

LEADERSHIP COUNCIL  
GOVERNANCE CHARTER DRAFT

5/30/2023

**THE COALITION**  
OF HOMELESS SERVICES PROVIDERS

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# Governance Charter Draft

May 2023

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### I. Overview and Purpose of Charter

In 2009 the United States Congress passed the HEARTH (Homeless Emergency Assistance & Rapid Transition to Housing) Act, which required communities getting federal homeless assistance to establish and operate a Continuum of Care. A Continuum of Care, or CoC as it is most commonly called, consists of three interrelated concepts.

- 1) **A system of services and housing:** The CoC represents the totality of services and housing available to individuals and families experiencing or at risk of homelessness within a defined geographic region. The HEARTH Act directs communities to coordinate the totality of services and housing into a strategic, equitable and effective response that reduces and prevents homelessness.
- 2) **A federal funding source:** The United States Department of Housing and Urban Development (HUD) awards over two billion dollars annually through the Continuum of Care grant program to projects in every state and territory that are addressing homelessness.
- 3) **A governance structure:** Required by the HEARTH Act, the governance structure coordinates the system of services and housing and manages the submission of the application for funds on behalf of the geographic region. The governance of the CoC must be documented in a Governance Charter that is updated annually. This requirement includes designating the process by which the CoC board is established and selected.

In 2011 Monterey and San Benito Counties merged their homelessness response systems to form a single Continuum of Care, now known as the **Lead Me Home CoC**. The Leadership Council, the body overseeing the Lead Me Home COC, was established in 2012. Shortly thereafter the newly established CoC released a 10 Year Plan to End Homelessness called *Lead Me Home*. That plan was updated in 2021 as the Lead Me Home 5-Year Plan to Reduce Homelessness.

This Governance Charter integrates the strategies in the updated *Lead Me Home Plan* and replaces the 2020 version of the Governance Charter. It serves as the five-year update for the establishment and selection of the CoC Board and the designation of the staffing entity to implement the CoC policies, strategies, and operations.

## II. Mission, Vision, and Guiding Principles

*Taken from current chapter 1 of current charter.*

The Lead Me Home Continuum of Care (LMH CoC) is the collective planning body of stakeholders which coordinates the community's policies, strategies, and activities toward ending homelessness in Monterey and San Benito Counties. LMH CoC gathers and analyzes information in order to determine the local needs of people experiencing homelessness, implements strategic responses and measures results. It also sets the local process of applying, reviewing and prioritizing project applications for funding each year from HUD Homeless Assistance Grants and State sources that require continuum of care participation. LMH CoC is committed to openness and public transparency that allows participation from all community members committed to addressing homelessness.

### A. LMH CoC Vision

All people in Monterey and San Benito County communities live in decent, safe and affordable housing from which they access services and supports to stabilize their lives.

### B. LMH CoC Mission

Promote broad involvement of all members of the community in forging an end to homelessness. The LMH CoC, under the direction of the Leadership Council, will faithfully endeavor to:

- Understand the problem
- Recognize solutions and best practices
- Agree to implement the solutions and best practices
- Find the funding to execute the solutions
- Support those who do the work to navigate transitions
- Guide the direction of the two-county effort with multiple partners and players
- Lead, promote, request, allocate, dedicate, advocate for continued implementation of the Plan

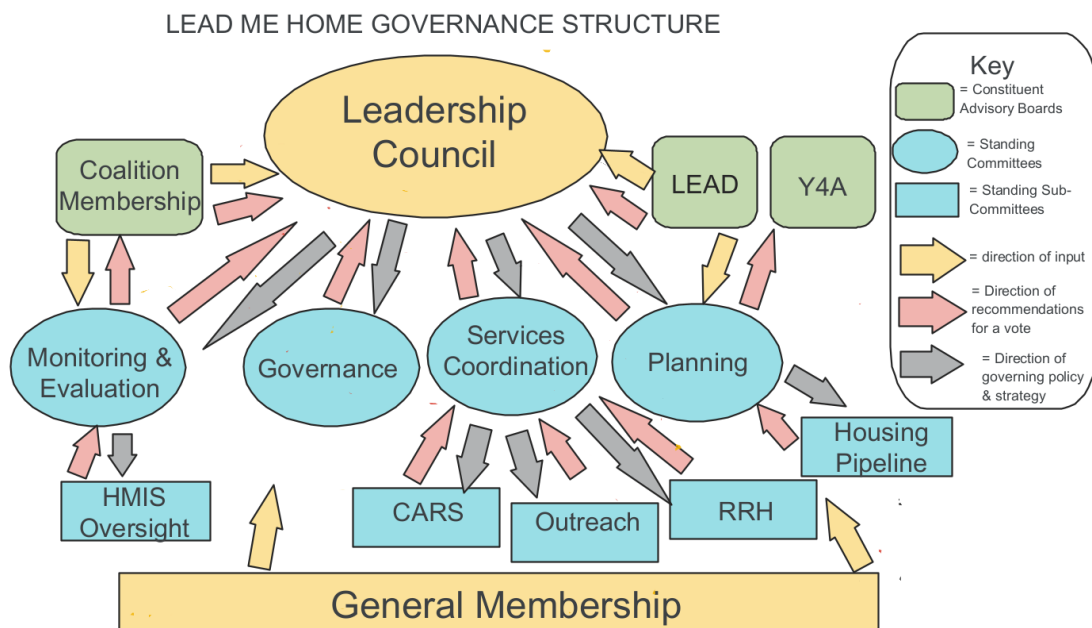
### C. LMH CoC Guiding Principles

- Treat people with dignity and respect

- Aim for the highest quality of life for the community as a whole by integrating standards of care into all housing and services delivery
- Achieve results and demonstrate positive outcomes
- Foster comprehensive solutions with a system-wide perspective
- Make coordinated, cost-effective, strategic, and continuous investments in the housing and services needed to assure that our people are homeless no more.

### III. Governance Overview

The Lead Me Home Continuum of Care governance is the collaborative effort of multiple entities, summarized below and discussed in detail in subsequent chapters of this charter. The visual depiction identifies those entities in relation to each other and the flow of input, recommendations, and governing decisions.



❖ **Continuum of Care General Membership** (Chapter IV)

The Continuum of Care (CoC) general membership is open to individuals and organizations committed to reducing and ending homelessness. As a body, the general membership provides feedback on how the system is working to achieve its vision and provides input on improvements and priorities for the future. Annually, members elect three nominees to the Council and adopt the Leadership Council Charter updates. Every five years, the CoC membership will be involved in approving the designation of the Council, selection process and the designation of the CoC staffing entities.

❖ **Leadership Council** (Chapter V)

The Leadership Council (LC) serves as the Continuum of Care Board and is authorized through this Charter to act on behalf of the Lead Me Home CoC by setting policies and standards, determining funding priorities and resource allocations, providing strategic

direction, and ensuring accountability among stakeholders for regulatory compliance and progress toward ending homelessness in Monterey and San Benito Counties.

❖ **Constituent Advisory Boards** (Chapter VI)

This Charter recognizes three Advisory Boards that represent constituents with critical insight and expertise that the CoC needs to shape an effective response to homelessness in Monterey and San Benito Counties. Those Advisory Boards are:

- Youth for Action (Y4A)
- Lived Experience Advisory Directive (LEAD)
- Coalition of Homeless Service Providers (the Coalition)

Advisory Boards will appoint two members to the Leadership Council and recommend constituents for committee and sub-committee nominations. Those members will serve as liaisons between the Advisory Board and the Leadership Council or Committee on which they serve. Liaisons represent the experiences, needs, concerns, and ideas of their constituents and seek input from their Advisory Board on policies, standards, strategic priorities as they are being developed. As detailed in Chapter VI, the LEAD and Y4A will be asked to endorse certain proposals from committees and sub-committees before they are advanced to the Leadership Council for a vote.

