

O'ahu Continuum of Care Governance Charter

Final – Approved by Oahu Continuum of Care 3.6.2021

DEFINITIONS – Key Terms Defined

Ad Hoc Working Group(s) – Ad Hoc Working Groups are established to work on projects or tasks of critical importance to the O'ahu CoC. Ad Hoc Working Groups will have varying durations, dependent on the topic or issue. Ad Hoc Working Groups are made up of staff from the participating agencies and partners within the O'ahu CoC and may include members of the O'ahu CoC Board without establishing a quorum of the O'ahu CoC Board on any Ad Hoc Working Group.

Committees – Committees are established to address mandates and/or topics of critical importance to the O'ahu CoC and specifically referenced in the HEARTH Act. Committees are ongoing in nature and made up of O'ahu CoC Board members, staff from City and County of Honolulu, State of Hawai'i, Hawai'i Interagency Council on Homelessness and CoC members representing sub-populations without establishing a quorum of the O'ahu CoC Board members on any of the Committees.

Committee Chair(s) – Individuals that serve as a Committee lead (on behalf of the O'ahu CoC Board) to ensure activities and/or meetings are occurring as it relates to special projects, initiatives and ad hoc working groups in order to ensure the assignment, direction and timeframes are being met.

Collaborative Applicant – The collaborative applicant is the entity that submits the annual CoC Consolidated Application for funding on behalf of the CoC and is charged with collecting and combining the application information from all applicants for all projects within the CoC's geographic area.

Consolidated Plan - A long-term housing and community development plan developed by state and local governments and approved by HUD (24 CFR Part 91). The Consolidated Plan contains information on homeless populations and should be coordinated with the CoC plan.

Continuum of Care (CoC) – Historically, under the McKinney Vento Act, the CoC was a local network that plans and coordinates funding for services and housing to assist homeless individuals and families. With the adoption of the HEARTH Act, the Continuum of Care (CoC) is an entity that implements the HUD CoC program and includes all who elect to participate and are concerned with and/or providing services to the various homeless subpopulations furthering the direction of the HEARTH Act (24 CFR 578 Subpart B).

Continuum of Care Board (O'ahu CoC Board) - This is the official board acting on behalf of the Continuum of Care to take care of all related business requiring direction and/or formal actions acting with the purpose of furthering the mission to end homelessness.

The O'ahu CoC Board is comprised of agency representatives that reflect the sub-populations defined within the HEARTH Act, homeless or formerly homeless individuals, and government agency representatives.

Continuum of Care (CoC) Member – A CoC member can be an individual, agency and/or Representative of a Government Office who are concerned with and/or providing services to the various homeless sub-populations furthering the direction of the CoC. An agency and/or department with more than one individual representing that organization will be recognized as one member.

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Continuum of Care (CoC) Program – In May of 2009, the HEARTH Act (24 CFR 578) enacted into law the consolidation of Shelter Plus Care, Supportive Housing Program and Single Room Occupancy grants authorized under the original McKinney Vento Act into a single grant program known as the Continuum of Care. The CoC Program is designed to:

- Promote a community-wide commitment to the goal of ending homelessness
- Provide funding for efforts to rapidly re-house homeless individuals and families
- Promote access to and effective use of mainstream programs
- Optimize self-sufficiency among individuals and families experiencing homelessness

HEARTH Act - Homeless Emergency Assistance and Rapid Transition to Housing Act

The overall approach is predicated on the understanding that homelessness is not caused merely by a lack of shelter, but involves a variety of underlying, unmet needs – physical, economic, and social.

Homeless Management Information System (HMIS) – A Homeless Management Information System (HMIS) is a local information technology system used to collect client-level data and data on the provision of housing and services to homeless individuals and families and persons at risk of homelessness. The Continuum of Care is responsible for selecting a HMIS software solution that complies with HUD's data collection, management, and reporting standards.

Lead Agency – The Lead Agency is an administrative agent or entity selected by the CoC Board and is designated to carry out the activities of the CoC, including fiscal and compliance activities. Regular administrative tasks may include, but are not limited to: collaborative applicant responsibility, management of the annual HUD application, coordination of other funding opportunities, project and system monitoring, meeting management, etc. For purposes of the CoC Check-up, this excludes staff/staff time related to fiscal or HMIS-related duties.

Sub-population (homeless) - For the purpose of the governance structure, sub-populations are referring to categories of individuals with related, yet distinct, needs that can be address through a continuum of care. Representation of the sub-population as required by in the HEARTH Act must be reflected on the O'ahu CoC Board. (Reference Section 3.2)

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APPENDIX

The appendix contains supporting documents to the O’ahu Continuum of Care Governance Structure. Items within each appendix are reference materials only and may be updated and or replaced as needed without the formal approval of the CoC.

- A. Current List of the O’ahu CoC Board Members
- B. Current List of the O’ahu CoC Members – Voting and Community Members
- C. CoC, 501c3 & CoC Committee Responsibilities Chart
- D. CoC Organizational Chart
- E. The O’ahu CoC and Lead Agency / Collaborative Applicant MOU
- F. The O’ahu CoC and HMIS Lead MOU
- G. The O’ahu CoC CES MOU
- H. CoC Voting Membership Application Form
- I. CoC Community Membership Application Form
- J. Conflict of Interest Policy
- K. 24 CFR Part 578 – HUD CoC Interim Rule
- L. McKinney Vento Homeless Assistance Act

1 AUTHORIZATION, NAME AND SERVICE AREA

1.1 AUTHORIZATION

- 1.1.1 In an effort to address the needs of homeless persons in the HI-501 region, the O'ahu Continuum of Care (CoC) established itself to oversee, coordinate, collaborate, plan and address homeless issues and activities at a regional level.
- 1.1.2 Given the Federal definition of a Continuum of Care Program, the governance charter herein clarifies the goals of the O'ahu CoC, as a single grant program entitled the Continuum of Care that incorporate the rules and regulations defined by the HEARTH Act (24 CFR 578).

1.2 NAME

- 1.2.1 In May of 2009, the HEARTH Act (24 CFR 578) was enacted into law by Congress and gives the Continuum of Care (CoC) membership the authority to create a continuum of care board, which shall be known as the O'ahu CoC Board.

1.3 SERVICE AREA

- 1.3.1 The O'ahu CoC Board services the HI-501 region, comprised of the entire island of O'ahu.

Commented [LH1]: ??? ask laura

2 O'AHU COC ORGANIZATIONAL STRUCTURE

2.1 O'AHU CONTINUUM OF CARE (CoC)

- 2.1.1 The purpose of the CoC is to carry out designated responsibilities of the HEARTH Act.
- 2.1.2 The CoC planning process was designed to promote the development of comprehensive systems to address homelessness by providing communities with a framework for organizing and delivering housing and services.

2.2 O'AHU COC GENERAL MEMBERSHIP

- 2.2.1 The purpose of the O'ahu CoC General Membership is to participate in a year-round strategic planning process that addresses the identified needs of homeless individuals and households; the availability and accessibility of existing housing and services; and the opportunities for linkages with mainstream housing and services resources.

2.3 O'AHU COC BOARD

- 2.3.1 The Purpose of the O'ahu CoC Board is to provide a governance structure that will organize the CoC's year-round strategic planning process that is coordinated, inclusive, and outcome oriented.
- 2.3.2 The purpose of the board is to act on behalf of the CoC's general membership.
- 2.3.3 The O'ahu CoC Board will designate a Lead Agency for each of the following activities: (1) Operate the CoC (2) Act as the Lead HMIS for the CoC (3) Carry out the CoC Planning activities (4) Operate a CES and (5) Carry out responsibilities of the collaborative applicant.

2.4 O'AHU COC COMMITTEES

- 2.4.1 The Purpose of the CoC Committees is to meet the operational needs of the CoC.
- 2.4.2 Committees will research, brainstorm, discuss and/or evaluate in order to develop recommendations to the O'ahu CoC Board. Committees may include sub-working groups as needed.
- 2.4.3 The purpose and scope for each Committee shall be defined at the time the committees are created and will develop their own policies and procedures that are consistent with the governance structure and adopted by the O'ahu CoC Board.

2.5 O'AHU COC LEAD AGENCY

- 2.5.1 For the purposes of this document the Lead Agency is synonymous with the Collaborative Applicant and as such, takes on all responsibilities of the collaborative applicant.
- 2.5.2 A Lead agency provides the coordination and oversight of the CoC strategic planning efforts and has the authority to certify and submit the CoC homeless assistance funding application as the Collaborative Applicant.

Commented [LH2]: Review changes in this section. We need to be clear about how responsibilities are delineated between Partners in Care (Lead Agency) and the CoC

Commented [GU3R2]: I think the chart at the end is helpful for this. Also, you should be aware that any responsibilities the Lead agency (PIC) has, are just because the CoC has given them to them.

Commented [GU4]: Is that the only purpose of the CoC? Obviously the CoC needs to carry out these responsibilities, but feel free to add more here if you'd like. For example, a general statement about coordinating all activities around ending homelessness on O'ahu.

Commented [LH5]: Needs help with wording??? The general membership IS the CoC. So here I describe an expectation but really we should be defining a Purpose. Needs help.

