



Butte Countywide Homeless Continuum of Care

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# Butte CoC Governance Charter

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## I. Overview

The Butte Countywide Homeless Continuum of Care (the “CoC”) coordinates the implementation of a housing and service system that meets the needs of persons experiencing or at risk of homelessness throughout the Butte County geographic region, otherwise known as a Homeless Prevention and Response System. The Homeless Prevention and Response System encompasses:

- Outreach, engagement, and assessment;
- Shelter, housing, and supportive services; and
- Homelessness prevention and diversion strategies.

This Governance Charter outlines the roles and responsibilities of the CoC, the CoC Council, CoC Committees, the Lead Agency, the Collaborative Applicant and the Homeless Management Information System (HMIS) Lead Agency.

This Governance Charter was developed by the Continuum of Care in consultation with the Collaborative Applicant and the HMIS Lead Agency.

The CoC’s primary responsibilities include the following:

- Establishing the Continuum of Care
- Operating the Continuum of Care
  - Continuum of Care Governance and Management
  - System and Project-Level Performance
  - Coordinated Assessment System
  - Written Standards
- Designating and HMIS for the Continuum of Care
- Planning for the Continuum’s Geographic Area
  - Coordinated System of Care

## II. CoC General Membership

Representatives from relevant organizations within a geographic area shall establish a Continuum of Care to carry out the duties outlined in this Governance Charter. The geographic area encompasses the five municipalities as well as the unincorporated areas of Butte County.

### 1. Membership in the CoC

Membership in the Continuum of Care is established to ensure community-wide commitment to preventing and ending homelessness and must represent the entire geographic area covered by the CoC.

The following interests are represented on the CoC. An official membership list is documented and held by the Lead Agency.

- Non-Profit Homeless Assistance 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
- Veteran Service Organizations
- Victim Service Providers
- Persons who are homeless or have experienced homelessness

The CoC success is dependent on a broad and diverse membership. Therefore, membership in the CoC is open to any individual or organization that embraces the mission, values, and goals of the CoC. The individual or organization must have an interest in understanding and addressing the issues related to homelessness, and a desire to participate in some way in the most current CoC approved strategic plan to end homelessness in Butte County.

The CoC invites new members from the Butte County region to join at least annually. A request for new members is publicly announced at various meetings and may also be announced via email or other modes of communication. In order to become a member of the CoC, an individual/organization must take the following steps:

- Formally request membership in writing
- Attend a meeting

### ***Member Participation***

Members are expected to exercise the duties and responsibilities of their positions with integrity, collegiality, and care. This includes:

- Making attendance at meetings a high priority.
- Being prepared to discuss the issues and business on the agenda, and having read all background material relevant to the topics at hand.
- Cooperating with and respecting the opinions of fellow members, and leaving personal prejudices out of all discussions, as well as supporting actions of the Council even when the member personally did not support the action taken.
- Putting the interests of the organization above personal interests.
- Representing the organization in a positive and supportive manner at all times and in all places.
- Showing respect and courteous conduct in all meetings.

- Refraining from intruding on administrative issues that are the responsibility of management, except to monitor the results and ensure that procedures are consistent with policy.
- Observing established lines of communication and directing requests for information or assistance to the executive committee.

### ***General Membership***

#### Membership Benefits

- Invitation to CoC full membership meetings
- Eligible for committee or Council Member service
- Access to training and technical assistance opportunities
- Access, training and use of HMIS system for the purpose of assessing, monitoring, and reporting agency client services
- Participation in a countywide Coordinated Entry system
- Opportunities to network with people doing similar work or with similar interests
- Opportunities to access funding

#### Membership Responsibilities

- Attendance at CoC membership meetings
- Participation in advocacy initiatives
- Participation in the biennial Point-In-Time Census Count for the geographic area
- Participation in other county-wide programs such as Project Homeless Connect

### ***Voting Membership***

Voting opportunities may be brought forth to the full membership, including Council Member and officer nominations and elections. Voting items will be announced prior to meetings, and email votes accepted, unless otherwise specified by the CoC Council.

Voting rights will be assigned to one individual within each organization, as designated by that organization, in whatever manner is chosen. An alternate voting member should also be selected by the organization should the voting member be unable to attend a meeting.

