

Montgomery County Continuum of Care Governance Charter

I. Background and Purpose

The Montgomery County Continuum of Care (CoC) is the planning body in Montgomery County, Maryland, which coordinates the community's policies, strategies, and activities toward preventing and ending homelessness through a collaboration of public and private groups.

The name of the CoC shall be the Montgomery County Continuum of Care and the name of this CoC board shall be the Interagency Commission on Homelessness, herein referred to, respectively, as the "Montgomery County CoC" and the "Commission".

The Montgomery County CoC's work incls gathering and analyzing information in order to determine the local needs of people experiencing homelessness, implementing strategic responses, educating the community on homeless issues, providing advice and input on the operations of homeless services, and measuring CoC performance. Support for CoC efforts include federal, state, local, and private funds, including U.S. Department of Housing and Urban Development (HUD) funding awarded through the Continuum of Care funding competition.

HUD requires communities that receive funds under the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act to establish a local Continuum of Care to promote a community-wide commitment to ending homelessness, provide funding for efforts to promote community-wide planning and strategic use of resources to address homelessness, improve coordination and integration with mainstream resources, and other programs targeted to people experiencing homelessness.

II. Responsibilities of the Montgomery County CoC

The responsibilities of the Montgomery County CoC, the Commission, Montgomery County Department of Health and Human Services (DHHS) as the Collaborative Applicant, Montgomery County DHHS as the Homeless Management Information System (HMIS) Lead and CoC staff, include the following activities under CoC operations, planning, HMIS designation and system operations, and preparing application for CoC funds.

A. Operations of the CoC

- Develop, follow, and update annually this 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 Commission, its chair(s), and any person acting on behalf of the Montgomery County CoC board

- Establish and operate a coordinated assessment system that provides an initial, comprehensive assessment of the needs of individuals and families for housing and services
- Establish and consistently follow written standards for providing CoC assistance
- Consult with recipients and subrecipients to establish performance targets appropriate for population and program type
- Monitor performance of CoC recipients and subrecipients
- Evaluate the outcomes of projects funded under CoC programs
- Take action against CoC projects that perform poorly
- Report the outcomes of CoC projects to HUD annually

B. Planning Activities of the CoC

- Coordinate the implementation of a housing and service system within the Montgomery County CoC geographic area that meets the needs of homeless individuals and families. At a minimum, such a system encompasses the following:
 - Outreach, engagement, and assessment
 - Shelter, housing, and supportive services
 - Prevention strategies
- Plan for and conduct a Point-In-Time (PIT) count of homeless persons within the CoC, including a housing inventory of shelters, transitional housing, and permanent housing for homeless persons
- Conduct an annual gaps analysis of the needs of homeless people, as compared to available housing and services within the CoC geographic area
- Provide information required to complete the Consolidated Plan within the CoC geographic area

C. Designating and Operating a Homeless Management Information System

- Designate a single HMIS for the CoC's geography, and an eligible entity to serve as the CoC's HMIS Lead
- Review, revise, and approve a CoC HMIS data privacy plan, data security plan, and data quality plan
- Ensure that the HMIS is administered in compliance with HUD requirements
- Ensure consistent participation by CoC recipients and subrecipients in the HMIS

D. Prepare an Application for CoC Funds

- Design, operate, and follow a collaborative process for the development of a CoC application to HUD
- Establish priorities that align with local and federal policies for recommending projects for CoC Program funding

- Designate an eligible Collaborative Applicant to collect and combine the required application information from all applicants
- Determine whether to select the Collaborative Applicant to apply for Unified Funding Agency (UFA) designation from HUD
- Approve the final submission of applications in response to the CoC Notice of Funding Availability (NOFA)

E. Coordinate with Emergency Solutions Grant Recipient

Emergency Solutions Grant (ESG) funds are awarded to Montgomery County annually (based on HUD formula and annual appropriations). Montgomery County DHHS is the designated administering department for the funds and ensures the coordination of the following ESG activities are in consultation with the Montgomery County CoC:

- Participates in the CoC's coordinated assessment system
- Follows the CoC written standards for providing assistance
- Monitors performance of ESG recipients (if applicable)
- Evaluates outcomes of projects funded under ESG
- Takes action against ESG projects that perform poorly
- Reports the outcomes of ESG projects to HUD annually
- Ensures consistent participation by ESG recipients and subrecipients (if applicable) in the HMIS system
- Consults with state and local government ESG recipients within the Montgomery County CoC on the plan for allocating ESG funds and reporting on and evaluating the performance of ESG recipients and subrecipients

III. Full CoC Membership

A. Meetings and Agenda

The Montgomery County CoC will hold meetings of the full CoC membership at least semiannually. The CoC, through the Operations Committee, will announce the date, time and location of these meetings at least one month in advance and will publish the meeting agenda at least 24 hours before the meeting. Meeting agendas will be posted online at the Montgomery County CoC website for review prior to the meeting.

B. Membership and Voting

Membership is divided into two categories: general membership and voting membership. There is currently no fee to participate.

