

California Behavioral Health Planning Council

Housing and Homelessness Committee Agenda (REVISED)

Thursday, October 22, 2020

8:30 am to 10:00 am

Zoom

Meeting Link: <https://csulb.zoom.us/j/84624035271> **Meeting Number:** 846 2403 5271

Join by Phone Only: 1 669 900 6833

Meeting ID: 846 2403 5271

8:30 am	Welcome and Introductions <i>Vera Calloway, Chairperson</i>	
8:40 am	Approve June 2020 Meeting Minutes <i>Vera Calloway, Chairperson and All</i>	Tab 1
8:45 am	Statewide Homelessness Task Force Update <i>Dhakshike Wickrema, Senior Deputy for Homelessness and Mental Health, Office of Supervisor Mark Ridley-Thomas</i>	Tab 2
9:15 am	Public Comment	
9:20 am	Break	
9:25 am	Discussion of CA Housing First Law <i>Barbara Mitchell, Committee Member and All</i>	Tab 3
9:45 am	Public Comment	
9:40 am	Discussion of CBHPC Equity Statement <i>Jane Adcock, Executive Officer</i>	Tab 4
9:55 am	Public Comment	
10:00 am	Discussion of 2021 HHC Officers	
10:10 am	Adjourn	

The scheduled times on the agenda are estimates and subject to change.

Officers: Vera Calloway, Chairperson Monica Caffey, Chair-Elect

Committee Members: Barbara Mitchell, Lorraine Flores, Gerald White, John Black, Arden Tucker, Darlene Prettyman, Deborah Starkey, Steve Leoni, Christine Costa, Sokhear Sous, Iris Mojica de Tatum, Tim Lawless

California Behavioral Health Planning Council

Housing and Homelessness Committee Agenda (REVISED)

If reasonable accommodations are needed, please contact the CBHPC at (916) 701-8211 no less than 5 working days prior to the meeting date.

**California Behavioral Health Planning Council
Housing and Homelessness Committee (HHC) Meeting**
Thursday, October 22, 2020

Agenda Item: Approve June 2020 Meeting Minutes

Enclosures: Draft Minutes for June 2020 HHC Meeting

Background/Description:

The Committee members are to discuss any necessary edits and vote on the acceptance of the draft minutes presented for the June 2020 meeting.

Motion: Accept and approve the June 2020 Housing and Homelessness Committee Minutes.

Housing and Homelessness (HHC)

June 18, 2020 (10:30am – 12:00pm) – WebEx Meeting Minutes

Committee Members Present

Vera Calloway	Gerald White
Lorraine Flores	Steve Leoni
Barbara Mitchell	Darlene Prettyman
John Black	Sokhear Sous
Deborah Starkey	Arden Tucker
Christine Costa	Tim Lawless
Monica Caffey	

Staff Present

Eva Smith, Naomi Ramirez, Jane Adcock, Jenny Bayardo

Welcome and Introductions

Members were welcomed by Chairperson Vera Calloway and introductions were completed. The committee welcomed Timothy Lawless, new Council member, representing CA Department of Housing and Community Development (HCD).

CBHPC Staffing Updates

Planning Council's Chief of Operations, Jenny Bayardo, informed members that Eva Smith has been temporarily redirected, to conduct Contact Tracing for COVID-19 for six-nine months. Jenny also reported that Legislative Coordinator, Naomi Ramirez, will be supporting HHC in Eva's absence.

January and April Meeting Minutes

Lorraine Flores motioned to approve minutes from the January meeting, Darlene Prettyman seconded. Motion passed with abstentions from Tim Lawless and Arden Tucker. Darlene motioned to approve minutes from the April meeting, Steve Leoni seconded. Motion passed with Arden abstaining.

Housing and Community Development (HCD) Presentation

Tim Lawless provided members a brief update on the finalized state budget as it relates to housing assistance for the homeless. Tim reported that the Access to Housing and Services funding of \$750 million of state general funds has been put on hold. The program has transitioned to the use of federal funds from The Coronavirus Aid, Relief, and Economic Security (CARES) Act to help local jurisdictions purchase motels for Project Room Key. This effort is to house persons that are homeless, who are also at-risk for COVID-19, in motels then assist them in transitioning to permanent housing.

