



## Contra Costa Council on Homelessness Governance Charter & Bylaws

*Approved and Adopted by the Contra Costa Council on Homelessness on: [enter date]*

*Approved and Adopted by the Contra Costa Board of Supervisors on: [enter date]*

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## Governance Charter

### Article I. Purpose

#### Section 1. Overview

This charter identifies the purpose, composition, responsibilities, and governance of the Contra Costa County Continuum of Care (hereinafter referred to as the CoC).

For the history and evolution of the CoC, including naming conventions, relationships to other bodies, and strategic plans, please refer to the Timeline in the Appendix.

#### Section 2. Background

The US Department of Housing and Urban Development (HUD) sets specific responsibilities for communities that receive funds through the Homeless Continuum of Care Program (“CoC Program”) under the Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH Act). HUD’s 2012 HEARTH Interim Rule at Section 578.5 states that the CoC Program is designed to address homelessness through a coordinated community-based process of identifying needs and building a system of housing and services to address those needs. This system must include, at minimum, outreach, engagement and assessment; shelter housing and supportive services; and homelessness prevention strategies.

Under the Interim Rule, the Continuum of Care is established as the planning body responsible for meeting the Continuum of Care goals and ensure the system includes the necessary resources for the community. The purpose of the CoC Program is to:

- Promote a community-wide commitment to the goal of ending homelessness;
- Provide funding to quickly re-house individuals and families experiencing homelessness while minimizing trauma and dislocation to those persons;
- Promote access to and the effective use of mainstream programs by individuals and families experiencing homelessness;
- Optimize self-sufficiency among individuals and families experiencing homelessness.

#### Section 3. Guiding Principle

Homelessness is first a housing issue, and necessary supports and services are critical to help people remain housed. Our system must be nimble and flexible enough to respond through the shared responsibility, accountability, and transparency of the community.

### Article II. Structure

#### Section 1. Contra Costa County Continuum of Care

- A. Contra Costa County provides coordinated housing and services to the community through public-private partnerships and collaborations, which function as a Continuum of Care (CoC). The CoC includes community members, housing and services providers, a

governing body (Council on Homelessness), and an administrative entity and staff (Contra Costa Health Services' Health, Housing, and Homeless Services Division). The CoC in Contra Costa is formally known as the Contra Costa County Continuum of Care.

- B. The CoC has been established and operates in compliance with HUD regulations, including:
  - 1. Published agendas and meeting minutes, and
  - 2. Monitoring reports of recipients and subrecipients.

### Section 2. Council on Homelessness

The Council:

- A. Is compliant with HUD's conflict of interest requirements, including documentation of a conflict of interest policy signed by all Council members;
- B. Maintains bylaws governing the operation of the CoC;
- C. Maintains a Board roster (including Council members' affiliations/representation(s));
- D. Establishes and guides administration of CoC and ESG funding processes in compliance with state and federal, including HUD, requirements.

### Section 3. Collaborative Applicant & Administrative Entity

Contra Costa Health, Housing, and Homeless Services, a division of the Contra Costa County Health Services Department (a county governmental entity), is the collaborative applicant for the Contra Costa Continuum of Care (CoC). The collaborative applicant's role is to:

- A. Function as the Collaborative Applicant and Administrative Entity designated by the CoC to apply for and administer program funds for the CoC;
- B. Apply for HUD CoC planning funds on behalf of the CoC;
- C. Submit the consolidated application for HUD CoC funds;
- D. Develop a governance charter with the CoC; and
- E. Is designated by the Council on Homelessness to assist the Council and CoC comply with State and HUD CoC program regulations.

## Bylaws

### Article I. Name of the Continuum of Care and the Contra Costa Council on Homelessness

#### Section 1. Contra Costa Continuum of Care

The name of this Continuum of Care (CoC) shall be the Contra Costa Continuum of Care, herein referred to as the Continuum of Care or the CoC. The Contra Costa Continuum of Care includes the full general membership of all community members committed to our guiding principle.

