

# **Mohawk Valley Housing and Homeless Coalition**

Utica/Rome/Oneida and Madison Counties Continuum of Care (CoC NY-518)

[www.mvhomeless.org](http://www.mvhomeless.org)

## **Governance Charter and By-Laws**

**Revised: July 28, 2016**

**Effective:** Approved by the CoC Board 8/15/2016

### **I Mission**

The Mission of the Mohawk Valley Housing and Homeless Coalition (MV-HHC) is to prevent and end homelessness in Utica, Rome, Oneida and Madison Counties, NY and to understand and effectively address the causes of homelessness in our region.

The Mohawk Valley Housing and Homeless (MV-HHC) works toward this mission by maintaining a network of coordination and collaboration among homeless service providers throughout Oneida and Madison Counties. The Coalition's strives to effectively and compassionately represent the needs and interests of homeless individuals and families, persons at risk of homelessness, and low-income disabled persons living in precarious situations.

### **II Continuum of Care Responsibilities**

In order to fulfill its mission, the MV-HHC will:

1. Hold meetings of the full membership in accordance with HUD regulations;
2. Invite new members to join in accordance with HUD regulations.
3. Adopt and follow a written process to select a board to act on behalf of MV-HHC in accordance with HUD regulations.
4. Appoint additional committees, subcommittees, or workgroups;
5. Develop, follow, and update annually this governance charter in accordance with HUD regulations.
6. Consult with recipients and sub-recipients of HUD funds through MV-HHC to establish performance targets, monitor performance, evaluate outcomes, and take action against poor performers as per HUD regulations;
7. Evaluate outcomes of projects funded under the Emergency Solutions Grants program and the Continuum of Care program, and report to HUD;
8. Establish and operate a centralized or coordinated assessment system that provides an initial comprehensive assessment of the needs of individuals and families for housing and service, which would be updated as necessary.

9. Establish and consistently follow written standards for providing Continuum of Care assistance in accordance with HUD regulations.
10. Designate and operate an HMIS in accordance with HUD regulations and the Governance Agreement between the CoC and the current HMIS Lead Agency (Central NY Services, Inc.) approved by the CoC Board on 12/19/2013.
11. Develop a Continuum of Care plan in accordance with HUD regulations.
12. Prepare an application in response to HUD Continuum of Care Notice of Funding Availability (NOFA); using the process that complies with HUD regulations.
13. Inform and educate the community on the causes and consequences of homelessness and on strategies for developing supportive and affordable housing in our region.

### **III Membership**

#### **A. Open Membership**

1. Membership in MV-HHC is open to representatives of county and city government, not-for-profit organizations, consumers, service providers, housing developers, foundations, and other community groups with a commitment to the MV-HHC's mission. The MV-HHC encourages membership and participation through its mailing list of individuals and organizations who have expressed interest in the MV-HHC mission and purpose.
2. Semi-annually, the MV-HHC will issue a public invitation for new members. Non-members are welcomed and encouraged to attend all MV-HHC meetings. They will receive meeting announcements and meeting minutes and may be invited to participate on special projects.
3. The MV-HHC will endeavor to include members of all relevant organizations in the covered counties, including but not limited to not-for-profit homeless assistance providers, victim service providers, faith-based organizations, governments, businesses, housing advocates, public housing agencies, school districts, social service providers, mental health agencies, hospitals, universities, affordable housing developers, law enforcement, organizations that serve veterans, and homeless or formerly homeless individuals.
4. Organizations and Agencies can have more than one member serving on the Board. In such instances, the organization or local government agency will have one vote.

#### **B. Membership Meetings**

1. The MV-HHC will hold meetings of the full membership, with published agendas, at least quarterly each year. A meeting agenda will be prepared and distributed prior to each meeting, along with a draft of the minutes from the prior meeting. Any changes to meeting dates or times will be announced in advance and members will be notified by e-mail.
2. The Second Quarter (June) membership meeting will be the Annual Meeting. Members will be notified at least two weeks in advance of the Annual meeting.