General membership

The CoC shall be open to any organizations or persons residing or doing business in Montgomery County with an interest in preventing and/or ending homelessness in the community. Membership may include nonprofit homeless assistance providers, victim service providers, faith-based organizations, governments, businesses, advocates, public housing agencies, school districts, social service providers, mental health agencies, hospitals, universities, affordable housing developers, law enforcement, and organizations that serve veterans and homeless and formerly homeless individuals. General members are welcome to attend the full CoC meetings held during the year.

Voting membership

Voting membership shall be open to any general member of the CoC who wants to participate more thoroughly in the CoC throughout the year, via committee, subcommittee, and/or workgroup. Currently, all Commission members as well as members of each Committee are voting members. To become a new voting member an individual or organization must submit an application for voting status for review and approval by the Operations Committee.

Organizations participating in the CoC voting process will have one vote per organization. This does not preclude the organization from having more than one employee attend CoC committee, subcommittee, workgroup and/or full CoC meetings. In situations where more than one employee from an organization is present at a committee, subcommittee, workgroup or full CoC meeting, only one person can represent the organization in a voting role. Furthermore, if there are different employees from the same organization, on different committee, subcommittee and/or workgroups each employee can vote at their own committee, subcommittee and/or workgroup meeting (as long as only one person per agency is voting at that meeting). Individuals, including homeless and formerly homeless persons, would gain approval to vote as an individual.

Commission members

Commission members are voting members of the CoC.

Voting

Decisions will be made by majority vote.

C. Duties

The Montgomery County CoC will adopt, follow, and update annually a governance charter, including board selection, in consultation with the Collaborative Applicant, HMIS Lead, and the Operations Committee.

IV. Interagency Commission on Homelessness

The CoC has approved the Interagency Commission on Homelessness to act on behalf of the CoC as the governing board. The Commission is comprised of an odd number not to exceed 25 members.

A. Membership of Governing Board

Members of the Governing Board are members of the Continuum of Care. The composition of the Governing Board is as follows:

One (1) representative from each of the agencies and/or positions will be appointed by the Executive as follows (as ex-officio):

- Director of Department of Health and Human Services
- Chief of Special Needs Housing of the Department of Health and Human Services
- Chief of Behavioral Health and Crisis Services of the Department of Health and Human Services
- Director of the Department of Correction and Rehabilitation
- Director of the Department of Housing and Community Affairs
- Assistant Chief of Field Services of the Montgomery County Police Department
- Representative for the Office of the County Executive

The Executive must invite the following to serve as ex-officio members:

- A member of the County Council selected by the Council President
- Executive Director of the Housing Opportunities Commission
- Director of Student Services of the Montgomery County Public Schools
- The Mayor or the Representative of the Mayor, of the City of Gaithersburg
- The Mayor or the Representative of the Mayor, of the City of Rockville
- The Mayor or the Representative of the Mayor, of the City of Takoma Park
- A Representative of either the U.S. Department of Veteran Affairs or the Maryland Department of Veteran Affairs
- Montgomery County Sheriff or the Representative of the County Sheriff
- A member of the County Legislative Delegation selected jointly by the Chairs of the House and Senate Delegation

Five (5) Representatives from (as non-ex officio members):

Continuum of Care association members that represent the relevant organizations of projects serving homeless subpopulations

Four (4) Members from the General Public (as non-ex officio members):

Members of the public, (individual or an organization representative) including one member that must be a person who is homeless or formerly homeless, and one member who is representative of a hospital located in Montgomery County

B. Term Limits

For non-ex officio members: The term is 3 years. Upon expiration of the term, members can be reappointed to a new 3 year term. If a member is appointed to fill a vacancy before a term expires, the successor serves the rest of the unexpired term. The Executive must stagger the terms of the non-ex officio members initially appointed to the Commission so that approximately one-third of the terms of these members expire each year.

For ex officio members: The term limit is equal to the term of the member's respective position in their organization/department

C. Voting

Each member of the Commission is a voting member.

D. Meetings

The Commission will meet a minimum of quarterly and written agendas and meeting minutes will be kept and made public to promote transparency.

E. Officers/Chairs/Staffing

The Executive must designate a Chair and Vice Chair, at the initial meeting of the Commission. Subsequently, a Chair and Vice Chair will be nominated by the Commission and confirmed by the Executive annually.

Montgomery County Department of Health and Human Services will provide support to the Commission. The Commission may establish one or more subcommittees to assist in carrying out any function of the Commission. Any subcommittee action is not the action of the Commission and must not bind the Commission or its members. A subcommittee may include a person who is not a member of the Commission.

F. Duties of the Commission

- Promote a community-wide goal to end homelessness
- Implement the strategic plan to prevent and reduce homelessness and minimize the trauma and dislocation cause to homeless families and individuals
- Review and monitor any program that is a component of the CoC
- Recommend to the Executive or Council any improvements to the CoC, including process changes, to reduce any barriers to housing and minimize the time needed to move someone from homelessness to housing
- Educate the community about homelessness, best practices to reduce homelessness and resources needed
- Recommend and promote partnerships with any private organization, business, corporation, philanthropic organization/foundation, and any municipal, state, or federal government agency to improve the County's ability to prevent and reduce homelessness
- Members of the Commission have the ability to volunteer to serve on other CoC committees, subcommittees, and/or workgroups.