#### Section 2. Contra Costa Council on Homelessness

The name of this Continuum of Care's governing body shall be the Contra Costa Council on Homelessness, herein referred to as the Council on Homelessness or the Council. The Council is comprised of the members serving in the seats outlined in Article IV. Council Membership and Committees.

### Article II. Overview and Mission

The Council is committed to the Housing First approach, and has established this Guiding Principle:

*"Homelessness is first a housing issue, and necessary supports and services are critical to help people remain housed. Our system must be nimble and flexible enough to respond through the shared responsibility, accountability, and transparency of the community."*

The CoC has identified two goals and three strategies for the implementation of this Guiding Principle:

- Goal 1: Permanent Housing
- Goal 2: Prevention
- Strategy 1: Coordinated Assessment
- Strategy 2: Performance Standards
- Strategy 3: Communication

The Contra Costa Council on Homelessness, appointed by the Board of Supervisors, provides advice and input on the operations of homeless services, program operations, and program development efforts in Contra Costa County. Further, the Council on Homelessness establishes the local process for applying, reviewing and prioritizing project applications for funding in U.S. Department of Housing and Urban Development (HUD) Homeless Assistance Grant Competitions, including the Continuum of Care (CoC) Program and the Emergency Solutions Grant (ESG) Program.

The Contra Costa Council on Homelessness provides a forum for the Continuum of Care to communicate about the implementation of strategies to prevent and end homelessness. The purpose of the forum is to educate the community on homeless issues, and advocate on federal, state, county and city policy issues that affect people who are homeless or at-risk of homelessness.

### Article III. Council on Homelessness Responsibilities

#### Section 1. Functions and Tasks

The Contra Costa Council on Homelessness is the planning body that coordinates the community's policies, strategies, and activities toward preventing and ending homelessness in Contra Costa County, California. It is a regional, year-round collective planning body of stakeholders ranging from non-profit service providers to local governmental entities. The Council's work includes gathering and analyzing information in order to determine the local needs of people experiencing homelessness, implementing strategic responses, educating the community on homeless issues, providing advice and input on the operations of homeless services, and measuring performance as related to serving the homeless population in Contra Costa County.

The responsibilities of the Council include the development and implementation of all procedures and policies needed to comply with the HEARTH Act and relevant HUD regulations and guidance (see C.F.R §578.7). The Council must consult with recipients of CoC and ESG funds within Contra Costa County and other homeless service providers in order to coordinate care.

Further, it is the role of the Council to provide oversight and take direct action in the following areas:

#### A. COUNCIL ON HOMELESSNESS PLANNING

##### 1. Policies and Procedures

- i. Develop, follow, and update the Council on Homelessness Bylaws and Governance Charter.
- ii. Vote on any action items that arise at Council on Homelessness meetings.
- iii. Review, rank, and recommend CoC and ESG Program Applications for submission to the Board of Supervisors, the California Department of Housing and Community Development, and HUD.

##### 2. Systems Development

- i. Implement a coordinated entry system focusing on quality assurance, access, interdependency between programs and interdependency between programs and clients, and addressing barriers.

- ii. Develop and implement written standards for providing CoC assistance, including written policies and procedures as required by HUD.
- 3. Data, Analysis, and Evaluation
  - i. Point-in-Time Count

Plan for and conduct, at least biennially, a point-in-time count of homeless persons within Contra Costa County that meets HUD requirements, including a housing inventory of shelters, transitional housing, and permanent housing reserved for homeless persons, in general, and chronically homeless persons and veterans, specifically, as HUD requires.
  - ii. HMIS

Design and operate the Contra Costa County Homeless Management Information System (Contra Costa HMIS) Project. Designate a single HMIS lead agency. Ensure consistent participation in HMIS by recipients and subrecipients, and that the HMIS is administered pursuant to all HUD requirements. In compliance with Sub-part B of the HUD Interim Rule on the Continuum of Care Program (24 CFR Part 578) and the HMIS requirements, the HMIS Governance Charter, Policies and Procedures, and the Data Security, Quality, and Client Data and Privacy Plans outline specific details as to the relationship between the Council on Homelessness and the collaborative applicant, namely the Contra Costa Health Services' Division of Health, Housing and Homeless Services. These Bylaws fully incorporate those standards, policies, and plans.
  - iii. Performance Measurement