3. MV-HHC's budget will be presented to and approved by membership at the Annual meeting. Budget modifications which are not significant (involve changes of less than 10% of the overall budget) may be approved by the Board in between the membership meetings.
4. Special meetings may be called by request in writing by five members of the Board or a majority of the officers. As much advance notice of special meetings as possible will be provided.
5. The MV-HHC will have a Code of Conduct that states the following: all members of the MV-HHC will avoid any conflict between their own respective individual interests or the interests of their individual agency affiliation and the interests of the MV-HHC; all members will disclose annually any potential conflicts of interest to the Board of Directors; members are not to benefit personally or financially from any purchases, agreements, or transactions undertaken on behalf of the MV-HHC; members will not disclose any confidential information acquired in the course of their official duties during MV-HHC meetings or activities. Violations of this code may lead to removal of offending members.

#### **C. Voting**

1. Voting can take place during full membership MV-HHC Board meetings, provided that a quorum (60% of the voting members) are present to vote in person or via phone conferencing.
2. Each member will have one vote. Organizations will have one primary representative and one auxiliary representative to act on behalf of the organization.
3. A motion will be passed by a majority of the vote. Where a matter of procedure is in question, MV-HHC shall defer to *Robert's Rules of Order*.
4. Members must be familiar with the business being voted on to be eligible to vote.

#### **D. Dues**

1. Membership dues for participation on the MV-HHC will be decided on by the CoC Board. At present there are no membership dues, however, dues may be assessed at a future date pending a majority vote by the CoC Board.
2. Membership dues will not be required from of public agencies and individual members not representing an agency, including consumers and homeless and formerly homeless persons, which are exempt.
3. Organizations with multiple members will need to pay one dues fee.
4. Dues will be established based on the MV-HHC's anticipated expenses as provided in the annual budget.
5. The CoC Collaborative Agency will hold dues received in the event that MV-HHC institutes a dues/fee structure.

#### **E. CoC Planning Funds Received from HUD or Other Sources**

1. Under the HEARTH Act, the MV-HHC is eligible to apply for CoC Planning funds from HUD. All applications for CoC Planning funds must be submitted by the Collaborative Applicant. The CoC

Collaborative Applicant agrees to apply for, accept, and manage CoC Planning funds as they become available, subject to review and approval by the MV-HHC Board by majority vote.

2. All other applications for CoC Planning funds must also be submitted by the Collaborative Applicant. The CoC Collaborative Applicant agrees to accept, and manage CoC Planning funds as they become available, subject to review and approval by both the MV-HHC Board by majority vote and by the Collaborative Agency Board and/or the CA Executive Director, depending on the by-laws of the Collaborative Applicant.

#### **IV MV-HHC Board**

##### **A. Establishment of the Board**

1. The MV-HHC has adopted the process described below for selection of a Board to act on behalf of the Continuum.
2. The process will be reviewed, updated, and approved by MV-HHC at least once every 5 years.

##### **B. Eligibility for Nomination to Serve on the Board**

1. Board representative must meet **two or more criteria** in addition being an **active participant** in the continuum of care (6 or more meetings attended in past 12 months).
2. In the case of an organization that HUD calls a “relevant organization” which has not previously participated in the continuum of care (e.g. a local hospital or college), the past active participation requirement may be waived.
3. The criteria used for nomination to the CoC Board are:
  - a. Familiar with local homeless needs, resources, gaps
  - b. Experience providing homeless assistance
  - c. History of an ability to work collaboratively to address community needs
  - d. Represent a particular homeless sub-population not represented by anyone else
  - e. Currently homeless or formally homeless

##### **C. Role and Responsibilities of Board**

1. The Board will be responsible for identifying a Collaborative Applicant, which must be approved by the membership. As of January 2013, United Way of the Valley and Greater Utica is the Collaborative Applicant for the MV Housing and Homeless Coalition.
2. The Board will assist the MV-HHC in coordinating efforts amongst MV-HHC members to fulfill all CoC responsibilities.
3. Board members can be terminated by the Board for violating the Code of Conduct and/or excessive absenteeism. In considering absenteeism, participation in Board meetings, full membership meetings and Committee meetings will be reviewed.