❖ **Committees, Sub-committees, and Work Groups** (Chapter VII)

These groups can be standing, active in an ongoing manner, or time-limited, stood up to address a specific project. Standing Committees are Governance, Monitoring and Evaluation, Services Coordination and Planning. In general, they develop or revise and then recommend to the Leadership Council standards, policies, and priorities for fulfilling the LMH CoC's mission and regulatory obligations. They work with CoC staff to ensure the required information and data is gathered, analyzed, and reviewed to understand whether the system and its component parts are performing in accordance with the established standards, policies and priorities. They collaborate with CoC staff, Advisory Boards, and the general membership to generate proposals to the Leadership Council.

❖ **LMH CoC Staff** (Chapter VIII)

This charter designates the non-profit, The Coalition of Homeless Service Providers (CHSP), as the legal entity to fulfill the staffing and fiscal requirements of operating a CoC as articulated in HUD's Continuum of Care Interim Rule and by the State of California. Staffing the CoC includes the specific designations below and the general responsibility to work in collaboration with the Leadership Council and its committees, sub-committees, work groups, and advisory boards to ensure implementation of the policies, procedures, funding decisions and strategic direction articulated by the Leadership Council and required by CoC funders. Specific designations include:

- The Collaborative Applicant that manages the local process for submission of funding applications in response to HUD CoC Notices of Funding Opportunities (NOFOs).
- The Administrative Entity that manages the local application process and submission to the state of California for specified funding sources.

- The Homeless Management Information System (HMIS) Lead that manages the CoC's Homeless Management Information System.
- The Coordinated Entry System (CES) Management Entity that operates the Coordinated Assessment & Referral System (CARS), the Lead Me Home CoC's Coordinated Entry System.

#### IV. Continuum of Care General Membership

Lead Me Home CoC membership is open to all individuals and organizations committed to ending homelessness and realizing the vision of the Lead Me Home Plan in which:

*"All people in Monterey and San Benito County communities live in decent, safe and affordable housing from which they access services and supports to stabilize their lives."*

##### **A. Membership Roles and Responsibilities**

- i. Provide feedback to Council and Committees on how implementation of system programs, policies and procedures is working to reduce and end homelessness.
- ii. Provide input to planning efforts such as the Gaps Analysis for setting strategies and priorities to improve the system and allocate resources.
- iii. Elect three nominees to serve on the Leadership Council at the Annual Meeting
- iv. Adopt revisions to Governance Charter approved by the Leadership Council
- v. Every five years adopt a written process to select the board to act on behalf of the Continuum of Care and ensure it is memorialized in the Leadership Council Charter
- vi. Every five years approve the designation of the Collaborative Applicant, the Administrative Entity, the HMIS Lead, and the CARS Management Entity recommended by the Council per the process outlined in Chapter V.A.i.d.

##### **B. Individual Member Responsibilities**

- i. Participate in a minimum of two general membership meetings and to come prepared, having reviewed any materials sent by staff in advance.
- ii. Respond to requests to provide feedback and input including but not limited to surveys, meetings, public comment, etc.
- iii. Engage in the work of the Continuum of Care through participation in committees, sub-committees, workgroups and/or advisory meetings that are a good fit with knowledge and experience.
- iv. Keep abreast of policy, funding and best practices impacting the field of homelessness.
- v. Promote the work of the Lead Me Home CoC to prevent and reduce homelessness
- vi. Follow the Code of Conduct in Chapter X of this Charter

##### **C. Membership Selection**

- i. The LMH CoC seeks a general membership consisting of a broad, diverse group of stakeholders committed to preventing and reducing homelessness. People can attend meetings and provide input but must become members to vote.

- ii. To become a member, an individual completes a brief application (available on-line or on paper) with contact information and the opportunity to indicate their experience/relationship to the Lead Me Home CoC's work (i.e., person with lived experience, advocate, non-profit or local government employee, geographic area, type of organization, etc.). This information will be collected by the CoC staff to understand the diversity of who is joining and where additional outreach might be extended. Individuals and organizations can join at any time.
- iii. Staff will maintain the roster.

#### **D. Continuum of Care Membership Meetings**

- i. The CoC will host no fewer than two general membership meetings per year, which can occur in person or virtually. One will serve as the Annual Meeting and the second will serve to update the membership on the work being done by the CoC. Additional meetings may be convened as needed throughout the year.
- ii. During the Annual Meeting, the following actions will be taken:
  - 1. Invite new members to join the Continuum
  - 2. Hold elections to fill seats on the Leadership Council
  - 3. Adopt changes to the Governance Charter approved by the Leadership Council.
  - 4. Generate ideas and provide strategic input for the Leadership Council and the other committees.
- iii. Notice of meetings will be posted on the Lead Me Home website and widely distributed through the listserv and follow the Public Participation Policy in Chapter IX.

#### **E. Membership Voting**

Items will be passed by the majority of members present at the meeting

### **V. Leadership Council as CoC Board**

As noted in Chapter III, the Leadership Council serves as the Board for the Continuum of Care and is authorized through this Charter to act on behalf of the CoC by setting policies and standards, making resource allocations, providing strategic direction, and ensuring accountability among stakeholders for progress in reducing and preventing homelessness in Monterey and San Benito Counties. The Council as a body and its individual members have responsibilities detailed below.

#### **A. Roles and Responsibilities of the Leadership Council**

- i. For Funding and Resource Allocation
  - a. Having received input from the general membership and others through the annual Gaps Analysis described in Chapter V.A.vi.d, set broad annual funding priorities for the use of renewing funds, bonus/additional funds and or supplemental Notices of Funding Opportunities (NOFOs). Actual funding allocated or requested may be modified by the requirements of Notices of Funding Opportunities and Requests for Proposals released in a given year.

- b. In cooperation with the Collaborative Applicant design, operate, and follow a collaborative process for the development of applications in response to HUD NOFOs (24 CFR 578.9(1)), both the annual CoC NOFO, and any special NOFOs. Ensure the CoC membership has the opportunity to provide input into the process and priorities for funding through its annual meeting.
  - c. In cooperation with the Collaborative Applicant/Administrative Entity design, operate, and follow a collaborative process for the development of applications in response to other funding opportunities from federal or state funding sources to be submitted by or in partnership with the CoC.
  - d. Appoint a non-conflicted rating and ranking committee for any applications that require the review, selection and/or ranking of local projects for inclusion in a funding application.
  - e. Establish an appeals policy and procedure to be followed by the Collaborative Applicant and an Appeals Panel once established.
  - f. Approve the submission of applications, including the rating and ranking of projects within the application.
- ii. For Governance
- a. Vote on nominations from the Governance Committee to fill open seats on the Committees.
  - b. Establish committees, sub-committees, and workgroups as needed (24 CFR 578.7(a)(4)).
  - c. Approve annual updates to the Governance Charter recommended by the Governance Committee in partnership with the CoC staff (24 CFR 578.7(a)(5))
  - d. Establish and implement a non-conflicted process by which the CoC staffing entities are reviewed and designated at least once every five years. This includes the designation of the Collaborative Applicant, Administrative Entity, the HMIS Lead, and the CARS Management Entity. The process does not need to include an RFQ or RFP, but at a minimum must include a performance review of the current entity in the role by a non-interested party. Designations must be approved by a vote of the full CoC membership.
- iii. For Monitoring and Evaluation
- a. Establish and approve revisions to performance targets (24 CFR 578.7(a)(6)) as recommended by the Monitoring and Evaluation Committee in partnership with the CoC staff.
  - b. Establish and approve revisions to individual project monitoring protocol, which will include actions to be taken to address poor performers (24 CFR 578.7(a)(6)), as recommended by the Monitoring and Evaluation Committee in partnership with the CoC staff.
  - c. Vote whether to contract with the evaluator recommended by the Monitoring and Evaluation Committee for CARS annual evaluation as required by HUD Notice (CPD-17-01 pg. 15).