Suzanne Hemphill, Senior Research Specialist in the Housing Policy Division of HCD, presented to the committee on Fair Housing Laws. She provided a background on Federal Fair Housing laws such as Title VIII of the Civil Rights Act, Section 504 of the Rehabilitation Act and Americans with Disabilities Act. Additionally, she discussed California laws such as Fair Employment and Housing Act, Ralph Civil Rights Act and Unruh Civil Rights Act. Suzanne addressed lawful ways to create housing for particular communities that does not exclude persons, but utilizes welcoming community strategies through advertising and marketing. She also reviewed Fair Employment and Housing Act (FEHA) Regulations and Land Use Practices.

Arden Tucker inquired about accommodations for deaf and hard of hearing. Suzanne reported that housing that receives public funds (tax credits, HUD money, etc.) all are required to ensure 2% of units have sensory-accessible features and 5% of units accessible for mobility. Arden also asked how Fair Housing laws address LGBTQ persons that are discriminated against by residents or staff. Suzanne responded that FEHA regulations include harassment and retaliation, which creates the legal framework and liability for housing providers to address those kinds of issues. Lastly, Arden highlighted the issue of gentrification, and asked about legal recourse for persons who have been displaced. Suzanne agreed it is an important issue, and the goal is the create communities with a variety of housing.

Public Comment

Poshi Walker, representative from Cal Voices and Out for Mental Health inquired about discrimination based on sex offender status, including persons who are LGBTQ, and how that affects their ability to get housing. Suzanne responded that HUD programs are a small percentage of affordable housing and FEHA regulations are an important tool. She added that providing mitigating information such as what was going on, was the individual a minor, tenant history, length of time has passed, rehabilitation efforts, whether the individual is a survivor of violence, etc.

Work Plan Discussion

Naomi Ramirez provided an overview of the HHC work plan goals including the newly drafted Adult Residential Facility (ARF) work plan objectives and activities. She also prompted discussion on the committee's goal to adopt the federal definition of Housing First.

Steve Leoni suggested that the activities portion of objective 2 that reads "Advocate for data and outcomes for individuals with SMI being served by ARFs" be elevated to be a separate goal or to be objective 4.

Steve Leoni motioned to amend the drafted work plan to elevate "Advocate for data and outcomes for individuals with SMI being served by ARFs" to its own objective, Lorraine Flores seconded. Motion passed with no opposition or abstentions.

Discussion of October 2020 Meeting Agenda

Members requested further discussion on ARF work plan.

Regarding Work Plan item on Housing First definition, Jane Adcock offered that January 2021 will be the start of a new two-year legislative session. It is good timing should the committee decide to put forth a bill to address Housing First issues in state law.

Public Comment

Barbara Wilson shared that Los Angeles County Department of Mental Health is providing funds to keep some board and care facilities open. Not sufficient, however, to stop all closures.

Poshi Walker encouraged HHC to invite VA Homeless Team to hear lessons learned and challenges from 10 years of using the Housing First model. Offered to connect committee with them.

Meeting Adjourned at 12:22pm

**California Behavioral Health Planning Council
Housing and Homelessness Committee (HHC) Meeting
Thursday, October 22, 2020**

Agenda Item: Statewide Homelessness Task Force Update

Enclosures: None

How This Agenda Item Relates to Council Mission

To review, evaluate and advocate for an accessible and effective behavioral health system.

This agenda item provides an opportunity for the committee to learn about the work currently taking place across the state to address homelessness during the challenging times the state is facing with the COVID-19 health emergency and the wildfires.

Background/Information:

Dhakshike Wickrema is the Senior Deputy for Homelessness and Mental Health, at the Office of Los Angeles County Supervisor Mark Ridley-Thomas and will provide an update on the work of the Governor's Homelessness Task Force.

January 18, 2020

Homelessness Task Force Issues Interim Recommendations to Governor Newsom

On Monday, Governor Gavin Newsom's Council of Regional Homeless Advisors, led by Sacramento Mayor Darrell Steinberg and Los Angeles County Supervisor Mark Ridley-Thomas, revealed their recommendations for reducing street homelessness, breaking down barriers keeping individuals experiencing homelessness from accessing mental health and substance use services, and findings ways to reduce the cost and boost the supply of housing options throughout the state of California. At the beginning of the 2020 legislative session, the council set forth a series of interim recommendations to guide specific budget and policy actions to address the state's ongoing issues related to homelessness.