#### **D. Board Composition**

1. The MV-HHC Board will include between 15 and 23 members.
2. The MV-HHC Board will include a currently or formerly homeless person.
3. The homeless/formerly homeless person and the officers (see Section D) will review the membership and make recommendations for the remaining Board seats, endeavoring to ensure that all relevant community partners and all geographical areas covered by the MV-HHC are represented equitably.
4. MV-HHC membership will vote on the proposed Board members at the Annual Meeting.
5. Board service terms may be continuous or permanent for entities essential for CoC operation or two or three years, at the discretion of the Board.
6. Mid-term Board vacancies will be filled by individuals recommended by one or more remaining Board members and approved by majority vote of the Board for the unexpired portion of term.

#### **E. Officers**

1. CoC officer positions will include Chair, Vice-Chair, Secretary and Treasurer.
2. Board officers are nominated and selected (confirmed by a majority vote) by current board members. The quorum (minimum) required for voting for officers is sixty percent of Board positions (e.g. a minimum of 14 or more of 23). In the event that there are multiple nominations for the same position, a vote by all current board members (not including those who have been nominated or those recused for conflict of interest reasons) is required and the person receiving the most votes will be appointed to the office.
3. Officer Responsibilities:
  - a. Chair: The Chair will call, set agendas for, and preside over all Board meetings.
  - b. Vice-Chair: The Vice-Chair will assume all of the Chair's duties in their absence.
  - c. Secretary: The Secretary will be responsible for providing notice of any meeting, and taking and distributing minutes. The Secretary will track Board and general membership attendance. In the event that there is no current or acting Secretary, the Chair or Vice-Chair will perform the duties of the Secretary.
  - d. Treasurer: An employee of the Collaborative Applicant will fill the position of Treasurer. The Treasurer will be responsible for overseeing and managing the budget for CoC operations. Establishing an annual budget, recommending annual dues amount, and collecting dues (if and when dues amounts become applicable) will be the responsibility of the CoC Chair in conjunction with the Treasurer and must be reviewed and approved by a majority of the Board. The Administration budget for HUD CoC Planning Projects if received by the CoC will be used for any costs incurred by the Collaborative Applicant for providing fiscal services as CoC Treasurer.
4. Officers will serve three-year terms.

## **E. Board Member Terms**

1. Board member will serve either two or three year terms with the exception of the following entities that hold permanent seats on the CoC Board:
  - The City of Utica
  - The City of Rome
  - CoC Homeless Management Information System Administrator/Lead Agency
  - CoC Collaborative Applicant
  - Currently or formerly homeless person
  - CoC Chair
2. Board member terms that are time-limited will be staggered.
3. The homeless person(s) serving on the Board may serve less than a full term.
4. Board members may resign from the Board by giving written notice to the CoC Chair.

## **F. Meetings**

1. The MV-HHC Board will meet at least quarterly. A meeting agenda will be prepared and distributed prior to each meeting, along with a draft of the minutes from the prior meeting. Any changes to meeting dates or times will be announced in advance by e-mail.
2. A majority vote is required for passage of any measure. Only noted members or auxiliary members can vote.
3. Agencies receiving funds through the MV-HHC are required to attend a minimum of 75% of the MV-HHC meetings.
4. Board Member Agencies are required to attend 50% or more of all scheduled Board each calendar year. If attendance falls below 50% and the member agency does not have a legitimate reason for their lack of attendance, the Board, by majority vote, may remove the agency from serving on the Board and notify the Agency in writing within 10 working days of this decision. This removal does not preclude the Agency's eligibility to serve on the Board in the future.

## **V Committees**

The CoC Board can authorize the formation of standing Committees and temporary Task Forces to work on projects or issues related to the mission of the MV-HHC.

