San Bernardino County Homeless Partnership
East Desert Regional Steering Committee

Tuesday, November 17, 2026 • 10:00 a.m. to 11:30 a.m.
Old Joshua Tree Elementary School Rm # 19
6051 Sunburst Street, Joshua Tree, CA 92252

To address the East Desert Regional Steering Committee (Committee) regarding an item on the agenda, or an item within its jurisdiction but not on the agenda, please complete and submit a Public Comment Request form. Requests must be submitted before the item is called for consideration. Speakers may address the Committee for up to three (3) minutes on Public Comment, up to three (3) minutes on each item on the Discussion agenda, and up to three (3) minutes on the consent agenda.

Special Meeting Agenda

OPENING REMARKS	PRESENTER
A. Call to Order (3 minutes) B. Pledge of Allegiance/Invocation C. Roll Call D. Round Table Introductions (Name and Organization)	Co-Chair Robin Schlosser Designee
E. Individual Committee Member Comments (3 mins. each) or at the end of the agenda under closing. a. Town of Yucca Valley Representative b. Supervisor Dawn Rowe's Office Representative c. City of Twentynine Palms Representative d. City of Twentynine Palms Representative e. Molding Hearts f. Morongo Basin Conservation Association g. Reach Out Morongo Basin h. Rescue + Residence	 a. Faith Nicholson b. Glen Harris c. Kevin Cole d. April Ramirez e. Lakita Johnson f. Janet Johnston g. Robin Schlosser h. Daniel Belew
PUBLIC COMMENT	
F. Any member of the public may address the Committee on any matter not on the agenda that is within the subject matter jurisdiction of the Committee.	
CONSENT CALENDAR	
G. Approve Meeting Minutes from Regular Meeting October 15, 2026.	Co-Chair Robin Schlosser
PRESENTATIONS (45 mins)	
H. Receive presentation from Morongo Basin Arch regarding a Starlight Inn Motel program update.	Alfredia Wright, Program Director
DISCUSSIONS	
I. Review and discuss a proposed supplemental Ethics Policy for Committee members to address and align with applicable State and Federal grant/awards guidelines and ensure consistency with Continuum of Care's Code of Conduct and Conflict of Interest Policy.	Co-Chair Ramirez Office of Homeless Services

The Mission of the San Bernardino County Homeless Partnership is to provide a system of care that is inclusive, well planned, coordinated and evaluated and is accessible to all who are homeless and those at-risk of becoming homeless.

The San Bernardino County Homeless Partnership meeting facility is accessible to persons with disabilities. If you require reasonable modification or accommodation for a disability in order to participate in the public meeting, requests should be made through the Office of Homeless Services (OHS) at least three (3) business days prior to the partnership meeting. The OHS telephone number is (909)501-0610 and the office is located at 560 E. Hospitality Lane suite 200. San Bernardino CA 92415. Agenda and documentation can be obtained there or by email. OHS@HSS.SBCOUNTY.GOV

J. Nomination and election for Committee board members for the term of January 1, 2027, through December 31, 2028.	
CLOSING	
K. Adjournment	
Next Meeting: Thursday, December 17, 2026, 10:00 a.m. – 11:30 a.m. Old Joshua Tree Elementary School Room #19 6051 Sunburst Street, Joshua Tree, CA 92252	

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Minutes for East Desert Regional Steering Committee Meeting

October 15, 2026

10:00 A.M.

Old Joshua Tree Elementary School – 6051 Sunburst Street, Rm#19

Joshua Tree, CA 92252

Minutes were recorded and transcribed by Christina Benton, Board Secretary

TOPIC	PRESENTER	OPENING REMARKS
Call to Order	Co-Chair April Ramirez	The meeting was called to order at 10:08 A.M.
Pledge of Allegiance / Invocation	Designee	Co-Chair Ramirez, lead the Pledge of Allegiance
Roll Call		The following Committee Members or their alternates were present at the meeting: Johnson, Belew, Johnston, Cole, Nicholson, Harris, and Co-Chair Ramirez Members absent: Co-Chair Schlosser
Round Table Introductions	Co-Chair April Ramirez	9 members of the public attended in-person, they introduced themselves. ***It was announced that attendees do not have to announce their name or organization to be part of the meeting. ***
Individual Committee Member Comments (3mins. each)		Co-Chair April Ramirez opened the floor for comments from the EDRSC Committee Members. • Committee Member Faith Nicholson reported HMIS training has reopened and is available to providers. Coordinated Entry System (CES) training will be the next step for local Homeless Housing, Assistance and Prevention (HHAP) recipients. Efforts continue to increase regional service capacity. • Committee Member Glen Harris announced Community Clean-up Day is scheduled for October 17, 2026, from 8am – 12pm at Sportsman's Park in Joshua Tree. Household trash, bulky items, green waste, electronics, and tires will be accepted. • Committee Member Kevin Cole announced household hazardous waste disposal will

		be available at the Joshua Tree County Yard from 9am – 12pm. • Co-Chair April Ramirez provided updates regarding recent State housing legislation intended to expedite affordable housing development. New requirements for state agencies to provide written findings when rejecting local housing plans. Proposition 1 funding opportunities related to behavioral health, housing, and homeless services. • Committee Member Lakita Johnson reported Molding Hearts was not selected for a Continuum of Care (CoC) board seat. The East Desert region currently lacks voting representation on the CoC Board. Regional providers were encouraged to actively participate in CoC meetings and public comment opportunities. • Committee Member Janet Johnston announced CoC membership and voting eligibility requirements: an applicant must submit a formal application and attend three meetings (one full CoC general meeting and two designated committee meetings, including Regional Steering Committee meetings), ensuring their attendance is officially signed in. October 8th CoC election participation statistics. Potential pursuit of a non-voting regional liaison seat. Upcoming CoC and Interagency Council on Homelessness meeting is scheduled for October 28th. Proposal to move EDRSC meetings from the third Thursday to the second Thursday of each month to improve coordination with CoC processes and case conferencing schedules. Next Working Group Meeting is scheduled for Thursday, November 5, 2026 at 9:30 am at the Joshua Tree Community Center. • Committee Member Daniel Belew reported mobile tablets and Wi-Fi hotspots through Measure Y are now operational. Outreach teams are transition to direct HMIS data entry in the field. Additional volunteer training is needed to expand outreach capacity. Interested volunteers and providers should coordinate with Faith Nicholson and Daniel Belew regarding HMIS training opportunities. • Co-Chair Robin Schlosser – Excused Absence

		PUBLIC COMMENT
Item F. Public Comment – non-agenda items.	Co-Chair April Ramirez	The Co-Chair opened the floor to Public Comments: *Rick Vance, Brighter Futures Homes LLC – addressed the committee regarding challenges associated with providing housing and services to chronically homeless individuals in the Morongo Basin.* • *Lack of local substance abuse treatment facilities.* • *Difficulties accessing referral and support systems.* • *Financial sustainability challenges for service providers.*

		CONSENT ITEMS
Item G. Meeting Minutes From regular meeting September 17, 2026.	Co-Chair April Ramirez	The Co-Chair opened the consent calendar portion of the agenda. The Co-Chair opened the item for public comments. No public comments were made. Committee Member Harris made a motion to approve the consent calendar/minutes and was seconded by Committee Member Johnson. Co-Chair opened the items for comment by the Committee members. No discussion ensued. Vote was taken: 7 of members were in favor: Nicholson, Harris, Cole, Johnson, Johnston, Belew, and Co-Chair Ramirez 0 members were opposed: None 0 members recused: None Absent: Co-Chair Schlosser The motion was approved. 7/0/1
	PRESENTER	**PRESENTATIONS**
Item H. Receive update on the Jewish Family Services program, Starlight Motel Project.	Melizza Gonzalez-Gaspar, IEHP Supervisor and Sara Haddow Jewish Family Services.	Co-Chair Ramirez recognized Melizza Gonzalez-Gaspar, IEHP Supervisor, Jewish Family Services. Melizza Gonzalez presented program updates including: • Program currently operating at full capacity. • Active caseload of 30 individuals within 23 households. • Four clients are actively seeking housing. • One successful permanent housing placement through family reunification. • Thirty-five service transactions were completed during the reporting period. • Continued support for clients requiring identification and birth records. • Successful employment and transportation assistance initiatives. Discussion followed regarding program expenditures and staffing allocations. No action taken.

