

REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: March 30, 2022

TO: Honorable Members of the Los Angeles City Council

FROM: Sharon M. Tso *smt80*
Chief Legislative Analyst

Council File No: 19-1020
Assignment No: 20-02-0212

Commission on Lived Experience with Homelessness

SUMMARY

Motion (Bonin – Harris-Dawson) (CF 19-1020) instructed the Chief Legislative Analyst (CLA), with assistance of other departments and agencies as appropriate, to make recommendations on the most effective method of establishing a Commission on Lived Experience with Homelessness (Commission) composed of individuals with current or past experience with homelessness to advise the City of Los Angeles. The Motion instructed the CLA to consult with persons who are or have been homeless in Los Angeles and persons who serve on lived experience advisory commissions in other jurisdictions.

This report provides recommendations and options relating to the structure of the proposed Commission as well as consideration of best practices to address barriers and challenges that the Commission may face, consistent with the Motion and Strategy 1 of the City’s Enhanced Comprehensive Homeless Strategy. The report also provides preliminary estimates for the budgetary resources required for the establishment of the Commission.

RECOMMENDATIONS

That the City Council:

1. Request the City Attorney, with assistance of the CLA, to prepare and present an ordinance to establish a Commission on Lived Experience with Homelessness under the Civil, Human Rights and Equity Department (CHRED), with an advisory role as outlined in the “Jurisdiction and Responsibilities of the Proposed Commission” section of this report and the following structure:
 - a. Fifteen seats;
 - b. Representative seats for: a Chronically Homeless Representative, a Mental Health Representative, a Chronic Illness/Substance Abuse Representative, a Supportive Housing Representative, an Unsheltered Representative, a Physical Disability Representative, a Female Representative, a Youth Representative, an LGBTQ+ Representative, five Geographic Representatives, and a Veteran Representative; and
 - c. Two-year staggered terms;

2. Instruct the City Administrative Officer (CAO) to report with the budgetary and staffing resources necessary for the establishment of a Commission on Lived Experience with Homelessness with the scope of work proposed by Council, and to identify a source of funding for the Commission; and
3. Instruct the CAO and CHRED, with assistance of the CLA, to prepare a Request for Proposals (RFP) for trauma-informed mediation, support, and training services for the Commission.

FISCAL IMPACT

There is no General Fund impact as a result of the recommendations in this report.

BACKGROUND

As noted by Motion (Bonin – Harris-Dawson), commissions and advisory councils are established by governmental agencies to broaden legislators' perspective on policy issues and to increase the voices of constituencies in the decision-making impacting them.

Governmental and non-profit agencies throughout the country have formed advisory commissions, boards, or committees to specifically provide input on issues relating to homelessness. In some cases, participation by persons who are homeless or who have experienced homelessness is required in the administration of grant awards. These programs include the Continuum of Care (CoC) Program and Emergency Solutions Grant (ESG) Program administered by the federal Department of Housing and Urban Development (HUD). A significant number of existing lived experience bodies serve as committees for CoC boards. Several lived experience boards, commissions, or committees have also been established by advocacy organizations to provide input on matters relating to homelessness.

The Enhanced Comprehensive Homeless Strategy, adopted by the City on March 19, 2019, recommends the establishment of a lived experience working group and includes consultation with persons with lived experience with homelessness under several strategies. LAHSA currently operates and administers two homelessness lived experience bodies: the Lived Experience Advisory Board (LEAB) and the Homeless Youth Forum of Los Angeles (HYFLA). These bodies are comprised of individuals with lived experience of homelessness who advise LAHSA and its partners in support of their efforts to end homelessness, and to ensure that the voice of those with lived experience is incorporated throughout the Los Angeles homelessness response system. This objective is achieved through review of policy development, policy implementation, and data. The feedback received helps to identify strengths and gaps in policy and programs. LEAB and HYFLA also serve to provide a representative voice for persons with lived experience with homelessness before other agencies. A Commission on Lived Experience with Homelessness would serve a similar function for the City. Persons with lived experience have been provided seats in other bodies including the Los Angeles CoC Board, the Coordinated Entry System (CES) Policy Council, and the Regional Homelessness Advisory Council. The City currently consults with LEAB and HYFLA on an ad hoc basis to receive lived experience input on City policies. Non-profit organizations including the Downtown Women's Center (DWC) and Center for Supportive Housing (CSH) have also established and operate lived experience bodies.