Develop performance measures that can be used to inform a variety of tasks, including CoC Program competition project scoring and reporting; determining how federal, state, and local funds should be utilized; and, creating a responsive system that provides constructive support promoting efficiency by analyzing and responding to gaps in housing and service interventions offered in the system. Additionally, the Council will:

    - 1. Set targets that focus on real change, and are meaningful (relevant to the desired impact), measurable, realistic (adaptable and flexible), and regularly assessed.
    - 2. Consult with recipients and subrecipients, evaluate their performance, and initiate corrective action with poor performers.
  - iv. Conduct an initial comprehensive assessment in coordination with ESG Program, and then annually conduct a gaps analysis of the needs of homeless people, as compared to available housing and services within Contra Costa County.

- v. Facilitate and support the reporting of outcomes of CoC and ESG programs to HUD in coordination with the Collaborative Applicant.

### B. FUNDING COORDINATION

1. Facilitate and support the development of funds and resources for homeless services in Contra Costa County in partnership with local jurisdictions located in Contra Costa County. Specifically, the Council will:
  - i. Provide information required to complete the Consolidated Plan(s) within Contra Costa County.
  - ii. Consult with State and local government ESG recipients within Contra Costa County on the plan for allocating ESG funds and reporting on and evaluating the performance of ESG recipients and subrecipients. Further, in consultation with recipients of ESG funds within Contra Costa County, establish and consistently follow written standards for providing homeless services and housing assistance.

### C. COMMUNITY ENGAGEMENT

1. Encourage and develop public understanding and education on homeless and housing issues in relationship to identified strategies.
2. Advise the Board of Supervisors, the Health Services Director, and the Health, Housing, and Homeless Services Director, on the special needs of the homeless and matters of urgency regarding homelessness. Specifically, the Council will:
  - i. Provide information and education on homeless concerns to the Board of Supervisors and cities located in Contra Costa County.
3. Make recommendations about long-range planning and policy formulation to the Board of Supervisors and cities located in Contra Costa County.

## Section 2. Transparency and Equitable Practices

The Council encourages all members of the community to apply for a seat on the Council, participate in community meetings, group discussions, and working groups, and make recommendations to the Council aimed at preventing and ending homelessness. The Council aims to ensure a diverse population contributes to deliberations and decision-making—including consumers and community members. The Council aims to include and engage as broad a representation as possible of abilities, ages, sexual and gender identities, immigration statuses, and racial, ethnic, and cultural backgrounds, and geographical representation within the County. To align with this effort, the Council conducts an annual recruitment effort by advertising open positions. Further, all interested persons are encouraged to attend meetings, provide input, and voice concerns to the Council.

The Council follows all provisions of the Brown Act and the Better Government Ordinance in its conduct as a public body. CoC membership is open to any interested party, and is defined as participation in at least one CoC, Council, or committee meeting per year. Further, anyone interested in membership on the Council may submit an application in compliance with the



process established by the Contra Costa County Board of Supervisors (see Article IV, Section 2 on Membership below for details).

### Article IV. Council Membership and Committees

#### Section 1. Eligibility

All members of the Contra Costa Council on Homelessness must reside in or be employed in Contra Costa County.

All members of the Council shall demonstrate a professional interest in, or personal commitment to addressing and alleviating the impact of homelessness on the people of the County of Contra Costa.

Unless specific qualifications are noted, individuals are eligible to serve in a seat with the following areas of representation if they work or volunteer in a role that provides services in the designated category. Individuals may also be eligible to serve in a given area of representation if they work or volunteer for an agency that provides services in the designated category.