		DISCUSSION
Item I. Review and discuss draft Ethics Policy for East Desert Regional Steering Committee members	Co-Chair April Ramirez	The Co-Chair opened Item # I, presented a draft Ethics Policy addressing: • Fiduciary responsibilities. • Internal controls and accountability standards. • Conflict of interest requirements. • Background eligibility standards. • Annual disclosures. • Ethics and Fraud, Waste, and Abuse training requirements. The Co-Chair opened the item for public comments. No public comments were made. The Co-Chair opened the item for comment by the Committee members. Discussion ensued: • Committee member Belew requested language explicitly allowing equivalent annual training completed through employers or affiliated agencies to satisfy the requirements without redundant coursework. Co-Chair Ramirez agreed to revise the draft to state, "OIG or equivalent." • Committee member Faith Nicholson questioned whether regional steering committees have the authority to adopt independent policies. • Committee member Janet Johnston noted that regional committees are officially governed by the overarching CoC Charter. • Co-Chair Ramirez confirmed that San Bernardino County Counsel and Office of Homeless Services (OHS) verified that because the broader CoC Charter remains under revision, regional steering committees operate with sufficient local autonomy to establish their own internal standards of conduct. • Committee member Cole questioned if the CoC already had a policy in place. Cole and Harris agreed that the secretary should request the CoC's governing ethics policy from OHS so both documents can be compared side-by-side on a future agenda. • Committee member Belew suggested restricting the disqualification clause to include a general standard covering any breach of fiduciary responsibility or dishonesty, citing elder abuse or dependent adult abuse as offenses that should disqualify member from oversight roles. • Committee members Nicholson and Belew noted the draft must clearly define conflicts of interest, specifically addressing the reality that nonprofit committee

		members frequently apply for grant funds overseen by the committee. A designated section must detail mandatory disclosure ad recusal protocols during grant evaluation cycles. • Committee member Harris proposed formal vetting procedures for board candidates prior to elections. • Committee member Cole questioned Brown Act compliance and training needs. • Committee member Nicholson proposed creating a standardized "welcome and onboarding packing" outlining governance duties, time commitments, and legal requirements for prospective members. • Committee member Johnston noted the CoC Charter contains contradictory language, defining regional bodies simultaneously as formal Brown Act bodies and informal advisory committees. Next Steps / Action Items • Revised draft language to include "OIG or equivalent" training option • Request the Continuum of Care ethics policy from the Office of Homeless Services for comparison. • Explore development of member onboarding materials and Brown Act training resources. No formal action was taken.
Item J. Approve the East Desert Homeless Housing, Assistance and Prevention (HHAP) Round 4 grant funding recommendation for the following agency and submit the recommendation to the Continuum of Care Board for approval. Recommended Agency- Jewish Family Service of San Diego Award Amount- $98,524.29	Co-Chair April Ramirez	The Co-Chair opened Item #J Recusal: Committee member Lakita Johnson recused herself from discussion and voting at 11:18am due to a conflict of interest. Co-Chair Ramirez reported on the scoring process conducted by county staff and an independent third-party CPA auditing firm. • Four organizations submitted applications for the East Desert allocation. • The independent auditor conducted fiscal compliance assessments and financial risk audits on all applicants. • Three applicant organizations were disqualified or penalized due to significant fiscal audit findings, incomplete application packages, or ineligible budget requests. • Jewish Family Services of San Diego achieved a 100% compliance score, receiving

		a zero risk rating from the auditing firm. Co-Chair Ramirez noted that if the committee failed to approve the recommended recipient today, the funds would revert to the county and be permanently reallocated outside of the East Desert region. The Co-Chair opened the item for public comments. Public comments were made. • Marcella Cruz, Jewish Family Services (JFS) clarified the intended us of the funds. JFS was previously awarded HHAP Round 5 funds restricted exclusively to street outreach and prevention/diversion. • The HHAP Round 4 allocation will be leveraged across the entire East Desert region to fund rapid rehousing, security deposits, rental subsidies, and move in costs, establishing a complete pipeline from initial street outreach to permanent housing. Committee member Harris made a motion to approve the item and seconded by Committee Nicholson. Following the motion and second, Committee member Johnston attempted to raise additional questions regarding rapid rehousing expenditure timelines (noting a 50% milestone deadline by January 31st and full expenditure by June 2027) and category reallocations. Co-Chair Ramirez ruled further open floor debate out of order, noting a formal motion and second were on the floor and calling for the vote. Vote was taken: 6 of members were in favor: Belew, Johnston, Cole, Harris, Nicholson, and Co- Chair Ramirez 0 members were opposed: 0 1 members recused: Lakita Johnson Absent: Co-Chair Schlosser The motion was approved, 6 in favor, 1 recused, 1 absent. The committee approved recommending the award of $98,524.29 in HHAP Round 4 funding to Jewish Family Service of San Diego for submission to the Continuum of Care for final consideration.

		ADJOURNMENT
ITEM M. Adjournment	Co-Chair April Ramirez	Motion was made by Co-Chair Ramirez and consensus approved to end the meeting at 11:29 a.m. The next meeting for the East Desert Regional Steering Committee Thursday, November 19, 2026 & 10:00 a.m. – 11:30 a.m. Old Joshua Tree Elementary School Room #19 6051 Sunburst Street, Johsua Tree, CA 92252

San Bernardino City and County

Continuum of Care

CA 609

Governance Charter

Adopted July 24, 2024

CHARTER REVISION TRACKING PAGE

Version	Date	Sections Edited	Level of Change
7.2024	7.17.2024	Chap. 2,3, 8	Substantive updates to Brown Act compliance.
7.2024.1	7.24.2024	Chap. 3, pg.4	Number of Service Provider Seats 5 or 6.
7.2024.1	7.24.2024	CoC Charter	Adopted, as follows.

Note: Chapters are designed to address each area, and are paginated separately.

Chapter 1
Introduction & Purpose

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Introduction

This chapter provides an introduction to and a general overview of the Continuum of Care (CoC).

References

The following references are applicable to the information in this chapter:

- 24 CFR 578.7(a)(3)
- McKinney-Vento Homeless Assistance Act, Title IV, part C. (42 USC 11381-11389)
- Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH Act): Continuum of Care Program, 77 Fed. Reg. 45422, July 31, 2012 (24 CFR §578) (referred to as the CoC Program Interim Rule).

Overview

Annually, the U.S. Department of Housing & Urban Development (HUD) awards federal homeless assistance grants through a competition among organizations that participate in local homeless assistance program planning networks. These networks, referred to as Continuums of Care (CoCs), work to address homelessness by identifying community-specific needs and responding with a coordinated system of housing and services. The approach is predicated on the understanding that homelessness is not caused merely by a lack of shelter, but involves a variety of underlying, unmet needs and conditions – physical, economic, and social.

The CoC program is authorized by the McKinney-Vento Homeless Assistance Act and implemented through HUD. Communities that receive funds under the HEARTH Act have specific responsibilities which are described in Interim Rule[1].

At the federal level, the CoC program is intended to:

- Promote a communitywide commitment to the goal of ending homelessness.
- Provide funding for efforts by nonprofit providers and State and local governments to quickly rehouse homeless individuals and families while minimizing the trauma and dislocation caused to homeless individuals, families, and communities by homelessness.
- Promote access to and effective utilization of mainstream programs by homeless individuals and families.
- Optimize self-sufficiency among individuals and families experiencing homelessness.

To these ends, HUD requires communities to establish, organize, and operate a system of care to carry out the responsibilities described in the Interim Rule. At the local level, the CoC is group composed of representatives from relevant organizations to the extent these groups are present in the geographic boundaries of the CoC:

- Advocates
- Affordable housing developers
- Businesses
- Mental health agencies
- Nonprofit homeless service providers

[1] All statutory references are to 24 CFR Part 578 [HEARTH Interim Rule (July 2012)] and subsequent updates unless otherwise stated.