- d. Review CARS evaluation along with the Management Entity and Monitoring and Evaluation Committee analysis. Vote on any proposed changes to standards, policy, or prioritization recommend by the evaluation.
- iv. For Designating and Operating an HMIS
  - a. Designate a single HMIS for the CoC and the HMIS Lead (24 CFR 578.7(b)(1)&(2)). Review that designation per Chapter V.A.i.d above.
  - b. Vote whether to adopt privacy plan, security plan and data quality plan for HMIS (24 CFR 578.7(b)(3)) and revisions recommended by the HMIS Lead in collaboration with the HMIS Oversight Committee.
  - c. Vote whether to approve the outside evaluator recommended by the HMIS Oversight sub-committee. Vote on recommendations generated by the evaluation and analyzed by the HMIS LEAD and the Oversight sub-committee.
  - d. Ensure participation in HMIS by HUD Homeless Assistance grantees and sub-grantees, including determining consequences for non-compliance to be implemented by HMIS Lead.
  - e. Promote participation in HMIS by non-HUD funded programs.
- v. For System Coordination
  - a. Establish a Coordinated Entry System (24 CFR 578.7(8)) and designate the Management Entity responsible for operating it according to the standards, policies and priorities established by the Council. Review that designation per Chapter III.A.i.d above.
  - b. Review and vote on changes to standards, policies and priorities recommended by the CARS sub-committee and Management Entity.
  - c. Establish written standards for receiving CoC assistance (24 CFR 578.7(a)(9)), including the VAWA emergency transfer plan (24 CFR 578.99(j)(8)), and vote on changes recommended by the Services Coordination Committee in partnership with the Management Entity.
  - d. Provide strategic direction and oversight to the Committees and staff for ensuring the housing and services system meets the needs of unhoused and at-risk people.
- vi. For CoC Planning
  - a. In partnership with the CoC staff, establish and oversee a community planning process for updating the Lead Me Home Plan a minimum of every five years. Monitor the progress of its implementation.
  - b. Vote whether to approve the selection of the PIT Count research team (24 CFR 578.7(c)(2)) as recommended by the CoC staff and Monitoring and Evaluation Committee.
  - c. Review the PIT Count Report along with analysis by staff and the Committee and authorize its release

- d. Use annual gaps analysis along with recommendations from the Planning Committee in collaboration with ESG recipients, the LEAD, the Y4A, and CHSP to establish funding and system development priorities for the coming year.

**B. Roles and Responsibilities of Individual Leadership Council Members**

- i. Attend Leadership Council meetings. Come prepared, having reviewed any materials sent by staff in advance.
- ii. Participation in Committee or Constituent meetings is required for Liaisons and strongly encouraged for other Council members.
- iii. Keep abreast of policy, funding and best practices impacting the field of homelessness.
- iv. Represent the interests of the group that appointed or elected the member. Confer with constituents either on a formal basis, such as at Y4A, LEAD or CHSP Coalition meeting, or informally, such as having homelessness on the agenda of the Mayors Association or Board of Supervisors agendas.
- v. Advocate for resources, policies, and attention that the work to prevent and reduce homelessness requires from the entity the member represents.
- vi. Promote the efforts and accomplishments of the Lead Me Home CoC within the entities the member represents.
- vii. Complete Leadership Council orientation.
- viii. Follow the code of conduct outlined in Chapter X, including recusing oneself from votes that are conflicted or have the appearance of conflict.
- ix. Complete the Conflict-of-Interest statement annually.

**C. Leadership Council Membership Composition and Selection**

- i. A CoC Board must be representative of the relevant entities in the CoC and of projects serving homeless subpopulations and include at least one homeless or formerly homeless representative (24 CFR 578.5(a)(1)&(2)). As the representative body, the LMH Leadership Council will consist of 26 members. Twenty seats will be appointed by relevant entities detailed below. Some entities are asked to appoint their director or a designee to the Council. Designees are expected to be senior leaders, able to take votes on behalf of their organization. The CoC staff must be notified in writing the name and contact information of the appointee at the beginning of the member's term.
- ii. To further ensure a diverse Council that is representative of the full CoC membership, the Governance Committee will recruit and nominate an additional 6 seats for election by the General Membership at its annual meetings.
- iii. Each council member may identify a person to serve as their alternate to represent them at meetings they cannot attend. The alternate must be from the same entity that the member represents, and only one person per Council member can serve in this role. Alternates can vote on any item before the Council. The CoC staff must be

notified in writing the name and contact information of the alternate at the beginning of the member's term.

- iv. Provided the contact information has been submitted to CoC staff, the directors, designee appointments (if applicable), and alternates will all receive meeting notices and materials, unless CoC staff is instructed otherwise.
- v. Appointed Seats:
  - Up to 20 seats will be filled with appointments from the entities designated below:
    - a. (1) Housing Authority of the County of Monterey—The Executive Director or designee.
    - b. (4) Monterey County Mayors Association—1 Mayor from each region, North County, South County, Peninsula, and Salinas Valley is strongly encouraged.
    - c. (1) Mayor from San Benito County
    - d. (1) Monterey County Board of Supervisors
    - e. (1) San Benito County Board of Supervisors
    - f. (1) Office of Education—the McKinney-Vento Homeless Liaison
    - g. (1) Monterey County Department of Social Services—Director or designee
    - h. (1) Monterey County Department Health Department—Director or designee
    - i. (1) San Benito County Health and Human Services Agency—Director or designee
    - j. (1) Monterey County Office of Homeless Services—Director or designee
    - k. (1) Central California Alliance for Health—Director or designee
    - l. (2) Lived Experience Advisory Directive (LEAD)
    - m. (2) Youth for Action (Y4A)
    - n. (2) Coalition of Homeless Service Providers
- vi. Elected Seats:
  - 6 additional seats will be vetted and nominated by the Governance Committee and elected by the General membership at their annual meeting. The annual meeting will allow nominations from the floor in addition to those nominated by the Governance Committee. Three seats will be up for election each year. The Committee will consider demographic diversity and geographic area when recruiting from the groups listed below.
    - a. Philanthropy
    - b. Faith-based organizations
    - c. Housing developers
    - d. Landlords
    - e. Law Enforcement/probation
    - f. Health care organizations

- g. Homeless and housing advocates
- h. Additional persons with lived experience
- i. Additional service providers

**D. Committee Liaisons**

Each Standing Committee will designate a Liaison to attend Leadership Council Meetings on its behalf. Their role is to keep the Council informed of their committee's and subcommittees' work and take direction back to those groups from the Council. Liaisons do not need to be Committee Chairs and they may be members of the Leadership Council but are not required to be.

