



2022 Continuum of Care Charter

A. OVERVIEW

The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009 established the Federal Continuum of Care (CoC) program that funds regional and local planning bodies that coordinate housing and services for homeless families and individuals. HEARTH specifies the statutory framework for the federal government's response to homelessness.

The three primary responsibilities of the CoC are to:

- a. Operate the CoC
- b. Designate a Homeless Management Information System (HMIS) for the CoC
- c. Plan for the CoC

Pursuant to the HEARTH act, Membership of the Continuum of Care includes nonprofit service providers, mental health agencies, hospitals, universities, affordable housing developers, law enforcement, organizations that serve veterans who are homeless and formerly homeless, and people experiencing homelessness and were formerly homeless to the extent these groups are represented within the geographic area and are available to participate.

The HEARTH act mandates each community establish a CoC governance charter, which includes all procedures and policies to comply with 24 C.F.R. § 578.

B. FORMATION

The Portland, Gresham/Multnomah County Continuum of Care, herein referred to as the "CoC", has been formed to carry out the responsibilities required under HUD regulations, set forth at 24 C.F.R. § 578 – Continuum of Care Program, in Multnomah county. The CoC is a broad group of stakeholders dedicated to providing safety on and off the streets to people experiencing homelessness and ending homelessness in Multnomah county.

C. CONTINUUM OF CARE AND GENERAL STAKEHOLDER MEMBERSHIP

The Continuum of Care Program is a community-wide commitment to the goal of ending homelessness. The CoC includes stakeholders representing local individuals with lived experience of homelessness; organizations and projects serving Black, Indigenous, Tribal, Latino/a/x, Asian, Pacific Islander, and other communities of color (BIPOC) impacted by homelessness; organizations serving subpopulations of people experiencing homelessness, providers serving survivors of domestic and sexual violence, faith-based organizations,

government agencies, public housing agencies, school districts, social service providers, mental health agencies, hospitals; and businesses, universities, affordable housing developers, law enforcement, and veterans services organizations, and all individuals with a commitment to helping people experiencing homelessness find safety and return to permanent housing.

Stakeholders also include individuals with personal experience of people living with substance use disorders, HIV/AIDS, veterans, people experiencing chronic homelessness, families with children, unaccompanied youth, persons with serious and persistent mental illness, and survivors of domestic violence, dating violence, sexual assault, and stalking. Organizations which provide services to individuals living with substance use disorders, HIV/AIDS, veterans, people experiencing chronic homelessness, families with children, unaccompanied youth, persons with serious and persistent mental illness, and survivors of domestic violence, dating violence, sexual assault, and stalking are also included amongst the CoC stakeholders.

The Continuum of Care and its stakeholders, as described above, shall be represented by the CoC Board, outlined in section G of this charter, and will be charged with fulfilling all the roles and responsibilities of the Continuum of Care.

All stakeholders and community members are encouraged to participate in the CoC activities by attending regular CoC Board meetings and participating CoC committees and workgroups. All agencies and individuals attending CoC meetings, registrants on the CoC listserv, and others requesting to become stakeholder/members shall be deemed stakeholder/members of the CoC. Stakeholders will be encouraged to participate in CoC activities through participation in CoC Committees and advisory work groups.

D. RESPONSIBILITIES OF THE CoC

The CoC is responsible for ensuring community-wide implementation of efforts to end homelessness and ensuring programmatic and systemic effectiveness of the local continuum of care program.

Specific responsibilities of the CoC (as carried out by the CoC Board) are the following:

- Identifying and communicating current and emerging needs related to homelessness to the CoC Board
- Identifying, supporting, and advocating for program and systemic changes to improve CoC funded services and outcomes for people experiencing homelessness and those at-risk of homelessness
- Assessing progress on CoC strategic priorities, and informing the strategic planning process and CoC service provision practices & policies

- Helping to engage, inform, and educate the broader community about effective solutions for ending and preventing homelessness
- Recommending individuals with the knowledge and skills necessary to support, advise, or provide technical assistance to the Collaborative Applicant (the entity that coordinates the CoC Notice of Funding Opportunity (NOFO) application and undertakes other CoC administrative duties), HMIS Lead (the entity that implements the HMIS for the CoC), and CoC or CoC Board or its committees to ensure the efficient and effective operations of the CoC
- Nominating members for the CoC Board
- Reviewing and approving this governance charter annually and the board selection processes at least once every 5 years

E. AUTHORITY

Authority in Portland, Gresham/Multnomah County, CoC roles and responsibilities are fulfilled by the Multnomah County CoC Board. The CoC Board is convened and staffed by the Multnomah County Joint Office of Homeless Services. The Joint Office of Homeless Services serves as the Collaborative Applicant. The Multnomah County CoC Board is responsible for overseeing the annual Notice of Funding Opportunity (NOFO) application to HUD for CoC funding.