The council's recommendations include:

- Creating an enforceable, results-based accountability mandate to end homelessness;
- Adopting a comprehensive crisis response strategy; and
- Creating a single point of authority for homelessness in state government.

The council's interim recommendations were released as Governor Newsom embarked on a weeklong tour of meeting with individuals receiving homeless services throughout the state with stops in Nevada County, the Inland Empire, Los Angeles County, the Central Valley, and the Bay Area. During his tour, Newsom indicated that he would "lean in the direction" of the council's recommendations to deploy a legal obligation to supply sufficient services and housing to individuals experiencing homelessness. Newsom further remarked, "I broadly have been encouraging this debate about obligations. There's a distinction between rights and obligations. ... The question is how you do it. This is not black and white. This is tough stuff."

While the council's recommendations do not provide specific details on how these actions would be implemented and enforced, the issue of homelessness is widely expected to dominate policy and budgetary matters this year in Sacramento.

The council's letter to Governor Newsom is [available here](#).

**California Behavioral Health Planning Council
Housing and Homelessness Committee (HHC) Meeting
Thursday, October 22, 2020**

Agenda Item: Discussion of CA Housing First Law

Enclosures: None

How This Agenda Item Relates to Council Mission

To review, evaluate and advocate for an accessible and effective behavioral health system.

This agenda item provides an opportunity for the committee to discuss California's current Housing First law and discuss potentially changing the wording to be less restrictive and align with the Federal definition of Housing First.

Background/Information:

The California Welfare and Institutions Code (WIC) 8255 (b), states the core components of housing first and 8256 requires the state to implement housing first components in housing-based programs for homelessness populations.

8255.

For purposes of this chapter:

(a) "Coordinating council" means the Homeless Coordinating and Financing Council established pursuant to Section 8257.

(b) "Core components of Housing First" means all of the following:

- (1) Tenant screening and selection practices that promote accepting applicants regardless of their sobriety or use of substances, completion of treatment, or participation in services.
- (2) Applicants are not rejected on the basis of poor credit or financial history, poor or lack of rental history, criminal convictions unrelated to tenancy, or behaviors that indicate a lack of "housing readiness."
- (3) Acceptance of referrals directly from shelters, street outreach, drop-in centers, and other parts of crisis response systems frequented by vulnerable people experiencing homelessness.

(4) Supportive services that emphasize engagement and problem solving over therapeutic goals and service plans that are highly tenant-driven without predetermined goals.

(5) Participation in services or program compliance is not a condition of permanent housing tenancy.

(6) Tenants have a lease and all the rights and responsibilities of tenancy, as outlined in California's Civil, Health and Safety, and Government codes.

(7) The use of alcohol or drugs in and of itself, without other lease violations, is not a reason for eviction.

(8) In communities with coordinated assessment and entry systems, incentives for funding promote tenant selection plans for supportive housing that prioritize eligible tenants based on criteria other than "first-come-first-serve," including, but not limited to, the duration or chronicity of homelessness, vulnerability to early mortality, or high utilization of crisis services. Prioritization may include triage tools, developed through local data, to identify high-cost, high-need homeless residents.

(9) Case managers and service coordinators who are trained in and actively employ evidence-based practices for client engagement, including, but not limited to, motivational interviewing and client-centered counseling.

(10) Services are informed by a harm-reduction philosophy that recognizes drug and alcohol use and addiction as a part of tenants' lives, where tenants are engaged in nonjudgmental communication regarding drug and alcohol use, and where tenants are offered education regarding how to avoid risky behaviors and engage in safer practices, as well as connected to evidence-based treatment if the tenant so chooses.

(11) The project and specific apartment may include special physical features that accommodate disabilities, reduce harm, and promote health and community and independence among tenants.

(c) "Homeless" has the same definition as that term is defined in Section 91.5 of Title 24 of the Code of Federal Regulations.

(d) (1) "Housing First" means the evidence-based model that uses housing as a tool, rather than a reward, for recovery and that centers on providing or connecting homeless people to permanent housing as quickly as possible. Housing First providers offer services as needed and requested on a voluntary basis and that do not make housing contingent on participation in services.

(2) (A) "Housing First" includes time-limited rental or services assistance, so long as the housing and service provider assists the recipient in accessing permanent housing and in securing longer-term rental assistance, income assistance, or employment.