- Faith-based organizations
- Governments
- Homeless and formerly homeless persons
- Hospitals
- Law enforcement
- Organizations that serve homeless and formerly homeless veterans
- Public housing agencies
- School districts
- Social service providers
- Universities
- Victim service providers

Regulations charge the CoC with specific actions and responsibilities. These include the development, following and annual update of a:

- Governance Charter, including all policies and procedures needed to comply with the Interim Rule.
- Data system, referred to as the Homeless Management of Information System (HMIS), as prescribed by HUD.
- Code of conduct and recusal process.

Structural Components

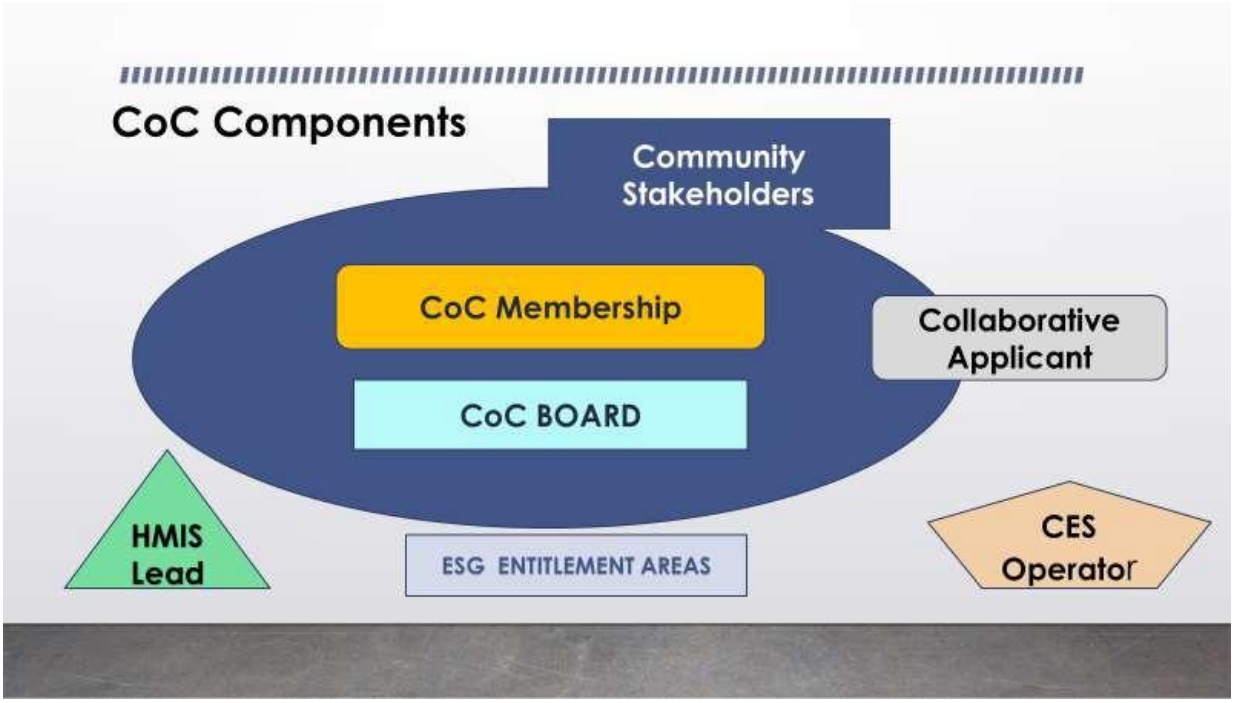
The structural components of the CoC include the following:

- Community Stakeholders – Individuals and organizations throughout the community who are interested in the issues of homelessness within the CoC area.
- General Membership – Representatives from the relevant community stakeholders who are registered members of the CoC. In addition to the relevant organizations named in the Interim Rule, the General Membership includes community stakeholders who are invested in ending homelessness in the region. Examples include (but are not limited to) private foundations, philanthropists, labor and employment organizations, and fraternal organizations.
- Board – Persons selected via the authorized process to represent the CoC stakeholders and participate as required by the Interim Rule.
- Collaborative Applicant – The legal entity and eligible applicant selected to apply for HUD federal funding on behalf of the CoC (the Membership is not a legal entity and therefore not eligible to apply for funding). The Collaborative Applicant holds responsibilities associated with the CoC Application and reporting processes.
- Homeless Management of Information System (HMIS) Lead Agency – An eligible applicant selected as the responsible entity for:
  - The compliance, management, and operations of the HMIS, CoC data systems, and a comparable data base for victim service providers, as described in HUD regulations; and
  - Satisfying all HUD Data Exchange (HDX) reporting requirements.
- Coordinated Entry System (CES) Lead Agency – The entity responsible for the compliance, management, and operations of the CoC-approved Coordinated Entry System.
- Emergency Solutions Grant (ESG) Jurisdictional Recipients – Jurisdictions identified by HUD as eligible direct recipients of ESG funds.
- Committees – Includes Standing Committees, Sub-Committees, Ad Hoc Committees or Task Groups formed by the CoC, the Board, Collaborative Applicant, HMIS Lead

Agency, or CES Lead Agency in accordance with the Governance Policies for establishing such subgroups[2].

- State Administrative Entity – A legal entity meeting the State of California criteria for applying for and managing funds designated to the CoC from various state homeless programs.
- Administrative Agent - Title used for the legal entity selected to perform the functions of both the CoC Collaborative Applicant and the State Administrative Entity.

Graphic Depiction of CoC Required Components



The required components of the CoC system are depicted in the graphic above. The Administrative Agency carries the roles and responsibilities of both the CoC Collaborative Applicant and the State Administrative Entity.

Levels of Responsibility

Roles and responsibilities for the CoC structural components are organized by component and the requirements of the Interim Rule. A chart summarizing the roles and responsibilities for all structural components is found in the Appendices.

A list of Terms and Acronyms associated with the CoC is also found in the Appendices.

[2] Descriptions for subgroups are found in Chapter 8: Committees

Identification and Profile of the CoC

CoC Name

The CoC of the City and County of San Bernardino, CA, which is identified by HUD as “CA-609”.

CoC Board Name

SB CoC Board - Currently the Interagency Council on Homelessness (ICH).

Geographic Boundaries

The incorporated and unincorporated areas and territories within the geographic boundary of San Bernardino County.

Composition/Structure

Includes the following:

- General Membership
- CoC Board
- Collaborative Applicant
- Coordinated Entry System (CES) Lead Entity
- Homeless Management Information System (HMIS) Lead Agency
- Associated Standing and Ad Hoc Committees and Workgroups

Collaborative Applicant & HMIS Lead Agency

San Bernardino County Office of Homeless Services (OHS)

Coordinated Entry System (CES) Lead Entity

Inland SoCal United Way 211+

Point of Contact

The CoC Board Secretary is the initial point of contact for the CoC.

Collaboration with Other Bodies Addressing Homelessness

The SB CoC collaborates with a number of other bodies dedicated to addressing homelessness. Given the vast geography of San Bernardino County, these bodies play an important role in informing the actions of the CoC and communicating the needs of persons in various communities who are or at risk of becoming homeless. Collaboration with Emergency Solutions Grant (ESG) recipients, persons with lived experience in homelessness, and state and local entities is critical in planning, resource allocation, goal setting and evaluation.

Chapter 2
Membership

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Introduction

This chapter addresses the roles, responsibilities, protocols, and practices related to the Continuum of Care (CoC) General Membership body (Membership).

References

The following references are applicable to the information in this chapter:

- 24 CFR 578.7(a)(3)
- Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH Act): Continuum of Care Program, 77 Fed. Reg. 45422, July 31, 2012 (24 CFR §578) (referred to as the CoC Program Interim Rule).
- Ralph M. Brown Act: California Government Code § 54950, 1953.