Commented [GU6R5]: i think this is ok??

Commented [GU7]: what about CES?

Commented [GU8R7]: Do y'all want the General membership to vote on the CE role? Another question: do you want to package the Collaborative Applicant/HMIS Lead/CE Lead roles together, or leave open the option that in the future possibly different organizations will take different roles? Either way is fine, just make sure this is clear throughout the document.

Commented [GU9]: This is good.

Commented [GU10]: this is odd. it certainly is not the entirety of the Lead Agency's purpose. 2.5.1 needs to be rewritten. it doesn't quite make sense.

3 DESIGNATED HEARTH ACT RESPONSIBILITIES

3.1 COC RESPONSIBILITIES

- 3.1.1 Establish a board to act on behalf of the Continuum of Care. This board must
 - 3.1.1.1 Be a representative of the relevant organizations and of projects serving homeless subpopulations.
 - 3.1.1.2 Include at least one homeless or formerly homeless individual.
- 3.1.2 Hold meetings of the full membership, with published agenda at a minimum of one time per year.
- 3.1.3 At least annually, publicly make an invitation for new members to join.
- 3.1.4 Adopt and follow a written process to select a board to act on behalf of the CoC. The process must be reviewed, updated, and approved by the CoC at least once every 5 years. (See section 5.2)
- 3.1.5 Appoint additional committees, subcommittees, or workgroups (as needed).
- 3.1.6 In consultation with the HMIS Lead, develop, follow and update the governance charter at least once within a 5-year timeframe, which will include all procedures and policies needed to comply with 24 CFR 578 Subpart B and with the HMIS requirements from HUD; and a code of conduct and recusal process for the board, its chair and any person acting on behalf of the board.
- 3.1.7 Consult with recipients and sub-recipients to establish performance targets appropriate for population and program type, monitor recipient and sub-recipient performance, evaluate outcomes, and take action against poor performers.
- 3.1.8 Evaluate outcomes of projects funded under the Emergency Solutions Grants program and the Continuum of Care Program, and report to HUD
- 3.1.9 In consultation with recipients of Emergency Solutions Grants program within the geographic area, establish and operate either a centralized or coordinated assessment system that provides an initial, comprehensive assessment of the needs of individuals and families for housing and services.
- 3.1.10 The CoC must develop a specific policy to guide the operation of the centralized or coordinated assessment system on how its system will address the needs of individuals and families who are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, or stalking, but who are seeking shelter or services from non-victim service providers. This system must comply with any requirements established by HUD.
- 3.1.11 In consultation with recipients of Emergency Solutions Grants program within the geographic area, establish, and consistently follow written standards for providing Continuum of Care assistance.
- 3.1.12 Consult annually with the City and County of Honolulu in determining how to allocate its ESG for eligible activities.
- 3.1.13 Designate and operate an HMIS, per 24 CFR 578 Subpart B.
- 3.1.14 Update and maintain the Continuum of Care plan, per 24 CFR 578 Subpart B.

Commented [GU11]: RESPONSIBILITIES

Commented [GU12]: RESPONSIBILITIES (sp)

Commented [LH13]: Recommendation: Clarify the recusal process. Borrow from the SNH document.

Commented [GU14R13]: what about just say conflict of interest, rather than recusal process

Commented [LH15R13]: These responsibilities are actually part of the 24 CFR so we cannot change wording here. I have this note to help me remember to clarify our recusal process.

Commented [LH16]: Why HMIS Lead?

Commented [GU17R16]: yeah doesn't make sense to consult with the HMIS Lead on the Governance Charter. I think it must mean the Lead Agency.

Commented [LH18R16]: Oddly, this is actually how it reads in the 24 CFR. Will have to ask Matt and George why it is like this.

Commented [GU19R16]: This is just funky wording by whoever wrote the rule. This is actually 2 separate requirements: review/update/follow the charter every 5 years at least, and also consult with the HMIS Lead to ensure that the HMIS requirements are met. I think you can leave this as is or adjust it to two separate items.

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- 3.1.15 Prepare and oversee the development and submission of the annual application for CoC funds.
- 3.1.16 Establish funding priorities for funding projects in its geographic area.
- 3.1.17 Design, operate and follow a collaborative process for developing applications and approving the submission of applications in response to a HUD NOFA in concert with the funding priorities and plan adopted by the CoC.
- 3.1.18 Designate the Collaborative Applicant in conjunction with the reauthorization of the governance structure (every 5 years) or as needed.

4 O'AHU COC GENERAL MEMBERSHIP

4.1 GENERAL MEMBERSHIP STRUCTURE

- 4.1.1 To be eligible for funds under the Continuum of Care program, representatives from relevant organizations within the HI-501 geographic area, must establish a Continuum of Care to: (1) Operate the Continuum of Care (2) designate an HMIS for the Continuum of Care (3) designate a CES coordinator (4) designate a Lead Agency (5) plan for the Continuum of Care.
- 4.1.2 The CoC General Membership allows the CoC Board and the CoC Lead Agency to act on their behalf.
- 4.1.3 Members may be individuals or agency representatives; Membership is open to the general public
- 4.1.4 On behalf of the CoC, the Lead Agency will issue a public invitation for new members to officially join the Continuum of Care from within the service area on an annual basis.

4.2 GENERAL MEMBERSHIP RESPONSIBILITIES

- 4.2.1 The CoC general membership decides on a process for selecting a Board to govern the operations and planning of the CoC.
- 4.2.2 The CoC general membership votes to approve a Governance charter every 5 years and on an as-needed basis.
- 4.2.3 The designation of the Lead Agency is valid for a maximum of 5 years before the designation must be reviewed and renewed by the O'ahu CoC General Membership and the O'ahu CoC Board. No requirement for a request for proposals (RFP) will be made if no other agencies are interested.
- 4.2.4 In response to negligence or poor performance of the CoC lead Agency, the CoC reserves the right to open an RFP process prior to the five-year mark and designate a new CoC Lead agency.

4.3 VOTING MEMBERSHIP

Commented [GU20]: this sounds like what the Lead Agency/Collaborative Applicant does. maybe should say, "OVERSEE the design, and operation of..."

Commented [GU21]: and a CES coordinator

Commented [LH22R21]: Again, these three responsibilities come directly from the 24 CFR. It is written this way in the leg.

Commented [GU23R21]: You don't need to duplicate the regs here. You can add CE if you want. The regs just provide a foundation, you can always add more responsibilities, etc.

Commented [GU24]: and (4) designate a Collaborative Applicant. ?

Commented [LH25R24]: same as above

Commented [LH26R24]:

Commented [GU27R24]: Same as above, i think it would be fine to add Collaborative Applicant (or you can use "CoC Lead Agency," since that in a previous section you explain that CoC Lead Agency will take role of Collaborative Applicant).

Commented [LH28]: Review and expand this policy. How often?

Commented [GU29R28]: This should be "at least every 5 years." Need to leave open option that revisions might be needed more often.

Commented [LH30]: Comment from Scott Morishige: Do we know when the five years started? Is it when PIC became a nonprofit (2019)? Or is it now (2021)? I realized I'm not clear on this, and not sure if other members are as well.

Commented [LH31]: I'm not sure if there is better wording for this? We need to address how our CoC is structured in terms of selecting PIC as the lead agency. However, do we need to actually Name PIC or do we keep everything generalized so that if the CoC should ever choose another lead agency, the Gov Charter remains the same.

Commented [GU32R31]: You can go either way on this, but I think it is better to not name PIC and just generally say "Lead Agency." Usually there is a separate agreement between the CoC and the Lead Agency where you can use PIC's name.

Commented [GU33R31]: I also think it could be helpful to reference that an agreement/MOU between the CoC and Lead Agency will be signed, and this can contain additional information.

Commented [LH34]: This section is new and needs review by the Board

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- 4.3.1 A CoC member can be an individual, agency and/or representative of a Government Office who is concerned with and/or providing services to the various homeless sub-populations furthering the direction of the CoC. An agency and/or department with more than one individual representing that organization will be recognized as one member
- 4.3.2 The CoC Voting Members shall have voting privileges for all items on the CoC agenda requiring a formal action, as published on the agenda. Voting privileges shall be one vote per CoC member individual and one vote per CoC member agency.

4.4 VOTING MEMBERSHIP RESPONSIBILITIES

- 4.4.1 Complete and sign an annual O'ahu CoC Membership Packet (Including the Membership Application Form, Participation agreement & Voting Member Conflict of Interest Disclosure Form)
- 4.4.2 Pay annual dues or request and receive a fee waiver
- 4.4.3 Attend the majority of the O'ahu CoC's general meetings each year to align with the HUD NOFA requirements.
- 4.4.4 Join, attend, and contribute to a majority of committee meetings each year to align with the HUD NOFA requirements.
- 4.4.5 Vote at the O'ahu CoC General Membership Meetings as well as any special O'ahu CoC meetings that may occur;

4.5 COMMUNITY MEMBERSHIP

- 4.5.1 Any individual or agency that has not completed the voting membership requirements, may become a nonvoting member of the O'ahu CoC

4.6 COMMUNITY MEMBERSHIP RESPONSABILITIES

- 4.6.1 Complete and submit an annual O'ahu CoC Community Membership Form
- 4.6.2 Attend at least two O'ahu CoC General Membership Meetings
- 4.6.3 Attend or participate in PIC activities each year including the Point in Time Count, Homeless Awareness Week events, Annual Conference, etc.
- 4.6.4 Community Memberships are encouraged to adhere to the Voting Membership requirements in Section 3.3.

