that the member has not fulfilled membership obligations to the Council and provide a copy of the Absentee Contact Log (Attachment A), as well as the response (if any) of the member
3. The Executive Committee will decide, by a majority vote, whether or not to accept the member's resignation and forward a recommendation for removal to the Council
 - a. In formulating its decision, the Executive Committee will consider such criteria as:
 - i. Historical Council attendance record of the member in question
 - ii. Member commitment to the Council (committee work, mentorship, etc.)
 - iii. Member longevity on the Council
 - iv. Notification given in advance of absences to staff/Chair
4. The Chair of the Council will bring forth a motion to remove the member at the next regularly scheduled Planning Council meeting
5. The member in question may choose to attend the Council meeting and speak to their ability to fulfill their responsibilities if allowed to remain a member. A question and answer period may follow the member's testimony
6. The member in question will cast their vote and the Chair will request that the member excuse him/herself from the proceedings
7. Staff will moderate a brief open comment session for voting members
8. The Chair will call the question of the vote
9. By a show of hands, members will cast their vote on the continued membership question
10. Staff will record and the Chair will announce the vote
11. In the event that the Council must consider removal of more than one individual, the process shall be repeated for each member

12. Removed members will be formally notified of the Council's decision to accept their resignation and encouraged to continue to work with the Council.

2. Mandated Seats

Qualifying Status

In the case of a change in a member's qualifying status for continuing appointment to a mandated seat, the member will be removed from that seat and a qualified replacement will be sought. Whenever possible, the member will be transferred to another vacant seat for which they qualify. If no vacant seats exist, the departing member will be encouraged to remain active on the Council by continuing participation through Committee work and applying for vacant seats as they become available.

Attendance Issues

In the event that a member filling a mandated seat fails to meet Council attendance requirements, the member's status will be reviewed according to the procedures outlined above. Should the member filling the mandated seat be removed by a vote of the Council, the appointing authority will be notified in writing and a request will be made for a suitable replacement to serve the remainder of the current term.

3. Other Membership Issues

All other membership decisions will be made in accordance with the Bylaws and at the discretion of Council Chair and/or the Executive Committee.

Signed:|



Kristina Kendricks-Clark, Chair

Date: 6/24/20

Attachment A

HIV Health Services Planning Council
909 12th Street, Suite 200
Sacramento, CA 95814

Absentee Contact Log

Member Name: Joe Example

Reason for Phone Contact:

Joe Example has missed 2 consecutive meetings of the Planning Council.

| Contact | Chair/Delegate | Call Date | Call Time | Contact Made | Call Result |
|----------------|-----------------------|------------------|------------------|---------------------|--------------------|
| 1. | Joe Example | 1/26/20 | 1:30pm | No | Left Message |
| 2. | Suzie Example | 1/29/20 | 9:15am | No | Left Message |
| 3. | Suzie Example | 2/7/20 | 4:00pm | Yes | Spoke to member |

Report of Contact:

Joe Example was informed on February 7, 2020 that his failure to attend the last two Council meetings could place him in violation of the Council attendance policy.

Registered Letter Documentation:

Joe Example missed his third consecutive meeting on February 25, and a registered letter was mailed to Joe Example on March 1.

HIV Health Services Planning Council Sacramento TGA

Policy and Procedure Manual

Subject: Member Policy Acknowledgement

No.: GOV 12

Date Approved: 05/25/05

Date Revised: 03/23/22

Date Reviewed: 03/23/22

Purpose

The HIV Health Services Planning Council (Council) operates most efficiently when members are knowledgeable of all policies and have an understanding of basic operating procedure. The Member Policy Acknowledgement form is created to document a member's commitment to developing a basic understanding of the principles and information contained in the Council's Policy and Procedure Manual and receipt of these materials.

Policy

All members of the HIV Health Services Planning Council are required to read and sign the Policy Acknowledgement Declaration (Attached). Members whose signed Declaration is not on file with Council staff are suspended from voting until such time as the signed document is received.

Procedure

- A. All new members will be provided with a Policy Acknowledgement form at the time of initial orientation and receipt of the Policy and Procedure Manual. The orientation session will at minimum highlight member attendance, conflict of interest and confidentiality responsibilities. These principles will be reflected in the acknowledgement statement which the Member will be asked to sign at the conclusion of orientation.
- B. Annually, in January, all Council members will re-submit a signed Policy Acknowledgement form at an annual meeting of the Council's choosing. Ideally this activity will be timed with the general yearly review and updating of all existing operating procedure. Should a member take issue with a specific policy or operating procedure, the member may take up the issue through customary means (i.e. Council

agenda item). However, Declaration filing is required before voting privilege is granted.

