

Nevada County Regional Continuum of Care

Governance Charter

Passed: Date of Board Approval

Adopted 05 21 2020

Article I: Name

SECTION 1: NAME OF CoC

The name of the CoC is officially the Nevada County Continuum of Care (CA-531); however, it shall be known as the Nevada County Regional Continuum of Care, herein referred to as “NCRCoC” or “the CoC.”

SECTION 2: NAME OF BOARD

The name of the CoC Board shall be the Nevada County Regional CoC Leadership Board, herein referred to as the “Leadership Board” or “the Board.”

SECTION 3: COLLABORATIVE APPLICANT

The Homeless Resource Council of the Sierras (HRCS) will act as the collaborative applicant and administrative entity for the NCRCoC.

Article II: Purpose of the Continuum of Care (CoC)

The Continuum of Care (CoC) is comprised of all active, voting CoC-sponsored Committee Members and the Leadership Board. The Leadership Board oversees the CoC and works within a Housing First Model toward developing a continuum of services where the goal is to prevent and eradicate homelessness throughout the County of Nevada. All efforts are aimed at permanent solutions, and the range of services is designed to meet the unique and complex needs of individuals who are threatened with becoming homeless or are currently experiencing homelessness.

To reach our goal we will need the engagement of stakeholders beyond homeless and housing service providers. We will be unable to change the trajectory of homelessness in our community without increasing the scale of our response. It will take bold, coordinated action and a significant increase in investment to reduce the number of people becoming homeless each year and increase the number of people returning to a home. By focusing our investments and aligning our public policies, we have the best chance of achieving our goal. We are building a future in which there will be sufficient resources, political leadership, and community involvement to erase homelessness as a permanent fixture in our social landscape.

The vision focuses on:

- i. Preventing Homelessness;
- ii. Ensuring safer and more dignified conditions for those experiencing homelessness;
- iii. Increasing the number of available permanent housing options as well as increasing the number of permanent homes that homeless people are able to secure; and,
- iv. Keeping people housed once permanent housing has been secured; ensure that self-sufficiency is sustained.

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This Governance Charter memorializes how stakeholders will help guide initiatives to end homelessness, meet the federally-defined responsibilities of operating a HUD Continuum of Care as found in the Continuum of Care Program Rule at §578 and its related HUD rules, regulations and notices (see under Section XI); direct the work of the backbone organization; and, promote partnership and accountability among the various leadership bodies.

Article III: Responsibilities of the CoC

It is the role of Nevada County Regional CoC to provide oversight and take direct action on the issues outlined below. Where applicable, the CoC will delegate its authority to carry out the following activities to the relevant body. Regardless of delegation, Nevada County Regional CoC retains the ultimate responsibility to ensure its responsibilities are carried out correctly and will retain final oversight on all Continuum of Care related activity.

SECTION 1: OPERATING A CoC

- i. Develop, follow, and update annually this Governance Charter, which will include all procedures and policies needed to comply with the U.S. Department of Housing and Urban Development (HUD) requirements and with the Homeless Management Information System (HMIS) requirements, including a code of conduct and recusal process for the Leadership Board, its chair(s), and any person acting on behalf of the Leadership Board.
 - a. The Executive Committee will review annually and will make recommendations for changes or updates to the Leadership Board for their final approval. In the interim, if relevant regulatory or policy updates require consideration, the Executive Committee will meet to review and make those edits and submit the revised Charter to the CoC.
- ii. The Nevada County Regional Continuum of Care shall send an invitation at least annually to the public soliciting invitations for new members and shall hold full Continuum of Care meetings no less than semi-annually.
- iii. In consultation with recipients of Emergency Services Grant (ESG) funds within the CoC, implement the written standards for providing CoC assistance through a coordinated assessment and entry process, as required by HUD. At a minimum, the standards must include:
 - a. Policies and procedures for evaluating individuals' and families' eligibility for assistance under the CoC Program
 - b. Policies and procedures for determining and prioritizing which eligible individuals and families will receive transitional housing assistance
 - c. Policies and procedures for determining and prioritizing which eligible individuals and families will receive rapid re-housing assistance
 - d. Standards for determining what percentage or amount of rent each program participant must pay while receiving rapid re-housing