4.7 HUD FUNDED PROGRAMS: MEMBERSHIP

- 4.7.1 Members that receive HUD funding through the CoC and/or ESG programs are required to adhere to the following:
 - 4.7.1.1 Timely payment of the CoC annual membership fee (See section 3.7).
 - 4.7.1.2 Sign and adhere to the CoC Agreement (Agencies will not be considered for any funding via the CoC for HUD funding without signature to the agreement).
 - 4.7.1.3 Adherence to the policies and procedures of the Homeless Management Information System (HMIS).
 - 4.7.1.4 Ensure that the agency is completing and entering HMIS intake, service utilization, and discharge data in a timely and accurate manner as required by the CoC.
 - 4.7.1.5 Comply with the Coordinated Entry System adopted by the CoC.

Commented [LH35]: REVIEW

Commented [LH36]: Will this become the CoC agreement??? Can we restate this somehow???

Commented [GU37R36]: I would think so

Commented [GU38R36]: yeah doesn't really make sense

Commented [GU39]: this seems to me the first time we mention CES, saying that it was adopted by the CoC. but above when we talk about what the CoC does, we don't mention that it "adopts" the CES.

Commented [LH40R39]: See highlighted area in section 3 Designated Health Act Responsibilities section.

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- 4.7.1.6 Comply with CoC Code of Conduct
- 4.7.1.7 Ensure that a person with the authority to represent and make decisions and commitments on behalf of their agency attends 75% of general membership meetings.
- 4.7.1.8 Accept any CoC recommendations that CoC awarded homeless services funds be reallocated to other eligible agencies or de-prioritized in annual renewal applications when it has been determined that significant portions of past funding have not been expended to meet grant requirements. The CoC may also choose to reallocate funding due to poor performance of grantees.
 - 4.7.1.8.1 The above decision will be done only after significant review by the O'ahu CoC Board.
 - 4.7.1.8.2 The above decision will only be enacted after the O'ahu CoC board has collaborated with the agency to develop an action plan.
 - 4.7.1.8.3 The above decision will only be made by the O'ahu CoC Board if the agency is unable to meet the agreed upon goals.
 - 4.7.1.8.4 The above decision requires the O'ahu CoC Board to determine when, where, and how much funding will be shifted so that the CoC can serve more persons experiencing homelessness and retain the funding.

4.8 MEMBERSHIP FEE

- 4.8.1 The O'ahu CoC Board is granted authority to establish and change a fee schedule as deemed necessary.
- 4.8.2 Any fee schedule established by the O'ahu CoC Board shall include the provision for a waiver so that membership in the CoC is not closed to economically disadvantaged individuals or groups.
- 4.8.3 Once established, future changes to the fee schedule shall not be considered an amendment to this charter.
- 4.8.4 The O'ahu CoC membership application includes the most current Fee Schedule for both individuals and agencies as well as information on how to request a membership fee waiver. Annual membership fees are due in full in January.

4.9 MEMBERSHIP FEE WAIVERS

- 4.9.1 The provision of a Membership fee waiver is reserved to individuals that are homeless, formerly homeless, or due to financial hardship.
- 4.9.2 Individual requesting a membership fee waiver must provide a written request to the O'ahu CoC Board.
- 4.9.3 Decisions on fee waiver requests are made on a case-by-case basis by the O'ahu CoC Board after careful consideration of the rationale for the request.

Commented [GU41]: This is great to build into the governance charter, good thinking. However, why limit this to just low expending of funds? Are there other conditions where the CoC may want to reallocation funding (i.e. low performance)? (Also, i think the term you can use instead of "shifted to other agencies" is "reallocated to other eligible applicants." That would be more in line with HUD's language.)

Commented [GU42]: homeless persons

Commented [LH43]: Where to put this:

[

5 O'AHU COC BOARD

5.1 O'AHU COC BOARD STRUCTURE

- 5.1.1 The O'ahu CoC Board is comprised of representatives from agencies that serve persons, families, youth and veterans experiencing homelessness, at risk of homelessness or those with a history of homelessness as well as representatives from school districts, mental health agencies, hospitals, universities, affordable housing developers, public housing offices, law enforcement agencies, government departments, businesses, social service providers, advocates of persons experiencing homelessness and any other identified stakeholder that benefits the mission of the CoC to the extent these stakeholders are represented in the geographic area and available to participate.
- 5.1.2 One board member may represent the interests of more than one homeless subpopulation, and the board must represent all subpopulations within the CoC to the extent that someone is available and willing to represent that subpopulation on the board. The O'ahu CoC Board is established by the CoC in accordance with the process approved. (Reference Appendix A - 24 Code of Federal Regulations (CFR) part 578.7(a) (3)).
- 5.1.3 No more than one representative from the same organization may serve on the O'ahu CoC Board.
- 5.1.3.1 On a case-by-case basis, subject to approval of the O'ahu CoC Board, the at-large and homeless/formerly homeless positions may be exempt from the maximum number of representatives from the same organization.
- 5.1.4 The O'ahu CoC Board is comprised of the following positions:
- 5.1.4.1 Chair
 - 5.1.4.2 Vice Chair
 - 5.1.4.3 Secretary
 - 5.1.4.4 Treasurer
 - 5.1.4.5 Chair of Planning Committee
 - 5.1.4.6 Chair of Data Committee
 - 5.1.4.7 Chair of Awareness Committee
 - 5.1.4.8 Chair of Advocacy Committee
 - 5.1.4.9 Chair of the Organizational Development Committee
 - 5.1.4.10 Chair of the Communications Committee
 - 5.1.4.11 Chair of CES Oversight
 - 5.1.4.12 OYAB Committee Chair
 - 5.1.4.13 Persons with lived experience of homelessness
 - 5.1.4.14 At-Large members representing homeless subpopulations not already represented by other Board members
 - 5.1.4.15 At-Large members representing their communities and committed to the mission of the CoC
- 5.1.5 The board will contain a maximum of 17 members.

Commented [LH44]: Marya commented here that we should add "persons at risk of homelessness" and Families rather than just individuals. I have re-worked to include both. Please review.

Commented [LH45]: This is important to consider

Commented [LH46]: This is all new additions

Commented [LH47]: We currently don't list CES Oversight Chair or OYAB Chair

Commented [GU48R47]: I understand this, the board has an number of seats that each have a defined role. This is great. However, in the previous draft you shared, it seemed like there were defined seats for specific agencies, like government, etc. I don't call the chair? I co, it should be outlined here. If there are all seats that anyone can fill, how are they filled? Nominations and voting of memberships? There needs to be more definition around this. It is one of the most important things in this document.

Commented [LH49R47]: The previous draft was not correct and should be disregarded. The nominations and voting is addressed below in 5.2.2

Commented [LH50]: New additions

Commented [GU51]: This is plural. Is this multiple seats? Or just one? If multiple, would be best to provide a hard ceiling on this to help give the board definition.

Commented [GU52]: Is that our current definition? or a new definition? because I'm an at large member and I don't think I represent a subpopulation?

Commented [LH53R52]: Good Point, We will have to make an addition here. See 5.1.4.15

Commented [LH54]: This leaves the board open to almost anyone. Do we want to consider re-wording???

Commented [GU55R54]: Is this just one board seat? I think that it is fine for it to be this open-ended if it is just one seat.

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5.1.6 The Officers of O'ahu CoC Board are the Executive Chair ("Chair"), the Vice-Chair, the Secretary, and the Treasurer. All Officers must be voting members.

5.2 O'AHU COC BOARD MEMBER SELECTION PROCESS

5.2.1 Representation of the O'ahu CoC may expand or be reduced, based on the HEARTH Act requirements or the determination that greater or fewer representation serves in the interest of the CoC while accurately reflecting the relevant organizations and representatives of homelessness subpopulations.

5.2.2 Nominations will be solicited via the Lead Agency. Interested persons can be nominated by an O'ahu CoC member or can nominate themselves by completing the O'ahu CoC Nomination Form. All nominees must complete an O'ahu CoC Membership Packet by the delineated deadline. Nominations are voted on during the December O'ahu CoC General Meeting, or on an interim basis to fill any vacancy. Nominations may be screened or limited to those persons that represent a homeless subpopulation that is not already represented by other members of the Board.

5.2.3 Each member of the Board of Directors is elected for a term of two years. Terms will begin on a staggered basis starting January 1. Board Members may not serve more than two consecutive terms in any position.

5.2.4 No member of the O'ahu CoC Board shall vote upon, or participate in the discussion of, any matter that has a direct financial bearing on the organization that the member represents. This includes all decisions with respect to funding, awarding contracts, and implementing corrective actions. Board members shall also be governed by the O'ahu CoC Conflict of Interest Policy.