#### Section 2. Membership

Membership on the Council will be as shown in the chart below. The Council will make an annual invitation to the public for new members to apply for open seats. Each seat will have a term of two years expiring in alternating years, with the following areas of representation:

- |   |   |
|---|---|
| 1. Affordable Housing Developer                     | 9. Employment and Human Services Department (EHSD) Representative |
| 2. Behavioral Health Representative                 | 10. Faith Community Representative                                |
| 3. City Government Seat                             | 11. Health Care Representative                                    |
| 4. CoC/ESG Program Grantee                          | 12. Homeless Service Provider                                     |
| 5. Community Member Seat                            | 13. Public Housing Authority                                      |
| 6. Consumer/Consumer Advocate*                      | 14. Public Safety Representative #1                               |
| 7. Education and Vocational Services Representative | 15. Public Safety Representative #2                               |
| 8. Emergency Solutions Grants Representative        | 16. Reentry Services Representative                               |
|   | 17. Veterans Services Representative                              |
|   | 18. Youth Representative <sup>†</sup>                             |

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\* The Consumer/Consumer Advocate seat allows for one of two types of people to serve in this capacity, a consumer or a consumer advocate. Consumer appointees to the Consumer/Consumer Advocate Seat must have a lived experience of homelessness

(i.e., be homeless or formerly homeless). Lived experience is not required for consumer advocate appointees to this seat.

<sup>†</sup> Any youth or young adult with lived experience of homelessness may serve in this capacity. That

### 19. Workforce Development Representative

All members are appointed by the Board of Supervisors and may have their appointments rescinded by majority vote of the Board of Supervisors.

In addition to the seats that have already been designated, outreach will be made to obtain participation from groups including, but not limited to, the following: *local government staff/officials, CDBG/HOME/ESG entitlement jurisdictions, law enforcement, local jails, hospitals, EMS/crisis response teams, mental health service organizations, substance abuse service organizations, affordable housing developers, disability service organizations, disability advocates, public housing authorities, youth homeless organizations, youth advocates, school administrators/homeless liaisons, victim service providers, domestic violence advocates, street outreach teams, LGBT advocates, LGBT service organizations, agencies that serve survivors of human trafficking, other homeless subpopulation advocates, homeless or formerly homeless persons, mental illness advocates, substance abuse advocates.*

In addition to the above requirements, both public- and private-sector seats should, as much as possible, include representation from organizations or agencies who serve various homeless subpopulations such as: *persons with chronic substance abuse issues, persons with serious mental illness, persons experiencing chronic homelessness, persons with HIV/AIDS, veterans, families with children, homeless or formerly homeless youth and young adults, seniors, and victims of domestic violence, dating violence, sexual assault, trafficking, and stalking.*

Upon expiration of the term of a Council seat, the seat will be vacated and available to be filled through the selection process.

If a seated Council member is unable to complete the two-year term due to unforeseen circumstances, the Council may invite a replacement member, through the selection process, who shall serve out the remainder of the two-year term for that seat.

### Section 3. Selection Process

The Council will review all eligible applications for open seats annually. The Council will recommend new members through majority vote. This selection process will be reviewed by the CoC every five years at a minimum.

### Section 4. Officers

The Council shall elect one chair and one vice-chair to provide for the operation and conduct of business. Terms for the Officers shall be two years. Officers may serve no more than two consecutive terms in the same Council seat. The Council must take action within three months to replace an Officer in an expired Council seat. During the time the Council is acting to replace

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person must be between the age of 17 and 24 at the time they are appointed by the Board of Supervisors. Service in this seat also requires membership and

participation in the Contra Costa County CoC's Youth Action Council.

an Officer in a Council seat that has expired, the Officer may continue to serve in that role until the Council takes action to find a replacement.

The Chair of the Council shall provide oversight for the operation of the Council. The Chair shall preside over meetings of the Council. The Chair may call for special meetings of the Council or its committees.

The Vice-Chair shall provide oversight for the operations of all sub-committees. If the Chair is absent, or the office is vacant, the Vice-Chair shall assume responsibility for the operation of the Council.

### Section 5. Eligibility Criteria

To be eligible for Council membership:

- A. Nominees and Council members must contribute unique expertise, opinions, and viewpoints on homelessness issues.
- B. Nominees and Council members must be willing to sign and abide by the Code of Conduct and Conflict of Interest policy upon being seated as a Council member and annually thereafter.