Purpose

The Continuum of Care (commonly referred to as “CoC” or “Continuum”) oversees a community's plan to organize and deliver supportive social services, including housing options, which meet the specific needs of homeless individuals and families. Ultimately, the goal of the CoC is to move homeless people toward stable housing and maximum self-sufficiency. The U.S. Department of Housing and Urban Development (HUD) requires the establishment of a CoC in order to receive federal CoC Program funding.

Composition

The San Bernardino City and County Continuum of Care (SB CoC) Membership consists of stakeholders who represent local organizations and projects serving homeless subpopulations within the geographic boundaries of San Bernardino County. This includes the following:

- Advocates
- Affordable housing developers
- Businesses
- Faith-based organizations
- Governments
- Homeless and formerly homeless individuals
- Hospitals
- Law enforcement
- Mental health agencies
- Nonprofit homeless assistance providers
- Public housing agencies
- School districts
- Social service providers
- Universities
- Veteran service organizations
- Victim service providers

Membership is extended to additional stakeholders to the extent that they are invested in resolving homelessness in San Bernardino County. This includes, but is not limited to, the following:

- Employment development
- Fraternal organizations
- Organized labor
- Private foundations
- Philanthropists
- Private health service organizations

The CoC community includes, but is not limited to, the following people who are homeless or at risk of homelessness:

- Black, Indigenous, and Persons of Color (BIPOC)
- Chronically homeless
- Families with children
- Homeless youth
- Members of the LGBTQ+ community
- Persons who are seriously mentally ill
- Persons with:
  - HIV/AIDS
  - Substance use disorders
- Unaccompanied women
- Veterans
- Victims of domestic violence, dating violence, sexual assault, and stalking

The SB CoC seeks to ensure the participation of diverse stakeholders in community dialogues related to homelessness. As such, all stakeholders are encouraged to attend meetings, participate in discussions, and serve on workgroups and committees as appropriate.

A public invitation within the Geographic Areas of the SB CoC will be extended at least annually for new members to join in accordance with regulation.

Expectations of Members of CoC Member Representatives

Each CoC Member is expected to:

- Demonstrate a professional interest in or personal commitment to addressing and alleviating the impacts on individuals experiencing homelessness, and on the community at large.
- Commit to making informed and independent voting decisions.
- Participate in the SB CoC's Homeless Management Information System (HMIS), if the Member provides direct services (except for victim service providers who are barred by law from participating in the central HMIS but must participate in a comparable data base).
- Take part in CoC activities through participation in CoC committees and advisory work groups.
- Participate in the Coordinated Entry System (CES) and follow CES policies.

Each CoC Member is encouraged to:

- Offer their expertise to help ensure the success of the CoC.
- Identify, support, and advocate for program and systemic changes to improve services and outcomes for homeless and at-risk populations.
- Identify and communicate current and emerging needs and funding opportunities related to affordable housing and homelessness.
- Serve as a liaison between the CoC and the member's constituencies.
- Help to engage, inform, and educate the broader community about effective solutions for ending and preventing homelessness.
- Be an active participant in CoC meetings, workgroups, and committee.
- Contribute in efforts to conduct the annual homeless Point-In-Time Count, the count of sheltered and unsheltered people experiencing homelessness required by HUD.

Eligibility and Types of Membership

Membership in the SB CoC is open to all stakeholders concerned with and/or providing services to the various homeless subpopulations, and who are interested in collaborative, solution-oriented planning to address homelessness in the region. Membership shall be composed of two types:

- **Organizational Member** – Any public, private, non-profit, or for-profit organization, corporation, agency, group, or association interested in supporting the CoC's commitment to ending homelessness.
- **Individual Member** – An individual stakeholder, such as a consumer, advocate, volunteer, or resident interested in supporting the CoC's commitment to ending homelessness. Any individual who is not directly affiliated with an organizational member may become an Individual Member. For the purpose of determining eligibility, direct affiliation is defined as employees, directors, active or long-term consultants, and high-level volunteers. An individual identified as the delegate for an organization cannot hold a dual membership as an Individual Member. If an individual representative from an organization member leaves that organization, they may apply for an Individual membership.

There are no dues or fees required for membership.

Becoming a CoC Member

Stakeholders become CoC members by:

- Completing an application packet consisting of the following:
  - SB CoC Membership Application,
  - Acknowledgment the CoC's Guiding Principles, Code of Conduct and Conflict of Interest,
- Submitting the completed application packet to the Collaborative Applicant (accepted year-round), and
- Registering to the CoC's Membership Distribution List.

Membership is established after the stakeholder's completed application packet submission to the Collaborative Applicant and subsequent receipt of acknowledgement. The Collaborative Applicant, upon receipt of the completed application packet, will add the requestor to the membership roll (after confirming there is no duplication) and provide an acknowledgment of membership.

Members are designated as **non-voting members** until they satisfy the requirements to become a voting member of the CoC.

Becoming a Voting CoC Member

To become a **voting member** of the SB CoC, the following is required of an Individual Member or the primary delegate of the Organizational Member:

- Submission of a completed application packet (if not completed and submitted previously).
- Completion of the New Voting Member Orientation.

- Submission of Certification of Completion of the New Voting Member Orientation to the Collaborative Applicant/Secretary.
- Attendance at three CoC meetings in the prior 12 months. This can be a combination of the CoC General Membership or subregional meetings but must include at least one CoC General Membership meeting.

Voting Privileges and Limitations

An **Organizational Member** is entitled to possess and exercise a maximum of one (1) vote on matters concerning the ongoing business of the CoC. Each organization must select a/an:

- Primary delegate who will vote for the organization.
- An alternate delegate who would be present to cast the member's vote in the absence of the primary voting delegate. The designation of the alternate for an organization should be submitted in writing to the CoC Chair on the organization's letterhead prior to a meeting in which the alternate is authorized to vote.

Paid employees/consultants/volunteers of a voting organization, who are the designated representatives for that organization, are not allowed to also join the CoC as an Individual Member.

An **Individual Member** shall possess and exercise a maximum of one (1) vote on matters concerning the ongoing business of the SB CoC. Each Individual Member

- Is deemed the primary voting delegate.
- *May* select an alternate delegate who would be present to cast the member's vote in their absence. The designation of the alternate delegate should be signed and submitted in writing to the CoC Chair prior to a meeting in which the alternate is authorized to vote.

When a voting member is unable to attend a meeting where a vote will take place, the voting member's predesignated alternate delegate is authorized to vote on the member's behalf. The member's alternate delegate must sign into the meeting.

Term, Attendance and Voting Privileges

There is no membership term limit. Members of the CoC who have achieved voting status will retain such status as long as they remain in good standing. To remain in good standing, voting members are required to:

- Attend not less than three (3) CoC General Membership or regional meetings in a calendar year (at least one of the meetings attended must be a CoC General Membership meeting);
- Annually sign the Code of Conduct and Conflict of Interest acknowledgement forms; and
- Participate in mandatory trainings as announced by the CoC.

Regularly scheduled meetings include those that are on the annual meeting schedule and publicly announced by the CoC or regional meeting leadership. A website calendar identifies monthly subregional meetings on specific weeks and days of the month. Attendance at meetings is tracked by member sign-in or through virtual platform

attendance lists. However, it is the responsibility of the attendee to ensure they sign in to each meeting.

Each eligible voting member of the CoC can vote on any actionable item that is presented to the CoC membership for a vote.

If a member fails to attain the above minimal requirements, they rescind their voting privileges. Voting privileges can be re-established by meeting the requirements above.

The Collaborative Applicant will maintain a list of members gaining voting privileges, at risk of losing voting privileges, and having lost voting privileges within 30 days following each general membership meeting. This list will be available to members upon request.

Meeting Procedures and Decision Making

Meetings of the full membership will be held at least three times each year, including an Annual Membership Meeting in which elections will be held. The CoC will designate the Facilitators who will lead the meetings. An agenda of the meeting will be published at least 72 hours prior to the meeting through the Membership Distribution List maintained by the Collaborative Applicant, and through email distribution lists. All meetings are open to the public. Meetings will follow the published agenda and be conducted under the approved Rules of Decorum, founded on Robert's Rules of Order. The recording of minutes will occur and be the responsibility of the Board Secretary.