5.2.5 Board members must disclose any potential conflict when it arises and recuse themselves from voting on issues that would directly and disproportionately affect their agencies.

5.3 O'AHU COC BOARD RESIGNATION AND REMOVAL

5.3.1 Unless otherwise provided by written agreement, any representative may resign at any time by giving written notice to the Co-Chairs and Partners In Care.

5.3.2 Members may be removed from the Board by a majority vote of remaining Board members for repeated absence, misconduct, failure to participate, or violation of code of conduct policies.

5.3.3 When a representative resigns, is removed from the Board, or cannot serve his/her full term for any reason, a special election will be held to fill the unexpired term.

5.4 O'AHU COC BOARD RESPONSIBILITIES

5.4.1 Establish broad policies and objectives.

5.4.2 Select, appoint, support, and review the performance of the Lead Agency.

5.4.3 Ensure the availability of adequate financial, human, and other resources.

5.4.4 Receive committee recommendations and act on those recommendations on behalf of the O'ahu CoC membership.

Commented [GU56]: is this the new questionnaire that we just sent out to interested persons?

Commented [LH57R56]: I believe so. We were calling the the PIC Nomination form. However we have to change all the form names because of the name distinction.

Commented [GU58]: we didnt do this. should we? i guess this means that all board members must be paid members of CoC?

Commented [LH59R58]: Yes we should be doing this. This is from the original governance charter, so we really should have been doing this.

Commented [LH60]:
Heather's section

Commented [GU61]: So the whole board has terms ending at the same time, and this is only every two years? We would recommend having half the board have their terms end every year. This provides more stability while also allowing new voices every year.

Commented [LH62]: Consider taking language from SNH document. See below.

Commented [GU63]: I think what you actually mean here is "Lead Agency." The Lead Agency's ED is selected by the Lead Agency's board. The CoC Board should just be reviewing performance of the Lead Agency overall.

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- 5.4.5 Receive recommended funding decisions from the Evaluation Committee and work with the Collaborative Applicant to represent these decisions in the HUD CoC Program application.
- 5.4.6 Act on behalf of the Lead Agency in accordance with established contracts, MOUs, and other formally adopted documents.
- 5.4.7 Support the Lead Agency Executive Director in assuring compliance with applicable standards, regulations, requirements, and guidelines. These include but are not limited to:
 - 5.4.7.1 Coordinated Entry System
 - 5.4.7.2 Emergency Solutions Grants (ESG)
 - 5.4.7.3 Consolidated Plan
 - 5.4.7.4 Project performance monitoring
 - 5.4.7.5 Homeless Management Information System
- 5.4.8 In consultation with sub-recipients of Emergency Solutions Grants program funds within the geographic area, establish, and consistently follow written standards for providing Continuum of Care assistance. At a minimum, these written standards must include:
 - 5.4.8.1 Policies and procedures for evaluating individuals and family's eligibility for assistance;
 - 5.4.8.2 Policies and procedures for determining and prioritizing which eligible individuals and families will receive transitional housing assistance
 - 5.4.8.3 Policies and procedures for determining and prioritizing which eligible individuals and families will receive rapid rehousing assistance;
 - 5.4.8.4 Standards for determining what percentage or amount of rent each program participant must pay while receiving rapid rehousing assistance;
 - 5.4.8.5 Policies and procedures for determining and prioritizing which eligible individuals and families will receive permanent supportive housing assistance.

5.5 The O'AHU COC BOARD OFFICERS

- 5.5.1 The officers of O'ahu CoC Board are the Executive Chair ("Chair"), the Vice-Chair, the Secretary, and the Treasurer. All Officers must be voting members.
- 5.5.2 The O'ahu CoC Board Officers are authorized to act on behalf of the CoC membership when time is of the essence. In handling of controversial issues which have not been considered by general membership, the CoC Chair, Advocacy Committee Chair, and the Lead Agency Executive Director are authorized to provide general comment and informational testimony only.

5.6 DUTIES OF OFFICERS

- 5.6.1 Executive Chair
 - 5.6.1.1 Schedule and facilitate meetings of the O'ahu CoC Board.
 - 5.6.1.2 Following approval by the O'ahu CoC Board, sign contracts, MOUs, and other documents on behalf of the CoC.
 - 5.6.1.3 Serve as a liaison with regard to general funding issues or regulatory matters.

Commented [GU64]: add in HMIS?

Commented [GU65]: not clear what all this means

Commented [GU66R65]: oh does it mean that we are going to make sure that the ESG recipients adhere to the CoC standards? do we have that power?

Commented [LH67R65]: I believe this is what it means. And yes, it is actually a CoC responsibility. See 3.1.8 and 3.1.11

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5.6.1.4 Serve as the CoC's primary liaison to the Lead Agency. Work in collaboration with the Lead Agency to implement the Strategic Plan and assure compliance with the Governance Charter.

5.6.1.5 Oversee the above responsibilities when delegated to the Collaborative Applicant or other individual or entity.

5.6.2 Vice-Chair

5.6.2.1 Assist the Executive Chair as requested.

5.6.2.2 Act on behalf of the Executive Chair in the event that the Executive Chair is temporarily unavailable.

5.6.2.3 Serve as the point of contact for formal grievances and matters relating to ethics.

5.6.3 Secretary

5.6.3.1 Record and maintain the CoC general membership files including the CoC membership packets and agreements, CoC General Membership Meeting minutes, Board meeting attendance lists.

5.6.3.2 Disseminate information, coordinate O'ahu CoC Board and General membership meeting agendas, dates and locations, post announcements, and maintain and update the CoC roster and list serve.

5.6.3.3 Provide current information as to which members are voting members and read voting member list to gather attendance at general CoC meetings.

5.6.3.4 Oversee the above responsibilities when delegated to the CoC Collaborative Applicant or other individual or entity.

5.6.4 Treasurer

5.6.4.1 Oversee the O'ahu CoC finances and bank accounts, provide monthly balance of the O'ahu CoC's account at General membership meetings, and make payments with approval from the O'ahu CoC Board or the O'ahu CoC Board Executive Chair.

5.6.4.2 Collect dues from members, record receipts, and report status of members.

5.6.4.3 Make all O'ahu CoC finances and bank account balance freely accessible upon request for inspection by any member of the O'ahu CoC Board.

5.6.4.4 Provide a written financial report to the O'ahu CoC Board on a quarterly basis.

5.6.4.5 Receive checks for deposit (and/or cash), from the PIC Director, processes for deposit and reconcile against monthly bank statement in a timely manner.

5.6.4.6 Oversee the above responsibilities when delegated to the CoC Collaborative Applicant or other individual or entity.

Commented [GU68]: is he/she sit a member of the Board of the Lead Agency? and if so we should say so

Commented [LH69R68]: No.

Commented [GU70R68]: Heather - your thoughts here?

Commented [GU71]: One practice that we often see is that the vice chair takes the place of the chair in the next term. This gives the vice chair time to learn the ropes of that role and gives stability to the transition.

Commented [GU72]: or monthly?

6 O'AHU COC COMMITTEES

6.1 O'AHU COC COMMITTEE STRUCTURE

- 6.1.1 All O'ahu CoC Board members or their alternate shall serve on at least one Committee. Board members who have conflicts with attending Committee meetings shall contact the respective Committee Chair to develop alternative means of participation. Committees should remain open to public participation.
- 6.1.2 O'ahu CoC General Members with voting privileges are entitled to vote on Committee recommendations made to the O'ahu CoC Board. Committee members are entitled to one vote per agency.
- 6.1.3 All fiscal and policy matters must be forwarded to the O'ahu CoC Board with recommendations by the Committee. The CES Oversight Committee retains privileges to enact policy changes without board approval under circumstances where waiting for board approval would deny an individual or family housing.

6.2 COMMITTEE CHAIR MEMBERSHIPS

- 6.2.1 Available Committee Chair positions are publicized via the Lead Agency. Interested persons can be nominated by a CoC member or can nominate themselves by completing a CoC Nomination Form. Nominations are voted on during the Annual O'ahu CoC meeting.
- 6.2.2 Committee Chairs are limited to four consecutive years in any one position.

6.3 COMMITTEE CHAIR RESPONSABILITIES

- 6.3.1 Committee Chairs schedule and lead committee meetings, assign tasks to committee members, monitor member attendance, and follow up with committee members who have been absent from committee meetings.
- 6.3.2 Committee Chairs represent the CoC to state and city homeless planning divisions and policy academies in relation to homelessness issues, and document CoC participation in outside activities.
- 6.3.3 The Committee Chair is responsible for disseminating a quarterly e-newsletter to the CoC membership to communicate meetings and events; updates, decisions, and actions.

6.4 O'AHU COC COMMITTEE RESPONSABILITIES

- 6.4.1 At the adoption of the governance charter, the following Committees are established with associated responsibilities.
 - 6.4.2 The Awareness Committee is charged with the following items
 - 6.4.2.1 Increase community awareness of the O'ahu CoC
 - 6.4.2.2 Engage community partners
 - 6.4.2.3 Coordinate the annual Statewide Homeless Awareness Week events
 - 6.4.3 The Organizational Development Committee is charged with the following items

Commented [GU73]: A few questions about committees. Do they make decisions, or just recommend things to the board? This may vary committee to committee but it could be helpful to describe how this works generally here. Also, this will affect "participation," who gets to make decisions or make the recommendations to the board. Do committees have different members who do this and others that come to meetings but not in the formal recommendation process? (I think what we want is consistency.)