LAHSA has further acknowledged the significance of lived experience as well as the unique challenges faced by certain subpopulations through the establishment of the Ad Hoc Committee on Women and Homelessness in 2016 and Ad Hoc Committee on Black People Experiencing Homelessness in 2017. Both committees produced reports recommending the inclusion of persons with lived experience within planning and implementation processes for homeless services.

As a part of LAHSA's governance review process, the role of lived experience bodies within LAHSA was evaluated and considered. In addition to a more clear and robust role for LEAB, the review also acknowledged the need for the inclusion of a racial justice and equity approach, lived experience representation in every governance body, and ensuring that governing bodies are reflective of characteristics of persons who experience homelessness in Los Angeles.

DISCUSSION

Motion (Bonin - Harris-Dawson) directed the CLA to make recommendations on the most effective way to establish a Commission on Lived Experience with Homelessness. Further, forming a Commission on Lived Experience with Homelessness would be consistent with Strategy 1 of the City's Enhanced Comprehensive Homeless Strategy. To establish a commission, the City Attorney should be requested to prepare and present an ordinance to establish a Commission with Lived Experience on Homelessness, including a structure and role for the proposed Commission. The recommendations included in this report provide for an advisory commission, consistent with existing City advisory commissions and other lived experience commissions at large. This report also identifies additional policy matters for Council consideration. In preparing the recommendations in this report, several existing lived experience boards and service providers were consulted and their input has been used as reference in the formation of our recommendations. As such, this report recommends a scope of advisory functions for the proposed Commission to fulfill, providing a role at each step of the policymaking process. Through discussion with lived experienced boards and commissions, as well as local advocacy organizations and service providers, a number of best practices have also been identified to further enhance the role of the proposed Commission. These best practices are included in this report for further consideration by the Council.

Jurisdiction and Responsibilities of the Proposed Commission

The proposed Commission would serve as an advisory body to the Council for matters relating to homelessness, which may include but are not limited to housing, economic development, public safety, health, and the City budget. This would include policies or programs relating to the prevention of homelessness, services provided to unhoused individuals, and supportive services offered to individuals housed in shelters, bridge housing, or supportive housing.

As a lived experience advisory board, the Commission would leverage their experience with homelessness to provide insight and be a resource to the City Council and City departments. The Commission's responsibilities would be to evaluate, provide input, or propose policies on matters relating to homelessness. This would include providing technical assistance, reporting, and evaluation of existing and proposed programs, practices, and policies with a focus on service delivery, policy prioritization, and metrics. The Commission's expertise would be leveraged as appropriate, including roles in program and policy planning, implementation, and evaluation. To

the extent possible, the City's Homeless Coordinator should consult with the Commission and evaluate programs relating to homelessness. In order to keep the Commission informed, the Homeless Coordinator should also provide a report every six months on proposed and ongoing City programs and policies relating to homelessness.

The Commission would directly report and provide written and verbal input to the City Council and its Committees. To this effect, the Commission could be given, at the discretion of the Committee chair, a continuing placeholder to speak at meetings of the Homelessness and Poverty Committee and during the City's budget hearing process to provide input on the Homelessness budget. The Commission may also be invited to speak during meetings of the City Council. Additional action may be required upon the establishment of the Commission to amend Council Rules to effectuate this. Further, the Commission would have the ability to provide its own recommendations, whether written or verbal, on a matter under consideration by the City Council.

The Commission should also have the role of engaging the unhoused community, non-profit organizations, policy matter experts, governmental agencies, and advocates to solicit input, feedback, and public comment for matters relating to homelessness. Responsibilities should also include outreach and promotion of inclusion for persons with lived experience in City and governmental processes. The Commission should also produce an annual or bi-annual report that includes feedback on homeless policies, priorities, and metrics for the year. The Commission's report should be considered by the City Council in a timely manner following transmission to the appropriate Council File.

Commission Governance and Structure

As noted, the Commission would be established by ordinance and would be required to include a governance structure for the Commission. The Commission may be established as an independent body or within an existing City department. Establishing the Commission within an existing department would limit the need for support staff and streamline the establishment of the Commission. As the subject of this Commission is consistent with the scope and jurisdiction of the Civil, Human Rights and Equity Department (CHRED), our Office recommends the Commission be established under CHRED. The ordinance should additionally provide for the creation of bylaws to govern the Commission (Commission Bylaws). The Commission Bylaws would be created, amended, and rescinded by the Commission to govern Commission proceedings and regulations not covered by ordinance.