- C. Council Support staff will maintain signed acknowledgement forms on file for a period of 2 years (current and last prior) after Member resignation or removal from the Council.
- D. Any member who does not submit a signed Acknowledgement form within 30 days from initial orientation or the annual review meeting date will be notified by the Chair that the Members' voting status is suspended until the Acknowledgement is received and filed by Council staff.



Signed: _____
Richard Benavidez, Chair

Date: 3/23/22

HIV Health Services Planning Council

**Acknowledgement of HIV Health Services Planning Council Policies
Including Attendance, Conflict of Interest and Confidentiality**

Please read and affirm your understanding and compliance with each of the following sections of the Planning Council Bylaws:

Article III

Section 3.10: “Regular meeting attendance is expected and it is the responsibility of all members to communicate unavoidable absences as specified in policy.”

Note: Members may be removed by a vote of the Planning Council for having three (3) consecutive unexcused absences or five (5) unexcused absences over a twelve (12) month period.

***I acknowledge an understanding of and a commitment to these statements, Signed _____**

Article VII

Section 7.1: “Conflict of interest is a breach of an obligation to the council that has the effect or intention of advancing one’s own interest or the interests of others in a way detrimental to the interests or potentially harmful to the fundamental mission of the Council.”

***I acknowledge an understanding of and a commitment to this statement, Signed _____**

Article VIII

Section 8.1: “No member of the Council or its committees shall disclose confidential information acquired in the course of his/her official duties.”

In addition, I understand that additional criminal or civil penalties may apply under existing local, state or federal law.

***I acknowledge an understanding of and a commitment to this statement, Signed _____**

Additionally, I acknowledge that it is my responsibility to follow all Planning Council approved policies, procedures and Bylaws not specifically referred to in this document, and to maintain my Policy and Procedure Manual with policy updates as provided by Council Staff.

Signed _____ Date _____

Council Member: _____

HIV Health Services Planning Council Sacramento TGA

Policy and Procedure Manual

Subject: Public Information Policy

No: Gov 13

Date Approved: 06/23/10

Date Revised: 05/25/22

Date Reviewed: 05/25/22

Purpose:

Inherent to the function of the Sacramento HIV Health Services Planning Council is the provision of accurate and timely information about HIV/AIDS affliction trends, local service availability and service delivery planning to the surrounding communities of the Sacramento region.

Policy:

The Sacramento HIV Health Services Planning Council shall maintain positive public relations, provide accurate information and educational messages in a manner that is coordinated and reviewed through designated spokesperson(s), media contacts, and effective marketing strategies.

The Chair of the Planning Council shall be considered the primary public relations officer and as such all Council members will notify the Chair of public information inquiries. In lieu of the Chair's availability any Officer of the Executive Committee and/or Chair designee may authorize the release of information and represent the Council in a public relations manner as outlined below. As informational requests are often time sensitive, the Planning Council will respond as soon as possible when a spokesperson is requested.

Letters of Support:

Letters of support for grant funded activities or other matters that are within the overall goals of the Planning Council and the Comprehensive Plan may be approved and signed by the Chair of the Planning Council.

Sacramento HIV Health Services Planning Council will not consider letters or votes of support for other broader items that do not relate directly to the

Ryan White CARE Act. This includes, but is not limited to, taking positions on ballot measures, pending state or federal legislation, or issues related to appropriations not involving the Ryan White CARE Act.

Individual Council members expressing opinion other than the official position of the Council membership at large shall not hold out as representing the Council point of view, use Planning Council stationery for written correspondence or otherwise infer that their personal opinion reflects consensus of the Council.

