

Commission to End Homelessness

Bylaws

THE MISSION:

"Effectively End Homelessness in Orange County."

ARTICLE I: NAME, PURPOSE AND FUNCTIONS

APPROVED AS TO FORM
OFFICE OF THE COUNTY COUNSEL
ORANGE COUNTY, CALIFORNIA

By  Deputy

Date 1/14/20

A. The name of this organization shall be the Commission to End Homelessness, hereinafter referred to as "Commission." It is established pursuant to Resolution #18-007 approved by the Board of Supervisors.

1. The members of the Commission are approved by the County of Orange (hereinafter referred to as "County") Board of Supervisors (hereinafter referred to as "BOS") as outlined in Article II.

2. The official office location and mailing address of the Commission shall be:

c/o Executive Director, Hall of Administration, 333 W. Santa Ana Blvd., 3rd Floor, Santa Ana, CA 92701.

B. The purpose of the Commission is to:

1. Work in collaboration with County government, City governments, philanthropy, business sector, community- and faith-based organizations, and other interested stakeholders to focus on regional policy and implementation strategies, affordable housing development, data and gaps analysis, best practice research, social policy and systemic change to promote an effective response to homelessness within Orange County.

2. Act as an advisory Commission to the BOS, having no independent authority to act on matters such as legislation or lobbying.

3. Foster regional leadership that promotes resource development to address homelessness within Orange County.

C. In accordance with the County's initiatives to end homelessness, the functions of the Commission are as follows:

1. Provide leadership and influence to ensure the implementation of the goals and strategies that address and end homelessness in the County.

2. Strengthen regional capacity and multi-city, multi-sector investments to prevent, mitigate and end homelessness.

3. Prepare and file reports as directed by the BOS, which shall be presented to the BOS at a regularly scheduled meeting and made available for public comment.
 4. Promote integration of services throughout the community that promotes both coordination and leveraging of resources that improves the countywide response to homelessness.
 5. Collaborate with the Continuum of Care (CoC) Board to:
 - i. Address gaps within the System of Care;
 - ii. Strengthen operational performance
 - iii. Ensure regional access and alignment;
 - iv. Provide expertise related to each System of Care Component in support of the CoC System Integration objectives;
 - v. Identify, secure and prioritize funding opportunities that provide system enhancements within the five components of the System of Care: Community Corrections, Behavioral Health, Healthcare, Housing, Benefits and Support Services.
- D. In the performance of its responsibilities, the Commission shall not engage nor employ any discriminatory practices in the provision of services or benefits, assignment of accommodations, treatment, employment of personnel or in any other respect on the basis of sex, race, color, ethnicity, national origin, ancestry, religion, age, marital status, medical condition, sexual orientation, physical or mental disability or any other protected group in accordance with the requirements of all applicable County, State or Federal laws, regulations or ordinances.

ARTICLE II: APPOINTMENT AND MEMBERSHIP

- A. Membership of the Commission is to be composed of eighteen (18) voting seats and two (2) non-voting seats. The voting members of the Commission shall be appointed by a majority vote of the BOS. The non-voting members shall be appointed by the Commission. Except as provided in paragraph B, all members of the Commission shall be residents and registered voters in the County of Orange. The membership of the Commission shall be comprised of the following categories of community stakeholders:
1. Voting Members:
 - a. One (1) individual who served, or serves, as a current City Manager or an elected official in the North Service Planning Area.
 - b. One (1) individual who served, or serves, as a City Manager or an elected official in the Central Service Planning Area.

- c. One (1) individual who served, or serves, as a City Manager or an elected official in the South Service Planning Area.
- d. One (1) philanthropic leader.
- e. Two (2) business representatives.
- f. One (1) representative of the affordable housing development industry.
- g. One (1) representative of the Orange County Sheriff-Coroner Department with knowledge of the County's Stepping Up Initiative, Integrated Services Strategy.
- h. One (1) individual who serves as the Chief of Police in an Orange County city.
- i. One (1) municipal fire department representative with an expertise in the provision of emergency medical services.
- j. One (1) hospital representative with an expertise in the local hospital emergency room treatment and discharge system.
- k. One (1) behavioral health representative with an expertise in mental health and addiction.
- l. One (1) representative of the faith based community.
- m. Two (2) members of the Board of Supervisors.
- n. Two (2) members who are at-large.
- o. One (1) individual elected to serve as the Orange County District Attorney.

2. Non-Voting Members:

- a. Two (2) members of the Continuum of Care Board.
- B. The BOS may, if it finds that the best interests of the County will be served, waive the voter registration and residency requirement of paragraph A.
- C. The Commission shall establish a Membership Committee to recruit, evaluate, and make recommendations for appointments to the Commission to be submitted to the BOS for final approval. When evaluating Commission Members for BOS consideration and approval, the Membership Committee should render an executive level individual that is highly regarded in his/her respective field and community due to his/her knowledge, expertise, achievements, leadership, and commitment to address homelessness within Orange County. If so directed, the BOS commission members may direct the Executive Director to seek nominations from

community based professional associations and committees, as appropriate to nominate for vacancy consideration.

