GOVERNANCE CHARTER

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State of California

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HOMELESS COORDINATING AND FINANCING COUNCIL GOVERNANCE CHARTER

Article 1. Authorizing Statutes for the Council

Welfare and Institutions (W&I) Code Chapter 6.5, added by Senate Bill (SB) 1380 (Chapter 847, Statutes of 2016), established the Homeless Coordinating and Financing Council (Council) to oversee implementation of the Housing First guidelines and regulations and, among other things, to identify resources, benefits and services that can be accessed to prevent and end homelessness in California.

SB 850 (Chapter 48, Statutes of 2018) amended W&I Code Section 8257 to transfer the Council to the Business, Consumer Services and Housing Agency (BCSH), designated the Secretary of BCSH as Chair of the Council, added two additional members to the Council, provided permanent staff to support the Council's mandates, and established the Homeless Emergency Aid Program (HEAP) for purposes of providing localities with one-time flexible block grant funds to address their immediate homelessness challenges.

SB 918 (Chapter 841, Statutes of 2018) added a specific focus on youth homelessness to the Council's responsibilities.

This Governance Charter reflects the provisions of these authorizing statutes.

Article 2. Council Goals

Section 2.1. The Council goals as defined in statute are to:

(1) Oversee implementation of Housing First guidelines and regulations by state agencies and departments administering state programs[1] for people experiencing homelessness or at risk of homelessness.
(2) Identify mainstream resources, benefits, and services that can be accessed to prevent and end homelessness in California.
(3) Create partnerships among state agencies and departments, local government agencies, participants in the U.S. Department of Housing and Urban Development (HUD) Continuum of Care program, federal agencies, the U.S. Interagency Council on Homelessness, nonprofit entities working to end homelessness, homeless service providers, and the private sector, to identify, develop, and implement strategies to end homelessness.
(4) Promote systems integration to increase efficiency and effectiveness while focusing on designing systems to address the needs of people experiencing homelessness, including unaccompanied youth under the age of 25.
(5) Coordinate existing funding and applications for competitive funding (without restructuring or changing any existing allocations or allocation formulas).
(6) Make policy and procedural recommendations to legislators and other governmental entities.

[1] State programs are defined as any programs a California state agency or department funds, implements, or administers for the purpose of providing housing or housing-based services to people experiencing homelessness or at risk of homelessness, with the exception of federally funded programs with requirements inconsistent with Housing First or programs that fund emergency shelters. (Health & Safety Code section 8255(e)).

(7) Identify and seek funding opportunities for state entities that have programs to end homelessness, including federal and philanthropic funding opportunities, and facilitate and coordinate state entities' efforts to obtain that funding.
(8) Broker agreements between state agencies and departments and between state agencies, departments and local jurisdictions to align and coordinate resources, reduce administrative burdens of accessing existing resources, and foster common applications for services, operating and capital funding.
(9) Serve as a statewide facilitator, coordinator, and policy development resource on ending homelessness in California.
(10) Report to the Governor, federal Cabinet members, and the Legislature on homelessness and work to reduce homelessness.
(11) Ensure accountability and results in meeting the strategies and goals of the Council.
(12) Identify and implement strategies to fight homelessness in small communities and rural areas.
(13) Create a statewide data system or warehouse that collects data through Homeless Management Information Systems (HMIS), with the ultimate goal of matching data on homelessness to programs impacting homeless recipients of state programs, such as Medi-Cal and CalWORKS.
(14) Set goals to prevent and end homelessness among California's youth.
(15) Work to improve the safety, health, and welfare of young people experiencing homelessness in the state.
(16) Increase system integration and coordinating efforts to prevent homelessness among youth who are currently or formerly involved in the child welfare system or the juvenile justice system.
(17) Lead efforts to coordinate a spectrum of funding, policy, and practice efforts related to young people experiencing homelessness.
(18) Identify best practices to ensure homeless minors who may have experienced maltreatment are appropriately referred to, or have the ability to self-refer to, the child welfare system.

Section 2.2. The Council is committed to an open, inclusive process and transparency in achieving Council goals. The Council will report annually to the Governor and Legislature on progress towards meeting these goals. Performance measures to track progress towards achieving Council goals may be identified and reported on in this annual report.

Section 2.3. The Council seeks to address all types of communities and population groups experiencing homelessness and acknowledges the role of the homeless crisis response system (including the range of interventions from crisis shelter, transitional housing, rapid re-housing, and supportive housing) in connecting people to permanent housing. The range of responses must be consistent with the Housing First approach.

Section 2.4. Council members may enter into memoranda of understanding with other members of the Council to achieve these goals, and to facilitate communication and cooperation between the agencies and departments the Council members represent.

Article 3. Council Members

Section 3.1. The Council is comprised of up to 19 members.