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- e. Policies and procedures for determining and prioritizing which eligible individuals and families will receive permanent supportive housing assistance
- iv. Monitor the performance of CoC and ESG recipients and subrecipients by project type to ensure effective service delivery.
 - a. The HRCS Outcomes and Measurement shall consult with recipients and subrecipients to establish performance targets appropriate for population and program type
 - b. The CoC shall evaluate the outcomes of projects funded under ESG and CoC programs and work with projects that perform poorly to improve performance
 - c. The HRCS Outcomes and Measurements Committee shall develop the targets, in consultation with the CoC, with final approval by the Leadership Board
- v. Report the outcomes of ESG and CoC projects to HUD annually through the CoC application process.

SECTION 2: CoC PLANNING

- i. Coordinate the implementation of a housing and service system within the CoC's geographic area that meets the needs of homeless individuals and families. At a minimum, such a system encompasses the following:
 - a. Outreach, engagement, and assessment
 - b. Shelter, housing, and supportive services
 - c. Prevention strategies
 - d. Long term sustainability
- ii. Plan for and conduct, at least biennially (every other year), a point-in-time count of homeless persons within the CoC geographic area that meets HUD requirements, including a housing inventory of shelters, transitional housing, and permanent housing reserved for homeless persons, in general, and chronically homeless persons and veterans, specifically, as HUD requires
- iii. Conduct an annual gaps analysis of the needs of homeless people, as compared to available housing and services within the CoC geographic area
- iv. Provide information required to complete the Consolidated Plan(s) within the CoC geographic area
- v. Consult with State and local government ESG recipients within the CoC geographic area on the plan for allocating ESG funds and reporting on and evaluating the performance of ESG recipients and subrecipients

SECTION 3: POLICIES AND PROCEDURES

Nevada County Regional CoC shall establish relevant policies and procedures to document the use of Planning Funds for eligible costs to ensure compliance with the planning grant requirements.

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SECTION 4: DESIGNATING AND OPERATING AN HMIS

- i. Nevada County Regional Continuum of Care shall designate a single HMIS for the CoC's geography, and an eligible applicant to serve as the CoC's HMIS lead agency.
- ii. Process for designating an HMIS Lead agency:
 - a. The HMIS Lead will be designated using a Request for Proposals process conducted by a Subcommittee of non-conflicted CoC members
 - b. Applicants will be given the opportunity to present themselves to the Nevada County Regional CoC membership at a general meeting
 - c. The final choice is made by the Leadership Board with input from the Nevada County Coordinating Council
 - d. The agency chosen will be selected for 1-3 years with the option for renewal based on a performance report and survey of the Nevada County Regional CoC general membership
 - e. The HMIS Lead will sign a Memorandum of Understanding (MOU) with Leadership Board
- iii. Once selected, the HMIS Lead shall be responsible for developing and monitoring the following HMIS program elements. However, Nevada County Regional CoC shall retain final review and approval of all HMIS related policies and procedures:
 - a. Review, revise and approve a CoC HMIS data privacy plan, data security plan, and data quality plan at least annually and as needed due to regulatory updates
 - b. Ensure that the HMIS is administered in compliance with HUD requirements
 - c. Ensure consistent participation by CoC and ESG recipients and subrecipients in the HMIS.
 - d. Work with all participating HMIS agencies to maintain high data quality and encourage non-HUD funded projects to participate

SECTION 5: PREPARING AN APPLICATION FOR FUNDS

- i. Nevada County Regional Continuum of Care shall design, operate, and follow a collaborative process for the development of a CoC application to HUD
- ii. Nevada County Regional Continuum of Care shall establish priorities that align with local and federal policies for recommending projects for HUD Homeless Assistance CoC Grant funding
- iii. Nevada County Regional Continuum of Care designates the Homeless Resource Council of the Sierras (HRCS) to be its Collaborative Applicant to collect and combine the required application information from all applicants. In the event the Collaborative Applicant is not HRCS, the Nevada County Regional CoC Leadership Board shall retain all of its responsibilities under the law and Department of Housing and Urban Development regulations
- iv. Process for designating the Collaborative Applicant:
 - a. The Collaborative Applicant will be designated using a Request for Proposals process conducted by a Subcommittee of non-conflicted Nevada County Regional CoC members

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- b. Applicants will be given the opportunity to present themselves to the Nevada County Regional CoC membership at a combined Leadership Board and Advisory Council Meeting
 - c. The final choice is made by the Leadership Board with input from the entire CoC membership
 - d. The agency chosen will be selected for 1-3 years with the option for renewal based on a performance report and survey of HUD-funded applicants
- v. The Leadership Board shall approve the final submission of applications in response to the CoC Notice of Funding Availability.