Commented [LH74]: review

Commented [GU75]: This addresses some of my comment above, but I think this could be beefed up. And also say that the board can delegate some policy decisions to committees. For example, you may want to give the coordinated entry committee latitude to change some areas of policy without having to wait for a board meeting.

Commented [LH76]: REVIEW

Commented [GU77]: is this a repetition of the selection of board members? since all board members are committee chairs? (except for homeless and at large)

Commented [GU78]: Chairs

Commented [GU79]: fix same as above

Commented [LH80]: We currently don't have descriptions for OYAB and CES Oversight (Doesn't match org chart) – ADD HERE

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- 6.4.3.1 Develop initiatives to solicit and orient new general members.
 - 6.4.3.2 Oversee the recruitment and selection of the O'ahu CoC Board members, and present nominations for a vote at the December O'ahu CoC general meeting or as needed on an interim basis.
 - 6.4.3.3 Collaborate with the Awareness Committee to solicit names of potential new committee members from existing CoC members.
 - 6.4.3.4 Conduct annual review of COC governance charter, and all referenced policies and procedures, and make recommendations for changes, first to Board of Directors and then to general membership for approval.
 - 6.4.3.5 Develop strategies to engage stakeholders that are typically underrepresented in the CoC and expand the invitation list to include a broader range of community groups.
- 6.4.4 The Planning Committee is charged with the following items
- 6.4.4.1 Coordinate with the Lead Agency Executive Director to complete the annual CoC Program funding application
 - 6.4.4.2 Regularly update Hawai'i's Plan to End Homelessness
 - 6.4.4.3 Make recommendations to the O'ahu CoC Board to present to the general membership for discussion and approval.
 - 6.4.4.4 Develop recommendations for funding priorities
 - 6.4.4.5 Develop recommendations for funding strategies and other cross-agency funding opportunities.
 - 6.4.4.6 Develop recommendations for the O'ahu CoC Board for the criteria by which new and existing HUD CoC funded projects are evaluated and scored, as well as whether new projects will be included in each year's application.
 - 6.4.4.7 Evaluate outcomes of projects funded under the ESG and CoC programs and provide findings to the Board of Directors for HUD reporting purposes.
 - 6.4.4.8 Represent the O'ahu CoC at legislative task force meetings to assist in developing policies regarding long-range planning, funding, and evaluation of initiatives to prevent and reduce homelessness.
 - 6.4.4.9 Train the Ad-Hoc Evaluation Committee members with regard to the O'ahu CoC Board's process and criteria for making funding decisions.
- 6.4.5 The Data Committee is charged with the following items
- 6.4.5.1 Provide counsel and assistance to the HMIS Lead, governing bodies, and contributing providers within the CoC on all matters regarding HMIS.
 - 6.4.5.2 Assist with the coordination of the annual Point-In-Time count for O'ahu.
 - 6.4.5.3 Disseminate information to the O'ahu CoC Board about committee activities, minutes, membership, and approved policies & procedures.
 - 6.4.5.4 Review, revise, and approve a privacy plan, security plan, and data quality plan for HMIS.
 - 6.4.5.5 Ensure consistent participation of recipients and sub-recipients in HMIS.
 - 6.4.5.6 Ensure HMIS is administered in compliance with HUD requirements.

Commented [LH81]: This is in both Awareness and Org Devel.

Commented [GU82R81]: Awareness should not review Gov Charter

Commented [GU83]: what is this?

Commented [LH84R83]: Hawai'i interagency council on homelessness is leading this document however we should still be reviewing it and approving / recommending

Commented [GU85]: does this apply to the one above it -- i.e., make recommendations to CoC Board on updates to the Plan to End Homelessness? Or...?

Commented [LH86R85]: Not directly related to the plan to end homelessness. It is a vague responsibility for sure. Maybe we consider changing?

Commented [LH87]: What are these?

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- 6.4.5.7 Ensure participation in HMIS to collect unduplicated counts of homeless people, analyze patterns of program use, determine needs, and operate in accordance with data protection and confidentiality standards. ?
- 6.4.5.8 Approve new providers for HMIS access. If a provider is denied access the agency can appeal the decision by submitting a letter of concern to the O'ahu CoC Board for review.
- 6.4.6 The Advocacy Committee is charged with the following items
 - 6.4.6.1 Recommend broad strategy, positions of support or opposition, and priorities for legislative advocacy. CoC membership shall approve or reject advocacy committee recommendations by majority vote during a general membership meeting.
 - 6.4.6.2 Act on behalf of CoC membership to support/oppose bills or issues within the overall strategy, positions, and priorities approved by CoC membership.
 - 6.4.6.3 Establish an issue-based core team of community stakeholders, and delegate to them specific responsibilities. Due to the intensity and volume of tasks needed for effective advocacy, strong support from, and empowerment of, these stakeholders is critical.
 - 6.4.6.4 Post all position statements on the lead agency website
- 6.4.7 The Communications Committee is charged with the following
 - 6.4.7.1 Develop and implement the O'ahu CoC Board's Communications Plan
 - 6.4.7.2 Develop strategies for community partnerships and outreach
 - 6.4.7.3 Develop strategies for media and online communication channels
 - 6.4.7.4 Develop messaging for elected officials and policy makers, including relevant data, in collaboration with the Advocacy Committee.
 - 6.4.7.5 Develop relationships with elected officials and staff by conducting in person meetings and providing data specific to legislative/council districts
 - 6.4.7.6 Design and develop marketing collateral (print, web, and social media)
 - 6.4.7.7 Support media coverage of the Annual Homeless Awareness Conference
 - 6.4.7.8 Implement a communications calendar to include earned media (press releases/conferences), website promotion and social media that aligns with strategic goals and initiatives of committees and membership
 - 6.4.7.9 Implement the communications strategy for release of annual PIT count report
 - 6.4.7.10 Develop and coordinate a speakers' bureau to deliver Homeless 101 curriculum to reduce the stigma of homelessness, increase the community's understanding of homelessness, and encourage compassion towards homeless persons.
- 6.4.8 The **CES** Oversight Committee is charged with the following
 - 6.4.8.1 Recommend to the O'ahu CoC Board the criteria by which participants in various sub-populations are to be referred into the Coordinated Entry System (CES).
- 6.4.9 The O'ahu Youth Action Board is charged with the following

Commented [LH88]: Ask committee

Commented [LH89R88]: NEEDS ADDITONS AND REVIEW

Commented [LH90]: Is this true? Move to CES Committee

Commented [GU91R90]: yes move into CES Comm

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- 6.4.9.1 Assist in guiding, informing and influencing the development and implementation of the Coordinated Community Plan and projects aimed at preventing and ending youth homelessness.
- 6.4.9.2 Serve as an approving authority in any request for funds from the US Dept. of Housing and Urban Development that are related to the Youth Homelessness Demonstration Program.

6.5 AD-HOC WORKING GROUP STRUCTURE

- 6.5.1 Creation of an Ad Hoc Working Group shall be approved by the O'ahu CoC Board. The creation of an Ad Hoc Working Group(s) may be requested by an O'ahu CoC Board member or a Committee Chair, in order to meet the operational needs of the CoC.
- 6.5.2 Ad Hoc Working Groups are formed to do additional research, brainstorm discuss and/or evaluate programs, projects, or issues, in order to provide information, strategies or proposals for the CoC and/or the O'ahu CoC Board. Periodic updates and/or report outs will be presented to the O'ahu CoC Board and may include recommendations (if appropriate). The subject, composition and scope for each Ad Hoc Working Group shall be defined at the time the working groups are created. Ad Hoc Working groups are encouraged to remain open to public observation and/or participation when appropriate.

6.6 O'AHU COC AD HOC WORKING GROUPS

- 6.6.1 At the adoption of the governance charter, the following Ad Hoc Working groups are established
 - 6.6.1.1 The Evaluation Committee is established to score and rank applications for CoC Program funding and consists of PIC voting members who do not receive HUD funding and non-voting members who are knowledgeable about grants. The O'ahu CoC Board is responsible for soliciting nominations each year to determine the make-up of the Evaluation Committee.
 - 6.6.1.2 The Evaluation Committee uses the processes and tools developed by the Planning Committee (and approved by CoC members) to score and rank project applications. The Planning Committee is responsible for providing the Evaluation Committee with the information, data, and training needed to complete this activity in accordance with the CoC-established process. The scoring, ranking, and funding decisions made by the Evaluation Committee are binding.

Commented [LH92]: Ask Laura

7 COC LEAD AGENCY

7.1 COC LEAD AGENCY STRUCTURE

- 7.1.1 For the purposes of this charter Lead Agency is considered synonymous with Collaborative Applicant.
- 7.1.2 Pursuant to the CoC Program interim rule the General Membership is responsible for designating an agency to act as a Collaborative Applicant on the CoC's behalf.
- 7.1.3 The CoC will entertain applications for the Lead Agency every 5 years, or as needed. The O'ahu CoC Board is responsible for reviewing, evaluating, and making a recommendation to the CoC.
- 7.1.4 The Lead Agency must be an eligible applicant for CoC Program funds.
- 7.1.5 The MOU between the Lead Agency and the CoC may contain additional responsibilities beyond those listed in this governance charter.