The Motion (Bonin – Harris-Dawson) requested that the recommendations provided include consideration of Commission structure with a focus on representation of different segments of the diverse homeless population and the demographics of the City. The following provides an overview of policy matters and recommendations relative to the structure of the Commission for Council consideration.

Eligibility for the Commission

For the purpose of the proposed Commission, the definition of "homelessness" or "homeless individual" should be consistent with the definition provided in the McKinney-Vento Homeless

Assistance Act (42 US Code § 11302). This will also ensure the Commission is in line with federal regulations on the inclusion of individuals with lived experience. This definition should further be clarified to include individuals that have or currently reside in transitional housing, supportive housing, affordable housing, and hotels/motels as needed. Commission appointees should also have the authority to expand or provide further specification on the definition of homelessness in the Commission Bylaws.

Size of the Commission

The number of seats that will comprise the proposed Commission may have a significant impact on the operation of the Commission. The Commission should be large enough to achieve diversity and representation goals, but must remain within a manageable size in order to make meetings both administratively feasible and to allow discussion among the Commission to remain productive. Potential challenges that may occur as commission size is increased would include difficulty meeting quorum, attendance issues, difficulty in individually contacting/notifying Commission members, fewer opportunities to speak, and an increased budget.

As a point of comparison, advisory commissions for the City of Los Angeles are comprised of between five to fifteen members. Both of LAHSA's lived experience boards have no set number of seats, which are added as the need arises to assure appropriate representation. The LEAB is currently comprised of eleven members and the HYFLA is comprised of thirteen members. Of the lived experience commissions and boards in other cities surveyed for this report, the numbers of seats ranged from approximately ten to fifteen seats. Accordingly, the Commission is recommended to be no larger than fifteen seats.

Representation on the Commission

In order to ensure diversity and representation, the Commission should be comprised of representative seats for subpopulations of homelessness. To fill a seat, an individual would be required to have the relevant lived experience for that seat. This structure would ensure the Commission represents a variety of experiences and viewpoints. The subpopulations tracked by LAHSA with the largest populations are domestic violence survivors, the chronically homeless, individuals who have experience with substance abuse, chronic illness, mental health, and the physically disabled. Accordingly, the Commission should include a seat for these subpopulations. Additional populations identified in the Motion including a youth representative, an LGBTQ+ representative, a veteran representative, and geographic representation. The geographic representation would require geographic boundaries created for the purposes of the Commission.

The following is the recommended board seat allocation:

1. Chronically Homeless Representative
2. Mental Health Representative
3. Chronic Illness/Substance Abuse Representative
4. Supportive Housing Representative
5. Unsheltered Representative
6. Physical Disability Representative
7. Female Representative

8. Youth Representative
9. LGBTQ+ Representative
10. Geographic Representatives (5)
11. Veteran Representative

The appointing authority for the Commission should also be required to consider, to the extent possible, the expertise, experience, and demographics of applicants in order to achieve representation reflecting the diversity of the homeless population in Los Angeles. Comparatively, LAHSA's lived experience bodies evaluate applicants with consideration to geographic representation, subpopulation representation, demographic representation, and system access representation.

The final size of the Commission will determine the number of seats available for representation. The higher the number of representatives, the greater diversity can be achieved.

Appointing Authority for the Commission

A majority of City commissions are appointed by the Mayor pursuant to Los Angeles Administrative Code Section 502. Due to the Commission's goal of reflective representation of the homeless population, additional consideration is required for the appointment authority.

A central appointment authority, such as the Mayor, Council President, or the Chair of the appropriate policy Committee would allow for flexibility to ensure that subpopulations and demographics are represented in a manner proportional to the Los Angeles homeless population. Conversely decentralized appointment by several appointment authorities, such as both Mayor and Council, may make it difficult to achieve representation as each appointing official would make their own separate appointment absent of any coordination to ensure representation proportionate to the homeless population in Los Angeles.

Accordingly, in order to achieve the goals of diversity and representation within the Commission, members of the Commission should be selected by an application process. Acceptance through an application process would be consistent with a majority of existing lived experience boards. In this case, applications would be accepted and evaluated by a central appointing authority, such as the Mayor or the administering City department. Following the evaluation of submitted applications, recommendations for Commission appointments would be made by the appointing authority and presented for Council approval, and Mayoral concurrence should the Department be designated the appointing authority. Upon appointment, the Commission should be directed to report on and develop an evaluation process for subsequent Commission applications. For an applications process to be most effective, a robust outreach effort should be made to encourage all potential participants to apply.