Article IV: Membership

SECTION 1: LEADERSHIP BOARD COMPOSITION

The Leadership Board is comprised of at least 9 members representing Nevada County community and agency leaders addressing homelessness. All members are voting members with the exception of County staff. Up to a maximum of two seats can be occupied by County staff but only one County staff member is eligible to vote. The Leadership Board must be comprised of at least one currently or formerly homeless individual.

SECTION 2: LEADERSHIP BOARD TERMS

The Members of the Leadership Board shall serve two-year term(s) and are eligible for re-election.

SECTION 3: APPOINTMENT OF LEADERSHIP BOARD

Leadership Board and CoC Committees

Leadership Board Members are drawn from the following constituencies: representatives of non-profit homeless service providers, victim service providers, and veteran services providers; homeless and/or formerly homeless individuals; and, representatives from community and advocacy organizations, faith-based organizations, public housing agencies, schools, hospitals, mental health agencies, affordable housing developers, HIV service providers, law enforcement, business and corporate sectors, the foundation community, and city, state and local governments. Written board selection processes meet all of the requirements of 24 CFR Part 578.5(b). The Leadership Board reviews, updates and approves the membership selection process at least once every five years, and will onboard additional members as deemed appropriate.

Membership is gained through a board appointment/application process conducted by existing Nevada County Regional CoC board members. Interested individuals must apply to the Chair of the Leadership Board.

Committee Members are drawn from the general public and commit to serve on a formally established CoC Committee. These members, along with the Leadership Board, make up the Continuum of Care

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(CoC). Members of the general public may attend all Leadership Board Meetings but are not part of the CoC membership.

SECTION 4: EXECUTIVE COMMITTEE

The Board is led by a Chair and Vice-Chair along with a County Representative. These three members make up the Executive Committee and also serve as voting members of the Homeless Resource Council of the Sierras (HRCS).

SECTION 5: ATTENDANCE

Leadership Board Members are expected to attend all regularly scheduled meetings unless previously excused by the Chair. Attendance may be in person, by phone, or video conference. Three unexcused absences in any one calendar year will result in automatic removal. Attendance will be kept and recorded by a member or designee of the Leadership Board.

SECTION 6: OFFICERS

- i. The Leadership Board shall elect officers of the Board by a majority vote annually at the end of each calendar year.
- ii. The Nevada County Regional CoC (NCRCoC) shall have two officers consisting of a Chair and Vice-Chair. Their duties are as follows:
 - a. The Chair must be a provider of services OR resident of Nevada County AND not serve or represent an agency that operates outside of Nevada County.
 - b. The Chair shall convene regularly scheduled Leadership Board Meetings and serve as a member of the Executive Committee.
 - c. The Vice-Chair shall chair NCRCoC Board Meetings in the absence of the Chair and also serve as a member of the Executive Committee.

SECTION 7: CONFLICT OF INTEREST AND CODE OF CONDUCT

- i. Each Leadership Board Member, and anyone acting on behalf of them, is expected to uphold certain standards of performance and good conduct and to avoid real or apparent conflicts of interest. In order to prevent a conflict of interest, Leadership Board members and anyone acting on behalf of the Board, may not:
 - a. Participate in or influence discussions or decisions concerning the selection or award of a grant or other financial benefit to an organization that the Leadership Board member has a financial or other interest in or represents, except for the CoC Board itself.
 - b. Solicit and/or accept gifts or gratuities by anyone for their personal benefit in excess of five dollars, as per Internal Revenue Service (IRS) regulations.
 - c. Engage in any behavior demonstrating an actual conflict of interest or giving the appearance of any such conflict.