Commented [GU93]: add reference to CoC interim rule for this so folks can look up what an eligible applicant is

7.2 COC LEAD AGENCY RESPONSABILITIES

- 7.2.1 The O'ahu CoC requires the lead agency to carry out the following CoC activities in relation to Operating the CoC:
 - 7.2.1.1 Hold meetings of the full membership, with published agendas, at least semi-annually (see Section 5).
 - 7.2.1.2 Make an annual public invitation for new members within the geographic area.
 - 7.2.1.3 Consult with recipients, sub-recipients, and contractors to establish appropriate performance targets for population and program types, monitor recipient and sub-recipient performance, evaluate outcomes, and take action against poor performers.
 - 7.2.1.4 Evaluate outcomes of projects funded under the Emergency Solutions Grants (ESG) and CoC programs and to report the findings to the U.S. Department of Housing and Urban Development (HUD) (see Section 10). Consult with the City and County of Honolulu in developing performance standards for and evaluating the outcomes of projects and activities assisted with ESG funds.
 - 7.2.1.5 Establish and operate a centralized or coordinated assessment system to include, at a minimum, CoC- and ESG-funded programs, including a specific policy to guide the system in addressing the needs of individuals and families who are fleeing, or are attempting to flee, domestic violence, dating violence, sexual assault, or stalking and who are seeking shelter or services from non-victim service providers.
 - 7.2.1.6 Establish and consistently follow written standards for providing CoC assistance in consultation with the sub-recipient(s) of ESG program funds. Consult annually with the City and County of Honolulu in determining how to allocate its ESG grant for eligible activities.
- 7.2.2 The O'ahu CoC requires the lead agency to carry out the following activities in relation to CoC Planning:
 - 7.2.2.1 Plan and implement a comprehensive system that aligns with the needs of the homeless population and subpopulations and persons experiencing a housing crisis within O'ahu, including the following components of the system:
 - 7.2.2.1.1 Outreach, engagement, and assessment

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7.2.2.1.2 Shelter, housing, and supportive services

7.2.2.1.3 Homelessness prevention strategies

7.2.2.2 Plan for and conduct an annual point-in-time count of homeless persons within the geographic area that meets HUD requirements.

7.2.2.3 Conduct an annual gaps analysis of the homeless needs and services available on Oah'u.

7.2.2.4 Provide information required to complete the Consolidated Plan(s).

7.2.3 The O'ahu CoC requires the lead agency to carry out the following activities as the Collaborative Applicant:

7.2.3.1 The O'ahu CoC Board shall determine if one application for funding will be submitted for all projects within the geographic area or if more than one application will be submitted for the projects within the geographic area.

7.2.3.2 If more than one application will be submitted, the O'ahu CoC Board will designate an eligible applicant to be the collaborative applicant that will collect and combine the required application information from all applicants and for all projects within the geographic area that the Continuum has selected funding.

7.2.3.3 If the CoC chooses to apply for CoC planning funds, the Collaborative Applicant is the only eligible applicant able to apply for these funds on behalf of the CoC.

7.2.3.4 The Collaborative Applicant works with the Planning Committee to prepare for and submit the annual CoC Consolidated Application for funding on behalf of the CoC.

7.2.3.5 The Collaborative Applicant must submit quarterly reports to the Board of Directors on the activities undertaken to accomplish the above responsibilities.

7.2.3.6 In addition, if the Collaborative Applicant receives CoC Planning funds, it must submit reports to the Board of Directors quarterly (or more often if requested) on funding spent and remaining in the grant.

Commented [GU94]: this is kind of repeating some of what is laid out above. i don't think it is needed.

8 MEETINGS

8.1 GENERAL MEETINGS

8.1.1 The O'ahu CoC General Meetings shall be held at a minimum of twice per year.

8.1.2 All O'ahu CoC members are expected to review the minutes and materials provided prior to the General Meeting, to contribute to discussions at the meeting, and, if a voting member, be authorized and prepared to vote on agenda items.

8.1.3 Non-member attendees are encouraged to participate in membership meetings and Committee Meetings

8.1.4 Non-members shall not hold voting privileges

8.2 ANNUAL MEETING

8.2.1 An annual meeting of the O'ahu CoC shall be held each year in December at a time and place to be set by the O'ahu CoC Board. The annual meeting will serve as a forum for electing members of the O'ahu CoC Board.

8.3 O'AHU COC BOARD MEETINGS

Commented [LH95]: This section is new and needs review

Commented [GU96R95]: I have a few comments here but overall this is really strong, great work.

Commented [LH97]: Section 3.4 Non-Member Attendees

- 8.3.1 All meetings of the O'ahu CoC Board shall be held at a location stated in the meeting notice. Any meeting, regular or special, of the O'ahu CoC Board may be held by any means of communication by which all Officers participating in the meeting may simultaneously hear each other. All such officers participating in a meeting by this means shall be deemed to be present in person at the meeting.

8.4 SPECIAL MEETINGS OF THE O'AHU COC BOARD

- 8.4.1 Special meetings of the O'ahu CoC Board may be called by the Executive Chair or any two officers of the O'ahu CoC Board.

8.5 COC COMMITTEE MEETINGS

- 8.5.1 Committee meetings are open to all members and to the public. Committee meeting minutes shall be posted on the Lead Agency website prior to the next meeting.
- 8.5.2 Committee meetings may go into executive sessions, thereby excluding non-committee members, to discuss personnel or sensitive membership issues. These sessions will exclude guests who are not formally part of the Committee.

8.6 NOTICE OF MEETINGS

- 8.6.1 Notices of O'ahu CoC Board meetings, including committee meetings, will be distributed to the CoC general membership via email in a timely manner. Meetings will also be advertised by the Lead Agency. Agendas will be published in advance by the Lead Agency and made publicly available on the CoC website in advance of the meeting and will be distributed to all attendees during the meeting.

8.7 MINUTES AND TRANSPARENCY

- 8.7.1 CoC General Meetings are open to all members and to the public. General Meeting minutes are posted by the Lead Agency within 10 days after their approval by CoC Voting Members.

8.8 VOTING

- 8.8.1 Each voting member (individual or agency), including those that have received membership fee waivers, is allowed one vote per action item. Under certain circumstances CoC members shall publicly recuse themselves from the vote.
- 8.8.2 The O'ahu CoC Board Executive Chair shall not vote except in the case of a tie, in which case they will cast the deciding vote.
- 8.8.3 Any voting member has the right to call a motion or any action to a vote.
- 8.8.4 Votes are conducted via:
 - 8.8.4.1 Majority Vote at regularly scheduled meetings
 - 8.8.4.1.1 A quorum of voting members (defined as fifty percent of voting members) must be present at the meeting to approve action items.
 - 8.8.4.2 Electronic Ballot emailed to each voting member with:
 - 8.8.4.2.1 "Action Required" in the subject line
 - 8.8.4.2.2 A clear description of the proposed action
 - 8.8.4.2.3 A deadline by which ballots must be received in order to be counted.

8.8.5 Issues may be discussed in the absence of a quorum, but no votes can be taken, or recommendations made.

8.9 ACTION BY THE O'AHU CoC BOARD WITHOUT A MEETING

- 8.9.1 Any action required or permitted to be taken at a meeting of the O'ahu CoC Board may be taken without a meeting if the action is taken by all Officers and members of the O'ahu CoC Board. The action must be evidenced by one or more written consents describing the action taken, signed by each Officer and member of the O'ahu CoC Board, whether manually or by Electronic Signature, and filed with the records of the meetings of the O'ahu CoC Board.
- 8.9.2 Action taken without a meeting is effective when the last Officer signs and dates or delivers (including by means of Electronic Transmission) the consent, unless the consent specifies a different effective date. Such consent in writing shall have the same effect as unanimous vote of the O'ahu CoC Board.

9 HOMELESS MANAGEMENT INFORMATION SYSTEM GOVERNANCE

9.1 HMIS DESIGNATION

- 9.1.1 Pursuant to 24 CFR 578 Subpart B, the O'ahu CoC is responsible for designating and operating an HMIS. These responsibilities are further outlined in the attached HMIS Memorandum of Agreement.
- 9.1.2 Designation of an eligible applicant to manage the O'ahu CoC's HMIS, known as the HMIS Lead.
- 9.1.3 The HMIS Lead and the O'ahu CoC will agree upon and sign a Memorandum of Understanding that shall define roles and responsibilities of each party. (See Appendix)

Commented [GU98]: Usually there is an agreement between the CoC and the HMIS Lead (which will be PIC). Can be the same or separate as CoC Lead agreement, though separate is better. Not sure if that is what is referenced here but should include a reference to this agreement and that it spells out specific duties.