### Section 6. When A Seated Member No Longer Meets the Eligibility Criteria

If a seated Council member no longer meets the eligibility criteria, the Council:

- A. May request the Council member to submit a statement of resignation to the Council within 30 days of the change.
- B. May recommend to the Board of Supervisors the removal of the member and the subsequent appointment of an eligible nominee selected by the Council.
- C. May, where there is no apparent candidate to fill the seat, continue the seated member's participation, with or without limitation, until an eligible candidate is found.
- D. May, with no less than 10 business days' notice to the Council member at issue, review the Council member's membership status on the Council and vote to limit the Council member from further participation, until the Council member resigns or the Board of Supervisors removes the member.

### Section 7. Meetings and Attendance

The Council will set an annual meeting schedule. The Council will meet monthly and the full membership of the Continuum of Care will convene quarterly with published agendas.

Two absences, excused or unexcused, from the regularly scheduled Council meeting in any 12-month period will warrant inquiry from the Council as to ability and interest of the individual in continuing as a member. Three unexcused absences within any 12-month period from time of appointment will result in a recommendation to the Board of Supervisors that this member be removed from the Council.

Any Council member unable to attend a meeting should notify the Chair of the Council or its administrative designee to request an excused absence.

The Chair of the Council or its administrative designee will maintain attendance records, and notify the Council when two absences are recorded.

### Section 8. Voting Members

A quorum of a majority of the appointed Council members is required for the conduct of business. Decisions must be made by an affirmative vote of a majority of Council members present during a Council meeting.

### Section 9. Amendment and Review

The Council will review the Governance Charter and Bylaws at least annually and update and approve as needed.

Amendment of the Council on Homelessness Governance Charter and Bylaws requires an affirmative vote of two-thirds majority of current sitting Council members, provided that notice of the scheduled vote on the amendment was provided at least two weeks prior to that Council meeting. Amendments must be submitted to the Contra Costa County Board of Supervisors for approval, and take effect only upon approval by the Board of Supervisors.

### Section 10. Committee Structure and Operations

The Council may create ad hoc committees as the need arises.

- A. The purpose of the ad hoc committees will be to develop recommended solutions to the specific issue for which they were created. The ad hoc committees may be comprised of members of the CoC and outside individuals. Ad hoc committees may be dissolved upon a vote of the Council.
- B. The Council may create an ad hoc nominating committee to make recommendations on the filling of vacancies. The ad hoc nominating committee will solicit and assess applicants, rank them in order of preferred appointment, and submit these recommendations to the Council for approval. The Council will submit final recommendations to the Board of Supervisors.
- C. Ad hoc committees can be appointed to address any matters within the jurisdiction of the Council.

The Council will have the following standing committees that will meet annually or as needed:

- A. CoC/ESG Committee: Prepares for the applications for funds administered by HUD under the HEARTH Act, including the CoC Program. Includes Scoring Tools Workgroup, Review & Rank Panel, and Appeals Panel. Membership on this committee will include, at

minimum, the Council Chair, Vice Chair, and a CoC- and/or ESG-funded member serving as CoC Representative on this committee.

- B. System Performance Committee: Develops and tracks CoC performance outcomes at the system and project levels, in alignment with HUD and local strategic objectives. Includes Data Evaluation and HMIS Policy workgroups. Membership on this committee will include, at minimum, the Council Vice Chair, a representative from the Collaborative Applicant, a representative from the HMIS Administrator, and a CoC- and/or ESG-funded member.
- C. Policy Committee: Reviews issues related to homeless policy opportunities, develops strategic approaches, and makes recommendations for action to the Council. Membership on this committee will include, at minimum, the Council Chair and a representative from the Collaborative Applicant as the body that reports to the Board of Supervisors on behalf of the CoC.

Standing Committees may form workgroups or subcommittees on an ad hoc basis to support their work.