ARTICLE III: TERMS OF OFFICE

A. The voting members of the Commission shall have the following terms of office:

1. For the initial term of office, each member shall be randomly assigned a term of two years or three years. After the initial term, all members will have two-year terms; terms of office may be renewed at the discretion of the BOS. The Commission shall, at its first meeting, confirm the initial, randomly selected two and three year terms. Maximum term will be (four terms) eight years.
2. Appointments made to fill a vacancy left by a member before the expiration of the term of that member shall be for the remaining term of that member.
3. A member, who has not been reappointed or replaced at the expiration of his/ her term, shall serve as a member of the Commission until reappointed or replaced by the BOS.

B. Non-voting members of the Commission shall have the following terms of office and only serve while a member of the Continuum of Care Board:

1. All non-voting members will have two-year terms; terms of office may be renewed at the discretion of the Commission. Maximum term will be (four terms) eight years.
2. A member, who has not been reappointed or replaced at the expiration of his/ her term, shall serve as a member of the Commission until reappointed or replaced by the Commission.

ARTICLE IV: STAFFING SUPPORT

A minimum of one full time Executive Director with staff support from the Office of Care Coordination shall be required to support the Commission's work. The Executive Director will be responsible to facilitate an active flow of communication and coordination with the Commission. Additionally, the Executive Director will also be responsible for engaging and updating other countywide homeless service groups and other stakeholders on the progress of the Commission's efforts.

ARTICLE V: COMMISSION OFFICERS

A. Commission officers shall consist of:

1. Chairperson
 - a. The Commission Chairperson shall be appointed by the majority of the Commission. The duties of the Chairperson shall be to preside at meetings,

decide points of order, announce all business, entertain motions, put motions to vote, and announce vote results.

- b. The Chairperson may call special meetings of the Commission.
- c. The Chairperson or his/her designee may represent the Commission at public functions.

2. Vice-Chairperson

- a. The Vice-Chairperson shall be appointed by the majority of the Commission.
- b. The Vice-Chairperson shall perform the duties of the Chairperson in his/her absence.
- c. If the Chair becomes vacant, the Vice-Chairperson shall succeed to the Chair until the Commission has appointed its replacement for the Chair.

3. Secretary

- a. For the purposes of the Commission, the County Clerk is the Secretary of the Commission. The County Clerk is a non-voting member of the Commission and his/her duties are to prepare all of the Commission agendas with related materials, maintain any meeting minutes in accordance with the Ralph M. Brown Act, and perform any other Commission related administrative matters.

ARTICLE VI: DUTIES OF MEMBERS

- A. Members shall attend meetings of the Commission and ad hoc committees to which they are appointed. The Commission shall routinely review member attendance at the Commission and committee meetings.
- B. Commission Members shall notify the Chairperson of the Commission of any expected absence for a meeting by 5:00 PM of the day before a regularly scheduled meeting, indicating good and sufficient reasons for the absence. Such notification may be direct or through staff of the Commission.

ARTICLE VII: REMOVAL AND RESIGNATION OF MEMBERS

- A. The Chairperson may recommend to the Commission the removal of any member(s) based on cause or absenteeism.
 - 1. Removal for Cause - Cause shall be defined as the member is unable effectively to represent the categorical seat to which he/she is appointed due to change of employment or status or, other reasons that substantially alters the member's qualifications which were present and considered in making the initial appointment or

interfere with the individual's ability to properly function as a member of the Commission.

2. Removal for Absenteeism - Members may be removed from membership of the Commission if the member is absent from more than three (3) consecutive regular Commission or standing working group meetings.
3. Removal of a member for cause or absenteeism shall require a majority vote of the Commission, a quorum being present.

- a. Upon removal, the Executive Director or designated staff will notify the BOS within 30 days. The BOS will then nominate a new member.

- B. The BOS may, at any time and without cause, remove any Commission member from office prior to the expiration of his/her term of office by majority vote of the BOS.
- C. Resignation of Commission members shall be effected by a written letter of resignation submitted to the Chairperson of the Commission.

ARTICLE VIII: AD HOC COMMITTEES

A. Ad Hoc Committees - The Chairperson of the Commission and CoC Board may establish ad hoc committees to provide recommendations regarding time-limited tasks that support the goals of the Commission.

