

# LAHSA: Structure & Governance

**December 1, 2021**



## **LAHSA JPA**

- Themes
- Membership
- Creation
- Purpose
- Authority
- Funding obligations



## **LAHSA Governance**

- LAHSA Commission
- CoC Board
- CES Policy Council
- Other LAHSA Committees



## **Other Regional Governance Models**

# LAHSA JPA

- JPA Agreement ***does not answer all questions*** concerning governance
  - Ex. Continuum of Care (“CoC”) is not addressed
  - JPA predates CoC
- JPA Agreement is ***confusing***, perhaps by design
- ***Conflicting language on authority***: broad and narrow, particularly on funding
  - Authority may exercise “powers common” to each party to agreement
  - BUT City and County ultimately determine funding and use of funds – ***independent*** of each other

- Created in 1993, not modified since 2001
- Arguably, changes in 2001 ***deemphasized partnership*** between County and City
  - Observation made by City of Los Angeles Report (Chief Legislative Analyst)
- Changes included:
  - Removed language requiring –
    - ◆ The “***review and approval by the County and City***” for “***new programs and policies*** which are significant . . . [and] ***added*** to the Authority’s jurisdiction”
  - Removed –
    - ◆ “***[I]nnovative programs***” matching funds program

## Conceived as independent body

- A “public entity ***separate*** and apart” from the City and County
- “Capable of exercising ***independent*** powers”

(JPA § 1)

## New Services

- “[T]o ***design, fund and operate other homeless and related social services*** to assist those who are eligible for those services”

(JPA § 1)

## Maintain Services (Existing Prior to LAHSA)

- “Coordinate the ***operation of existing services*** for the homeless which the parties operated separately ***prior to forming*** [LAHSA]”

(JPA § 1)

# Membership in JPA

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- “Additional separate ***political entities may become associated parties*** . . . on such terms and conditions as the [City and County] may require” (JPA § 3(d))
  - Based on state law, “political entity” could be construed as:
    - ◆ Other cities
    - ◆ COGs if organized as JPA
    - ◆ Non-profits providing services to homeless
- “Associated parties” are ***subject to restricted rights***:
  - Not entitled to added seat on LAHSA Commission
  - Not entitled to modify or terminate JPA
  - Changes to restricted rights requires amendments to JPA (and agreement of parties)

***“[P]owers common to the Parties to this Agreement*** to provide homeless programs and services and other related social services to assist those persons in the community who are eligible to receive those services” (JPA § 4(b))

LAHSA “shall ***undertake such acts in furtherance of the programs and goals of County and City*** under this Agreement” (JPA § 4(b))



# Funding Obligations

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## Administrative Funds

- Must contribute of “***administrative overhead base***” of at least \$1,166,570 from the City and \$912,000 from the County

## Program Funds

- Must contribute “[t]he full amount of the ***Emergency Shelter Grant (ESG) program funds*** as allocated to the City and County annually by [HUD]” (JPA § 11(a)(1))

## Other Funds

- Either party ***may***, but is not required to, provide additional funds (JPA § 11(a)(2))
- City-contributed funds “***shall*** be used to fund services only within the City” (JPA § 11(c))

# Tension between Stated Authority and Funding

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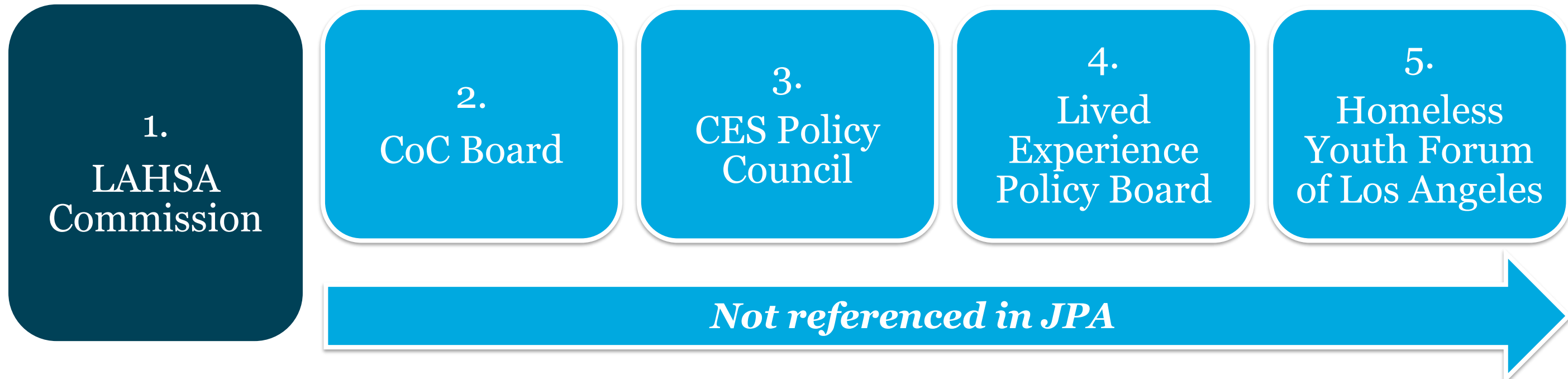
“**[P]owers common** to the Parties to this Agreement to provide homeless programs and services and other related social services to assist those persons in the community who are eligible to receive those services”

(1) “The Commission shall annually . . . **submit a proposed** budget to the Parties”

(2) “The annual **approved budget by each Party** shall constitute the combined approved budget of the Authority . . .”