G. Conflict of Interest

The CoC and the Commission will comply with the Conflict of Interest requirements outlined in 24 CFR part 578.95. In addition, any individual participating in or influencing decision-making must identify actual or perceived conflicts of interest as they arise and comply with this policy. Disclosure should occur at the earliest possible time and, if possible, prior to discussion of any issue. Individuals with a conflict should abstain from voting on any issue in which they may have a conflict. No member of the Commission shall vote upon or participate in the discussion of any matter which shall have 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. Any Commission member finding themselves in a situation where conflict of interest may arise shall recuse himself/ herself from proceedings. The recusal shall be duly recorded in the Commission minutes. All Commission processes shall comply as it relates with the requirements of 24 CFR Part 578.95(b).

V. Continuum of Care Committees

The Montgomery County CoC has created four committees to conduct the work of the CoC. Additional committees will be established by the Operations Committee who will act as a conduit between the Commission, additional committees, subcommittees, and full CoC membership. The Operations Committee has the ability to create additional committees, subcommittees, or workgroups based on need and majority vote of the Operations Committee. The Performance Review, Strategic Planning, and Education & Outreach committees will be responsible for submitting regular reports to the Operations Committee on their activities.

Decisions made by the committees will be decided by majority vote of committee membership. Each individual member will have one vote, and one representative from each organization will have one vote. All committees will operate with two co-chairs. The Operations Committee will have one County representative as a co-chair. Current chairs of each committee will remain in their position until January 2016, when committee chair elections will be held. Subsequent elections of committee chairs will be held each January. No prohibition exists against the same co-chairs being elected each year.

A graphic of the Montgomery County CoC's committee structure is attached to the end of this governance charter.

A. Operations Committee – Oversees the day to day operations of the CoC including:

- Coordinating the overall system of care
- Developing and recommending policies and procedures for approval by the Commission
- Assisting in planning of the CoC activities in coordination with appropriate groups including all other committees, subcommittees, and workgroups
- Reviewing summary reports from all activities of committees, subcommittees, and workgroups
- Approving all membership applications
- Establishing and operating a coordinated assessment system
- Establishing and following written standards for providing CoC assistance
- Holding meetings of the full membership, with published agendas, at least semi-annually
- Coordinating the full CoC to adopt, follow, and update annually a governance charter in consultation with the Collaborative Applicant and HMIS Lead

B. Strategic Planning Committee- Responsibilities include:

- Developing, monitoring, and updating the CoC's Strategic 10-Year Plan to end homelessness
- Overseeing the implementation of the Strategic Plan
- Conducting an annual gaps analysis of homelessness needs and services
- Consulting with state and local ESG recipients on the plan for allocating ESG funds and reporting/evaluating performance of ESG programs

C. Performance Review Committee – Responsibilities include:

- Reviewing and monitoring aggregate CoC-wide performance of all CoC and ESG programs through HMIS data, including the Annual Progress Report (APR), Annual Homeless Assessment Report (AHAR), Point in Time (PIT) count, and Housing Inventory Chart (HIC)
- Establishing performance targets appropriate for population and program type in consultation with recipients and subrecipients

- Monitoring recipients and subrecipients performance, evaluating outcomes, and taking actions against poor performers
- Evaluating project outcomes of ESG and CoC programs, and reporting those outcomes to the Operations Committee

D. Community Outreach and Education Committee - Responsibilities include:

- Providing education to the community on homeless issues
- Providing research and national best practices to other committees, subcommittees, and workgroups
- Publishing and disseminating an open invitation annually for persons within the Montgomery County CoC area to join as new CoC members
- Identifying and addressing membership gaps of key providers and vital stakeholders

VI. Designations

A. HMIS Lead

Montgomery County DHHS will act as the HMIS Lead. See HMIS Governance Charter for detailed responsibilities (Attachment A). At minimum the HMIS Lead will:

- Designate a single HMIS system and eligible applicant
- Review, revise, and approve privacy, security, and data quality plans
- Ensure consistent participation of recipients/subrecipients in HMIS
- Ensure that the HMIS is administered in compliance with HUD

B. Collaborative Applicant

Montgomery County DHHS will act as the Continuum of Care Collaborative Applicant. Duties will include:

- Supporting the planning and operations of the CoC
- Coordinating, preparing, collecting information, and submitting the CoC Program application
- Applying for CoC Planning Funds
- Overseeing the CoC coordinated assessment system
- Coordinating and conducting the annual PIT count
- Coordinating and completing the HIC
- Designing, operating, and following a collaborative process for the development of applications and approving submission of applications in response to a CoC Program NOFA
- Providing information required to complete the Consolidated Plan

Montgomery County CoC Committee Structure