Term Length

The length of terms for the proposed Commission should be consistent with other existing City commissions, therefore two to four-year staggered terms would be appropriate. With further consideration of the Motion's instruction to include requirements to ensure the proposed Commission is reflective of the demographics of the City's homeless population, shorter terms

would allow flexibility to meet this objective relative to the variable nature of the City's homeless population. Accordingly, this report recommends two-year staggered terms.

Best Practices for Lived Experience Commissions and Boards

As reference for this report, other jurisdictions currently operating a commission, board, or committee on lived experience with homelessness were consulted. These jurisdictions include Austin, Philadelphia, Chicago, and Santa Clara. Discussions included both support staff and members of the respective commissions. In addition, local service providers were also consulted on the establishment of the Commission and how to best address the challenges that any such effort may face. The most common input received included the need for empowerment, compensation, support, and mediation as outlined below.

Roles, Responsibilities, and Authority for Lived Experience Bodies

The most commonly identified best practice was the establishment of a Commission with explicitly defined responsibilities and a role in program and policy outcomes. Many lived experience commissions serve with a mandate to provide general input on homelessness, and the most common challenge to participation in lived experience boards is the perception that these bodies are formed to serve as a “rubber stamp” or that persons with lived experience are being “tokenized,” creating challenges to maintaining attendance and engagement.

In order to address this challenge, the Commission should have a focus on providing recommendations and strategies, rather than solely general feedback and input. City departments and offices should also be encouraged to solicit input from the Commission during the formative stages of program and policy development. Barriers to the Commission providing input, whether verbal or written, to decision-makers should be limited. In order to provide that access, the Chair of the Homelessness and Poverty Committee of the City Council, or a representative, could have the option of serving as an ex officio member of the Commission.

By providing the Commission with concrete responsibilities, the Commission would be empowered to leverage their lived experience in a manner that is mutually engaging and beneficial to the commissioners and the City. The following provides a list of potential responsibilities and practices that were identified within various commissions, boards, and bodies in Los Angeles or other jurisdictions.

- Evaluation of contracts relating to homeless services and homeless facilities
- Development of a framework for the evaluation of homeless services contracts
- Development and proposal of homeless services pilot programs
- Establishment of grant set-asides for allocation by the Commission
- Evaluation and scoring of RFPs and Request for Qualifications (RFQs) or ability to reward bonus points for RFP proposals
- Require Commission review on non-emergency ordinances relating to homelessness as a part of the legislative process
- Partner with non-profit organizations, service providers, and governmental agencies to advocate for the inclusion of lived experience

- Conduct qualitative and quantitative surveys of persons experiencing homelessness as they relate to services and facilities
- Administer a microgrant program for homeless services programs (similar to the Neighborhood Purpose Grant (NPG) program under the Neighborhood Council System)

The Council may consider the responsibilities above or propose additional responsibilities to include in the Commission's scope of work.

Support and Mediation

Although the City of Los Angeles administers a number of advisory commissions under the Community Investment for Families Department and CHRED, the proposed Commission would be distinct due to the barriers appointees may face to participation. In order to effectively establish a Commission, the City would need to recognize and address the unique challenges faced by the homeless population. These challenges may include, but are not limited to, issues related to housing, technology, transportation, and mental or physical disabilities.

Furthermore, the lived experience of homelessness may impart several traumas and stigmas that may be triggered through discussion of said lived experience. To address these challenges, a mediator with lived experience or experience working with persons who have experienced homelessness may be helpful during Commission meetings. A service provider could provide trauma-informed mediation during meetings of the Commission to address and assist commissioners with speaking on their experiences and creating an environment to allow for the best input. The Commission could also establish a peer support group led by Commission appointees to engage other persons with lived experience.

Administrative support and training could also be provided by a service provider that has experience working with lived experience bodies. Training may include the basics of commission service such as parliamentary procedure or training on how to advocate and strategize. An RFP would be needed to identify a service provider for both trauma-informed mediation, training, and support services.

Compensation

Ensuring that individuals who participate in a lived experience commission are compensated for their input was also a priority for advocates and service providers. Although this is common practice among a majority of existing lived experience boards and commissions, the form of compensation may vary. Generally, lived experience commission or board participants are provided monetary compensation for each meeting they attend, usually in the form of gift cards. City Commissioners are compensated at a level of \$25 to \$50 per meeting on average, most commonly Commissioners serve on a volunteer basis. In many cases, other commissions include meals as compensation. Further, Commission appointees can be provided with further supportive compensation to provide assistance as required to encourage participation in the Commission. This may include assistance with transportation (most feasibly in Los Angeles through TAP cards) or aid with equipment and other resources.