(3) **Program funds**, i.e., HUD, Measure H, City funds for specific purposes **undergo** federal, county, or city **governance prior to distribution to LAHSA**

# LAHSA Governance



“Many interviewees pointed to ***overlapping or unclear lines of authority*** for various governing bodies as a challenge. This ***lack of clarity exists even for members of these bodies*** – they are unsure when they are the final decision-makers versus when they are acting in an advisory capacity.” (A. Oliva, p. 7)

## Authority

- LAHSA “***shall be governed***” by a commission
- ***Hires Executive Director***
  - Executive Director “shall serve at the will of the Commission
  - “[B]e subject to policies, rules, regulations and instruction”
- ***Delegate*** powers including: (i) “assist” in “development of policy”” and (ii) “Administer[] the business and activities of LAHSA in organizing and executing its programs”

## Membership

- ***10 members*** “serve at the pleasure of their respective appointing powers”
  - 5 appointed by BOS
  - 5 appointed by Mayor
  - No term limits
  - 3-year terms
- ***JPA amendment needed to increase*** seats
- ***No required qualifications*** for member selection

## Other

- ***May establish “Advisory Board”*** to “advise . . . on matters related to policy and planning for any of the purposes for which [LAHSA] was formed”
- ***May establish standing and ad hoc committees*** with members or non-members of Commission

## Authority

- CoC created after LAHSA
- CoC Board “***must act on behalf of the Continuum***”
  - HUD requires formation of CoCs as a condition of obtaining certain federal CoC funds (appx. \$32 mil. in 2020-21)
- Oversees ***collaborative application*** for CoC funds
- Selects ***HMIS*** lead and oversees HMIS management

## Membership

- ***17 members***
  - “No more than eight (8) SPA representatives”
  - “No more than nine (9) at-large representatives”
  - At least 1 member with lived experience
  - No term limits
  - 2-year terms
- LAHSA Commission could be CoC Board subject to amendment of governing documents

## Other

- According to LAHSA, the CoC Board is “***advisory***” to LAHSA Commission (see LAHSA Presentation, 10/6/21)
  - Existence of LAHSA Commission is unique
- CoC governed by CoC Charter
  - Charter may be ***amended by a majority vote*** quorum of “Representative Membership” of CoC (Charter, Art. 6)
  - “Representative Membership” is 55-member Regional Homelessness Advisory Council, which is currently suspended

## Authority

- CoC designated the CES Policy Council as the “**policy oversight entity**” for CES” (CoC Charter Art. 4(B))
- LAHSA advertises the Council as “the **governing body**” of CES (CES Policy Process)
  - “[G]uiding strategic policy development”
  - “Supporting implementation through alignment of practice and resources”
  - “Monitoring”

## Membership

- **23 members**
  - Service Providers (6x)
  - Local CoCs (4x)
  - Lived Experience (2x)
  - County DCFS, DMH, DPSS
  - City Housing Dept.
  - Dept. of Veteran Affairs
  - Public Housing Author. (3x)
  - Other: Domestic Violence Rep.; Housing Developer; Philanthropy (1x); United Way

## Other

- According to LAHSA, the CES Policy Council is “**advisory**” to the LAHSA Commission (see LAHSA Presentation, 10/6/21)
- CES Policy Council not required by federal law and unique to Los Angeles
- Established under CoC Charter

# Other LAHSA Committees

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- Lived Experience Advisory Board (LEAB)
- Homeless Youth Forum of Los Angeles (HYFLA)

“To provide advice and counsel to the Los Angeles Homeless Services Authority (LAHSA) and its partners in support of efforts that strive to end homelessness, as well as ***to ensure that the unique voice of those with the lived experience of homelessness is incorporated*** throughout the Los Angeles homeless crisis response system”

“***HYFLA is a group of young people with lived experience*** convened by LAHSA in 2017 to jumpstart authentic collaboration between youth and the homeless services system.”