At all meetings, voting members should strive to decide on action items by arriving at a consensus. If a vote is necessary, all votes will be by voice or ballot at the will of the majority in attendance. The exception to this rule is a vote to elect CoC Board members, in which a vote will be held by written ballot.

Quorum

The number equal to a majority of those with voting member status at the time of the meeting will constitute a quorum for the purpose of voting at any general membership meeting. Protocols for situations where there is a lack of a quorum are located in Chapter 10 – Code of Conduct.

Full Membership and Annual Meetings

The SB CoC will hold full membership meetings three times a year, typically in March, July, and November. One of these meetings will be designated as the annual meeting.

Election of the CoC Board of Directors will take place at the designated annual meeting, or another date as publicly announced in advance. Other business may include approval of changes to the Governance Charter, adoption of the written process for Board Member selection, and any other action delegated to the CoC membership for decision making.

Roles and Responsibilities

Roles and responsibilities of the CoC Membership include the following:

- **Regulatory Roles and Responsibilities**: Identified through federal and state regulation.
- **Locally Defined Roles and Responsibilities**: Delegated by the Membership.

There are three basic levels of responsibility:

- **Authority/Oversight**: Provides authority or oversight of a specific activity. Authority indicates the group with a formal vote as the responsible/approving body. Oversight indicates that reports and information will be provided to this body by another component.
- **Lead**: Charged with leading the action to implement the responsibility in accordance with the HUD regulations, CoC policies, and procedures. The Lead works closely with the CoC Board and the support structures to realize the vision for CoC system of care. The Lead works collaboratively within the structure to coordinate and operationalize the area of responsibility.
- **Support**: Is consulted and/or an active participant in carrying out a HUD regulation in collaboration with other structures and systems. These entities join the Lead in taking the action by providing expertise, information, and/or commitment to implementation.

Roles and Responsibilities of the CoC Membership

The following table identifies **Regulatory Roles and Responsibilities** of the CoC Membership as per Title 24 of the Code of Federal Regulations (CFR), and is organized by Level of Responsibility:

Level of Responsibility	Activity	Implementation/Operation
Authority	Establish the Continuum of Care *§578.5(a)*	● Implements via a vote of stakeholders. ● Registers official members.
	● Adopt and follow a written process for Board Member selection ● Review, update as necessary, and approve the process at least once every five (5) years *§578.7(a)(3)*	Implements via a vote of the official membership.
Authority/ Oversight	Establish a Board that: ● Is representative of the relevant organizations and of projects serving homeless subpopulations, and ● Includes homeless or formerly homeless individuals. *§578.5(b)*	● Implements via a vote of the official membership. ● Delegates certain roles to the Board. ● Reviews Board roster to assess representation.
	Consult with the Collaborative Applicant and HMIS Lead Agency to develop, follow, and annually update a Governance Charter that includes all HUD-required components ● *§578.5(a)(5)*	● Reviews results of the Governance Charter review. ● Approves changes to Governance Charter. ● Implements via a vote of the official membership.

	Designate a single HMIS for the geographic area[3] *§578.5(b)(1)*	● Receives recommendations from the HMIS Lead Agency. ● Provides oversight during the selection process.
	Designate an eligible applicant to manage the HMIS, referred to as the *HMIS Lead Agency* *§578.5(b)(2)*	● Consults with the Board and Collaborative Applicant regarding the designation of the HMIS. ● Ratifies the selection of the HMIS.
	Comply with HUD Conflict of Interest Requirements *§578.95 (b)*	● Implement via a vote of the official membership. ● Oversight of policy compliance.
Lead	Hold meetings of the full Membership with published agendas at least semi-annually. *§578.7(a)(2)*	● Ensures at least two meetings are calendared annually. ● Collaborates with the Board on meeting agendas.
	Make an invitation for new members to join publicly available at least annually *§578.7(a)(1)*	Conducts a public call for new members.
	Coordinate the implementation of a housing and services system, including at a minimum: ● Outreach, engagement, and assessment ● Shelter, housing, and support services ● Prevention strategies *§578.5(c)(1)*	Ensures coordination and delivery of a system including required components under the Interim Rule and locally adopted action.
Support/Lead	Appoint committees, subcommittees, or workgroups as deemed necessary *§578.7(a)(4)*	● Support: Responds to calls for committee participation as requested by the Board. ● Lead: Establishes workgroups, as necessary, to accomplish responsibilities assigned to the Membership.
Support	Plan and conduct a Point-In-Time Count (PITC) throughout the CoC geographic area at least biennially *§578.5(c)(2)*	Assists in planning and implementation of the annual[4] PIT Count in support of the Collaborative Applicant and PIT Count Committee under Board oversight.
	Conduct an annual gaps analysis of needs and services in the CoC geographic area *§578.5(c)(3)*	Assists in implementation and providing data for this task in collaboration with the HMIS Lead Agency and Subcommittee.

Locally Defined Roles and Responsibilities

The following table identifies **Locally Defined Roles and Responsibilities** of the CoC Membership:

Level of Responsibility	Activity	Implementation/Operation
Authority/ Oversight	Elect Provider and At-Large seats as present on a slate of candidates for the Board	Elect representatives for Provider and At-Large seats as presented on a slate of candidates, annually and in accordance with Board seat turnover rules. ● Ratify representatives presented for appointed seats.

[3] Victim Service Providers, by regulation, participate in a comparable database rather than the central HMIS data base.

[4] CoC currently conducts an annual PITC of both sheltered and unsheltered persons.

Chapter 3
CoC Board

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Introduction

Continuums of Care (CoCs) have various operational responsibilities as mandated by regulation. A core responsibility is to adopt and follow a written process to establish a Board to act on behalf of the CoC. This written process must be reviewed, updated, and approved by the CoC at least once every five (5) years. CoC Boards must be representative of the relevant organizations and projects serving persons who are homeless, as well as include homeless or formerly homeless individuals.

This chapter addresses the roles, responsibilities, protocols, and practices related to the CoC Board.

References

The following references are applicable to the information in this chapter:

- 24 CFR 578.7(a)(3). Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH Act): Continuum of Care Program, 77 Fed. Reg. 45422, July 31, 2012 (codified at 24 CFR §578) (referred to as the CoC Program Interim Rule).
- Ralph M. Brown Act: California Government Code § 54950, 1953.

CoC Governance and Oversight

The San Bernardino City and County Continuum of Care (SB CoC) governance structure will consist of the following:

- General Membership
- CoC Board
- CoC Collaborative Applicant
- Coordinated Entry System (CES) Lead Entity
- Homeless Management Information System (HMIS) Lead Agency
- Associated Standing and Ad Hoc committees, and workgroups

Together, these structures must accomplish the community responsibilities defined in the CoC Program Interim Rule. Additionally, the Ralph M. Brown Act in California (Brown Act) governs local agencies, legislative bodies of local government agencies created by state or federal law and any standing committee of a covered board or legislative body, and governing bodies of non-profit corporations formed by a public agency. The intent of the Brown Act is to ensure transparency and inclusion in actions taken by legislative bodies. The CoC Membership body is a community- based forum, not a legislative body, therefore it is not subject to the Brown Act. The CoC Board, however, is a legislative body as defined in the Brown Act and must comply with the provisions of the Brown Act with regard to public notice, meeting protocols and voting rules.

The SB CoC will strive to ensure broad geographic coverage on the CoC Board and committees. Governance representatives should consist of stakeholders with diverse backgrounds, responsibilities, experiences, and identities so as to include the opinions and insights of various parties.