1. Ad hoc committees shall serve as a resource to assist in the functions of the CoC Board.

ARTICLE IX: MEETINGS AND ACTIONS

The Commission shall meet bi-monthly (every other month) but no less than three times per year to receive reports on progress made on each of the goal areas set forth by the County of Orange. The initial meeting shall take place once the bylaws have been approved by the BOS. As a matter of public business during the first meeting, the Commission shall set its next public meeting. All meeting agendas shall be posted and distributed no less than 72 hours prior to the meeting.

- A. The Commission shall, at its first meeting of each year, adopt a schedule of regular meetings and transmit that schedule in writing to members, the County, and the public at large.
- B. All Commission meetings shall be open, public and noticed in conformance with the provisions of the Ralph M. Brown Act, California Government Code Section 54950 et seq., as amended and held at a location within Orange County, California that satisfies the access requirements of the Americans with Disabilities Act.
- C. Special meetings of the Commission may be called either by the Chairperson or at the request of a majority of Commission members.

1. Notice of special meetings shall be delivered to members personally, by mail or electronically, and must be received no later than twenty-four hours in advance of the meeting.
2. Said notice must state the business to be considered and whether alternative technological means may be used such as telephone or video conferencing, as technological resource availability permits and as permissible by the Ralph M. Brown Act.

D. Quorum and voting requirements for meetings are as follows:

1. Quorum requirements are as follows:
 - a. General Meetings – Quorum shall be no less than fifty percent plus one (1) of the voting Commission membership currently seated.
2. Voting Majority – Decisions and acts made by majority vote of the voting members at any duly constituted meeting shall be regarded as acts of the Commission, except as otherwise provided by these Bylaws.
 - a. Members choosing to abstain from voting on specific actions will not affect majority requirements. Abstentions are considered a “non-vote” - neither a vote in the affirmative nor in the negative. However, in order for an action to be passed, a majority of the quorum casting votes must vote in the affirmative.

For example: If, at a standing Commission meeting, six (6) voting members of the committee are present to vote, and on a particular motion, three (3) vote in the affirmative, two (2) vote in the negative, and one (1) member abstains, the motion passes.
3. Conflict of Interest – Members of the Commission and any of its committees or subcommittees shall abstain from voting on any issue in which they may be personally interested to avoid a conflict of interest in accordance with County, State and Federal laws, regulations and ordinances and shall refrain from engaging in any behavior that conflicts with the best interest of County.
 - a. Members of the Commission shall not vote nor attempt to influence any other Board member on a matter under consideration by the Commission as follows:
 - 1) Regarding the provision of services by such member (or by an entity that such member represents); or
 - 2) By providing direct financial benefit to such member or the immediate family of such member; or

- 3) Engaging in any other activity determined by County, State or Federal law, regulations and ordinances to constitute a conflict of interest.
- b. If a question arises as to whether a conflict exists that may prevent a member from voting, the Chairperson or designee may consult with designated County Staff to assist them in making that determination.
- c. In order to avoid a conflict of interest or the appearance of such conflict, all nominees to become members of the Commission shall disclose on forms provided by the County information regarding their private economic interests and shall fully comply with County, State or Federal laws, regulations and ordinances, as applicable.
- d. Neither Commission nor any of its members shall promote, directly or indirectly, any political party, political candidate or political activity using the name, emblem or any other identifier of Commission.
- e. No assets or assistance provided by County to Commission shall be used for sectarian worship, instruction, or proselytization, except as otherwise permitted by law.

ARTICLE X: AUTHORITY

- A. Parliamentary Authority – The latest available edition of Robert's Rules of Order shall govern the meetings of Commission and its committees and subcommittees in all cases in which it is applicable and in which it is not inconsistent with these Bylaws, any special rules of order the Commission may adopt, or any applicable County, State and Federal laws, regulations and ordinances.

ARTICLE XI: ADOPTION AND AMENDMENT OF BYLAWS

- A. Adoption – Affirmative vote of at least fifty percent + 1 of those voting members, a quorum being present, shall be required to propose changes to these Bylaws.
- B. Amendments
 1. Any member of the Commission may propose amendments to these Bylaws.
 2. Proposed amendments shall be submitted in writing and made available to each member of the Commission no less than five (5) days prior to consideration before a vote can be taken.
- C. Bylaws and any amendments to the Bylaws must be approved by the Board of Supervisors.

ARTICLE XII: ESTABLISHMENT AND ADOPTION OF OPERATING PROCEDURES

The Commission will establish and adopt operating procedures pertaining to the routine business of the Commission (i.e. meeting dates, order of business, etc.).

ARTICLE XIII: SEVERABILITY

Should any part, term, portion or provision of these Bylaws be determined to be in conflict with any law, regulation or ordinance or otherwise unenforceable or ineffectual, the remaining parts, terms, portions or provisions shall be deemed severable and their validity shall not be affected thereby provided such remaining portions or provisions can be construed in substance to constitute the provisions that the members intended to enact in the first instance.