## **VI Code of Conduct/Conflict of Interest: General Principles**

- All members of the MV-HHC will avoid any conflict between their own respective individual interests or the interests of their individual agency affiliation and the interests of the MV-HHC
- All members will disclose annually any potential conflicts of interest to the Board of Directors
- Members are not to benefit personally or financially from any purchases, agreements, or transactions undertaken on behalf of the MV-HHC
- Members will not disclose any confidential information acquired in the course of their official duties during MV-HHC meetings or activities. Violations of this code may lead to removal of offending members.

## **VII MV-HHC Homeless Management Information System HMIS**

The MV-HHC will develop and implement a Governance Charter between the CoC Board and the HMIS Lead Agency to ensure that the HMIS System and HMIS Operations are compliant with HUD standards while meeting the planning and client service needs of homeless service providers in the CoC. The CoC-HMIS Governance Charter will be updated as necessary to accommodate HUD regulatory changes and to meet local CoC needs and will be posted and available on the CoC website. This Governance Charter authorizes the CoC Board to:

1. Designate a single Homeless Management Information System (HMIS) for the geographic area;
2. Designate an eligible applicant to manage the MV-HHC HMIS, which will be known as the HMIS Lead;
3. Review, revise, and approve a privacy plan, security plan, and data quality plan for the HMIS.

The Governance Charter is also designed to:

4. Ensure consistent participation of recipients and sub-recipients in the HMIS; and
5. Ensure the HMIS is administered in compliance with requirements prescribed by HUD and by other Federal Agencies (e.g. Health and Human Services, VA, etc.) or NY State Agencies that have the authority to require HMIS participation for projects or programs that they fund and regulate .

## **VIII Planning, Program, Policies and Procedures**

### **A. Planning**

The MV-HHC will develop a plan that includes:

1. Coordinating the implementation of a housing and service system within its geographic area that meets the needs of the homeless individuals (including unaccompanied youth) and families. At a minimum, such system encompasses the following:
  - (i) Outreach, engagement, and assessment;
  - (ii) Shelter, housing, and supportive services;
  - (iii) Prevention strategies.
2. Planning for and conducting, at least biennially, a point-in-time count of homeless persons within the geographic area that meets the following requirements:
  - (i) Homeless persons who are living in a place not designed or ordinarily used as a regular sleeping accommodation for humans must be counted as unsheltered homeless persons.
  - (ii) Persons living in emergency shelters and transitional housing projects must be counted as sheltered homeless persons.
  - (iii) Other requirements established by HUD by Notice.
3. Conducting an annual gaps analysis of the homeless needs and services available within the MV-HHC geographic area;

4. Providing information required to complete the Consolidated Plan(s) covered by the MV-HHC geographic area;
5. Consulting with State and local government Emergency Solutions Grants (ESG) program recipients within the MV-HHC's geographic area on the plan for allocating ESG program funds and reporting on and evaluating the performance of ESG program recipients and sub-recipients.

#### **B. Written Standards and Homeless Assistance Project Policies and Procedures**

The MV-HHC has developed written policies and procedures for CoC and ESG funded programs in compliance with HUD regulations to ensure effective, equitable, standardized program implementation. These written standards and CoC-wide policies and procedures are posted on the CoC website at [www.mvhomeless.org](http://www.mvhomeless.org) and include:

1. Policies and procedures for evaluating individuals' and families' eligibility for assistance under this part;
2. Policies and procedures for determining and prioritizing which eligible individuals and families will receive transitional housing assistance;
3. Policies and procedures for determining and prioritizing which eligible individuals and families will receive rapid rehousing assistance;
4. Standards for determining what percentage or amount of rent each program participant must pay while receiving rapid rehousing assistance;
5. Policies and procedures for determining and prioritizing which eligible individuals and families will receive permanent supportive housing assistance; and
6. If the MV-HHC is designated a high-performing community, policies and procedures will be developed in accordance with HUD regulations.
7. Emergency Solutions Grant (ESG) Coordination: In consultation with recipients of Emergency Solutions Grants program funds within the geographic area, the MV-HHC has developed a specific policy to guide the operation of the CoC's Coordinated Entry and Assessment –System. The CoC will also directly coordinate with ESG Grantees within its jurisdiction to participate in monitoring the outcomes of ESG recipients via HMIS performance reports on ESG Programs that participate in the CoC's Homeless Management Information System (as required by HUD) and by reviewing the program-level monitoring reports by the two ESG grantees in our CoC (The City of Utica and NY State).