## **2. Responsibilities**

The CoC has specific responsibilities as outlined in the Continuum of Care Interim Rule. The responsibilities required by the Continuum of Care Interim Rule are outlined in Table 1 of this Governance Charter. The CoC retains all of the responsibilities listed, even if it designates eligible applicants other than itself to apply for funds. Responsibilities extend to approval of the Continuum of Care Program application for funding.

Additional responsibilities set forth by the Continuum of Care include:

- Receive community and public policy updates relevant to homelessness issues.
- Conduct a gaps analysis for the geographic area and provide updates on the 10-Year

Strategy to End Homelessness.

- Consult with State and local governmental ESG recipients within the geographic area.

### **III. Establishing the CoC Council**

The CoC is required to establish a Council that is made up of a portion of Continuum of Care members. The CoC Council must act on behalf of the CoC.

#### **1. Council Composition**

These written procedures for selecting Council Members will be reviewed, updated and approved at least once every 5 years.

The CoC Council consists of up to 20 voting members, as necessary to fulfill the membership requirements described below. Service Area (categories) for council representation is as follows:

1. Homeless or Formerly Homeless Individual as priority representative to comply with mandatory representative requirements set forth by HUD.
2. Include Service Area nomination categories to favor the nomination and election of a diverse and inclusive representation on the council.
3. Appointed Coalition representatives- selected by each coalition after nominations and elections- or their alternates for who best represents the needs of their locality, once priority service area slots are filled.
4. Appointed publicly elected officials or their alternates from five public jurisdictions or agencies (Butte County, Chico, Gridley/Biggs, Oroville and Paradise).
5. Include a representative selected by the Lead Agency/ Collaborative Applicant that will also be included as an officer and member of the Executive Committee to assist with planning and administrative support.

The CoC will strive to achieve broad representation on the CoC Council.

Council Members may be removed by majority vote of the Council for reasons deemed necessary to fulfilling the purpose of the Council (e.g. attendance, ethics). Should a Council Member be removed from their position or a vacancy occurs prior to the end of the designated term, nominations for a replacement may be taken. The full CoC membership will be notified of an opportunity to make a nomination at least one month in advance of a vote to fill the vacant position(s).

The CoC Council will elect a chairperson, first vice chairperson and second vice chairperson who will chair the CoC Council Meetings and the CoC Meetings, with careful consideration given to the qualifications of these officers to lead the CoC. The Lead Agency/ Collaborative Applicant representative will be added as an officer to the CoC should they not be elected in one of the three chairperson roles. Additionally, the previous CoC chairperson and CoC coordinator will be invited to participate as members of the executive committee.

The Chair shall convene regularly scheduled Council meetings and full membership meetings, shall preside or arrange for other members of the Executive Committee to preside at each meeting in their absence in the following order: first vice chairperson and then second vice chairperson.

The CoC Council will approve its officers by majority vote at the first meeting of the calendar year. The CoC Council may remove its officers by majority vote. The term of all officers shall be two years with a maximum of three consecutive terms.

Newly elected Council Members will begin their terms at the first CoC Council meeting of the new calendar year.

Appointee Council Members appointed subsequent to the normal voting process shall begin their term upon appointment and complete the current two-year term.

The Council Member roster will stagger terms.

## **2. Dismissal and Appointment of Council Members**

In the event of dismissal or resignation of a Council Member, Council may elect to fill the vacated position with a representative from the same Category, to complete the remainder of the term.

## **3. Meetings**

### ***Regular Meetings***

The CoC Council will hold meetings at least quarterly, or four times per year. The CoC will hold meetings at least semi-annually of the full membership. These meetings will be open to the public with an agenda distributed to all CoC members at least 72 hours in advance of the meeting.

### ***Special Meetings***

A Council majority may call special meetings within 72 hours. The Executive Committee may call a special meeting within 24 hours for urgent time sensitive matters.

## **IV. Meeting Proceedings:**

**The following procedures are applicable to all meetings of the CoC**

### **1. Quorum**

Quorum is defined as 51% of the convening body for all official CoC business. This includes but is not limited to Committee, Council and Membership meetings. For purposes of determining the Quorum, appointed publicly elected officials are not included in the calculation. If a Quorum is not established at a meeting, no votes may take place during the meeting. Elected officials may always vote when present, but will not be utilized to define the quorum.