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- ii. Individuals with a conflict of interest will inform the CoC Leadership Board of the conflict and excuse themselves from the meeting or deliberations during such discussions. The CoC Leadership Board Chair and CoC Coordinator staff will also track which CoC members have conflicts of interest and assist to ensure that such members do not participate in discussions or decisions in which those members have a conflict.

SECTION 8: DISMISSAL/RESIGNATION

Members will be dismissed from the Leadership Board for three unexcused absences within a 12-month calendar year period. A member may also be dismissed from the Leadership Board for other reasons. When members are dismissed for reasons other than attendance, members must be removed by three-quarters vote of a quorum of the remaining Leadership Board Members (not including the Member being dismissed). Discussion and possible action on the dismissal (other than for attendance) of any member must be noticed on an agenda. If a Member wishes to resign from his or her seat, s/he must submit a letter of resignation to the Chair.

Unexcused absences are defined as any missed meeting(s) with no communication and/or prior approval from the Leadership Board Chair.

SECTION 9: ROLES AND RESPONSIBILITIES

- i. Leadership Board Members' responsibilities include:
 - a. Attend Board Leadership meetings and contribute to informed dialogue on actions the group undertakes
 - b. Serve as a Board Liaison on a Committee of the Leadership Board and/or participate on Committee(s) as determined by the Leadership Board
 - c. Participate, as appropriate, in the activities of the Leadership Board, including the Point-in-Time count, HMIS oversight, strategic planning, advocacy and public education efforts, project and system performance reviews, and the application processes for CoC Homeless Assistance Grants and other funding proposals
 - d. Seek input from the community to keep abreast of needs and gaps in services
 - e. Ensure that the CoC is meeting all of its responsibilities assigned to it by HUD regulations
 - f. Represent the relevant organizations and projects serving homeless subpopulations
 - g. Support homeless persons in their movement from homelessness to economic stability

SECTION 10: COMPENSATION

The Leadership Board shall serve without compensation.

Article V: Meetings

SECTION 1: REGULAR MEETINGS OF THE NEVADA COUNTY REGIONAL CONTINUUM OF CARE LEADERSHIP BOARD

Regular meetings shall be held once a month, but on the first month of every quarter (January, April, July, October) the CoC and the general public will jointly convene with the Leadership Board. The regular

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meeting day, time, and place is the third Thursday from 1:30 PM to 3:30 PM. The regular meeting location will be at 950 Maidu Avenue, Nevada City, CA. The location, time, and date of meetings will be posted publicly on the Nevada County website. Meeting dates, times and/or locations are subject to change. The NCRCoC may conduct special Leadership Board Meetings for purposes of activity planning, ongoing communication, training, etc.

SECTION 2: QUORUM

A quorum of fifty percent plus one member of the currently seated Leadership Board shall be present at any regular or specially scheduled Leadership Board Meeting in order for the Leadership Board to engage in formal decision making.

SECTION 3: PROCEEDINGS

- i. **Voting.** While the Leadership Board will strive to achieve consensus, the affirmative vote of a majority of members in attendance shall be required for the approval of any matter. A majority of the authorized number of Leadership Board Members shall constitute a quorum for the transaction of business, except to adjourn. Every action taken or decision made by a majority of the Leadership Board Members present at a duly held meeting at which a quorum is present shall be the act of the Leadership Board. A meeting at which a quorum is initially present may continue to transact business, despite the departure of Leadership Board Members, if any action taken or decision made is approved by at least a majority of the required quorum for that meeting. Secret votes are not permitted and, **in cases where the vote is not unanimous, the specific ayes, nays and abstentions must be recorded in the minutes.**
- ii. **Inclusion.** The Leadership Board works to ensure input to Leadership Board deliberations and decision-making from a diverse segment of stakeholders, represented through the Nevada County Regional Continuum of Care (NCRCoC) which should include consumers and community members, as well as gender, ethnic, cultural and geographical representation. All interested persons are encouraged to attend meetings, provide input, and voice concerns. Nevada County Regional Continuum of Care Members are encouraged to bring grievances and/or concerns to the attention of the CoC Leadership Board.
- iii. **Notice** All Leadership Board meetings shall be open to the public and properly noticed. An official Leadership Board Meeting agenda/notice shall be sent to each Leadership Board Member, posted publicly, and posted on the Nevada County website. The Leadership Board also encourages all Members of the community to participate in group discussions, committees and working groups.