**D. Orientation**

New members will be expected to complete an orientation developed by staff in consultation with the Governance Committee. The orientation will include the basics of HUD's Continuum of Care requirements, the Lead Me Home Plan, Lead Me Home CoC Governance and operations (CARS, HMIS, PIT Count, etc.), meeting dates, roster and contact information, and the Code of Conduct for Council members, including Conflict of Interest and good governance practices.

**E. Terms**

Both appointed and elected terms shall be two years. There are no limits to the number of terms a member can serve. Terms will be staggered so that half begin on even years and half on odd years.

**F. Co-Chairs**

The Leadership Council shall elect two members to serve as Co-chairs. Co-chairs shall serve for two years, with terms starting on alternating years. Co-chairs will facilitate meetings and work with staff to set agendas and review materials.

**G. Council Meetings and Voting**

- i. Regular meetings are held every other month in person and virtual. The Council will set the regular meeting schedule at the beginning of each calendar year and post dates, times and locations per the Public Participation Policy in Chapter IX.
- ii. Other meetings may be added to the schedule and will be considered "special meetings". Special meetings will require 24-hour notice prior to the start time of the meeting and will follow the Public Participation Policy.
- iii. Public Participation in Leadership Council meetings is encouraged and will be facilitated by the procedures outlined in Chapter IX. In general, Leadership Council meetings will be open to the public. Closed sessions may be required for the discussions of funding decisions, monitoring findings, or performance of individual projects. Closed sessions are attended by non-conflicted voting members and relevant CoC Staff.
- iv. The Quorum will be 50% of active members +1. The Governance Committee will review member attendance semi-annually. Members who have missed two

regular meetings in a row will be moved to an inactive status and not count against quorum. Vacant seats will also not count against quorum.

- v. When making decisions the Council will strive for consensus. When votes are required, a motion passes when 50% + 1 of those present at time of vote “yes” in a meeting that has met quorum.

#### G. Attendance

Members or their alternates are expected to participate in at least 75% of regular meetings. Attendance will be documented on the roster and minutes. The Governance Committee will reach out to inactive members that have been absent twice in 6 months and inquire if they can re-engage in the Council or need to leave the Council. Appointed members would appoint their replacement. Elected members will be replaced at the next annual meeting of the membership.

## VI. Advisory Board and Constituent Groups

### A. General Description

This Charter recognizes three Advisory Boards that represent constituents with critical insight and expertise that the CoC needs to shape an increasingly effective response to homelessness in Monterey and San Benito Counties. Those Advisory Boards are:

- Lived Experience Advisory Directive (LEAD)
- Youth for Action (Y4A)
- Coalition of Homeless Service Providers (the Coalition)

Advisory Boards will appoint members to the Leadership Council and recommend constituents for committee and sub-committee nominations. Those members will serve as liaisons between the Advisory Board and the Council or Committee on which they serve.

**Liaisons** represent the experiences, needs, concerns, and ideas of their constituents and seek input from their Advisory Board on policies, standards, strategic priorities as they are being developed. The LEAD and Y4A will be asked to endorse certain proposals from committees and sub-committees before they are advanced to the Leadership Council for a vote.

### B. LEAD

*“Enhancing our systems by including residents with lived experience to bridge our communities, regardless of shelter. **Nothing About Us Without Us.**”*

(LEAD Mission Statement)

- i. Membership, terms, compensation
  - a. The LEAD is a 9-member body that is self-appointing
  - b. Will designate a Chair and a Co-Chair
  - c. Terms are 3 years with a chance to renew for a 2<sup>nd</sup> term
  - d. Members are compensated for their time and expertise

- e. If a member is no longer able to serve, the LEAD will work to fill vacancies as soon as possible.
- ii. Roles and Responsibilities in CoC Governance
  - a. The LEAD will appoint two persons with lived experience of homelessness (within the last seven years) to the Leadership Council. At least one of these appointments has to be on the LEAD and serve the liaison function described above in Chapter VI.A. The other appointment can be a non-LEAD member, but one with lived experience.
  - b. The LEAD will also provide recommendations to the Governance Committee of its members that would be strong candidates for the committees and sub-committees, either standing or ad-hoc. Those members will serve the liaison function described in Chapter VI.A above.
  - c. LEAD members or appointees will be asked to serve on the Rating and Ranking Group and the Grievance Sub-Committee.
  - d. In addition to members who are representing the interests of persons with lived experience, the LEAD will review and endorse the following before it advances to the Leadership Council for a vote:
    - Annual Governance Charter updates
    - Leadership Council selection process every five years
    - Changes to performance targets
    - Project monitoring protocol
    - Updated HMIS privacy, security and data quality plans
    - Draft evaluation of CARS
    - Changes to the Standards of Care
    - Plan for conducting the Point-In-Time Count
    - Gaps Analysis
    - Funding priorities for CoC, ESG and new sources (NOTE: this is not the selection of grantees/contractors, but the broad strategic priorities for use of funds)
- iii. Meetings
  - a. LEAD meets monthly
  - b. LEAD will strive for consensus whenever possible, and when a vote is required, a motion will pass if a majority of those present support it.
- iv. Staff Support
 

CoC staff will support LEAD members with orientation, meeting materials and meeting preparation

**C. Y4A**

The Y4A focuses on representing the needs, perspectives and ideas of people with lived experience of homelessness or housing instability ages 16-28, including BIPOC, LGBTQ+, disabled and pregnant and parenting youth and young adults. The Y4A was formed in part to shape the planning for, and implementation of HUD's Youth Homeless Demonstration Program grant secured by the CoC in FY2020 grant cycle. Y4A will make

recommendations to the Leadership Council on standards, policies, and protocol for operating the Youth system:

- i. Membership, terms, compensation
  - a. Membership is determined by level of participation in at least 50% of Y4A's regular weekly meetings or work groups
  - b. Will designate a Chair
  - c. There are no terms or term limits, members age out.
  - d. Members are compensated for their time and expertise
- ii. Roles and Responsibilities in CoC Governance
  - a. The Y4A will appoint two youths with lived experience of homelessness (within the last seven years) to the Leadership Council. At least one of these appointments has to be a Y4A member and serve the liaison function described above in Chapter VI.A. The other appointment can be a non-Y4A member, but one with lived experience.
  - b. The Y4A may also provide recommendations to the Governance Committee of its members that would be strong candidates for the committees and sub-committees, either standing or ad-hoc. Those members will serve the liaison function described in Chapter VI.A above.
  - c. Y4A members or appointees can serve on the Rating and Ranking Group and the Grievance Sub-Committee as capacity allows.
  - d. In addition to members who are representing the interests of persons with live experience through their participation in policy development and evaluation, Y4A will review and endorse the youth focused elements of the following before they advance to the Leadership Council for a vote.
    - Annual Governance Charter updates
    - The Council selection process every five years
    - Changes to performance targets
    - Project monitoring protocol
    - Updated HMIS privacy, security, and data quality plans
    - Draft evaluation of CARS
    - Changes to the Standards of Care
    - Plan for conducting the PIT Count
    - Gaps Analysis
    - Funding priorities for CoC, ESG and new sources (NOTE: this is not the selection of grantees/contractors, but the broad strategic priorities for use of funds)
- iii. Meetings
  - a. Y4A meets weekly
  - b. Y4A members will strive for consensus whenever possible, and when a vote is required, a motion will pass if a majority of those present support it.
- iv. Staff Support

CoC staff will support Y4A members with orientation, meeting materials and meeting preparation

**D. Coalition of Homeless Service Providers (The Coalition)**

The Coalition is a membership organization whose mission is aligned with the Lead Me Home CoC. It seeks to “eliminate homelessness in Monterey and San Benito Counties.” Its members are “non-profit and public agencies providing services to persons experiencing homelessness”, equipping it to represent the perspective, needs, concerns, and ideas of direct service providers in the work of governing the CoC.