(B) For time-limited, supportive services programs serving homeless youth, programs should use a positive youth development model and be culturally competent to serve unaccompanied youth under 25 years of age. Providers should work with the youth to engage in family reunification efforts, where appropriate and when in the best interest of the youth. In the event of an eviction, programs shall make every effort, which shall be documented, to link tenants to other stable, safe, decent housing options. Exit to homelessness should be extremely rare, and only after a tenant refuses assistance with housing search, location, and move-in assistance.

(e) “State programs” means 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 this chapter or programs that fund emergency shelters.

8256.

(a) Agencies and departments administering state programs created on or after July 1, 2017, shall collaborate with the coordinating council to adopt guidelines and regulations to incorporate core components of Housing First.

(b) By July 1, 2019, except as otherwise provided in subdivision (c), agencies and departments administering state programs in existence prior to July 1, 2017, shall collaborate with the coordinating council to revise or adopt guidelines and regulations that incorporate the core components of Housing First, if the existing guidelines and regulations do not already incorporate the core components of Housing First.

(c) (1) An agency or department that administers programs that fund recovery housing shall comply with the requirements of subdivision (b) by July 1, 2020.

(2) An agency or department that administers programs that fund recovery housing shall additionally do both of the following:

(A) Consult with the Legislature, the Homeless Coordinating and Financing Council, the Business, Consumer Services, and Housing Agency, and other stakeholders between July 1, 2019, and July 1, 2020, to identify ways to improve the provision of housing to individuals who receive funding from that agency or department, consistent with the applicable requirements of state law.

(B) By March 1, 2020, submit a report to the Senate Committee on Budget and Fiscal Review and the Assembly Committee on Budget on its efforts to comply with Housing First specifically and to improve the provision of housing to individuals who receive housing assistance from the agency or department generally.

(3) (A) For purposes of this subdivision, “recovery housing” means sober living facilities and programs that provide housing in an abstinence-focused and peer-supported community if participation is voluntary, unless that participation is pursuant to a court order or is a condition of release for individuals under the jurisdiction of a county probation department of the Department of Corrections and Rehabilitation.

(B) A recovery housing program shall comply with the core components of Housing First, other than those components described in paragraphs (5) through (7), inclusive, of subdivision (b) of Section 8255.

(Amended by Stats. 2019, Ch. 159, Sec. 28. (AB 101) Effective July 31, 2019.)

The United States Department of Housing and Urban Development (HUD) Notice of Funding Availability (NOFA) outlines the requirements for Housing First participation.

6. *Providing Flexibility for Housing First with Service Participation Requirements.* The

traditional Housing First approach has two basic parts: First, individuals are rapidly placed and stabilized in permanent housing without any preconditions regarding income, work effort, sobriety or any other factor. Second, once in housing, individuals never face requirements to participate in services as a condition of retaining their housing. The first part, placement into permanent housing without preconditions, is an important priority to ensure that federal funds are allocated to providers that serve the most vulnerable homeless individuals. This NOFA maintains the commitment to unconditional acceptance of individuals into housing, especially for people with a high degree of vulnerability. At the same time, allowing service participation requirements once a person has been stably housed may promote important outcomes (e.g., employment, increased income, reduced substance use, and strengthened social connection), so this NOFA also provides communities and programs with flexibility, without penalty, to use service participation requirements after people have been stabilized in housing (consistent with 24 CFR 578.75(h)).

24 CFR 578.75(h) Citation

(g) *Participation of homeless individuals.*

(1) Each recipient and subrecipient must provide for the participation of not less than one homeless individual or formerly homeless individual on the board of directors or other equivalent policymaking entity of the recipient or subrecipient, to the extent that such entity considers and makes policies and decisions regarding any project, supportive services, or assistance provided under this part. This requirement is waived if a recipient or subrecipient is unable to meet such requirement and obtains HUD approval for a plan to otherwise consult with homeless or formerly homeless persons when considering and making policies and decisions.

(2) Each recipient and subrecipient of assistance under this part must, to the maximum extent practicable, involve homeless individuals and families through employment; volunteer services; or otherwise in constructing, rehabilitating, maintaining, and operating the project, and in providing supportive services for the project.

(h) *Supportive service agreement.* Recipients and sub recipients may require the program participants to take part in supportive services that are not disability-related services provided through the project as a condition of continued participation in the program. Examples of disability-related services include, but are not limited to, mental health services, outpatient health services, and provision of medication, which are provided to a person with a disability to address a condition caused by the disability. Notwithstanding this provision, if the purpose of the project is to provide substance abuse treatment services, recipients and sub recipients may require program participants to take part in such services as a condition of continued participation in the program.