All organizations or agencies receiving CoC and/or ESG homeless assistance funding from HUD are required to participate in the development of the above written standards and policies and procedures and are also required to implement and administer them at the project level.

Applicants for CoC or ESG New Project funding are required to abide by these written standards as developed by the CoC and approved by the CoC Board.

Written standards for HUD-funded programs will be reviewed annually at a minimum and revised as necessary to maintain compliance with HUD regulations and to improve CoC performance toward our mission to end homelessness.

### **C. Applying for HUD Continuum of Care Funds**

The MV-HHC will design, operate, and follow a collaborative process for the development of applications and approve the submission of applications in response to NOFAs published by HUD. MV-HHC will:

1. Establish priorities for funding projects;
2. Determine if one application for funding will be submitted for all MV-HHC projects or if more than one application will be submitted;
  - (i) If more than one application will be submitted, MV-HHC 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 that the MV-HHC has selected for funding. The Collaborative Applicant will also apply for Continuum of Care planning activities. If the Continuum is an eligible applicant, it may designate itself;
  - (ii) If only one application will be submitted, that applicant will be the Collaborative Applicant and will collect and combine the required application information from all MV-HHC projects that the Continuum has selected for funding and apply for Continuum of Care planning activities;
3. Retain all of its responsibilities, even if it designates one or more eligible applicants other than itself to apply for funds on behalf of the Continuum. This includes approving the Continuum of Care application.
4. Establish performance targets appropriate for population and program type, monitor recipient and sub-recipient performance, evaluate outcomes, and take action against poor performers.

### **D. Coordinated Entry and Assessment System**

1. The MV-HHC will establish and operate a centralized or coordinated assessment system that will provide a comprehensive assessment of the needs of individuals and families for housing and services. All CoC and ESG grantees and new project applicants are required to participate in the CoC's Coordinated Entry and Assessment System.
2. The system will be designed to coordinate program participant screening, intake, assessment, and provision of referrals.
3. The system will be designed to be easily accessed by individuals and families seeking housing or services, be well advertised, and include a comprehensive and standardized assessment tool. Detailed Coordinated Entry and Assessment Policies and Procedures will be developed and updated as necessary in consultation with the CoC Board and CoC and ESG Grantees and will be posted on the Coalition website.

## **IX Amendments**

- A. This Charter will be reviewed annually and updated as needed.
- B. Amendments or changes to this Charter will be recommended by the Board to the Membership at the Annual meeting. Majority vote of membership is required for passage. The Chair or Co-Chair of the CoC will notify CoC members of any proposed by-law changes at least two weeks in advance of the Annual meeting.

**APPENDIX A.**

**LIST OF BOARD MEMBERS JUNE 2016 TO JUNE 2017/2018**

**(AS OF JULY 2016)**

Oneida County Department of Mental Health
Oneida County Department of Social Services- Aging/Continuing Care
Central New York Services, Inc.
JCTOD Outreach, Inc./Johnson Park Center
Central NY Veterans Outreach Center.
Currently or formerly homeless person
YWCA of the Mohawk Valley
Salvation Army
Utica Rescue Mission
Hope House
Upstate Cerebral Palsy
Access Care Resources – Health (ACR Health)
Kids Oneida
Neighborhood Center
Resource Center for Independent Living (RCIL)
City of Utica
City of Rome
Utica Municipal Housing Authority
Department of Veterans Affairs (VA)
Madison County CoC Committee Chair
CoC Chair
United Way of the Valley and Greater Utica Area (collaborative applicant)
Homeless Management Information System Administrator/Lead Agency