Media Inquiries

1. The Planning Council shall identify opportunities to communicate positive messages about the Planning Council, its mission, goals, objectives, and accomplishments.
2. Council members communicating with the news media, or appearing at a public meeting or other event to discuss existing or proposed Council policy, will make every reasonable effort to explain to the Council's audience whether the Council member is expressing an opinion, view or position that is the individual Council member's or a view, position or opinion of the Council as a whole.
3. Whenever possible, more than one member of the Council shall be present for media interviews related to the HIV Health Services Planning Council.
4. If a reporter calls, or an interview is conducted, the spokesperson(s) shall document the following information to Council Staff for the Planning Council record:
 - the reporter's name
 - probable media outlets or publish date
 - phone and fax numbers, date and time of call
 - deadline for information, subject of call
 - summary of information provided.
5. The spokesperson(s) shall focus on solutions rather than on problems.
6. All media requests for information shall be referred to the following spokesperson(s):

The Planning Council Chair and/or Officers of the Executive Committee shall serve as the official spokesperson(s) for all inquiries related to the

Planning Council, its Bylaws, legislative mandates, priority settings, resource allocation processes, or policies and procedures related to conflict of interest, confidentiality, and grievances.

The Chair of the Affected Communities Committee or Planning Council Staff shall serve as the official spokesperson(s) for inquiries related to recruitment, special events or activities, or general marketing and/or public information campaigns.

Planning Council Staff shall serve as the official spokesperson(s) for inquiries related to general operations or logistics, e.g., meeting time, locations, etc.

All inquiries related to the grant application and award will be referred to The Sacramento County Department of Health Services (Recipient) for response.

Inquiries related to HIV/AIDS epidemiological data or general statistical information for the Sacramento TGA will be referred to the Recipient.

The Planning Council Chair, any Council Member or the Recipient's representative may provide general information related to HIV/AIDS, disease process, modes of transmission, medications, or other care and support services.

Press Releases:

1. All press releases for the Council shall be drafted by Council Support staff at the request of the Council Chair, Executive Committee or any Committee Chair.
2. All press releases will be disseminated to the full Council in a timely fashion.
3. All press releases will be distributed to the Council's media contact list, which is maintained by Council Support staff.
4. All press releases will be posted on the Council's website in a timely fashion.

Privacy Information:

All Council Members, Committee Members, Officers and staff are precluded from discussing information defined by State and Federal law as being privacy/identity related or sensitive health information.

Miscellaneous Information:

Council members have the right to their personal points of view regarding any issue. Council members expressing written or electronic personal opinion must stipulate that the views set forth in the communication do not represent the views of the Planning Council. Similar disclaimers must be given if a member addresses a public meeting, participates in a radio talk show, social media, web/internet or is interviewed for a radio or television program.

All marketing or public information materials developed by a standing committee of the Planning Council shall be reviewed by the Chair of the respective Committee and brought forth to the Executive Committee prior to publication or posting in the community.


All marketing or public information materials not developed by a standing committee of the Planning Council, such as request for proposals (RFP), public service announcements, or general information shall be reviewed by the Planning Council Executive Committee prior to publication or posting in the community.

The Planning Council may contract with an outside provider to disseminate information about the Planning Council and its activities.

Appropriate Providers for such services include those agencies that have contracted with the Recipient to provide information and referral services in the Sacramento TGA.

In the absence of a formal contract, the Planning Council shall collaborate with funded providers who provide information and referral services to provide accurate and timely information to the community about Council activities and purpose.

All Council Meetings are open to the public and are conducted in accordance with the Brown Act.

Signed:  Date: 05/25/22
Richard Benavidez, Chair

HIV Health Services Planning Council Sacramento TGA

Policy and Procedure Manual

Subject: Code of Conduct

No: GOV 14

Date Approved: 02/26/14

Date Revised: 03/23/22

Date Reviewed: 03/23/22

CODE OF CONDUCT POLICY & PROCEDURES

NOTE: This Code of Conduct formulated and adopted by for the Sacramento Transitional Grant Area (TGA) is consistent with the “best practices” of Planning Councils serving EMA/TGA’s across the United States. Further, it is compliant with guidelines of the Ryan White HIV/AIDS Treatment Extension Act of 2009 (“CARE Act”) and the most recent HRSA guidance. The Code is comprised of **two sections: (1)** one for **members of the Planning Council, its committees, ad-hoc, or subcommittees;** and **(2)** one for **members of the public** who attend Planning Council, committee, subcommittee or task force meetings as well as any other public events presented or supported by the Planning Council. Copies of this Code of Conduct are available to all meeting guests who, by their presence and participation, agree to respect and adhere to the terms of set forth herein.

Purpose and Scope

This Code of Conduct describes the behavior expected of all Planning Council members and other official meeting participants at all meetings and activities associated with the work of the Planning Council.