F. FORMATION AND PURPOSE OF THE COC BOARD

The CoC shall establish a Board to act on behalf of the CoC. Its key purposes are to be the driving force behind the CoC's efforts to contribute to the communities' work to prevent and end homelessness.

Pursuant to requirements set forth in § 578.7(a)(3) and in compliance with the conflict-of-interest requirements at § 578.95(b), the board must:

1. Be representative of the relevant organizations and of projects serving homeless subpopulations; and
2. Include at least one individual experiencing homelessness or who was formerly homeless

The relevant organizations and projects for Portland, Gresham/Multnomah County may include but is not limited to:

- Lived Experience
- Public Health
- Criminal Justice
- Human Services
- Culturally Specific Providers
- Survivors

- Housing Developers
- Public Housing Agencies
- Domestic Violence/Sexual Assault
- Youth system
- Family system
- Veteran system
- Permanent Supportive Housing
- Rapid Rehousing
- LGBTQIA2S+
- Benefit Advocacy
- Employment/Workforce
- Medical/Healthcare
- Business
- Legal/Advocacy
- Research/higher education
- Shelter/outreach
- School and/or youth education entities/early childhood.

The CoC Board will be informed by CoC committees, workgroups, and other advisory bodies that address aspects of homelessness, including affordable housing development, behavioral health, racial equity in homelessness and housing services, and regional supportive housing efforts.

G. CoC BOARD RESPONSIBILITIES

The CoC Board is responsible for the following:

1. Providing strategic direction for CoC activities including equitable system change and ensuring the CoC resources are supporting the implementation of systems of care that eliminate racial disparities and lead with racial equity;
2. Ensuring the CoC is in alignment with the community's efforts to end homelessness such that CoC competitiveness for HUD CoC funding is maximized;
3. Promoting visibility of the CoC in the community and educating elected officials, agency heads, and community leaders regarding policies and actions to promote CoC objectives;
4. In consultation with recipients of CoC and ESG funds within the CoC, creating and operating a coordinated assessment system that provides comprehensive assessment of needs.
5. Ensuring that the CoC meets HUD requirements, and uses federal funds in a manner that maximizes the impact of local, State, Federal and private resources;
6. Monitoring CoC systemic performance through the Collaborative Applicant

7. Establishing priorities that align with local and federal policies for recommending projects for HUD CoC Program homelessness assistance funding
8. Responding to the HUD Continuum of Care Program Notice of Funding Opportunities (NOFOs) by reviewing and approving the CoC's process and the final submission of applications
9. CoC Oversight: Serving as the decision-making body for the CoC
10. Setting policy and meeting agenda(s) for the CoC and the CoC Board
11. Selecting, monitoring, overseeing, and evaluating the Collaborative Applicant
12. Selecting, monitoring, overseeing, and evaluating the HMIS Lead
13. Reviewing and approving the annual work plan for the CoC, its Committees, the Collaborative Applicant, and the HMIS Lead

H. MEMBERSHIP OF THE COC BOARD

At the time of adoption of the Governance Charter, the CoC Board will be composed of three ex-officio members and seven to twenty CoC at large members, including at least two people with lived experience of homelessness; at least two who are able to represent the perspectives and experiences of communities of color that are overrepresented in the population of people experiencing homelessness; and at least four who have expertise in the delivery of housing services to people experiencing homelessness, including youth, adults, families, and survivors of domestic and sexual violence. One individual may represent more than one constituency/perspective.

The CoC Board, is comprised of a minimum of eleven (11) and a maximum of twenty (20) individuals in the following categories:

- Three Ex-Officio members comprised of leadership staff employed by the following organizations: City of Portland represented by the Portland Housing Bureau, City of Gresham represented by Gresham Housing Services, and Home Forward, all of which will be voting members. The Ex-Officio positions shall be standing positions.
- At-Large Members: A minimum of seven (7) and a maximum of seventeen (17) individuals selected to represent key community and CoC constituencies.

Terms for Board members shall be limited to two years, which can be renewed for an additional term such that board members may not serve more than four years total. No more than one-third of the membership can be new to the CoC Board at any given time. For initial membership, the Joint Office of Homeless Services, will work with Board members to establish a schedule for rotating off the Board in a way that does not result in full turnover.

I. FORMATION AND ROLE OF THE JURISDICTIONAL COMMITTEE

The CoC Board shall establish a Jurisdictional Committee to:

- Support continuity of the CoC board's work in the interim between CoC Board meetings and make decisions with the board in emergency cases as described in Section N of this Charter
- Follow execution of strategic guidance and direction as established by the CoC Board
- Ensure cross-jurisdictional interests and priorities are included in the direction of the Continuum of Care
- Engage in monthly communication with and monitoring of the CoC HMIS Lead and Collaborative Applicant.