10 THE O'AHU CoC CODE OF CONDUCT

10.1 CODES OF CONDUCT

- 10.1.1 It is the responsibility of all O'ahu CoC members, not just the Officers, Board Members or committee Chairs, to ensure a safe and inclusive environment for all.
- 10.1.2 All CoC participants, Lead Agency employees, CoC members, Committee members, and Officers must agree to abide by the CoC Code of Conduct and shall:
- 10.1.2.1 Treat each other in a professional business manner and with respect and dignity.
- 10.1.2.2 Ensure that all CoC participants, CoC members, Committee members and Officers are able to participate in CoC meetings, activities and discussions in an environment that is free of harassment, bullying and discrimination.
- 10.1.3 The following behavior will not be tolerated in any form, including but not limited to:

Commented [LH99]: Split Code of Conduct and Conflict of Interest into two sections. See SNH Document . Consider replacing this section and the conflict of interest section entirely for the SNH documents policies.

Commented [GU100R99]: A smart practice is to include these here but also make them into forms that each organization has to sign.

Commented [LH101R99]: We currently do have forms that every member must sign as a part of membership.

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- 10.1.3.1 unwelcomed remarks, gestures, or physical contact; the display, distribution or circulation of derogatory, discriminatory or sexually explicit materials; offensive, derogatory, or discriminatory comments or jokes; verbal abuse; physical abuse; or threats of harm.

10.2 VIOLATIONS OF THE CODE OF CONDUCT POLICY

- 10.2.1 If any CoC participants, Lead Agency employees, CoC members, Committee members or Officers have reasonable cause to believe a participant or member has violated the Code of Conduct, they shall inform the Vice Chair in writing, who shall inform the participant or member of the complaint and afford the participant or member an opportunity to respond to the complaint. After hearing the participant's or member's response, the Vice Chair shall inform the O'ahu CoC Board of the complaint and response.
- 10.2.2 The O'ahu CoC Board shall determine if the participant or member violated the Code of Conduct and shall take appropriate corrective action.
- 10.2.3 After hearing a disclosure of the complaint, response and review of all material facts, the Board of Directors will determine if a violation of the Code of Conduct occurred.
- 10.2.4 After exercising due diligence in determining whether a violation of the Code of Conduct occurred, the O'ahu CoC Board will report its findings to the appropriate persons, committee or to the CoC General Membership.
- 10.2.5 If a violation has been determined to have occurred, the O'ahu CoC Board shall determine the appropriate corrective action including but not limited to termination of the CoC membership or reporting to the participant's agency.

11 CONFLICT OF INTEREST

11.1 RECOGNITION OF CONFLICT

- 11.1.1 A conflict of interest occurs when a CoC participant, Lead Agency employee, CoC member, CoC Committee member, and/or O'ahu CoC Officer takes an action which results, or has the appearance of resulting in personal, organizational, or professional gain.
- 11.1.2 No participant, employee, member of the CoC, Board or its Committees shall knowingly take action to influence the CoC in such a way as to confer financial benefit on themselves, family members, spouse or partner, or organization in which the participant employee, member of the CoC, Board or its Committees, family members, spouse or partner serves in an official capacity.
- 11.1.2.1 Official capacity shall include service as an employee, owner, stockholder, director, board member, consultant, or officer who represents any such entity or organization which seeks to receive funding through the CoC process. Official capacity shall not include service solely as a volunteer (who does not serve as a board member or consultant) or recipient of services.

11.2 DUTY TO DISCLOSE

Commented [LH102]: This doesn't make sense to me???

Commented [GU103R102]: Remove the PIC reference and say CoC, Board, and its committees. This clause is saying that you can try to give yourself/your organization unfair financial benefits.

- 11.2.1 All participants, employees and members of the CoC, Board or its Committees shall indicate relationships that may present potential conflicts on their annual membership application or an interim basis as the conflict arises to the Vice Chair. Any conflict of interest that is disclosed shall be recorded in the meeting minutes.
- 11.2.2 All participants, employees and members of the CoC, Board or its Committees shall also verbally disclose potential conflicts of interest prior to participating in discussions that may result in decisions that may confer financial benefit on themselves, family members, spouse or partner, or organization in which participants, employees and members of the CoC, Board or its Committees family members, spouse or partner serves in any official capacity.

11.3 RECUSAL

- 11.3.1 All participants, employees and members of the CoC, Board or its Committees shall recuse themselves, stating reason, from voting on issues that would directly and/or disproportionately affect their agencies. Individuals with a conflict of interest must disclose their conflict of interest prior to any discussion but may participate by stating their position on a particular issue; however, they must remove themselves from the room during further discussion and voting on the issue. The recusal will be noted in the minutes. This applies to all discussions in relation to all CoC funding allocations and prioritization.

11.4 VIOLATIONS OF THE CONFLICT-OF-INTEREST POLICY

- 11.4.1 If any person has reasonable cause to believe an individual has failed to disclose actual or possible conflicts of interest, they shall inform the Vice Chair in writing, who shall inform the individual with potential conflict of the basis for such belief, and afford the individual an opportunity to explain the alleged failure to disclose. After hearing the individual's response, the Vice Chair shall inform the O'ahu CoC Board of the complaint and response, and the O'ahu CoC Board shall determine if the individual failed to disclose an actual or possible conflict, and shall take appropriate corrective action such as, but not limited to, terminating the participants membership.

11.5 DETERMINING WHETHER CONFLICT EXISTS

- 11.5.1 After hearing a disclosure of potential conflict of interest and reviewing all material facts, the O'ahu CoC Board will determine if a conflict exists without the participation of the individual with the potential conflict of interest.

11.6 ADDRESSING CONFLICT OF INTEREST

- 11.6.1 After exercising due diligence in determining whether a conflict exists, the O'ahu CoC Board will report its findings to the appropriate persons, committee or to the O'ahu CoC General Membership.
- 11.6.2 If a conflict has been determined to exist, the individual involved will not participate in any decision-making. The O'ahu CoC Board shall determine whether to investigate alternatives that would not involve a conflict of interest.

11.7 ACCEPTANCE OF GIFTS

- 11.7.1 In the discharge of duties as a member of the CoC, CoC Committee member, O'ahu CoC Board Member, or Lead Agency employee, one shall not accept or solicit any personal gift in excess of \$25, or favor where the receipt would either compromise impartial performance or would be viewed by the public as compromising impartial performance.

11.8 FRAUD INTOLERANCE

- 11.8.1 Fraudulent acts by CoC participants, Lead Agency employees, CoC members, CoC Committee members or O'ahu CoC Board Member will not be tolerated and may result in termination from the CoC Membership or CoC Committee Membership. A CoC member, CoC Committee member, employee, or O'ahu CoC Board Member who has reason to believe that there may have been an instance of fraud, improper action or other illegal act in connection with a CoC program, function or activity shall report it immediately to the Vice Chair. Reported instances shall be investigated in a timely manner and if an investigation confirms fraud has occurred, appropriate corrective action will be taken.
- 11.8.2 Fraud refers to but is not limited to: intentionally entering false data into the HMIS or other related systems; any dishonest or fraudulent act; forgery or alteration of any official document; the misappropriation of funds, supplies or CoC materials; improper handling or reporting of money or financial transactions; profiting by self or others as a result of inside knowledge; destruction or intentional disappearance of records or equipment; accepting or seeking anything of value from vendors or persons providing services or materials to the CoC for personal benefit.

12 AMENDMENTS TO THE GOVERNANCE CHARTER

12.1 SCHEDULED REVIEWS FOR AMENDMENTS

- 12.1.1 The Planning Committee will be responsible for bringing to the O'ahu CoC Board their review of the governance structure on an annual basis, in order to make recommendations for changes.

12.2 NON-SCHEDULED REVIEWS FOR AMENDMENTS

- 12.2.1 Circumstances may arise that are not explicitly covered by the policies and procedures of this Governance Charter. The lead agency will be responsible for bringing to the O'ahu CoC board any circumstances for which this governance charter does not provide guidance. A majority vote by the O'ahu CoC Board will be called to rule on any circumstances not covered.

Commented [LH104]: We need a wordsmith here...Matt or George... Could you advise?

Commented [GU105R104]: How is this? "There may be instances where the Governance Charter must be amended outside of the annual review conducted by the Planning Committee. Requests for these amendments will be submitted to the CoC Board via the Chair, who will review the requests in collaboration with the Lead Agency. A majority vote of the CoC Board will decide if the proposed amendment will be added to the next meeting of the membership. If the vote is added, the membership will vote by majority to decide whether to approve the amendment."

12.2.2 There may be instances where the Governance Charter must be amended outside of the annual review conducted by the Planning Committee. Requests for these amendments will be submitted to the CoC Board via the Chair, who will review the requests in collaboration with the Lead Agency. A majority vote of the CoC Board will decide if the proposed amendment will be added to the next meeting of the membership. If the vote is added, the membership will vote by majority to decide whether to approve the amendment."

12.3 VOTING ON AMENDMENTS

12.3.1 In the event the Planning Committee recommends an amendment to the Governance Charter, the amendment must be proposed at a regular O'ahu CoC Board meeting and scheduled for action at a subsequent O'ahu CoC meeting. The Governance Charter shall be amended by majority affirmative vote of the CoC membership in attendance.