Because of the geographic size of the SB CoC, representation on the CoC Board needs to reflect the geographic regions. The regions are designated as follows:

Region	Cities/Communities		
Desert	• Adelanto • Apple Valley	• Barstow • Hesperia	• Victorville
Central Valley	• Colton • Fontana • Grand Terrace • Highland	• Highland • Loma Linda • Redlands	• Rialto • San Bernardino • Yucaipa
East Valley	• Needles	• Twentynine Palms	• Yucca Valley
Mountains	• Big Bear Lake • Crestline*	• Lake Arrowhead*	• Running Springs*
West Valley	• Chino • Chino Hills	• Montclair • Ontario	• Rancho Cucamonga • Upland

Note: Regions include each city's surrounding unincorporated communities.
* = Unincorporated communities isolated from cities.

CoC Board Purpose

The role of the CoC Board is to represent the CoC membership by guiding efforts to ensure community-wide commitment to preventing and ending homelessness. The CoC Board will serve as the primary decision-making body for the SB CoC. To this end, the CoC Board will approve and oversee policy and direction in accordance with the responsibilities delegated to it by the CoC membership.

CoC Board Composition and Selection

The CoC Board is composed of persons selected via the authorized process to represent the CoC stakeholders and participate as the CoC Board as required by the CoC Program Interim Rule. There are two basic processes for nomination of Board Candidates for selection by the CoC Membership and establishing CoC Board Membership:

1. Appointment into a designated seat and ratification.
2. Recommendation, review, and election for all other seats.

The CoC Board is composed of no less than 17 and not more than 21 members, consisting of 19 voting seats and two (2) non-voting seats. Seats will be held by members representing service providers, local investors, government, consumers, and other community stakeholders whose interests and experiences relate to homeless services and housing systems within the geographic boundaries of the SB CoC.

The two non-voting seats will include a high-ranking representative from the Collaborative Applicant and the immediate past Chair (in good standing). The role of the ex-officio Chair is to provide context and continuity to inform the CoC Board and will serve for a one-year term following the completion of their term of service. The organization chosen as the Collaborative Applicant will also serve in the role of the Secretary and is responsible for assigning a staff person to fulfill this role.

No more than one staff person and/or CoC Board Member of a single agency/organization may be an elected member of the CoC Board, excluding persons who are elected under the "homeless or formerly homeless" CoC Board seat. This seat will not be counted as a representative of a particular service provider.

The seated CoC Board must equitably represent the identified geographic regions. Equitable representation does not require an equal number of representatives for each region. The Nominating Committee Review process will evaluate the balance of factors included on the Board Matrix Form as well as environmental factors such as level of homelessness in each region.

CoC Board Seats will be categorized as one of the following:

- At-Large Representatives
- At-Large Consumer Representatives
- Governmental Agencies
- Service Providers

Voting Board Membership will consist of the following:

- Six (6) Governmental designated seats
- One (1) appointed seat
- No less than ten (10) and no more than 12 elected seats, consisting of:
  - Not less than five (5) and no more than six (6) At-Large representative seats
  - Not less than five (5) and no more than six (6) Service Provider seats

There are two basic processes for selecting Board Candidates by the CoC Membership:

- Appointment into a designated seat with ratification by the CoC Membership or
- Election through a Nominating Committee process of review, creation of a ballot of candidates, and election by the CoC Membership.

<u>At-Large Representatives</u>
At-Large representatives are professionals who work in systems that interact with the homeless response system such as (but not limited to) health care, mental health, school districts, child welfare, workforce development, criminal justice, business, faith community, victims service providers, housing developers, advocacy agencies, and landlords. The role of the At-Large Representative is to assist the CoC in leveraging mainstream funding from, and making positive changes within, those systems for the benefit of people experiencing homelessness in our region. The Director of a Housing Authority in the San Bernardino CoC area will be included in this group of representatives. Members representing At- Large Representative seats will be elected through the nominations and selection process.

<u>Consumer Representative</u>
At-Large Consumer representatives are people who have lived experience with homelessness and/or housing instability, and/or have received services through a homeless assistance program. One of the At-Large Consumer representative seats will be dedicated to a member appointed by the Youth Action Board (YAB). The second At-Large Consumer seat should be considered for persons of color, LGBTQ+ persons, persons with HIV+ diagnosis, survivors of domestic violence, or those with a history of chronic homelessness. The member representing the second seat will be selected by the

CoC from a list of candidates reviewed by the Nominating Committee. Members representing At- Large Service Provider seats will be elected.

The role of the At-Large Consumer representative is to help ensure that CoC Board decisions include the perspective of people that have experienced homelessness firsthand. Persons filling these seats who have experienced homelessness within the past 2 years will be compensated for their work with the CoC. The value of compensation is set by the CoC Board as supported by available CoC funds.

Governmental Representatives

The six (6) governmental designated seats will consist of the following persons:

- Elected Member from the San Bernardino County Board of Supervisors, or designee
- Elected Leader from a Key Stakeholder City[5], or designee
- Senior Leader from San Bernardino County Community Revitalization
- Senior Leader from San Bernardino County Human Services
- Senior Leader from the San Bernardino County Superintendent of Schools or Board of Education
- Government Representative elected through the CoC Nominating process

The role of the Governmental Representative is to assist in elevating the CoC by ensuring accountability, countywide strategy alignment, coordination of investment planning, and amplification of CoC activities. Each Board Member appointed to a governmental seat should have the fiscal and/or program authority of the organization they represent to ensure decision making ability. The appointing entity is encouraged to fill the seat with a person who possesses a strong level of understanding about the operations of the CoC's homeless system of care. At least one member of the Board will be from a direct recipient of the Emergency Solutions Grant (ESG) funds.

Members representing the Governmental seats will be filled through appointment by the entity represented on the CoC Board. The appointees will be included on the slate of Board candidates selected through the nominations process and presented to the CoC Membership. The combined results of the appointments and the representatives selected by election will be presented to the CoC Membership for ratification.

Service Providers

Service Provider representatives are people who work for organizations that provide services for people experiencing homelessness. Representatives should be from a mix of state or federally funded homeless programs and non-funded agencies. Board Members selected under the Service Provider Seats represent one or both of the types of direct service outlined below:

- Crisis Response System - Includes emergency and transitional shelter, homelessness prevention, outreach, navigation, coordinated access, day services and crisis response services.
- Permanent Housing - Includes permanent housing provision (PSH/RRH) and/or services for people in permanent housing.

Board Member Alternates

Board Members may assign a designee to participate or vote on their behalf. The alternate or designee will be identified at the time of the Board Member election. Since

seats are representative of various constituencies, alternates should represent the Board Seat designation/constituency, rather than an individual agency.

Eligibility to the CoC Board

To be considered for an CoC Board seat, all appointees and nominees will affirm they:

- Accept the appointment/nomination to represent the interests of the appointing/ nominating entity;
- Commit to active participation in at least one committee or work group; and
  Commit to participate in CoC Board training and onboarding, which may include shadowing/mentoring/buddy system with an existing member at the request of the new member.

The CoC Membership will annually convene an ad hoc Nominating Committee[6] for the purposes of:

- Reviewing the Board matrix;
- Identifying under-represented sectors;
- Recruiting prospective members;
- Reviewing applications;
- Putting forward to the CoC membership a ballot of candidates for election that describes the potential representation of each of the targeted constituencies and geographies;
- Calling for the vote for the election of COC Board Members;
- Tallying the votes and preparing a slate of a candidates receiving the highest number of votes in each representative category, or appointed by into the government-dedicated seats.

Additional factors to be considered in the selection of potential Board Members include the individual's commitment to the purposes of the CoC Board, as well as personal and professional qualifications including interest and capacity, leadership and collaboration skills, knowledge, vision, and depth of connection to the CoC membership and the broader community responding to homelessness. The Nominating Committee will use the Board Matrix to suggest a slate of candidates that best ensures inclusion of each key stakeholder group (characteristic).

Specific consideration will be given to the region from which the nominee identifies. No single entity may be represented by more than two members on the CoC Board while no more than one staff person and/or Board Member of a single agency/organization may be an Elected Member of the CoC Board. Individuals seeking a competitive seat on the CoC Board are not eligible to participate on the Nominating Committee.