# Other Regional Governance Models

	Sanitation District	Metro	AQMD
Statutory Authority	Health & Safety Code § 4700 <i>et seq.</i>	Public Utilities Code § 130050	Health & Safety Code § 40420 <i>et seq.</i>
County members	<p>BOS Chair is a member of each sanitation district</p> <p>In certain small districts, BOS member overlapping with the supervisorial district may have seat</p>	1 appointed by each member of the County Board of Supervisors	4 county supervisors representing LA, Orange, Riverside and San Bernardino counties
LA City members	LA City Mayor or its alternate is a member of each sanitation district overlapping with the City	3 appointed by the Mayor of the City of Los Angeles (Mayor and appointees)	1 City of Los Angeles representative, selected by the Mayor
Other city members (summary)	Other city’s mayors are members of each sanitation district overlapping with their cities	<p>4 members, each of whom shall be a mayor or city councilperson,</p> <p>Appointed by a City Selection Committee by and from geographic areas of the County (Gateway, South Bay, SGV, Glendale)</p>	5 representatives from other cities (2 from LA County, 1 each from Orange, Riverside, and San Bernardino Counties, determined by a City Selection committee)
State representatives	None	1 non-voting member appointed by the Governor	3 state representatives (1 each selected by the Governor, Speaker of the Assembly, and Senate Rules Committee)

COGs	Members (Summary)	Main Committees
Gateway Cities	<ul style="list-style-type: none"> <li>1 City Council Member from each city</li> <li>Mayor of Long Beach</li> <li>3 BOS members</li> <li>1 member from the Port of Long Beach</li> </ul>	<ul style="list-style-type: none"> <li>Executive Committee</li> <li>Technical advisory committees</li> <li>Policy Advisory Committee</li> </ul>
San Gabriel Valley	<ul style="list-style-type: none"> <li>1 member from each city, appointed by city councils</li> <li>3 members appointed by BOS (SDs 1, 4, and 5)</li> </ul>	<ul style="list-style-type: none"> <li>Executive Committee,</li> <li>Technical advisory committees</li> <li>City Manager Steering Committee</li> </ul>
Arroyo Verdugo Communities	<ul style="list-style-type: none"> <li>1 member from each city, appointed by city councils</li> <li>1 member appointed by BOS (SD 5)</li> </ul>	<ul style="list-style-type: none"> <li>Policy Advisory Committees</li> <li>Technical Advisory Committees</li> </ul>
Las Virgenes-Malibu	<ul style="list-style-type: none"> <li>1 member from each city, appointed by city councils</li> </ul>	<ul style="list-style-type: none"> <li>Executive Committee</li> <li>Technical advisory committees</li> </ul>
San Fernando Valley	<ul style="list-style-type: none"> <li>Members of L.A. City Council representing SFV</li> <li>Members of BOS representing SFV</li> <li>1 member from each city, appointed by city council</li> </ul>	<ul style="list-style-type: none"> <li>N/A</li> </ul>
South Bay Cities	<ul style="list-style-type: none"> <li>1 member from each city, appointed by city council or mayor</li> <li>2 members appointed by BOS (SDs 2 and 54)</li> </ul>	<ul style="list-style-type: none"> <li>City Manager’s Advisory Body Steering Committee</li> <li></li> </ul>
Westside Cities	<ul style="list-style-type: none"> <li>Mayor of each city</li> <li>1 member from L.A. City Council</li> <li>1 member appointed by BOS (SD 5)</li> </ul>	<ul style="list-style-type: none"> <li>N/A</li> </ul>

# Conclusion



## Los Angeles County Subregions



# Selection of members: Sanitation Districts

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## Cities

- ***Presiding officer of each city*** in the sanitation district
  - Alternates may be selected
    - ♦ Selected by governing body in cities under 2.5M people
    - ♦ Selected by presiding officer in cities over 2.5M people
- Cities may sit on multiple sanitation districts

## Unincorporated County

- ***Presiding officer*** of the county board of supervisors
  - Alternates may be selected
  - In districts with only 1 city and no sanitary district, an additional member of the county board of supervisors

## Other

- ***A member of the governing body*** of each sanitary district in the sanitation district

# Selection of members: Metro

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## LA County & City of LA

- 5 BOS members
- Mayor of the City of L.A.
- 2 members appointed by the Mayor
  - 1 member required to be City Councilmember
  - 1 member can be member of the public

## Other Cities

- 4 members, either a mayor or city council, from:
  - North County/SFV (1x)
  - Southwest Corridor (1x)
  - San Gabriel Valley (1x)
  - Southeast Long Beach (1x)
- Members selected by City Selection Committee
  - Requires vote of committee members representing a majority of the population, except City of Los Angeles

## Other

- 1 nonvoting member appointed by the Governor



# Selection of members: SCAQMD

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## Counties & City of LA

- 4 members, with one appointed by L.A., Orange, Riverside, and San Bernardino counties respectively
  - Members include BOS members, mayor, or city council member
- 1 member of the Los Angeles City Council, appointed by Mayor

## Cities

- 1 member, Orange County city
- 1 member, Riverside County city
- 1 member, San Bernardino Cnty. city
- 1 member, W. L.A. Cnty. cities
- 1 member, E. L.A. Cnty. cities
- Members determined by city selection committee
  - By majority vote of all cities in SCAQMD, based on population
  - Members include mayor or city council member of each city

## Other

- 1 member appointed by the Governor, with the advice and consent of the Senate
- 1 member appointed by the Senate Committee on Rules
- 1 member appointed by the Speaker of the Assembly