The Governor appoints up to 17 members from different state agencies and departments, representatives of the community, stakeholder organizations, advocates or other members of the public, including the following:

(1) Representative from the Department of Housing and Community Development
(2) Representative from the Department of Social Services
(3) Representative from the California Housing Finance Authority
(4) Representative from the Department of Health Care Services
(5) Representative from the Department of Veterans Affairs
(6) Representative from the Department of Corrections and Rehabilitation
(7) Representative from the California Tax Credit Allocation Committee
(8) Representative from the Victim Services Program in the Division of Grants Management within the Office of Emergency Services
(9) Representative from the Department of Transportation
(10) Person with lived experience who resides in California
(11) Person with lived experience as a youth who resides in California
(12) Two representatives from local agencies or organizations that participate in the HUD Continuum of Care program
(13) State advocates or other members of the public or state agencies, at the Governor's discretion

The Senate Committee on Rules and the Speaker of the Assembly each appoint a representative from a stakeholder organization.

A list of current Council members is available on the Council's website (www.bcsh.ca.gov/hcfc).

Section 3.2. Council members serve at the pleasure of the Governor or appointing authority.

Section 3.3. Council members serve without compensation, except that members who are or have been homeless may receive reimbursement for travel, per diem, or other expenses.

Article 4. Council Chair and Vice Chair

Section 4.1. The Secretary of the Business, Consumer Services and Housing Agency, or his or her designee, serves as Chair of the Council.

Section 4.2. A Vice Chair of the Council is elected at the first meeting of every calendar year. A quorum of the Council must be present for the election to be held.

Council members interested in serving as Vice Chair submit their names to the Council Specialist prior to the first meeting of the calendar year. The names of those Council members are then shared with the full Council at the meeting, at which time any Council member may then nominate one of the candidates for Vice Chair. A member may not nominate him or herself. Council members vote publicly for one candidate and the candidate with the most votes becomes Vice Chair. In the event of a tie, the Chair of the Council breaks the tie at the meeting or at the next publicly noticed meeting.

The Vice Chair serves for a one-year period until the first meeting of the following year. In the absence of the Chair, the Vice Chair acts as the Council Chair.

Article 5. Council Staff

Section 5.1. An Executive Officer is responsible for managing the day-to-day activities of the Council, supervising Council staff, supporting the Council Chair, and performing other duties as directed by the Chair.

Section 5.2. A Council Specialist supports the Executive Officer, serves as a primary contact person for the Council, manages all Council, subcommittee, and working group meetings, and performs other duties as directed by the Executive Officer.

Section 5.3. A Research and Policy Specialist provides expertise and analysis to support the work of the Council, including identifying best practices and opportunities for preventing, reducing and ending homelessness, and performs other duties as directed by the Executive Officer.

Section 5.4. Council staff may include additional positions to perform other duties, as authorized by the Governor and the Legislature in the annual state budget or in statute.

Article 6. Council Meetings

Section 6.1. The Council must hold public meetings at least once every quarter of the calendar year.

Section 6.2. Meetings of the Council are subject to the provisions of the Bagley-Keene Open Meeting Act (Bagley-Keene Act). The Bagley-Keene Act governs meetings of all state boards and commissions as well as meetings of committees of those entities in which more than two members are present. It specifies notice of meetings, agenda requirements, and prohibits discussing or acting on matters not included on the meeting agenda. If the agenda contains matters that are appropriate for a closed session, the meeting agenda must cite the statutory section and subdivision authorizing the closed session.

All Council members are provided with a copy of the Bagley-Keene Act and general guidance about complying with its requirements.

Section 6.3. The Council uses Robert's Rules of Order, to the extent that it does not conflict with state law (e.g. Bagley-Keene Act or other state laws or regulations) or this Charter, as a guide when conducting Council meetings.

Section 6.4. Council members acknowledge that homelessness is an issue that affects every geographic area of the state. The Council strives to hold at least one meeting each year outside Sacramento. Meeting locations are determined by Council staff, in consultation with the Interagency working group, and are approved by the Council Chair.

Section 6.5. Council meeting agendas are developed by the Council staff, in consultation with the Interagency working group, and are approved by the Council Chair.

Agenda items reflect the Council's goals and responsibilities as defined in statute, and progress towards achieving these goals and fulfilling its responsibilities.

Council members may request that items be placed on Council meeting agendas. Members may request items for a future Council meeting either at a Council meeting or by submitting requested agenda items to the Council Specialist between meetings. Agenda items must be requested with sufficient time for them to be included on the next meeting agenda prior to public

posting per the Bagley-Keene Act. The Council Chair makes the final decision whether a requested agenda item will be included on a Council meeting agenda, after consulting with the Council's Executive Officer and Council Specialist.

Section 6.6. Members of the public may provide comment on any item before the Council at the time the item is being discussed. If public comment is not specifically requested, members of the public should feel free to request an opportunity to comment. Total time allocated for public comment may be limited.

Members of the public are also welcome to make general comments to the Council during an agenda item designated for that purpose during each Council meeting.

Section 6.7. Meeting notices for Council meetings, including agendas, are sent to Council members, posted online on the Council's website (www.bcsh.ca.gov/hcfc), and sent to persons on the Council's mailing list at least 10 calendar days in advance of the meeting, as specified in the Bagley-Keene Act. The notice includes the Council Specialist's contact information for any questions or additional information about the meeting.