### **2. Decision-Making**

Robert's Rules of Order will be followed and a simple majority of the members present is necessary for any resolution or vote to pass. For purposes of time-sensitive and/or critical votes an email vote may be used.

### **3. Code of Conduct / Conflict of Interest / Recusal Process**

#### ***Who is Covered***

All CoC Council, Committee, and General Members will abide by 24 CFR Part §578.95 (Conflicts of Interest) in the CoC Interim Rule and 24 CFR Part § 576.404 Conflicts of Interest in the Emergency Solutions Grant Rule.

#### ***Disclosure***

The CoC Council, all Committee members, and General Membership will disclose potential conflicts when the topics of funding awards, or other financial benefits that could be gained or lost by themselves personally or by an organization they represent as an employee, agent, consultant, board member, or their family member represents, are under consideration. The CoC Council, Committees, and General Members will be required to review and sign annually the Conflict of Interest Policy and related Conflict of Interest Procedures (see Attachment X). The CoC Council, Committees and General Members will be required to sign annually the Conflict of Interest Disclosure Statement (see Attachment X) and may be required to update their policy should a conflict develop.

#### ***Recusal***

Members will excuse themselves as needed to avoid a conflict of interest. This includes leaving the room for any discussion of a conflicted or potentially conflicted transaction. However, a conflicted member may be present to present for clarifying questions. All Members including conflicted Members may be present for the Council vote.

#### ***Nonconflicted Situations***

The CoC desires that it, and those entities to which it has delegated authority, make informed as well as non-conflicted decisions. The annual gaps analysis, eligibility criteria for who gets served by what resources in the Continuum, prioritization of who gets served, performance targets, etc. are best developed and refined with broad stakeholder input. Funded projects and jurisdictions will not be deemed conflicted in discussions on these topics nor in providing input on local priorities for Continuum of Care funding and refinements the scoring criteria for projects or the application process. The Review and Ranking Committee will evaluate the merits of the input and will make the final determination on the scoring criteria and application process; only nonconflicted Members will participate on the Review and Ranking Committee.

### **4. Responsibilities**

The CoC gives authority to the CoC Council for specific responsibilities. The responsibilities required by the Continuum of Care Interim Rule are outlined in Table 1 of this Governance Charter. Additional responsibilities required by the Continuum of Care include:

- Elect a Chairperson, First Vice Chairperson and Second Vice Chairperson.
  - Notice, manage and facilitate CoC Council meetings.



- Hire or designate an agency to hire Staff, or contractors, to assist with the CoC Application, the Point-In-Time Survey, performance monitoring and evaluation, assessment system coordination, planning, fund development, and other administrative duties.
- Review and act on the annual funding allocations.
- Review and act on additional HUD required activities.
- Review and act on any programs that should be removed from HUD funding and any proposed funding reallocations.

## **V. Establishing the CoC Committees**

The CoC may establish Committees, Subcommittees, or Work Groups that are made up of the Continuum of Care members to act on behalf of the CoC. The CoC may establish the following Committees as it sees fit:

- Executive Committee
- HMIS/Coordinated Entry Committee
- Households with Children Committee
- Veteran’s Committee
- Governance Committee
- Chronically Homelessness Committee
- Youth Homelessness Committee
- Point-In-Time Committee
- Review and Ranking Committee
- Other Committees as determined by the CoC Council

### **1. Committee Membership**

Any CoC member can participate on a Committee. The CoC Council will approve a chairperson and a vice chairperson. Each Committee will be required to establish a purpose and a description of their roles and responsibilities, approved by Council vote.

Executive Committee: The Executive Committee shall include the Chair, First Vice-Chair, Second Vice-Chair and either the past-Chair, or if not available, another Council member selected by the three members of the Executive Committee.

### **2. Responsibilities**

The CoC gives authority to the CoC Committees for specific responsibilities. The responsibilities required by the Continuum of Care Interim Rule are outlined in Table 1 of this Governance Charter. Each active committee is required to report quarterly, or at least four times per year, to the CoC Council.