- i. The Coalition Board will be invited to appoint two Coalition Members to the Leadership Council. These members can be on the Coalition Board but do not need to be. The LC members will serve as liaisons to the service provider community as described above in VI.A.
- ii. The Coalition Board can also provide recommendations to the Governance Committee of members that would be strong candidates for the committees and sub-committees, either standing or ad-hoc.

VII. Committees, Sub-Committees or Workgroups

**A. Standing committees and sub-committees are:**

- Governance
- Monitoring and Evaluation
  - HMIS Oversight
  - Grievance
- Services Coordination
  - CARS Coordination
  - Rapid Rehousing
  - Outreach Coordination
- Planning
  - Housing Pipeline

**B. Roles and Responsibilities**

Lead Me Home Governance includes the standing committees and sub-committees. It can also include workgroups to fulfill a specific purpose for a limited time period.

As noted in Chapter III, committees, sub-committees, and work groups:

- ❖ Develop or revise then recommend to Leadership Council standards, policies, and priorities for fulfilling the LMH CoC’s mission and regulatory obligations.
- ❖ Work with CoC staff to ensure the required information and data is gathered, analyzed and reviewed to understand whether the system and its component parts are performing in accordance with the established standards, policies and priorities. Recommend corrective action when it is not.

- ❖ Collaborate with CoC staff, Advisory Boards and the membership as specified in the committee and sub-committee descriptions to generate proposals to recommend to the Leadership Council for adoption.

**C. Roles and Responsibilities of Individual Committee, Sub-Committee, and Work Group Members**

- i. Attend meetings. Come prepared, having reviewed any materials sent by staff in advance.
- x. If applicable, represent the interests of the group that appointed the member. Confer with constituents either on a formal basis, such as at Y4A, LEAD or CHSP Coalition meeting, or informally, such as reaching out to stakeholders one to one.
- xi. Work collaboratively and respectfully with other members and CoC Staff to fulfill the group's responsibilities.
- xii. Follow the code of conduct outlined in chapter X, including recusing oneself from votes that are conflicted or have the appearance of conflict.
- xiii. Complete the Conflict-of-Interest statement annually.

**D. Committee Membership:**

Standing Committee and Sub-Committees members are seated by a vote of the Leadership Council after being nominated by the Advisory Boards and the Governance Committee. Members can be Council members and non-members. The LEAD and Y4A will collaborate to nominate 1-3 people with lived experience to serve on each Committee. The Coalition board can nominate a homeless service provider to serve on Committees other than the Grievance and Rating and Ranking sub-committees. The Governance Committee will nominate additional members to ensure the breadth of knowledge and diversity of representation the group's work requires.

Should a member resign or stop participating (miss multiple (2-3) meetings) in a row, a committee may elect to replace the member before the annual nomination process. In which case, the committee will recruit and elect its new member, who will then have to be reappointed by the LC during the annual process. Such reappointments should not be unreasonably denied.

**E. Committee Liaisons**

As noted in Chapter V, each Standing Committee will appoint one of its members to serve as the liaison between the Committee and the Council. Their role is to keep the Council informed of their respective committee's and its subcommittees' work and take direction back to those groups from the Council. Liaisons do not need to be Committee Chairs, though they can be.

A minimum of one member with lived experience appointed by the Y4A and/or LEAD serve on standing committees and act as liaisons to their respective groups. The CHSP appointee will also serve as a liaison to the Coalition. Liaisons ensure the LEAD, the Y4A, or the Coalition is updated on the Committee's progress, emerging issues, and recommendations

being developed. When appropriate, they seek direction from the LEAD, Y4A or Coalition and communicate that to the committee.

**F. Chairs**

Standing Committees have the authority to determine whether they utilize a Chair and Vice-Chair or a Co-chair leadership model.

**G. Relationships to Other Governance Groups**

How a committee or sub-committee will work with other groups is delineated in the descriptions of its responsibilities and deliverables below.

**H. Sub-Committees**

Standing committees may establish additional sub-committees or work groups as needed to fulfill their responsibilities and meet their deliverables. Sub-committees and workgroups can be project-specific and time-limited or ongoing. If ongoing, they may be added to the Charter during annual revisions. The LC may also establish additional committees, sub-committees, and workgroups throughout the year as needs arise. Those groups may operate within the existing committee structure or report directly to the LC.

**I. Meetings**

- i. A committee, or its sub-committees and work groups meet quarterly at a minimum but can choose to meet more often in order to fulfill its responsibilities.
- ii. Meetings will follow the public notice in Chapter IX, and will encourage more active public participation, inviting non-committee members to engage in dialogue on meeting topics and help shape recommendations and proposals. When votes are required, only appointed committee members can vote.

**J. Staff Support**

All standing committees and standing sub-committees will have CoC staff support in preparing meeting agendas, materials, and minutes. Staff or technical assistance/consultants, under committee or sub-committee direction, will support the meeting of the committees' deliverables by conducting research, providing analysis, facilitating community input and planning, generating drafts for policy and priority setting, and other related support. If a committee or sub-committee were to take on a project that is not required by a federal regulation nor funded by HUD, the state, or another source, CoC staff will assist, if possible, but cannot prioritize the work over funded regulatory requirements.

**K. Governance Committee**

- i. *Charge:*  
The Governance Committee's is charged with fulfilling the LMH CoC's intent for inclusive, transparent, equitable governance that complies with federal expectations.
- ii. *Responsibilities/Deliverables:*

- a. In partnership with CoC staff plan for and host the semi-annual full membership meetings (24 CFR 578.7(a)(1)).
- b. Ensure staff issues annual invitation to for new members to join the CoC (24 CFR 578.7(a)(b)).
- c. Facilitate the review, revision, and adoption of the written process by which the CoC board is selected and authorized to act on behalf of the Continuum at least once every five years (24 CFR 578.7(a)(3)) and includes the identification of the entity serving as the CoC and the selection process for the members of that board. This responsibility will require a community planning process that must be approved by the CoC membership and include the input of the LEAD and Y4A and the Coalition. The written process must be endorsed by these three Advisory Boards and adopted by CoC membership.
- d. Facilitate the annual update of the Governance Charter (24 CFR 578.7(a)(5)) in consultation with the Collaborative Applicant and the HMIS Lead. Seek input from the General Membership, Advisory Boards, and other Committees. Recommended updates must be endorsed by LEAD and Y4A and proposed to the Leadership Council for adoption, then adopted by the full membership.
- e. Recruit, nominate, and orient new board members
- f. Track Council attendance and address persistence absences.
- g. Nominate members of standing committees and sub-committees  
Confer with LEAD, Y4A and Standing Committees and Sub-committees about their needs and recommendations for members.

iii. *Membership*

This Committee will consist of 4-8 members that will represent the diversity of the participants within the Leadership Council.