The Code of Conduct is designed to ensure appropriate behavior at Planning Council and committee meetings as well as other events conducted by the Planning Council. Provisions of the Code of Conduct are designed to ensure that the Council can be productive, open to community input, and respectful of its members and visitors. The Code helps to create a positive environment, and to protect all members and public participants from inappropriate and disruptive behavior.

Applicability

The Code of Conduct applies to Planning Council members and to non-members who serve on standing committees, subcommittees, or task forces.

Approval and Implementation

The Planning Council establishes, approves and secures member acceptance of the Code of Conduct.

1. The Code of Conduct is presented and reviewed at each New Member Orientation and at the Planning Council's Annual Meeting each January.
2. Non-Planning Council members of Standing Committees must sign and submit the Code of Conduct Affirmation and Pledge Form prior to joining a committee. Non-Planning Council committee members are to submit their completed forms to the Standing Committee Chair who will forward them to the Planning Council Staff.
3. Planning Council Staff will maintain a copy of the Code of Conduct Affirmation and Pledge Form for each Planning Council and/or Committee Member.

Expected Conduct by Planning Council and committee members at all Council Events

Code of Conduct during Meetings

Planning Council, committee, ad-hoc, and subcommittee members are expected to follow these rules of conduct in all meetings and other Planning Council-related events:

1. Conduct themselves in a professional and courteous manner at all times.
2. Follow the laws and regulations governing Sacramento County's Boards and Commissions, the agencies and jurisdictions in which they serve, and the Planning Council's Bylaws, Policies, and Procedures.
3. Follow the Council's Conflict of Interest Policies and Procedures, assist the chair of the meeting in ensuring that they are consistently followed, and conduct themselves in a manner that prevents perceived as well as actual conflicts of interest.

4. Address others with respect – as intelligent people with a right to be a part of discussions and decision making – so that everyone has the opportunity to speak and to be listened to, without interruption.
5. Follow any additional procedures for discussion that may be set by the meeting Chair, such as limiting the length of individual presentations and setting reasonable time limits on debate. The Council's Vice Chair will be responsible for helping to ensure that the Code of Conduct is followed during Planning Council and Executive Committee meetings. The Chair or Vice Chair of a committee will play this role in committee meetings.
6. Recognize the authority and follow the direction of the meeting Chair. Do not disrupt a meeting or encourage or assist members of the public to do so.
7. Cooperate with the agreed-upon decision-making process – whether majority rule, some form of super majority (e.g., two-thirds vote) if specified in the Bylaws, or consensus, etc. Unless otherwise determined, decision-making will be done using *Robert's Rules of Order*.
8. State disagreements about issues without engaging in personal attacks.
9. Follow and support decisions made by the body, regardless of their personal position.
10. Serve as both an advocate and a planner, recognizing a responsibility to both present the concerns of specific communities or population groups, and make decisions that are data-based and reflect the overall needs of people living with HIV disease in the TGA.
11. Follow the Council's Confidentiality Policy (Bylaws Article VIII), as stated in the Confidentiality Pledge signed by each member. This means not disclosing personal information about any Planning Council or committee or subcommittee member – such as the HIV status of anyone who is not publicly disclosed, or medical or personal/personnel information that would constitute an invasion of privacy – that was obtained through their Planning Council relationships and activities.
12. Act on behalf of all PLWH in the TGA, not to benefit the member or any funded entity.
13. Refrain from asking questions, requesting information, or making comments about the performance or funding of individual provider agencies. Dealing with specific providers involves procurement and contract management and is the responsibility of the recipient.

Members may, however, request information about performance and expenditures related to a service category, regardless of the number of providers in that category.

14. If they feel they cannot support the mission, goals, strategies, programs, and/or leadership of the Council and committees as agreed upon by the members, resign or decline involvement in the affected matter.
15. Take responsibility not only for following by the Code of Conduct personally, but also for speaking out to ensure that all participants follow it.
16. Every Council member will participate and allow the participation of every other Council member and guest without discrimination with respect to race, gender, religious belief, color, national origin, ancestry, age, physical or mental disability status, or sexual or gender orientation.
17. No Council member shall use alcohol or illegal drugs, or be under the influence of such, at any Council meeting or community event.
18. Violation of this Code of Conduct may lead to corrective action up to and including removal from Council membership.