## **VI. Staff Roles**

### **1. Continuum of Care Lead Agency**

The CoC may appoint a Lead Agency that will provide meeting support for the CoC, Council and all other committees. The Lead Agency is responsible for scheduling meetings, developing agendas, issuing meeting materials and posting all relevant documents to the CoC website. All responsibilities are documented in the CoC Lead Agency Memorandum of Understanding. The designation of the Lead Agency is valid for a maximum of three years before the designation must be reviewed and renewed by the CoC. The CoC shall select a Lead Agency with the qualifications and capacity necessary to carry out the Lead Agency role.

### **2. Collaborative Applicant**

The CoC must designate a legal entity that is also a Continuum of Care Program eligible applicant to serve as the Collaborative Applicant. The Collaborative Applicant is responsible for collecting and combining the required application information from all Continuum of Care Program funded projects within the geographic area. The Collaborative Applicant is also responsible for submitting the annual application to HUD for Continuum of Care Program funding and to apply for Continuum of Care Planning dollars. These and any additional responsibilities are documented in the CoC Collaborative Applicant Memorandum of Understanding. The designation of the Collaborative Applicant is valid for a maximum of three years before the designation must be reviewed and renewed by the CoC. The CoC shall select a Collaborative Applicant with the qualifications and capacity necessary to carry out the Collaborative Applicant role.

Before the submission of the annual application to HUD for Continuum of Care Program funding, the Collaborative Applicant must submit a final draft of the application to the CoC Council for approval.

Depending on the timing of the submission to HUD, the CoC Council and Collaborative Applicant will create a timeline for submission to the CoC Council.

### **3. HMIS Lead Agency**

The CoC must designate a legal entity that is also a Continuum of Care Program eligible applicant to serve as the Homeless Management Information System (HMIS) Lead Agency for the geographic area. The HMIS Lead Agency will maintain the community's HMIS in compliance with HUD standards and coordinate all related activities, including training, maintenance and the provision of technical assistance to contributing organizations. Responsibilities required by the Continuum of Care Interim Rule are outlined in Table 1 of this Governance Charter. These and any additional responsibilities are documented in the HMIS Lead Agency Memorandum of Understanding. The designation of the HMIS Lead Agency is valid for a maximum of three years before the designation must be reviewed and renewed by the CoC. The CoC shall select an HMIS Lead Agency with the qualifications and capacity necessary to carry out the HMIS Lead Agency role.

## VII. Reviewing and Updating the Charter

### 1. Process for Updating the Charter

Once every year the CoC must review this Governance Charter in consultation with the Collaborative Applicant and HMIS Lead. Members of the CoC, CoC Council, Collaborative Applicant, Lead Agency, or HMIS Lead may make suggestions for updating. It is the Collaborative Applicant’s responsibility to review HUD rules, regulations, and guidance and to suggest updates to the Governance Charter. The updates must be presented on the agenda prior to the meeting. Updates to the Governance Charter require a two-thirds majority vote of the CoC membership.

### 2. Review and Updating History

Adopted August 20, 2015  
 Amended/Adopted February 27, 2017  
 Amended/Adopted November 20, 2017  
 Amended/Adopted October 19, 2020  
 Amended/Adopted November 15, 2021

Date of Review	Summary of Updates	Summary of Vote
11/15/2021	<b>Review &amp; Adjust Council Composition to ensure a representative from the Lead Agency/ Collaborative Applicant is included.</b>	<b>33 Voting Members Participated. 24 in favor, 9 abstained, 0 voted no. Changes Accepted.</b>
10/19/2020	<b>Yearly clean up. Removed duplicated items, such as multiple definitions of “Quorum”. Added the Code of Conduct that was adopted June 15, 2020 and removed details that should be included in the Policies and Procedures.</b>	<b>14 Council Members in attendance. All in favor.</b>

**Table 1. Responsibilities of Continuum of Care Entities**

Responsibility Category	Responsibility	Responsible Party
Establishing CoC	Define membership of CoC	CoC
Establishing CoC	Invite new members annually	CoC
Operating CoC	Hold meetings of full membership, with published agenda, at least semi-annually	CoC
CoC Governance and Management	Establishing a CoC Council	CoC
CoC Governance and Management	Reviewing the written selection process for the Council	CoC
CoC Governance and Management	Designate a Collaborative Applicant	CoC
CoC Governance and Management	Designate Responsibilities to the CoC	CoC