Solicitation for Open Board Positions

Solicitation for open Board positions will begin no less than six weeks before the annual meeting in which elections will occur. The Collaborative Applicant, on behalf of the Nominating Committee will broadly circulate a "Call for Applications" to the appropriate organizations and parties. The Call for Applications will set forth the:

- Criteria for appointment to the CoC Board; and
- Deadline for the receipt of said applications.

[6] See Charter Chapter: Committees for more information on the Nominating Committee.

Any individual CoC member in good standing may apply for an open Board position by responding to the Call for Applications and submitting, by the posted deadline, a/an:

- Completed application;
- Brief biographical summary;
- Personal statement summarizing the perspective(s) that the nominee would bring to the CoC Board; and
- Letter of Recommendation from a SB CoC member organization or individual.

A member is considered in good standing if they have:

- At least two years of experience working or volunteering in the homeless sector or within the SB CoC;
- Been a regular participant in CoC related committees/meetings; and
- Had a track record of a commitment to working to alleviate homelessness in the region.

The Collaborative Applicant will collect and conduct a threshold validation of the submitted applications and provide to the Nominating Committee the full list of applicants with an indication as to if the candidate meets the minimum threshold requirements. The Nominating Committee will further review the list of applicants against the list of Board Member priorities and determine a slate of qualified applicants. The summaries (including candidate biographies, applications, personal statements, and letters of recommendation) of each of the qualified applicants will be forwarded to the full CoC membership no later than two (2) weeks prior to the meeting at which the election of new or reelected Board members will occur.

Elections

Board Members will be elected/re-elected individually by the SB CoC voting membership present at the designated meeting. Ballots will be arranged by Service Providers, At-large Representatives and At-large Consumer Representatives categories.

In the event of a contested seat, the highest vote-getter(s) will be elected. In the event of a tie vote for one or more available seats, the CoC Board will select a nominee from the tie-getting candidates. An emphasis will be placed on the promotion of diversity in terms of expertise, experience, race, ethnicity, cultural affiliation, gender, sex, gender identity, sexual orientation, disability, and other relevant factors such as subregional representation.

Board Members recommended for appointment, including those to hold the governmental seats and the youth At-Large Consumer seat, will be presented as a slate by the Nominating Committee for ratification by the full membership.

Terms

The membership body elects Board Members to a two-year term beginning January 1

and ending December 31 of the following year. Elections will be held at the annual meeting of the full membership or in a specially called meeting, as necessary. Note, during the first year of transition, the elections may be held anytime during the calendar year at a meeting identified for this purpose by the CoC Membership.

Both elected and appointed Board Members are eligible to serve up to two (2) consecutive terms, subject to CoC selection process approval. The selection process for second term Board Members will include submission of an updated resume/biographical summary to allow the Nominating Committee to create a current Board Matrix. Elected Member terms will be staggered such that approximately one third (less one) of the elected Board Members will be elected each year. After completing two (2) consecutive elected terms, an individual/organizational member must wait one (1) year before serving another elected term on the CoC Board.

Attendance and Quorum

Board Members may not miss more than two consecutive or three total, unexcused CoC Board meetings during their term year. The presence of a majority of Board Members will be a quorum and sufficient to conduct business at CoC Board meetings.

Meeting Procedures and Decision Making

The SB CoC Rules of Decorum, founded on the principles of Roberts Rules of Order, will be followed to open, and close each meeting and to bring a motion to the floor. The CoC Board will operate on a consensus decision-making model. If consensus cannot be achieved, a decision will be made by a majority vote of those attending the meeting in which a quorum was initially present. Each Board Member with designated voting authority is eligible to vote on decisions being made when present at the meetings. Virtual participation will be allowed in accordance with the Brown Act. A majority of a quorum of the Board members present is necessary for resolutions or votes to pass.

The CoC Board may take an action without meeting the majority of a quorum when the Rule of Necessity is invoked. The common law Rule of Necessity (Rule) can be applied to Brown Act meetings. The Rule is codified in Government Code section 87101 to allow legally required participation when a quorum is lost due to conflicts of interest[1]. The need for the Rule may be verified and invoked by Board Officers (Chair, Vice Chair, and Secretary/Collaborative Applicant). A record of the reason the Rule had to be invoked, and each action taken using the Rule will be created by the CoC Board and maintained by the Secretary/Collaborative Applicant. Use of the Rule should be rare. If invoked more than three (3) times in a calendar year, the Board will research the factors leading to the lack of an eligible voting quorum and will recommend actions to remedy the repeated need for invoking the Rule.

A record of each action taken without a CoC Board meeting will be created by the CoC Board and maintained by the Collaborative Applicant/Secretary.

Vacancies and Removal

Resignation by a member from the CoC Board must be in writing or via email and received by the Board Chair and the Collaborative Applicant. An announcement will be made

[1] ~~See reference in County Counsel email of March 22, 2024.~~

regarding the open position at the next CoC Board and General Membership Meeting requesting nominations.

Expected vacancies occur through Board Seat rotation at the end of a representative's full term. When a representative resigns or is removed from the CoC Board and cannot serve a full term, the vacancy will be filled as quickly as possible. In the case of an appointed representative vacating a seat, the authority making the appointment will appoint a new representative. In the case of an elected representative vacating a seat, the Board Chair will nominate, and the CoC Board ratify by majority vote, his/her replacement to fill the unexpired portion of the term. The CoC Board should maintain a focus on promoting Board diversity as new members are added. After completing the partial term, the newly elected Board Member will be eligible to serve up to two consecutive terms of two (2) years each.

Board Members may be removed from the CoC Board for:

- Violations of the:
  - Code of Conduct;
  - Conflict-of-Interest policy; or
  - Attendance policy;
- Failure to:
  - Perform CoC Board duties; or
  - Comply with this Charter and/or applicable policies; or
- Other violations of the policies and procedures of the SB CoC.

Consideration of member removal will begin with a review of the potential violation by the CoC Chair, Vice Chair and Secretary. If the member under review is an officer (Chair, Vice Chair, or Secretary), they will recuse themselves from the review process. Upon completion of the review and consensus that the removal is warranted, the Board Member subject to removal will have the opportunity to resign and forego bringing the issue to the full Board for a vote. If the Board Member declines to resign, the Board Officers will present the issue to the CoC Board for review and vote. Removal of a Board Member requires a 2/3 vote of active Board Members, not including the vote of the member who is the subject of the removal proceedings. The process for replacement of a Member that is removed will follow paragraph one of this section above. If the Board Chair is removed, the Vice Chair will nominate the replacement and the CoC Board will ratify.

Duties and Responsibilities of CoC Board Members

In accepting the appointment or election to the CoC Board, members acknowledge they understand the role and responsibilities they are committing to and agree to make their Board Membership a priority. They further commit to:

- Support the Mission, Vision, and Goals as established in the CoC action plans;
- Offer their expertise to help ensure the success of the CoC system implementation;
- Work collaboratively with the other Board Members to ensure an understanding of all current agenda items and issues to be addressed to actualize system improvements;
- Ensure accountability, transparency, and responsiveness to community needs;
- Productively engage with jurisdictional/governmental stakeholders for cross-system leadership;
- Attend a majority of CoC-related community meetings to hear from and communicate

with the membership and stakeholders, and to help determine and track progress on goal achievement.
- Actively participate in at least one CoC Board committee or work group; and
- Adhere to the CoC Board's Code of Conduct, Conflict of Interest, and Confidentiality and Privacy policies.

Board Officers

The SB CoC Board will consist of three officers – Chair, Vice-Chair and Secretary. The Board of Directors will elect the Chair and Vice Chair, as needed, to fill a vacant seat at their first regular meeting of the fiscal year. The Chair and Vice Chair may not represent the same organization. The selected officers should possess strong leadership ability and personal characteristics that will lead to the greatest success in their roles. The CoC Board will strive to elect Officers who represent different sectors/constituencies. It is preferable that one position represents an agency that does not receive CoC funding, including recipients or subrecipients. The Secretary position will be a non-voting ex-officio and filled by a member of the Collaborative Applicant staff to provide administrative continuity.