<b>L. Monitoring and Evaluation</b>
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i. *Charge*

Promote the highest quality of care and continued performance improvement through ensuring individual project monitoring, system performance review, the annual evaluation of CARS (Coordinated Entry), HMIS Oversight, and responding to grievances from the community. This committee will have one standing sub-committees, HMIS Oversight.

ii. *Responsibilities*

- a. In collaboration with the Collaborative Applicant consult with recipients and sub-recipients of CoC funds, the LEAD and the Y4A, to recommend performance targets for adoption or revision by the Leadership Council ((24 CFR 578.7(a)(6)).
- b. In collaboration with the Collaborative Applicant, recommend project monitoring protocols, including addressing poor performers and ensure protocols are implemented by the Collaborative Applicant((24 CFR 578.7(a)(6)).
- c. Ensure Collaborative Applicant evaluates and reports to HUD the performance of CoC and ESG funded projects ((24 CFR 578.7(a)(7)).

- d. Through the HMIS Oversight Sub-committee and HMIS LEAD, ensure the HMIS is operated in compliance with HUD requirements, *including 24 CFR 578.7(c)(3),(4),(5)*.
- e. In consultation with the Advisory Boards, design the scope of the annual CARS evaluation, facilitate the selection process for the evaluator and recommend the top candidate to the Leadership Council. (Relates to 24 CFR 578.7(a)(8).
- f. Recommend to the Leadership Council policies and procedures for filing, hearing and addressing of grievances about the CoC. Once adopted by the Leadership Council, ensure the implementation and updating of the policy.

iii. *Membership*

The committee will have 7-10 Members. The majority of members need to be non-conflicted, meaning they are not recipients or sub-recipients of CoC and ESG funds.

iv. *Standing Sub-Committee*

**HMIS Oversight** is the sub-committee responsible:

- a. In collaboration with HMIS Lead, review, revise, and propose updates to the privacy plan, security plan and data quality plan for HMIS (24 CFR 578.7(b)(3)) for a vote by the Leadership Council. Advisory Board liaisons will ensure input from their constituents in the development of recommendations and seek their endorsement before advancing to the Leadership Council.
- b. Promote consistent participation of recipients and sub-recipients in HMIS (24 CFR 578.7(b)(4))
- c. In collaboration with the HMIS Lead, ensure HMIS is administered in compliance with requirements prescribed by HUD. (24 CFR 578.7(b)(5)). This includes, at a minimum, receiving reports from the HMIS Lead that demonstrate compliance and manage a periodic performance review by an outside evaluator.

d. *Membership*

The committee will have up to 25 members consisting of the HMIS admins in the user agencies. [Link to HMIS Policies & Procedures to be added.](#)

**M. Services Coordination**

i. *Charge*

Ensure to the greatest extent possible that services provided within the Homelessness Continuum of Care, including Coordinated Assessment, are low-barrier, consistent with strategic priorities, and functioning according to the written standards for receiving CoC assistance. Work to continuously improve service delivery within the CoC and collaboration with adjacent systems of care such as Health Care, Behavioral Health, Social Services, Child Welfare, Probation, etc. This includes proposing revisions to the system design, standards, or protocol when the system is not working as intended.

- ii. *Responsibilities:*
  - a. Establish and operate a coordinated entry system, known as CARS, (24 CFR 578.7(a)(8)) In collaboration with the Management Entity identify areas for improvement of procedures and protocol. Consult with the general membership and the advisory boards to recommend changes in standards or policy. Advisory Board liaisons will ensure input from their constituents in the development of recommendations and seek their endorsement before advancing to the Leadership Council.
  - b. Recommend written standards for receiving CoC assistance and ensure they are being followed (24 CFR 578.7(a)(9)). Consult with the general membership and the advisory boards to recommend changes in standards or policy. Advisory Board liaisons will ensure input from their constituents in the development of recommendations and seek their endorsement before advancing to the Leadership Council.
  - c. In collaboration with CoC Staff, providers, service users, and mainstream systems coordinate the implementation of a housing and service system that meets the needs of homeless individuals, including unaccompanied youth, and families. The system includes outreach, shelter, housing and supportive services, and prevention strategies. (24 CFR 578.7(c)(1))
  - d. In collaboration with Management Entity (CHSP) and Advisory Councils, develop and implement the VAWA emergency transfer plan (24 CFR 578.7(d)).
- iii. *Membership*

The committee will have up to 30 Members.

**Standing Sub-Committees:**

**CARS Committee will:**

- a. Coordinate with the staff of the CARS Management Entity to ensure the system is implemented according to the established policies and community vision.
- b. Serve as a forum for CoC members and participating agencies to engage in the planning, implementation, and operation of CARS. This includes identifying needs and challenges facing CARS and proposing solutions to CARS-related problems.
- c. Develop specific program policy and technology recommendations for approval by the CoC Leadership Council to improve the effectiveness of CARS.
- d. Coordinate with the CoC's Homeless Management Information System (HMIS) lead agency to ensure CARS is incorporated into the HMIS.
- e. *Membership*

Consist of 12-25 members of CARS Partnering Agencies. These members will have a good understanding of the CARS system and be able to make decisions on behalf of their organization. This meeting will be held monthly to help plan, implement and operate CARS.

**Outreach Coordination Committee will:**

- a. Collaborate and support outreach teams while increasing service delivery that will lead to more consistent care across Monterey and San Benito unhoused community.
- b. Provide service providers with upcoming news, opportunities, and projects pertaining to homelessness and work to develop responses and solutions to any upcoming health and safety issues.
- c. Include boots on the ground staff in the discussions including staff with lived experience to empower them to advocate for the needs of the community and assume a significant role in offering solutions.
- d. Membership  
Consist of 12-35 participants of programs that conduct outreach in the CoC region. These individuals are ideally working on the ground with people experiencing homelessness.

**Rapid Rehousing Committee will:**

- a. Review, evaluate and revise current Rapid Rehousing Policies & procedures related to the CoC.
- b. Have region-wide collaboration between agencies with RRH programs.
- c. Support a housing pipeline to the community where everyone can have a healthy home of their choosing.
- d. Membership  
Consists of 6-15 participants of programs that support a Rapid Rehousing program within the CoC region.

**N. Planning**

- i. *Charge*  
Regularly assess homeless needs and the services available within the CoC and recommend priorities for use of resources.
- ii. *Responsibilities:*
  - e. Planning for and conducting the PIT Counts (24 CFR 578.7(c)(2))
  - f. In collaboration with the Collaborative Applicant consult with the general membership and the advisory boards to conduct an annual gaps analysis (24 CFR 578.7(c)(3)) Advisory Board liaisons will ensure input from their constituents in the development of recommendations and seek their endorsement before advancing to the Leadership Council.
  - g. In collaboration with the Collaborative Applicant, consult with ESG recipients and advisory boards to recommend funding allocation priorities (24 CFR 578.7(c)(5)) to the Leadership Council. Advisory Board liaisons will ensure input from their constituents in the development of recommendations and seek their endorsement before advancing to the Leadership Council.
- iii. *Membership:*  
The committee will have 9-12 Members.

## Standing Sub-Committees:

### Housing Pipeline will:

- a. Foster a collaborative environment that problem solves issues surrounding housing production.
- b. Track production of low-income and extremely low-income and/or homeless housing within Monterey and San Benito Counties.
- c. Track legislation that can affect homeless housing.
- d. Track State and Federal funding for housing.
- e. Educate partners on housing issues.
- f. Strategically look at how affordable housing projects will support the regional strategic plan in reducing homelessness CoC wide.
- g. Membership  
Consists of 10-15 representatives of cities, counties and housing development groups.