Supportive compensation does not solely refer to monetary or material compensation. As previously noted, training can be provided to empower Commission participants to most effectively provide input and affect outcomes. Training may include instruction on parliamentary procedure, commission participation, or governmental processes, however opportunities for the personal and professional development of Commission appointees can also be included as supportive compensation. Such training may serve to provide participants with opportunities to improve their situation. This may include training to develop skills such as presentation and speaking skills, providing the Commission appointees' skills to aid in their personal and professional development. This would allow the Commission to further serve as a vehicle to empower participants through skill building and professional development. Recognition of participation and achievement through participation in the Commission can also serve the personal and professional development of Commission participants and should be provided as appropriate. Supportive compensation, including meals, material compensation, and training, should be provided through contract with a service provider.

Additional Policy Considerations for Council

Additions to the scope of work of the Commission relative to best practices on roles and responsibilities of the Commission, support and mediation, or supportive compensation, as identified in Attachment 1, are not included in the recommendations to this report and would require Council action for inclusion. Based on Council decision on where the Commission will be housed and the appointing authority, further action may be required to provide an appointment process.

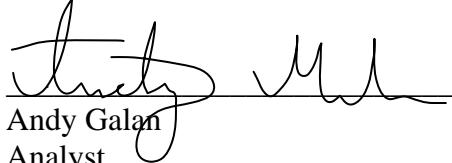
Budgetary Estimates for the Commission

In order to provide an accurate budget estimate for the Commission, the scope of work for the Commission must be determined by Council. The required budgetary and staffing resources for the Commission may vary widely according to Council decision of several policy matters included in this report.

Existing commissions may provide a preliminary indication of funding needed for the establishment of the Commission. LAHSA's LEAB has an annual budget of \$47,840, not including costs for one Advisory Group Coordinator and one Senior Coordinator. HYFLA also has an annual budget of \$47,840, not including staff and other costs. These costs reflect an advisory commission providing monetary compensation to Commissioners.

Funding and staffing necessary for the Commission would increase should the Council elect to provide supportive compensation, mediation, training, or expand the scope of work for the Commission. Inclusion of trauma-informed mediation and training through contract would add costs to be determined through RFP. The non-profit Liberty Hill has provided similar training and mediation services in the past, including to Los Angeles County's Youth Advisory Board, and has provided a rough estimate of \$60,000 in annual costs for provision of those services. Although the scope of work would differ with the Commission, the estimate may serve as indication of the costs of a contract to provide compensation, training, support, and mediation to the proposed Commission.

Upon the adoption of recommendations by the City Council and preparation of a draft ordinance by the City Attorney, the CAO should be directed to provide a final cost and staffing estimate, as well as recommendations for sources of funding.



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Analyst

Scope of the Commission on Lived Experience

Recommended Roles and Responsibilities

- Serve as an advisory body to the City Council for matters relating to homelessness
- Provide insight to and be a resource to the City Council and City departments
- Evaluate, provide input, and/or propose policies on matters relating to homelessness
- Provide technical assistance, reporting, and evaluation of existing and proposed programs, practices, and policies with a focus on service delivery, policy prioritization, and metrics
- Report to and provide written and verbal input to the City Council and its Committees
- Engage the unhoused community, non-profit organizations, policy matter experts, governmental agencies, and advocates to solicit input, feedback, and public comment for matters relating to homelessness
- Outreach to and promotion of the inclusion of persons with lived experience in City and governmental processes
- Produce an annual or bi-annual report that includes feedback on homeless policies, priorities, and metrics for the year

Best Practices

- Evaluation of contracts relating to homeless services and homeless facilities
- Development of a framework for the evaluation of homeless services contracts
- Development and proposal of homeless services pilot programs
- Establishment of grant set-asides for allocation by the Commission
- Evaluation and scoring of RFPs and Request for Qualifications (RFQs) or ability to reward bonus points for RFP proposals
- Require Commission review on non-emergency ordinances relating to homelessness as a part of the legislative process
- Partner with non-profit organizations, service providers, and governmental agencies to advocate for the inclusion of lived experience
- Conduct qualitative and quantitative surveys of persons experiencing homelessness as they relate to services and facilities Administer a microgrant program for homeless services programs (similar to the Neighborhood Purpose Grant (NPG) program under the Neighborhood Council System)
- Trauma-informed support and mediation.
- Supportive compensation such as meals, material compensation, and/or professional development training.