### Section 11. Council Staffing and Recordkeeping

The Council on Homelessness is supported by Contra Costa Health, Housing, and Homeless Services Division (H3) of Contra Costa Health Services as outlined in the Governance Charter. The responsibilities of Contra Costa Health, Housing, and Homeless Services staff to the Council include:

- A. Storage of all Council and committee records, including agendas and minutes for all meetings;
- B. Presentation of annual reports to the Board of Supervisors as called for by the Family and Human Services Committee;
- C. Implementation, administration, and management of the Contra Costa County homelessness response system, including the Coordinated Entry System, defined as the

- process to ensure that homeless individuals and families in Contra Costa County, and those at risk of homelessness, receive the best services to meet their housing needs;
- D. Serving as the Collaborative Applicant and Administrative Entity designated by the CoC to apply for and administer program funds for the CoC; and
  - E. All duties identified throughout these Bylaws that may be delegated to an administrative designee.

## Article V. Conduct & Conflict of Interest

### Section 1. Code of Conduct

Each Council member will uphold certain standards of performance and good conduct and avoid real or apparent conflicts of interest. In order to prevent a conflict of interest, a Council member, chairperson, employee, agent, or consultant of the Council may not:

- A. Influence decisions concerning the selection or award of a grant or other financial benefit to an organization that the Council member, employee, officer, or agent has a financial or other interest in or represents, except for the Council itself.
- B. Solicit and/or accept gifts or gratuities by anyone for their personal benefit in excess of minimal value.
- C. Engage in any behavior demonstrating an actual conflict of interest or giving the appearance of any such conflict.
- D. Engage in violations of the law or unethical business practices, which includes any payments for illegal acts, indirect contributions, rebates, and bribery.

### Section 2. Conflict of Interest

All Council members must file an initial and annual conflict of interest statement with the Chair of the Council or its administrative designee. Failure to file such a statement may result in the removal of a member.

## Appendix: Contra Costa County Continuum of Care Timeline

<b>1986</b>	Concerned people in the county begin drafting, “A Plan for Dealing with Homelessness in Contra Costa County”.	<b>1987</b>	The Task Force on Homelessness reports to the Board of Supervisors on Homelessness in Contra Costa County and includes Recommendations for Action.
<b>1991</b>	A symposium is held to address homelessness in Contra Costa County.	<b>1994</b>	Contra Costa County Board of Supervisors mandates that a comprehensive, integrated plan for homeless services must be developed for the County. In response, the Ad Hoc Homeless Task Force is created to coordinate a countywide planning process and write the county’s first official Homeless Plan.
<b>1997</b>	The Board of Supervisors officially establishes the Homeless Continuum of Care Advisory Board (CoCB) under Board Order C.87.	<b>2000</b>	Contra Costa County begins the process of developing a new five-year Homeless Continuum of Care Plan. The CoCB coordinates the planning process.
<b>1999</b>	The CoCB meets to oversee the planning process, to review the original plan, and to update the 2001-2006 Contra Costa Continuum of Care Homeless Plan.	<b>2003</b>	The CoCB adopts by-laws that include assuming all previous functions of the Contra Costa Homeless Advisory Committee and the new responsibilities under federal and state regulation of the Homeless Continuum of Care Boards.
<b>2001</b>	The plan is adopted. The CoCB is the lead agency for the Continuum of Care Planning Process, setting new objectives in response to changing circumstances.	<b>2005</b>	On parallel tracks the CoCB and HIJIDWG continue to work towards ending homelessness, with similar issues and membership.
<b>2004</b>	The Board of Supervisors approves <i>Ending Homelessness in Ten Years: A County-wide Plan for the Communities of Contra Costa County</i> . This plan embraces key concepts of the Five Year Plan but does not replace it. HIJIDWG, a newly formed group, is charged with the implementation of the Ten Year Plan provisions. This group begins meeting regularly.	<b>2008</b>	The CoCB and HIJIDWG merge to become the Contra Costa Interjurisdictional Council on Homelessness (CCICH).
<b>2014</b>	Using the ten-year plan as a foundation, CCICH develops a strategic plan update, <i>Forging Ahead</i> , outlining the guiding principal that homelessness is first a housing issue, and necessary supports and services are critical to help people remain housed.	<b>2015</b>	CCICH rebrands as the Council on Homelessness, adopting new by-laws and governance charter to reflect the role of the CoC and the Council.