Section 6.8. Council staff will endeavor to provide meeting materials for action items on the agenda to Council members at least five days in advance of Council meetings. These materials are also posted on the Council's website and are made available at the Council meetings. Additionally, any materials for informational items on the agenda are provided to Council members, posted on the Council's website, and made available at the Council meetings.

Section 6.9 A written summary or link to a video recording of all Council meetings is provided to Council members, posted on the Council's website, and sent to persons on the Council's mailing list. Council meeting summaries or video recordings are considered and approved or disapproved at the next Council meeting. When approved, the meeting summary or video recording serves as the official record of the meeting. The minutes of any closed session are also prepared but shall remain confidential, consistent with the Bagley-Keene Act.

Article 7. Working Groups, Task Forces or Other Structures

Section 7.1. The Council may establish working groups, task forces, or other structures from within its membership or with outside stakeholders to assist in its work. Working groups or tasks forces are established at the direction of the Executive Officer or upon the request of a Council member, with the approval of the Council Chair. Working groups, task forces, or other structures established by the Council determine their own meeting schedules.

When more than two Council members are present for working groups or task forces, the meetings must comply with the Bagley-Keene Act. This includes posting a meeting notice, agenda, meeting details, and any other related materials that were made available at the meeting to the Council's website.

Section 7.2. An Interagency working group has been established. It is comprised of staff from the state agencies and departments represented on the Council as well as from other state entities with programs or funding to address homelessness. In order to contribute effectively, staff participating in the Interagency working group should be authorized to represent their state entity's perspectives and activities in the working group meetings.

The Interagency working group is convened by the Council Specialist. Meetings are held biweekly or as needed to provide input and support to Council staff in achieving Council goals.

Among other things, the Interagency working group is charged with developing a framework for assessing state programs to determine if they are in compliance with Housing First and making recommendations for any necessary changes to regulations and guidelines. The Interagency working group also provides input to Council meeting agendas and reviews draft Council documents upon request by Council staff.

Section 7.3. The Council may invite stakeholders, individuals who have experienced homelessness, members of philanthropic communities, experts, and anyone else deemed appropriate to participate in meetings or provide information to the Council.

Article 8. Responsibilities

Section 8.1. The Council is advisory in nature and operates under the direction of the Council Chair and the Executive Officer. The Council provides recommendations on strategies to achieve the Council's goals and ensures that state agencies and departments are coordinating their efforts to prevent, reduce and end homelessness in the state. Final decision-making authority rests with the Council Chair, who will consider these recommendations of the Council in making decisions.

Section 8.2. Council member responsibilities include the following:

(1) Identifying opportunities for collaboration and supporting an integrated, cross-disciplinary approach to achieving the goals of the Council, while representing specific agencies, disciplines, and jurisdictions.
(2) Reviewing and supporting the goals, priorities, and objectives of the Council annually, and making recommendations on priorities for Council activities.
(3) Making every effort to attend all Council meetings; reviewing materials ahead of time; being an active, engaged participant in these meetings; and notifying the Council Specialist when unable to attend a Council meeting.
(4) Providing ongoing input and feedback, and voicing any suggestions, concerns or opinions directly, to the Council Chair and Council staff, who are responsible for implementing the goals of the Council.
(5) Participating in, or designating a staff person to participate in, any working groups, task forces, or other structures established by the Council, and authorizing that person to represent the Council member's agency or organization perspectives in these groups, as appropriate.
(6) Being generally familiar with and complying with Bagley-Keene Act requirements.
(7) Conducting themselves with a courteous, professional and ethical demeanor, and conducting Council business in an open, inclusive manner, so that the public is both informed and involved.
(8) Only speaking for, making commitments for, or acting on behalf of, the Council with either a vote by the Council or permission of the Council Chair.
(9) Not privately or publicly lobbying for, endorsing, or otherwise engaging in any personal efforts that promote their personal or political views or goals, when those views or goals are in direct opposition to a position of the Council.
(10) Not discussing Council business matters publicly outside a properly noticed and agendized Council meeting.

Section 8.3. To support Council members in successfully performing their responsibilities, Council staff provides new members with an orientation packet that includes information on the Council and its activities as well as contact information for Council members and staff, instructions for Form 700 filing, Roberts Rules of Order, and other reporting requirements.

Article 9. Amending the Council Charter

Section 9.1. This Charter may be amended as needed. Council members may propose Charter additions or modifications either at a Council meeting or by submitting a proposed amendment to the Council Specialist between meetings.

Section 9.2. Proposed amendments to the Council Charter are first considered by the Governance Subcommittee of the Council. Any Council member may volunteer to be a member of the Governance Subcommittee. The Subcommittee determines whether to recommend that the Council adopt, modify, or reject the proposed amendment. This recommendation is shared with the full Council prior to the next Council meeting, in which a member of the Subcommittee presents the proposed amendment and Subcommittee's recommendation. Council members vote publicly on the proposed amendment and the majority position prevails. In the event of a tie, the Chair of the Council breaks the tie at the meeting or at the next publicly noticed meeting.