The Jurisdictional Committee will be comprised of three Ex-Officio members to include City of Portland represented by the Portland Housing Bureau, City of Gresham represented by Gresham Housing Services, and Home Forward and the Co-Chairs of the CoC Board. The Jurisdictional Committee is responsible to the CoC Board; the Jurisdictional Committee will be required to report all discussions and actions to the CoC Board. Jurisdictional Committee meeting minutes will be submitted to the CoC Board.

J. CoC BOARD SELECTION, APPOINTMENT, NOMINATION AND REMOVAL

The Collaborative Applicant will create a selection, appointment, and nomination process that will be approved by the CoC Board. The Collaborative Applicant and the CoC Board shall review and update the CoC Board selection process at least once every 5 years.

K. CoC BOARD CO-CHAIRS

The Co-Chairs of the CoC Board shall be responsible for conducting the regular operations and meetings of the Board. Co-Chairs shall be elected to annual terms as Co-Chairs of the Board by a vote of the CoC Board, which may be renewed. Co-Chairs will sit on the Jurisdictional Committee and be charged with co-creating Board meeting agendas, coordinating with Joint Office of Homeless Services Staff, and stewarding the CoC Board processes.

L. ATTENDANCE

Multnomah CoC Board Members shall be expected to attend all meetings unless they provide notice to the Collaborative Applicant prior to the board meeting. Board members who miss a maximum of three (3) Board meetings without notice and/or excuse in any given calendar year can be presumed to have resigned and will automatically be yielding their seat on the board.

M. DECISION MAKING & QUORUM

The CoC Board will operate on a modified consensus decision-making model, using the Fist of Five decision-making tool. If a decision cannot be reached using this tool, a decision will be made by a majority vote of those attending the meeting in which a quorum was initially present. Quorum is defined as a two-thirds majority of the members of the Board.

N. CoC BOARD AND JURISDICTIONAL COMMITTEE MEETINGS

Regular meetings of the CoC Board shall be held at least 10 times per year.

Jurisdictional Committee members meet every other month with at least five meetings per year.

Special meetings of the CoC Board may be called by 1) any Jurisdictional Committee member and 2) upon written request by a majority of the CoC Board members.

CoC Board members will be given notice via email at least five (5) working days prior to a special meeting.

A quorum must be present before calling a meeting to order for the purpose of conducting CoC Board business. A meeting at which a quorum is initially present may continue to transact business notwithstanding the withdrawal of board members.

In situations where action by the CoC Board is necessary on an emergency basis in fewer than five working days, notice of a special meeting will be given at least 24 hours in advance, and business at that meeting will be limited to such emergency action. If a quorum of the CoC Board is not established at such an emergency meeting, the CoC Board members present at the meeting may proceed to make decisions without a quorum, provided that all members of the Jurisdictional Committee are present.

O. COMMITTEES

Committees and advisory work groups may be appointed by the CoC Board at-large to assist the Collaborative Applicant and inform the CoC Board. Committees and advisory work groups must be approved by a minimum of two-thirds of the Board. They may be tasked with preparing periodic reports or presentations to the Board and otherwise carrying out CoC activities.

Quorum at the Continuum of Care Board is required to approve a committee. A maximum of four committees can be active at any one time. A committee may convene for a minimum of three months and a maximum of nine months with the option to extend for an additional 6 months given that the committee provides written justification and a proposal for concrete

actions to be completed in the extension time frame. The extension needs to be approved by a quorum of the Board.

Committee membership can include CoC members not represented at the Multnomah County CoC Board. CoC members will be encouraged to participate in committees and work groups but no work groups or committees will move forward without at least one CoC board member. The committees and work groups shall be dissolved upon the completion of their task.

P. CONFLICT OF INTEREST AND CODE OF CONDUCT

All members of the CoC shall abide by the Conflict of Interest guidelines provided in the Continuum of Care Interim Rule at 24 CFR 578.95 Conflicts of Interest. All members of the CoC Board will sign a Conflict of Interest statement at the beginning of their membership. Members who find themselves faced with a potential conflict between their business, organizational or private interests and their CoC responsibilities shall avoid conflict of interest during the decision-making process by following these guidelines:

1. Disclose any actual or potential conflicts of interest in advance of the meeting to the CoC Co-Chairs and JOHS staff.
2. Publicly disclose conflicts of interest at relevant CoC Board meetings.
3. Recuse themselves at any time from involvement in any decision or discussion in which they believe they may have a conflict of interest.