12.4 DISTRIBUTION OF ADOPTED AMENDMENTS

12.4.1 Proposed amendments must be provided to all CoC members within ten (10) business days following the O'ahu CoC Board meetings where the amendment was proposed. Amendments may be distributed via email or whatever latest technology is available at that time.

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CHARTER VERSION HISTORY

| Date | Comments/Changes |
|---------------|---|
| 2014 | Initial adoption |
| Jan 20, 2015 | Approved by general membership 1/20/15 |
| Aug 16, 2016 | Approved by Executive Committee 8/4/16; approved by general membership 8/16/16 |
| June 20, 2017 | Approved by the Board of Directors 6/1/17; approved by general membership [date] |
| January 2021 | Approved by the O'ahu CoC Board January 2021 Approved by the General Membership January 2021 |

The O'ahu Continuum of Care, Partners In Care 501c3 and CoC Committee's: Roles and Responsibilities

| Reference | Responsibility | Roles and Responsibilities | | | |
|------------|--|------------------------------------|--------------------------------------|---------------------------------------|--|
| | | Approval and/or Oversight (Note 1) | Primary Lead | Support Roles | |
| 24 CFR 578 | Operating a Continuum of Care | | | | |
| | 1. Adopt and follow a written process to select a board to act on behalf of the CoC. | CoC Full Membership (approval) | Organizational Development Committee | PIC | |
| | 2. Develop, follow, and update annually the governance charter, which will include all procedures and policies needed to comply with HUD requirements and with HMIS requirements, including a code of conduct and recusal process for the CoC Advisory Board, its chair(s), and any person acting on behalf of the CoC Advisory Board. | CoC Full Membership (approval) | CoC Advisory Board of Directors | PIC | |
| | 3. In consultation with recipients of Emergency Solutions Grant (ESG) and CoC funds within the CoC's geographic area, as well as other community stakeholders, establish and operate a coordinated entry system that provides an initial, comprehensive assessment of the needs of individuals and families for housing and services. | CoC Board of Directors (oversight) | PIC | CES Oversight Committee | |
| | 4. In consultation with recipients of ESG and CoC funds within the CoC, as well as other community stakeholders, establish and consistently follow written standards for providing CoC assistance. | CoC Board of Directors (approval) | Planning Committee | PIC | |
| | 5. Consult with funding recipients, subrecipients, and other community stakeholders to establish performance targets appropriate for population and program type. | CoC Board of Directors (approval) | Planning Committee | PIC | |
| | 6. Educate the community on homeless issues. | CoC Board of Directors (oversight) | PIC | Awareness Committee | |
| | 7. Hold meetings of the CoC full general membership, at least semi-annually, and make a public invitation for new members at least annually. | CoC Board of Directors | PIC | PIC General Membership Committee | |
| | 8. Monitor performance of CoC and ESG recipients and subrecipients, as well as subrecipients of State funding for homelessness which flows through the CoC Lead Agency. | CoC Board of Directors (oversight) | Planning Committee | PIC | |
| | 9. Evaluate the outcomes of projects funded under ESG, CoC, and State homelessness funding programs. | CoC Board of Directors (oversight) | Planning Committee | PIC | |
| | 10. Provide technical assistance and support to underperforming projects and programs. | CoC Board of Directors (oversight) | Data Committee | PIC | |
| | 11. Take appropriate action against ESG-funded, CoC-funded projects | CoC Advisory Board | PIC; HPO and ESG recipients | Planning Committee | |
| | 12. Report the outcomes of ESG and CoC projects to HUD annually. | CoC Board of Directors (oversight) | Data Committee | PIC | |
| | 13. Report the outcomes of State-funded programs to the State of Hawai'i upon request by State. | HPO (Approval / Oversight) | PIC | Data Committee and Planning Committee | |

Commented [106]: Maybe we can have a definition of Primary Lead and Support Roles. This might help people understand the difference.

Commented [107]: This ones a little tricky since we put together the meetings.

Commented [108]: We are definitely the support for this one but the approval for HPO programs is only HPO. CoC Advisory Board will have nothing to do with these contracts. This may be touchy so take State programs out of #11, and change #13 Approval Oversight to HPO

Commented [109]: We'll have to work on this one.

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|--------------------------------|---|------------------------------------|---|------------------------------------|
| 24 CFR 578, FS 420 | CoC Planning | | | |
| | 1. Coordinate the implementation of a housing and service system within the CoC's geographic area that meets the needs of individuals and families experiencing homelessness. At a minimum, such a system encompasses the following: a. Outreach, engagement, and assessment. b. Shelter, housing, and supportive services (supportive services include, but are not limited to mental health, substance abuse, medical services). c. Prevention strategies (preventing an episode of homelessness). | CoC Board of Directors (approval) | Planning Committee and General Membership | PIC |
| | 2. Develop strategies to end homelessness locally, based on the consideration of documented best practices, local needs and gaps, innovations in programs and service delivery, and available and potential resources. | CoC Board of Directors (oversight) | CoC General Membership | PIC |
| | 3. Plan for and conduct an annual point-in-time count of persons experiencing homelessness within the CoC geographic area that meets HUD requirements, including a housing inventory of shelters, transitional housing, and permanent housing reserved for persons who are homeless, in general, and persons who are chronically homeless and veterans experiencing homelessness, specifically, as HUD requires. | CoC Board of Directors (oversight) | PIC | Point In Time Count Sub Committee |
| | 4. Conduct an annual gaps analysis of the needs of people experiencing homelessness, as compared to available housing and services within the CoC geographic area. | CoC Board of Directors (oversight) | PITC Sub Committee & Planning Committee | PIC |
| | 5. Provide information required to complete the Consolidated Plan(s) within the CoC catchment area. | CoC Board of Directors (oversight) | Planning Committee | PIC |
| 24 CFR 578 | 6. Consult with State and local government ESG recipients within the CoC catchment area on the plan for allocating ESG funds and reporting on and evaluating the performance of ESG recipients and subrecipients | CoC Board of Directors (oversight) | Planning Committee | PIC |
| | Designate an HMIS Lead Agency to Operate HMIS | | | |
| | 1. Designate a single HMIS for the CoC's catchment area, and an eligible applicant to serve as the CoC's HMIS Lead Agency. | CoC Board of Directors (approval) | CoC Full Membership | PIC, Planning and Data Committee's |
| | 2. Review, revise and approve a CoC HMIS data privacy plan, data security plan, and data quality plan. | CoC Board of Directors (approval) | Data Committee | PIC |
| | 3. Ensure that the HMIS is administered in compliance with HUD requirements. | CoC Board of Directors (oversight) | Data Committee | PIC |
| | 4. Ensure consistent participation by CoC and ESG recipients and subrecipients in the HMIS. | CoC Board of Directors (oversight) | Data Committee | PIC |
| | 5. The relationship between the CoC and the HMIS Lead Agency and its responsibilities will be outlined in a Memorandum of Understanding. | CoC Board of Directors (approval) | Data Committee | PIC |

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| | | | | |
|--------------------------------|---|---|---------------------------|-------------------------------|
| | | & PIC Board of Directors (approval) | | |
| 24 CFR 578, FS 420 | Designate a Single Organization to Serve as Collaborative Applicant and CoC Lead Agency | | | |
| | 1. Designate a single eligible Collaborative Applicant and CoC Lead Agency to collect and combine the required application information from all applicants for the annual HUD CoC funding competition. This entity also serves as the agency eligible for State of Hawai'i CoC funding related to homelessness, including but not limited to the State Emergency Solutions Grant. | CoC Board of Directors (approval) | CoC Full Membership | PIC and Planning Committee |
| | 2. Establish the local process for applying, reviewing and prioritizing project applications for funding in the annual HUD CoC funding competition, State of Hawai'i Emergency Solutions Grant funding, and any other funding for which the CoC Lead Agency is the eligible applicant on behalf of the CoC. | CoC Board of Directors (oversight) | Planning Committee | PIC |
| | 3. Establish priorities that align with local and federal policies for recommending projects for HUD CoC grant funding and all funding for which the CoC Lead Agency is the eligible applicant on behalf of the CoC. | CoC Board of Directors (approval) | CoC General Membership | PIC & Planning Committee |
| | 4. Determine whether to require the CoC Lead Agency to apply for Unified Funding Agency designation from HUD. | CoC Board of Directors (approval) | Planning Committee | PIC |
| | 5. Approve the final submission of applications in response to the HUD CoC Notice of Funding Availability and other funding for which the CoC Lead Agency is the eligible applicant on behalf of the CoC. | CoC Board of Directors (approval) PIC Board of Directors | Planning Committee | PIC |
| | 6. The relationship between the CoC and the CoC Lead Agency, and its responsibilities will be outlined in a Memorandum of Understanding. | CoC Board of Directors (approval) & PIC Board of Directors (approval) | Planning Committee | PIC |

Note 1: "Approval" indicates a requirement for a formal vote of the responsible body. "Oversight" indicates that reports and information will be provided to that responsible body by the lead agency and/or council committee.

Note 2: Define roles and responsibilities of Primary lead and Support Roles

Primary Lead is responsible for

Support role is responsible for