Representation/Communications

Except as stated otherwise in the Bylaws, the only authorized official representatives of the Planning Council are the Chair and the Vice Chair.

1. The Chair and/or the Vice Chair may represent the Planning Council in public. This includes representation to the press, public, and in any situation where the official input of the Planning Council is needed.
2. Committee Chairs may represent their committee only, and only to other members of the Planning Council, except when authorized by the Planning Council to represent it.
3. Other members shall represent only themselves, unless properly authorized by the Planning Council or a committee to represent the Planning Council or the Committee, respectively.

Sanctions

The following measures may be taken if a Planning Council or committee member fails to comply with the Code of Conduct stipulated above.

1. When a Planning Council or committee member violates this Code of Conduct in a meeting, the meeting Chair is expected to inform him/her that the behavior is unacceptable. Others in attendance are expected to support the Chair in ensuring that everyone follows the Code of Conduct. If inappropriate behavior continues and the Chair feels it will disrupt the process, s/he may ask the individual to leave the meeting. Prior to removing the individual, the Chair of the meeting shall publicly state the reason for removal.
2. If a member of the Planning Council repeatedly violates the Code of Conduct, the Confidentiality Policy or other Council policies during committee meetings, the Committee Chair may request that the Planning Council Chair remove this individual as a committee member subject to the approval of the Executive Committee. The member will be suspended from Committee attendance and participation while the request for removal is pending.
3. If a Planning Council member continually violates the Code of Conduct in Planning Council meetings or other events, s/he may be recommended to the County Board of Supervisors Office of Boards and Commissions for "removal for cause" as stated in the Bylaws. Such a recommendation requires a two-thirds vote of the Council members, meeting in executive session, at any regular or special meeting that is held after provision of no fewer than ten business day's prior notice. If the member is recommended by the Planning Council for removal, s/he will be suspended from participation until action by the County Board of Supervisors Office of Boards and Commissions.
4. If a committee or subcommittee member who is not a Planning Council member repeatedly violates the Code of Conduct, the Planning Council Chair may remove this individual as a committee member with the approval of the Executive Committee.
5. If the individual feels that s/he has been treated unfairly, s/he may express this concern to the Executive Committee, which will attempt to resolve the situation informally. If unable to do so, the Executive Committee will inform the individual of his/her right to pursue his/her complaint using the Planning Council's Grievance Policy and Procedures process.

Expected Conduct by Members of the Public at Planning Council Events

Code of Conduct

The following is expected conduct by members of the public who attend Council or committee meetings or other Planning Council-sponsored events:

1. Members of the public are encouraged to attend and participate in meetings of the Planning Council as well as community events organized or supported by the Planning Council.
2. People living with HIV/AIDS (PLWHA) community members are strongly encouraged to attend and actively participate in the monthly Affected Communities Committee meeting. The Affected Communities Committee is an integral part of the Planning Council process. The Affected Communities Committee Chair is a member of the Executive Committee. As a result, the Affected Communities Committee is the best means of providing input and raising concerns of the PLWHA community.
3. Members of the public are encouraged to attend and participate in committee meetings and to become regular, active members of committees that include non-Planning Council membership. This allows maximum opportunities for public input at an early stage in discussions.
4. Opportunity for public comment and contribution will be included in Planning Council meetings and events. Members of the public are expected to comply with the times and means for comment and input established by the Planning Council.
5. The Agenda for each monthly Planning Council Meeting including specific issues to be considered will be posted on the Council website.
6. Members of the public may submit written comments that will be distributed to all Planning Council members and meeting attendees. In order for such written comments to be included in the Meeting Materials for a specific meeting, the comments must be provided to the Planning Council Staff no less than ten (10) calendar days before the meeting date.
7. A Public Comment Period with a firm time limit will be provided at every regular monthly meeting of the full Planning Council. Members of the public wishing to offer comments at a given meeting must submit a written or email request to the Planning Council's Vice Chair or Planning Council Staff no later than close of business on the Monday before the monthly Planning Council meeting held on Wednesday. Priority for use of available public comment time will be assigned based upon the order in which requests were received. If requests for use of public comment time exceed the pre-set period, the Chair shall have sole and final discretion of whether additional meeting time will be allocated for public comments. The Chair's decision will consider the time demands imposed by the remainder of

the agenda requiring Planning Council consideration and action at the particular meeting.