## VIII. CoC Staffing

This charter designates the non-profit, The Coalition of Homeless Service Providers (CHSP), as the legal entity to fulfill the staffing and fiscal requirements of operating a CoC as articulated in HUD's Continuum of Care Interim Rule and by the State of California. Staffing the CoC includes the specific designations below and the general responsibility to work in collaboration with the Leadership Council and its committees, sub-committees, work groups and advisory boards to ensure implementation of the policies, procedures, funding decisions and strategic direction articulated by the Leadership Council and required by CoC funders. Specific designations include:

- The Collaborative Applicant that manages the local process for submission of funding applications in response to HUD CoC Notices of Funding Opportunities. It is the entity registered with HUD to submit the CoC application and receive the CoC Planning Grant. As the Collaborative Applicant, CHSP is responsible for monitoring, evaluating, and reporting to HUD the performance of all CoC grantees, including those from Special NOFOs such as YHDP. CHSP will administer contracts with sub-grantees to operate some CoC projects.
- The Administrative Entity that manages the local application process and submission to the state of California for specified funding sources. It is the entity registered with the State of California to submit the Homeless, Housing Assistance & Prevention Program (HHAP). It has fulfilled this role for past state sources and is positioned to fill it for future funding sources. As the Administrative Entity, CHSP also administers contracts with sub-grantees to operate some funded projects. CHSP is also responsible for monitoring, evaluating, and reporting to California State funders the performance of grantees.
- The HMIS Lead that manages the CoC's Homeless Management Information System (HMIS). As the HMIS Lead, CHSP onboards agencies to HMIS, trains end users, monitors data security and quality, generates individual project and system-wide reports for HUD, HMIS Oversight, Monitoring and Evaluation and the Leadership Council. CHSP works with HMIS Oversight to improve the data system's performance, to recommend updates to the

privacy, security and quality plans that are reviewed by the Advisory Boards and voted on by the Leadership Council. Ensures HUD & State changes to data standards are integrated into the local system, that users are notified and trained on those changes. Additionally promotes the participation in HMIS beyond those programs required to use it.

- The Coordinated Entry System Management Entity that operates CARS, the Lead Me Home CoC's Coordinated Entry System. As the CARS Management Entity, CHSP manages the day-to-day operations, which includes reviewing assessments, training assessors, managing the prioritized list and matching households to housing resources. CHSP staffs the CARS sub-committee where procedural improvements are developed and participating agencies are consulted.

All standing committees and standing sub-committees will have CoC staff support in preparing meeting agendas, materials, and minutes. Staff or technical assistance/consultants, under committee or sub-committee direction, will support the meeting of the committees' deliverables by conducting research, providing analysis, facilitating community input and planning, generating drafts for policy and priority setting, and other related support. If a committee or sub-committee were to take on a project that is not required by a federal regulation nor funded by HUD, the state, or another source, CHSP staff will assist, if possible, but cannot prioritize the work over funded regulatory requirements.

CHSP's primary organizational function is to staff the implementation of Continuum of Care requirements and strategic priorities as set by the Leadership Council, HUD and other CoC funders. The CHSP board's primary function is not to direct this work, but to ensure that the organization operates in accordance with non-profit law, including sound fiscal and personnel practices. Because the board currently consists pre-dominantly of homeless service providers who are, have been, or could be funded by the sources for which CHSP functions as fiscal and monitoring agent, the potential for conflict of interest is significant. The current CHSP board must recuse itself from directing the programmatic work of staff, including the Executive Director. The needs of service providers in the CoC cannot be met through directing the staff's work as the CoC staffing entity.

## IX. Public Participation Policy

*This is a sample policy based on Alameda County's CoC*

- A. Members of the public will be invited to participate in Leadership Council and Committee meetings via the CHSP Website (chsp.org).
  - i. The annual calendar of meetings, with dates, times and locations or remote conference meeting links will be posted on the CHSP Website.
  - ii. Any meeting outside the calendar schedule will be considered a "special meeting" and will require at least 24-hour notice prior to the meeting.
  - iii. Meetings will provide the public an opportunity to address the body prior to acting on any item.

- iv. Virtual access will always be available and listed through the agenda available on the website.
- B. Every Agenda will be published and posted on the CHSP website at least 48 hours in advance for regular meetings, and no less than 24 hours in advance of special meetings. Agendas will incorporate language noting that Committee meetings are open to the public.
- i. Agendas will include the date, time and location or remote conference meeting links of the meeting and clearly identify whether each item is a proposed action or a discussion item.
  - ii. No action shall be taken on any item not appearing on the agenda.
  - iii. Materials that are finalized will be posted on the CHSP website along with the agenda and will be available to the public at the meeting and posted on the website within 7 business days of the meeting.
- C. Public Comment will be solicited during agenda items with a time limit of 2 minutes per person. If the number of commenters exceeds the available time, it is at the discretion of the Chair or Co-Chair to either: 1) extend the time for public comment; 2) choose the number of speakers; and/or; 3) limit the amount of time for each speaker 4) make comments that are not on the agenda. All written public comments submitted by the time of the Meeting that indicates “for Public Distribution” will be accepted and noted during Public Comment period and distributed at the meeting. Instructions on how to submit written public comments will be noted on the CHSP website.
- D. Draft action minutes from the session, including names of members attending and roll call vote on each action item will be posted on the CHSP website within 15 business days of the meeting. The action minutes will also include a list of those who spoke from the public if they identified themselves and a brief summary of the public comments.
- E. Teleconference and/or Virtual meetings will be held on an as needed basis. A quorum of the committee must participate for action items to be voted upon.
- i. The Coalition will designate a teleconference and/or virtual accessible site. The conference meeting information will be clearly identified in the agenda, along with any other teleconferencing information, which will be posted on the CHSP website. If requested ahead of time, the Coalition can provide a translator and offer closed captioning. Virtual access will always be available and listed through the agenda available on the website.
  - ii. If it is a regularly scheduled meeting, Agenda must be posted 72 hours prior to the meeting. If it is a “special meeting,” Agenda will be posted within 24 hours of the meeting.
  - iii. The total of “ayes”, “nays” and “abstentions” will be indicated after each vote.
- F. Bodies that conduct rating and ranking or performance reviews of individual projects will hold closed sessions on any agenda items and/or meetings that include any review, rating and/or ranking of projects, discussions of projects’ performance, and the Rating and Ranking session.

## X. Code of Conduct and Conflict of Interest

### A. Code of Conduct

The following Code of Conduct provides the foundation of ethics for the Lead Me Home CoC. Members of the CoC, its Leadership Council, Advisory Boards, Committees and Sub-Committees shall:

- i. Attend, virtually or in person, at least 75% of the duly called meetings of their entities, or in the case of the Council, send their alternate.
- ii. Demonstrate a professional interest in or personal commitment to addressing and alleviating the impact of homelessness on the people of the community, advocating for the interests of the constituency they represent while working for the good of the Continuum of Care efforts as a whole
- iii. Strive to express themselves with clarity, compassion, empathy, respect for others, and keep the common good in mind.
- iv. Perform duties impartially, avoid conflict of interest and/or the appearance of a conflict
- v. Avoid misuse of position, includes not accepting or soliciting gifts or gratuities for personal benefit, or using their position with the CoC for their own personal gain or for the benefit of family or friends

LMH CoC Officers, employees and agents shall disclose waste, fraud, abuse, and corruption to appropriate authorities.