Management	Council, HMIS Lead, and Collaborative Applicant	
CoC Governance and Management	Apply for CoC Planning Funds	Collaborative Applicant
CoC Governance and Management	Apply for CoC HMIS Funds	HMIS Lead Agency
CoC Governance and Management	Apply for CoC CES Funds	HMIS Lead Agency
CoC Governance and Management	Appoint Committees / Sub-Committees	CoC Council
CoC Governance and Management	Develop a Governance Charter	Governance Committee with approval from CoC Council
CoC Governance and Management	Review Governance Charter Annually	CoC
Overall and Project-Level Performance	Establish performance targets in consultation with recipients/sub-recipients	CoC Council or Council Designee (i.e. Lead Agency or Committee)
Overall and Project-Level Performance	Monitor recipient/sub-recipient performance	CoC Council or Council Designee (i.e. Lead Agency or Committee)
Overall and Project-Level Performance	Evaluate outcomes for ESG and CoC Projects and report to HUD	CoC Council or Council Designee (i.e. Lead Agency or Committee)
Overall and Project-Level Performance	Take action against poor performers	CoC Council or Council Designee (i.e. Lead Agency or Committee)
Overall and Project-Level Performance	Measure system performance	CoC Council or Council Designee (i.e. Lead Agency or Committee)
Coordinated Assessment System	Operate a Coordinated Assessment System in consultation with ESG	CoC Council or Council Designee (i.e. Committee)
Coordinated Assessment System	Develop a policy for how Coordinated System and Housing and Service System will address needs of Domestic Violence	CoC Council or Council Designee (i.e. Committee)
Designate a HMIS	Designate a Single HMIS for the entire CoC Geographic Area	CoC
Designate a HMIS	Designate a Single HMIS Lead Agency	CoC
Designate a HMIS	Review, revise and approve the HMIS privacy plan, security plan and data quality plan	HMIS Lead Agency with approval from CoC Council
Designate a HMIS	Ensure HMIS is in compliance with HUD requirements	HMIS Lead Agency and CoC Council
Designate a HMIS	Review, revise and approve policies, procedures and standards in accordance with the CoC Interim Rule, Proposed HMIS rule and HUD standards	HMIS Lead Agency and CoC Council

Designate a HMIS	Ensure consistent HMIS participation of recipients and sub-recipients in compliance with federal regulations and HUD standards	HMIS Lead Agency
Designate a HMIS	Execute participation agreements with contributing HMIS organizations, including participation fee	HMIS Lead Agency
Designate a HMIS	Execute user agreements	HMIS Lead Agency
Plan for the CoC	Coordinate implementation of a housing and service system	CoC Council or Council Designee (i.e. Committee)
Plan for the CoC	Plan and Conduct a Point-in-Time Study that meets HUD requirements once every two years	CoC Council or Council Designee (i.e. Committee)
Plan for the CoC	Conduct an annual gaps analysis of homeless needs and services	CoC Council or Council Designee (i.e. Committee)
Plan for the CoC	Participate in the Consolidated Plan	CoC Council or Council Designee (i.e. Committee)
Plan for the CoC	Consult with ESG Recipients <ul style="list-style-type: none"> <li>• Coordinated Assessment</li> <li>• Consolidated Plan homelessness strategy and goals</li> <li>• Allocation of ESG funding</li> <li>• ESG performance standards</li> <li>• ESG sub-recipient participation in HMIS</li> <li>• ESG and CoC Program written standards</li> <li>• Evaluate performance of ESG recipients/sub-recipients</li> </ul>	CoC Council or Council Designee (i.e. Committee)
Plan for the CoC	Establish priorities for funding projects	CoC Council or Council Designee (i.e. Lead Agency or Committee)
Plan for the CoC	Rank multiple applications if required by HUD, in accordance with HUD criteria	Review and Ranking Committee with approval from CoC Council
Plan for the CoC	Submit annual application to HUD for Continuum of Care Program Funding	Collaborative Applicant
Plan for the CoC	Approve annual application to HUD for Continuum of Care Program	CoC Council