8. Time constraints prevent having members of the public participate in Planning Council debate.
9. Members of the public are expected to treat members and other guests with courtesy and respect at all times.
10. When speaking, members of the public are expected to follow any specified time limitations and to recognize the authority and follow the direction of the Chair of the meeting.
11. Members of the public may speak during the meeting only during Public Comment periods or when recognized and requested to do so by the Chair.
12. Members of the public should recognize that the Planning Council has no role in procurement or in monitoring the performance of specific providers, and that concerns related to services provided by specific agencies should be addressed to the recipient, not the Planning Council. Such concerns or questions can also be raised at the monthly Affected Communities Committee meetings.

Sanctions

The following measures may be taken if a member of the public fails to comply with the Code of Conduct stipulated above.

1. At any given meeting, a member of the public who repeatedly fails to follow these guidelines, uses disrespectful language or otherwise disrupts meetings or events will be warned and, then if the behavior persists, will be asked by the Chair to leave the meeting. Prior to removing the individual, the Chair of the meeting shall state on the record the reason for removal. Other members will behave in a manner that supports the decision and action by the Chair.
2. If a member of the public repeatedly behaves disrespectfully or disruptively at multiple meetings, the Executive Committee may vote to recommend that the individual be excluded from future meetings. If the member of the public wishes to protest this decision, s/he may file a complaint using the same process stated in the Planning Council's Grievance Policy and Procedures.

Signed: _____



Richard Benavidez, Chair

Date: 3/23/22

**SACRAMENTO TRANSITIONAL GRANT AREA
HIV HEALTH SERVICES PLANNING COUNCIL**

CODE OF CONDUCT AFFIRMATION & PLEDGE

Purpose and Scope

This Code of Conduct describes the behavior expected of all Planning Council members and other official meeting participants at all meetings and activities associated with the work of the Planning Council.

The Code of Conduct is designed to ensure appropriate behavior at Planning Council and committee meetings as well as other events conducted by the Planning Council. Provisions of the Code of Conduct are designed to ensure that the Council can be productive, open to community input, and respectful of its members and visitors. The Code helps to create a positive environment, and to protect all members and public participants from inappropriate and disruptive behavior.

Applicability

The Code of Conduct applies to Planning Council members and to non-members who serve on standing committees, subcommittees, or ad-hoc committees.

Understanding and Acceptance

By signing this Code of Conduct Pledge, I acknowledge receiving a copy of the full Code of Conduct and being afforded the opportunity to discuss it with the Planning Council Chair or Vice Chair or a member of the Executive Committee. I affirm that I understand the statement and the reasons for it.

Enforcement

I realize that violation of any provision of this agreement may result in disciplinary measure/s up to and including removal from the Planning Council being taken against me.

Any perceived violation of the Code of Conduct is to be addressed by the Council Chair, Vice Chair, Committee Chair and/or Executive Committee as prescribed in the full Code of Conduct Policy and Procedures. Any issue not resolved by those means is to be addressed and resolved using the Planning Council's Grievance Policy and Procedures

Pledge

By signing below, I agree to abide by the expectations set forth in the Code of Conduct for the Sacramento TGA's HIV Health Services Planning Council and its Committees.

Print Name

Signature

Date

**HIV Health Services Planning Council
Sacramento TGA**

Policy and Procedure Manual

Subject: Policy & Procedures Conflict of Interest

No: GOV 15

Date Approved: 02/26/14

Date Revised: 03/23/22

Date Reviewed: 03/23/22

POLICY & PROCEDURES - CONFLICT OF INTEREST

"The Planning Council is bound by the Legislative requirements of Ryan White HIV/AIDS Treatment Extension Act of 2009 ("CARE Act") Part A which expressly prohibits Planning Council participation in the selection of specific entities to receive Part A funding, or in the management of provider contracts."

Conflict of interest is defined by the Planning Council Bylaws as *"an interest by a planning council member in an action that may result in personal, organizational, or professional gain."* The conflict of interest may be actual or perceived. Therefore, any council member who is affiliated with or who has a family member affiliated with an agency receiving or competing for Ryan White funds in a specific service category may not participate in decisions involving that service category. The affiliated member may not initiate discussion, introduce a motion or vote on the setting of service priorities, allocation of resources, or development of directives related to that service category.

- **"Affiliated"** is defined as being an employee, paid consultant, contractor, officer or board member, or a volunteer (20 or more hours per week) for an agency receiving or competing for Ryan White funds in a specific service category.
- **"Family member"** is defined as spouse, partner, mother, father, child, or sibling. Being a client of a provider is not considered a conflict of interest.