LMH CoC Officers, employees and agents shall adhere to all laws and regulations that provide equal opportunity for all people regardless of race, color, religion, sex/gender identity, national origin, ethnicity, sexual orientation, age or disability.

### B. Conflict of Interest

#### i. *Purpose*

1. The purpose of this conflict-of-interest policy is to protect the Monterey & San Benito Counties' Lead Me Home Continuum of Care (LMH CoC or CoC) interests when it is contemplating entering into a transaction or arrangement that might benefit the private interests of an officer, employee or agent of the LMH CoC or might result in a possible excess benefit transaction.
2. This policy is intended to supplement, but not replace, any applicable state and federal laws governing conflicts of interest applicable to nonprofit and charitable organizations.

#### ii. *Definitions*

1. **Interested person** – Any member, principal officer, or member of a committee with governing board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.
2. **Financial interest** – A person has financial interest if the person has, directly or indirectly, through business, investment, or family:
  - a) An ownership or investment interest in any entity with which the CoC has a transaction or arrangement,
  - b) A compensation arrangement with the CoC or with any entity or individual with which the CoC has a transaction or arrangement, or

c) A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the CoC is negotiating a transaction or arrangement. Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial. A financial interest is not necessarily a conflict of interest. A person who has a financial interest may have a conflict of interest only if the LMH CoC decides that a conflict of interest exists, in accordance with this policy.

iii. **Procedures**

1. **Duty to Disclose** – In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the LMH CoC.
2. **Recusal of Self** – Any interested person may recuse himself or herself at any time from involvement in any decision or discussion in which the interested person believes he or she has or may have a conflict of interest, without going through the process for determining whether a conflict of interest exists.
3. **Determining Whether a Conflict of Interest Exists** – After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the LMH CoC meeting while the determination of a conflict of interest is discussed and voted upon. The remaining group members shall decide if a conflict of interest exists.
4. **Procedures for Addressing the Conflict of Interest**
  - a) An interested person may make a presentation at a LMH CoC meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
  - b) The LMH CoC shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
  - c) After exercising due diligence, the LMH CoC shall determine whether the CoC can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
  - d) If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the LMH CoC shall determine by a majority vote of the disinterested members whether the transaction or arrangement is in the CoC's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether to enter into the transaction or arrangement.
5. **Violations of the Conflict-of-Interest Policy**
  - a) If the LMH CoC has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
  - b) If, after hearing the member's response and after making further investigation as warranted by the circumstances, the LMH CoC determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

**Records of Proceedings**

The minutes of the LMH CoC group shall contain:

- a) The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the group's decision as to whether a conflict of interest in fact existed.

b) The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

**Compensation**

- a) A voting member of the LMH CoC who receives compensation, directly or indirectly, from the CoC for services is precluded from voting on matters pertaining to that member's compensation.
- b) A voting member of any group or committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the CoC for services is precluded from voting on matters pertaining to that member's compensation.
- c) No voting member of the LMH CoC or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the CoC, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

**Annual Statements**

1. Each member, principal officer and member of a committee with CoC delegated powers shall annually sign a statement which affirms such person:
  - a) Has received a copy of the conflict-of-interest policy,
  - b) Has read and understands the policy,
  - c) Has agreed to comply with the policy, and
  - d) Understands the LMH CoC is charitable and in order to maintain its credibility it must engage primarily in activities which accomplish one or more of its charitable purposes.
2. Each voting member of the LMH CoC shall annually sign a statement which declares whether such person is an interested person.
3. If at any time during the year, the information in the annual statement changes materially, the member shall disclose such changes and revise the annual disclosure form.
4. The LMH CoC shall regularly and consistently monitor and enforce compliance with this policy by reviewing annual statements and taking such other actions as are necessary for effective oversight.

**Periodic Reviews**

To ensure the LMH CoC operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its credibility, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- a) Whether compensation arrangements and benefits are reasonable, based on competent survey information (if reasonably available), and the result of arm's length bargaining.
- b) Whether partnerships, joint ventures, and arrangements with management organizations, if any, conform to the LMH CoC's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement or impermissible private benefit or in an excess benefit transaction.

**Use of Outside Experts**

When conducting the periodic reviews as provided for above, the LMH CoC may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the LMH CoC of its responsibility for ensuring periodic reviews are conducted. Several stakeholders shared ideas for modifying this chapter that have not been included yet.

## XI. Preparing CoC Applications for Funding

The LMH CoC must “design, operate and follow a collaborative process for the development of applications and approval of submissions” (24 CFR 578.9) to HUD’s Continuum of Care Program’s Notice of Funding Opportunity (NOFO). The LMH CoC will submit one application for all projects with the geographic area and has designated the Coalition of Homeless Service Providers to serve as its Collaborative Applicant.

### A. Leadership Council

- i. Set broad annual funding priorities for the use of renewing funds, bonus/additional funds and or Supplemental Notices of Funding Opportunities (SNOFOs) informed by input from the general membership, advisory boards, and committees. Modify priorities based on specific requirements of given NOFOs.
- ii. Ensure the CoC membership has the opportunity to provide input into the process and priorities for funding through its annual meeting.
- iii. In cooperation with the Collaborative Applicant/Administrative Entity design, operate, and follow a collaborative process for the development of applications in response to other funding opportunities from federal or state funding sources to be submitted by or in partnership with the CoC.
- iv. Appoint a non-conflicted rating and ranking panel for any applications that require the review, selection and/or ranking of local projects for inclusion in a funding application.
- v. Establish an appeals policy and procedure to be followed by the Collaborative Applicant and an Appeals Panel if established.
- vi. Approve the submission of applications, including the rating and ranking of projects within the application.

### B. Collaborative Applicant

- i. Provide analysis of the HUD NOFO application, scoring feedback, and other guidance on HUD’s funding priorities.
- ii. Review, verify and submit the Grants Inventory Worksheet and register the CoC following HUD’s registration process.
- iii. Manage the local project application process established by the Leadership Council, includes developing the local application form and scoring criteria, conducting the bidders conference, responding to Frequently Asked Questions, staffing the rating and ranking process, issuing the project priority list, and managing the appeals process.
- iv. Recruit and support members to serve on non-conflicted rating and ranking panels. This includes due diligence to recruit individuals with lived experience to serve from the LEAD, the Y4A, or general membership. Providers who are or could be conflicted cannot serve on review panels (24 CFR 578.95).
- v. Ensure the Consolidated Application questions and required attachments are completed and submitted in e-snaps.
- vi. Ensure all project applications and the priority list are properly submitted in e-snaps.

### C. LEAD and Y4A

- i. Approve appointments of persons with lived experience to the rating and ranking panels.

**D. Rating and Ranking Panel**

- i. Review and score individual project applications per the guidance of the Collaborative Applicant.
- ii. Determine the priority listing of projects to be presented to the Leadership Council for approval.

**E. Appeals Panel**

- i. Review appeals made by Continuum of Care project applicants to the local competition's rating and ranking list, following the Appeals Process established by the Leadership Council. Panel members are seated for each NOFO round, and the Panel decisions on appeals are final.

Appendices to Consider linking to or attaching

1. Interim Rule
2. Definition of Terms
3. Chart of Responsibilities per Program Rule
4. Standards of Care
5. P & P manuals for HMIS, CARS
6. Conflict of Interest Form