Each CoC Board member, employee, agent, and consultant 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, a CoC Board member, employee, agent, or consultant of the CoC Board may not:

- Participate in or influence discussions or decisions concerning the selection or award of a grant or other financial benefit to an organization that the CoC Board member, employee, officer, agent, or consultant, or family members of those groups, who have a financial or other interest in or represents;
- Solicit and/or accept gifts or gratuities from anyone benefiting from HUD funding for their personal benefit in excess of fifty dollars in the period of one calendar year;
- Engage in any behavior demonstrating an actual conflict of interest and shall use reasonable efforts to avoid giving the appearance of any such conflict;
- Individuals with a conflict of interest will inform the CoC Board of the conflict and excuse themselves from the meeting or deliberations during such discussions.

The CoC Board co-chairperson will track which CoC Board members have conflicts of interest and assist to ensure such members do not participate in discussions or decisions in which the members have a conflict.

Any failure to adhere to the policy may result in disciplinary action. Disciplinary action may include but is not limited to:

- Oral warning
- Written warning
- Suspension
- Termination

In addition to disciplinary action, civil and/or criminal penalties may be sought.

Q. CoC MEETINGS

The CoC Board will hold meetings of the full Multnomah County CoC membership at least semi-annually. The CoC Board or its designee will announce the date, time and location of these meetings at least one month in advance and will publish the meeting agenda at least one week before the date of the meeting. Meeting agendas will be posted online on the Multnomah County Joint Office of Homeless Services website for review prior to the meeting.

R. AMENDMENT AND REVIEW

The CoC Board will review, update, and approve its governance charter at least annually. Amendment of the charter requires a majority vote at a regularly scheduled meeting of the CoC Board meeting, provided that notice of the scheduled vote on the charter amendment was provided at least one month prior to that CoC Board meeting.

S. STAFFING

The CoC Board, work groups, and committees will be staffed by the Multnomah County Joint Office of Homeless Services. As the Collaborative Applicant, the Joint Office of Homeless Services plays a key structural role in an effective system of care. In its role as Collaborative Applicant, JOHS staff have expertise in the HUD CoC Program requirements and day-to-day experience of managing the CoC. Staffing responsibilities include:

- Creation and dissemination of meeting agendas
- Creation and dissemination of meeting materials
- Coordination of annual membership process
- Creation of Multnomah County CoC Board onboarding materials
- Coordination of annual NOFO application process
- Facilitation of Board meetings
- Communication to Board members
- Dissemination of scheduling notices

- Staffing of CoC Committees and work groups

T. DELEGATION OF DUTIES AND RESPONSIBILITIES

The CoC Board will designate the Collaborative Applicant and the HMIS Lead. At the time that the new CoC charter is adopted, Multnomah County's Joint Office of Homeless Services will be the Collaborative Applicant. The HMIS Lead will be voted on at the first meeting of the CoC Board. The CoC Board will vote annually to designate the Collaborative Applicant and HMIS Lead.

The Collaborative Applicant is responsible for the following duties (either by completing the duty or contracting to complete it) and will call committees to support the following work:

CoC Administration

- Coordinating committee meetings
- Maintaining a CoC Policies and Procedures document to supplement this charter
- 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
- Recordkeeping to show all CoC requirements are met
- Consulting with the CoC Board on the annual governance charter review
- Coordinating a collaborative process for the development of the CoC's application to HUD for CoC Program funding for homeless assistance
- Collecting and combining the required application information from all new and renewing projects for the annual HUD CoC NOFO
- Applying for Continuum of Care planning activities as part of the annual NOFO
- Maintain CoC Performance Monitoring/Benchmark documents, which describe in more detail roles and responsibilities
- Establishing performance targets appropriate for population and program type
- Consulting with state and local government ESG recipients regarding ESG fund allocation
- Monitoring performance and evaluating outcomes of CoC recipients and subrecipients
- Monitoring CoC systemic performance and outcomes
- Ensuring the system and programs are meeting target benchmarks. If benchmarks are not met, taking action or recommending actions to be taken by the CoC Board, the CoC, providers and/or the community at large to improve outcomes
- Ensuring recipients and subrecipients follow written standards for providing Continuum of Care funded assistance developed by the Continuum of Care Board
- Planning for and conducting, at least biennially, a point-in-time count of people experiencing homelessness within Multnomah county that meets HUD requirements

The HMIS Lead is responsible for HMIS implementation (either by completing the duty or contracting to complete it), which includes the following duties:

- Implementing HMIS, including designating a single HMIS

- Reviewing, revising, and approving the HMIS governance agreement, which identifies HMIS roles and responsibilities
- Reviewing, revising, and approving the privacy plan for the HMIS
- Reviewing, revising, and approving the security plan for the HMIS
- Reviewing, revising, and approving the data quality plan for the HMIS
- Reviewing, revising, and approving the HMIS policies and procedures
- Ensuring consistent participation of recipients and subrecipients in the HMIS
- Ensuring HMIS administration is compliant with HUD requirements