Management of Conflict of Interest: The Planning Council manages conflict of interest by requiring members to abide by the conflict of interest standards described in the Bylaws and to the guidelines for the management of conflict of interest described below.

1. Each Planning Council member must file a new or updated Conflict of Interest Disclosure Form by January 1st of each year. Those with no conflict of interest must prepare a form with the notation "NONE", sign, date and submit said form. Planning Council members will be able to submit the required form at the February Planning Council meeting immediately before the January 1st deadline. Members absent from that meeting will be responsible for completing and filing a form on or before the deadline.
2. Forms are to be submitted to the Planning Council Staff. Council Staff will ensure copies of the member's declaration(s) are to be retained in the Council files.
3. If the member's affiliation changes, the member must submit a revised declaration form within 30 days of the effective date of the change.
4. Conflict of interest is to be addressed at new member orientation and as part of any ongoing member development. New members are to complete, sign and submit Conflict of Interest Disclosure Form during their orientation session.
5. At the beginning of each meeting of the Planning Council, the Chair or Vice Chair presiding shall direct each member to (1) state his/her name; (2) identify his/her Planning Council membership category and position, if any; (3) and state whether he/she does or does not have a conflict of interest.
6. Any affiliated member with a potential conflict of interest must verbally disclose such at the beginning of any affected discussion.
7. Upon disclosure of his/her affiliation and conflict of interest(s), the Planning Council member may engage in discussion of issues pertinent to the types of services provided by his/her agency but must comply with the limitations imposed and specified below.
8. An affiliated Planning Council member may not make or second a motion on issues directly related to services provided by the agency with which he/she is affiliated.
9. An affiliated Planning Council member may not vote on issues directly related to services provided by the agency with which he/she is affiliated.
10. During priority setting, resource allocation, directive formulation, or reallocation of funds, an affiliated Planning Council member may not

initiate discussion about service category(ies) in which they have a conflict of interest.

11. During priority setting, resource allocation, directive formulation, or reallocation of funds, an affiliated Planning Council member may not vote on a motions involving a service category(ies) in which they have a conflict of interest.
12. During priority setting or resource allocation, an affiliated Planning Council member may vote on a slate of priorities or allocations that includes multiple service categories even if they have a conflict of interest with one or more, but not all, of the grouped categories.
13. The obligations of Planning Council members under the Conflict of Interest Policy shall extend to any discussions with other Planning Council Members regardless of location.
14. Any perceived violation of the Planning Council's Conflict of Interest Policy and Procedures is to be addressed and resolved using the Planning Council's Grievance Policy and Procedures.



Signed: _____
Richard Benavidez, Chair

Date: 3/23/22

SACRAMENTO TGA HIV HEALTH SERVICES PLANNING COUNCIL

2022 MEMBERSHIP CONFLICT OF INTEREST DECLARATION

CONFLICT OF INTEREST

Conflict of Interest is of particular significance in the operations of the Council and its committees. The Sacramento Region HIV Health Services Planning Council recognizes the potential for conflict of interest. The following guidelines are intended to identify circumstances in which members should disqualify themselves from acting, so that conflicts of interest may be avoided. Conflict of interest rules are as follows:

1. The Council, as a body, may not designate or otherwise be involved in the selection of particular entities as recipients of any of the amounts provided in the grant.
2. In general, a person has a conflict of interest if that person stands to benefit personally, professionally or financially from the outcomes of a particular decision. More specifically, the following people have a potential conflict of interest:
 - a. An employee or paid contractor of an agency which does, or may, receive funds allocated through the Sacramento Region Ryan White CARE Program;
 - b. A person in a decision making role of an agency or who has other responsibilities for the fiscal management of an agency or organization;
 - c. A person who is related or has a close personal relationship to any person(s) described in (a) or (b) above;
 - d. A person who has a financial interest in the operations of an agency; i.e. landlord, supplier, subcontractor, etc.;
3. Consumers of HIV/AIDS services who are not affiliated with an agency as described in Section 2, are generally not considered to have a conflict of interest;
4. Government officials who do not otherwise have a relationship with an agency as described above in Section 2 and are acting officially for the public agency which they represent, generally do not have a conflict of interest.