Intended Outcome:

The committee will decide if they would like to move forward with proposing legislation to change state law to match the federal Housing First definition. If members decide to move forward with proposing legislation they will discuss potential legislators to approach to seek an author.

**California Behavioral Health Planning Council
Housing and Homelessness Committee (HHC) Meeting
Thursday, October 22, 2020**

Agenda Item: Discussion of CBHPC Equity Statement

Enclosures: None

How This Agenda Item Relates to Council Mission

To review, evaluate and advocate for an accessible and effective behavioral health system.

The establishment of an Equity Statement will enable the Council to publicly acknowledge historical systemic racism and racial inequities which have resulted in significant health disparities. Further, the statement will indicate the Council's commitment and our efforts to change such institutional inequalities.

Background/Information:

The Council Officer Team comprised of the Chairperson, Chair-Elect, Immediate Past-Chair, and Executive Officer are considering establishing an Equity Statement for the Council that reflects the Council's vision, values and efforts to promote racial equity, reduce disparities and improve health outcomes for all Californians.

They invited the Reducing Disparities Workgroup (RDW) to draft the statement. Below is the proposed Equity Statement for the member consideration. This statement is being discussed during the October meetings of the Housing and Homelessness Committee and the Systems and Medicaid Committee for full membership review. Ultimately, the statement will be posted on the Council website.

PROPOSED EQUITY STATEMENT:

The California Behavioral Health Planning Council members and staff are dedicated to supporting efforts, policies and programs that bring about necessary change to address longstanding systemic racism and inequities. The behavioral health community is directly impacted by social injustice leading to far-reaching health disparities and life expectancy.

The nation is experiencing a number of crises; crises which have indisputably highlighted the complex issues of race and inequality across our country. The Planning Council's vision is a behavioral health system that makes it possible for individuals to

achieve full and purposeful lives. We are committed to attaining racial and social equity through action and advocacy for an inclusive society in which all community members can realize their full potential regardless of their race, age, gender identity, sexual orientation, diagnosis, ability or economic status. The Planning Council employs a number of [Guiding Principles](#) that are foundational to its visionary work

It must be recognized that certain communities and individuals benefit from systemic racism and inequities while other communities and individuals suffer greatly. Leaders must look inward to identify unconscious biases as well as understand historical policies and practices that drive inequities. The Planning Council commits to continuing and improving our policies and practices to support and encourage diversity in membership and staff perspectives, to value individual lived experience, and to promote opportunities for ongoing education and growth.

The Council believes we can establish public policies that honor and respect differing backgrounds and life experiences by normalizing conversations about racial and other inequities. By building partnerships among Council members, policy makers, and communities served, we can operationalize the true meaning of equity. Through this process, the Council supports California in achieving the goals to reduce disparities, rebuild the trust lost from communities that have been historically under/inappropriately served and eliminate social injustice and racial inequities.

**California Behavioral Health Planning Council
Housing and Homelessness Committee
Thursday, October 22, 2020**

Agenda Item: Discussion of 2021 H/H Committee Officers

Enclosures: None

How This Agenda Item Relates to Council Mission

To review, evaluate and advocate for an accessible and effective behavioral health system.

The Chairperson and Chair-Elect lead their committee with a focus on supporting the Council's mission through the committee's work.

Background/Description:

Each standing committee shall have a Chairperson and Chair-Elect. The Chairperson serves a term of 1 year with the option for re-nomination for one additional year.

Monica Caffey is slated to become the Chairperson for the Housing and Homelessness Committee at the January 2021 meeting. The committee members shall nominate a Chair-Elect or propose a second year of current Chairperson to be submitted to the Officer Team for appointment.

The role of the Chair-Elect is outlined below:

- Facilitate the committee meetings as needed, in the absence of the Chairperson
- Assist the Chairperson and staff with setting the committee meeting agendas and other committee planning
- Participate in the Executive Committee Meetings
 - Wednesday of every quarterly meeting from 8:30 am – 10:00 am
- Participate in the Mentorship Forums when the Council resumes meeting in person.

Motion: Nomination of a committee member as the Chair-Elect or to re-nominate current HHC Officers for an additional year.