SECTION 4: PROCEDURE

The rules of Parliamentary Practice, as set forth in Robert's Rules of Order, shall govern all meetings of the Leadership Board and its committees.

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Article VI: Committees

SECTION 1: STANDING COMMITTEES AND MEMBERSHIP

- i. The Nevada County Regional CoC will participate on the Homeless Resource Council of the Sierra's Outcomes & Measurements Committee. This Committee coordinates processes involving HMIS Operations, Coordinated Entry, and Point in Time Count planning. It also oversees the sub-committee of Rating and Ranking.
- ii. The Leadership Board will further establish the following Committees:
 - a. Executive Committee – Made up of the Chair, Vice-Chair, and a County Representative of the Leadership Board, the Executive Committee provides overall leadership to the CoC

The following Committees are open to members of the general public who desire to engage in community work and participate as a member of the Continuum of Care:

- b. Youth Committee
 - c. Data Evaluation/Best Practices Committee
 - d. Shelter Committee
 - e. Housing Committee
 - f. Tahoe-Truckee Committee
- iii. Other committees may be formed as needed informed by larger CoC discussions and by formal vote of the Leadership Board.

SECTION 2: VOTING ON COMMITTEES

Committee members shall not vote to take action on items. The role of the committees is to partake in discussion and make recommendations to the Leadership Board.

SECTION 3: MEETING PROCEEDINGS

The Committees may meet monthly, bi-monthly, or at some other interval depending on the task to be accomplished. Each committee will have a clear purpose and overall timeline for addressing issues or problems that it was chartered to address.

SECTION 4: AD HOC COMMITTEE(S)

The Chair of the Leadership Board and/or a majority of the Leadership Board Members may form a special ad hoc committees for a specific purpose and cease to exist after completion of the designated task.

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Article VII: Anti-Discrimination

SECTION 1: ANTI-DISCRIMINATION

The Leadership Board shall not discriminate in any regard to race, creed, color, gender, sexual orientation, marital status, religion, national origin, ancestry, pregnancy, parenthood, custody of a minor child, or physical or mental disability.

Article VIII: Recordkeeping

SECTION 1: ADMINISTRATIVE DUTIES

The Nevada County Regional Continuum of Care does not employ staff, but does contract its CoC Coordination through a competitive Request for Proposal Process every 3 years. The selected and contracted CoC Coordinator is responsible for meeting preparation, which includes:

- a. Locating, reserving, and preparing the meeting space;
- b. Sending agendas, minutes, meeting time/date/location to the CoC Member distribution list;
- c. Compiling background materials;
- d. Planning the meeting in collaboration with the CoC Board Chair and/or Vice Chair;
- e. Taking attendance at meetings;
- f. Providing facilitation as needed;
- g. Ensuring that minutes are taken for each meeting;

SECTION 2: COLLABORATIVE APPLICANT

The Nevada County Regional Continuum of Care designates the Homeless Resource Council of the Sierras as the Collaborative Applicant. The Collaborative Applicant is responsible for the following duties (either by completing the duty or contracting to complete it) and will establish committees to support the following work:

CoC Administration

- a. Administering the CoC
- b. Publishing and appropriately disseminating an open invitation at least annually for those within the CoC area to join as new CoC members, and documenting recruitment efforts
- c. Recordkeeping to show all CoC requirements are met

CoC and ESG Applications

- a. Coordinating a collaborative process for the development of a CoC Homeless Assistance Grants application to HUD
- b. Coordinating a collaborative process for Emergency Solutions Grants (ESG) funding
- c. Collecting and combining the required application information from all applicants

CoC Planning Funds

- a. Apply for and administer CoC Planning Funds
- b. Use of CoC Planning Funds must be approved by the CoC Board and adhere to grant requirements and comply with HUD regulations

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SECTION 3: CoC COORDINATOR

The contracted CoC Coordinator provides support to the Nevada County Regional Continuum of Care. In this role, Thurmond Consulting LLC is responsible for providing coordination, planning, and administrative support to both the Nevada County Regional Continuum of Care as well as the Homeless Resource Council of the Sierras.