A potential conflict of interest does not exclude a person from membership on the Council, its Committees or Work Groups. Given the expertise and experience needed to perform the functions mandated to the Council by the national

legislation, conflicts of interest are inevitable. The Council does seek to maintain a reasonable balance of interests, and may need to limit the total number of persons with a conflict of interest who are selected to participate in certain capacities.

If you believe that you may have a conflict of interest, please respond to one of the statements below:

- a. I, and/or a family member, or person with whom I am closely related, personally serve (have served within the last twelve months) as an employee, or contractor, or other similar capacity, with the following organization(s) that has/have received, or may seek funding from the Sacramento Region Ryan White CARE Program. (Please list.)

1. _____

2. _____

3. _____

- b. I am not sure whether I have an official conflict of interest, but I think the following information may be important:

By checking this box, I am stating that I do not have any conflicts of interest.

Signature of Applicant: _____ **Date:** _____

Name: _____

HIV Health Services Planning Council Sacramento TGA

Policy and Procedure Manual

Subject: Council Staff Support – Scope of Services

No: GOV 16

Date Approved: 06/27/18

Date Revised: 05/25/22

Date Reviewed: 05/25/22

1. SUMMARY

The functions of the Council Staff will be provided County of Sacramento, Department of Health and Human Services Ryan White CARE Program (hereafter referred to as Sacramento County).

Council Staff will work closely with the HIV Planning Council Chairperson to facilitate state and federally mandated activities including the planning, coordination and facilitation of the activities of the Sacramento TGA's HIV Health Service Planning Council. Council Staff is responsible for the methodology, development, implementation and evaluation of outcome and cost effective measures. Maintain the Council web page and provide leadership and guidance in the areas of needs assessment, planning and evaluation of HIV service delivery for the Council. Assist the HIV Planning Council Chairperson with providing training and technical assistance to Planning Council members. Work with the Sacramento County Recipient, in the planning, development and implementation of necessary service delivery changes and/or expansions.

2. ESSENTIAL DUTIES

A. Meeting support, to include:

- Preparation and distribution of meeting notices, agendas, minutes and other materials as appropriate;
- Management of logistical arrangements, to include at a minimum, space, food as appropriate and budgeted, and ADA accessibility;
- Preparation and distribution of minutes and other materials as appropriate;
- Maintenance and distribution of membership rosters;
- Assistance in identifying and obtaining guest speakers and meeting facilitators as requested by the Council;

- Maintenance of an archive of governing documents, including policies and procedures and by-laws, as pertain to the Council and its committees;
- Maintaining the web page and ensuring that minutes, agendas and other relevant material is available on-line and current.

B. Council Program Support, to include:

- Assisting the Council and committees in establishing a timeline for activities to accomplish the program of work;
- Engaging Council members in implementing and completing its program of work;
- Working with the Recipient to obtain training and TA based on the prioritized needs of the Council;
- Understanding and advising the Council regarding applicable federal, state and local policies and regulations and assisting the Council in carrying out its policy responsibilities;
- Preparing written materials for consideration by the Council;
- Preparing the annual budget for Council consideration and monitoring expenditures to ensure compliance with approved budget;
- Providing or assisting in obtaining technical assistance and training for the Council, its committees and work groups as approved by the Council Executive Committee;
- Assisting the Council in planning and implementing outreach efforts to elicit broad community representation on the Council; and,
- Performing liaison role to the Public Health Advisory Board in its nominating process.

3. SUPERVISION OF STAFF SERVICES

The Administrative Assessment Committee will develop an assessment tool and assess the level of staff services provided by Sacramento County. Sacramento County will supervise and evaluate the job performance of its individual staff assigned to the Council.


4. REPORTS TO FUNDING AGENCIES

Sacramento County will be responsible for drafting all reports and documentation regarding Council activities, as requested by County, State or Federal administrators of the Ryan White CARE Act.

5. ADMINISTRATIVE AND PROGRAM SUPPORT

Sacramento County will assist in managing budgeted expenditures for administrative support functions outlined in this document and program support functions located within its budget. Program support may include

community education, capacity building, and program evaluation. Program support efforts may be assigned to the Recipient or sub-contractors. Sacramento County will assist the Council in identifying and obtaining effective and affordable subcontractors and will assist the Council in monitoring and evaluating the quality performance of such contractors.

Adopted: 
Richard Benavidez, Chair

Date: 05/25/22