The Collaborative Applicant will promptly announce election results to the membership by email.

Officer Terms

All Board Members can be elected to serve up to two consecutive two-year terms. Board Officers will be elected for a two (2) year term and are eligible to serve up to two consecutive terms within their term limits. The Board Chair and Vice Chair may complete their current term as an officer if their term as a Board member is reached while in office. After completing two (2) consecutive terms, an officer must wait one (1) year before serving another elected term as an officer of the CoC Board except in the case of the Vice-Chair, who is eligible to serve up to one additional consecutive term in the role of Chair regardless of that officer's Board term limit. An individual waiting a year from an officer position may, if elected and otherwise eligible, chair a committee during the interim year. An outgoing Board Chair may remain on the CoC Board for up to one year as a non-voting emeritus member regardless of term limits.

Duties

Chair

The Chair of the CoC Board is responsible for ensuring that the Board meets as scheduled and that the CoC Membership Facilitator convenes the Membership at least three (3) times annually. The Chair presides at the CoC Board meetings. The Chair will sign required and/or necessary documents on behalf of the SB CoC, except as provided elsewhere in the Charter for the Collaborative Applicant/Administrative Entity, the HMIS Lead Agency, and the CES Lead. In collaboration with the Vice Chair and Secretary and in consultation with the Board Members, the Chair is responsible for setting the Board meeting agenda. The Chair will provide direction and leadership, along with the Board, to ensure that all functions of the SB CoC are carried out. The Chair will ensure meaningful participation and adequate time for presenters to share information and members to process the information and seek clarity. The Chair has the responsibility for holding Board Members accountable for their individual roles and commitments.

They also act as a liaison to the Public Entity Stakeholder's Advisory Committee or other governmental stakeholder groups. The Chair will be authorized to speak, or assign someone to speak, publicly on behalf of the CoC.

Vice-Chair
The Vice Chair will support the Chair. In the absence of the Chair, the Vice Chair assumes the Chair's duties. The Vice Chair will perform other duties as designated by the CoC.

Secretary
The Secretary is responsible for keeping accurate records of the acts, proceedings, and attendance of all meetings of the CoC Board and full membership meetings. Responsibilities include recording actions taken without a meeting. They will have (or designate) the responsibility for giving notice of meeting dates, times, and locations, managing the attendance rolls, maintaining the roll of eligible voters, and collecting the official minutes of other CoC related meetings, including standing and ad hoc committees. The Secretary is responsible for ensuring the meeting minutes are posted on the CoC website in a timely manner. The Secretary will provide support to the Board Chair and Vice Chair as necessary and may chair CoC meetings in the absence of both the Chair and the Vice Chair. This position will be assigned by a senior leader from the Collaborative Applicant entity and is a non-voting Board Member.

Vacancies and Removal (Officers)

When the elected CoC Board Chair or Vice Chair resigns or cannot serve a full term for any reason, the remaining Board Members will call a special election to fill the unexpired term.

In the rare instance that a Board Members may be removed for cause, a Board Member removal process will be invoked. This process will begin with internal CoC Board action to remedy the cause, before elevating the issue to the Membership, Counsel, or law enforcement as warranted.

Roles and Responsibilities

Roles and responsibilities of the CoC Board include the following:

- **Regulatory Roles and Responsibilities**: Identified through federal and state regulation.
- **Locally Defined Roles and Responsibilities**: Delegated by the Membership.

There are three basic levels of responsibility:

- **Authority/Oversight**: Provides authority or oversight of a specific activity. Authority indicates the group with a formal vote as the responsible/approving body. Oversight indicates that reports and information will be provided to this body by another component.
- **Lead**: Charged with leading the action to implement the responsibility in accordance with the HUD regulations, CoC policies, and procedures. The Lead works closely with support structures to realize the vision for CoC system of care. The Lead works collaboratively within the structure to coordinate and operationalize the area of responsibility.
- **Support**: Is consulted and/or an active participant in carrying out a HUD regulation in

collaboration with other structures and systems. These entities join the Lead in taking the action by providing expertise, information, and/or commitment to implementation.

Roles and Responsibilities of the CoC Board

The following table identifies **Regulatory Roles and Responsibilities** of the CoC Membership as per Title 24 of the Code of Federal Regulations (CFR), and is organized by Level of Responsibility:

Level of Responsibility	Activity	Implementation/Operation
Authority/ Oversight	Hold meetings of the full Membership with published agendas at least semi-annually *§578.7(a)(1)*	• Ensures Membership meetings are scheduled by the CoC Facilitator. • Collaborates with Membership leaders regarding meeting agendas.
	Make an invitation for new members to join publicly available at least annually *§578.7(a)(2)*	• Ensures the Membership makes a public call for members at least annually.
	Appoint committees, subcommittees, or workgroups as deemed necessary *§578.7(a)(4)*	• Appoints groups in accordance with established policies to accomplish responsibilities. • Receives/oversees Board subcommittee reports.
	Consult with the Collaborative Applicant and HMIS Lead Agency to develop, follow, and annually update a Governance Charter that includes all HUD-required components *§578.5(a)(5)*	• Consults with the Collaborative Applicant and HMIS Lead to develop the Charter. • Ensures the Charter meets all HUD requirements. • Announces the results of the CoC Charter actions to the Board.
	Consult with CoC recipients and subrecipients to establish performance targets, monitor performance, evaluate outcomes, and take action against poor performers	• Oversees consultation with CoC recipients and sub recipients. • Uses subcommittees or standing committees in collaboration with the Collaborative Applicant to set

	§578.5(a)(6)	standards and performance monitoring requirements. ● Votes to adopt the results of the consultation process.
	Consult with recipients of ESG program funds to establish and operate a Coordinated Entry System (CES) in accordance with HUD standards *§578.5(a)(8)*	● Oversees the consultation with the HMIS Lead and ESG recipient jurisdictions. ● Votes to establish the CES system design, policies, and procedures. ● Receives CES reports. ● Oversees the required annual review. ● Assesses the operation by the CES Lead in partnership with the Collaborative Applicant. ● Develops the CES Lead MOU in consultation with Collaborative Applicant.
	Designate an eligible applicant to manage the HMIS, referred to as the HMIS Lead Agency *§578.5(b)(2)*	● Selects the HMIS Lead Agency in accordance with procurement and established policies. ● Receives HMIS reports and data standards from the HMIS Lead. ● Oversees HMIS Lead Agency performance as described in the HMIS MOU).
	Ensure consistent participation in HMIS by CoC, ESG and State-funded CoC project recipients and subrecipients *§578.5(b)(4)*	● Receives reports, data, and HMIS standards and policies from the HMIS Lead Agency. ● Ensure participants are supported by the Collaborative Applicant and ESG recipient jurisdictions.
	Ensure HMIS is administered in compliance with HUD standards and policies *§578.5(b)(5)*	● Assesses HMIS implementation. ● Reviews compliance with HUD standards. ● Develops and authorizes an MOU with the HMIS Lead Agency (supported by Collaborative Applicant).
	Coordinate the implementation of a housing and services system, including at a minimum: ● Outreach, engagement, and assessment ● Shelter, housing, and support services ● Prevention strategies *§578.5(c)(1)*	● Establishes policies. ● Oversees system design. The Membership is responsible for implementation and is supported by the Collaborative Applicant.
	Plan and conduct a Point-In-Time (PIT) Count throughout the CoC geographic area at least biennially *§578.5(c)(2)*	• Authorizes the PITC and implementation plan. • Collaborates with HMIS Lead for submittal in HUD Data Exchange (HDX).
	Conduct an annual gaps analysis of needs and services in the CoC geographic area *§578.5(c)(3)*	Authorizes and plans the gaps analysis.
	Provide information required to complete the Consolidated Plan(s) in the CoC geographic area *§578.5(c)(4)*	● Ensures compliance with HUD requirements. ● Implements the process of providing information the jurisdictions through

		the Collaborative Applicant, supported by subcommittees and others as needed to gather and report data.
	Consult with State and local government ESG program recipients to plan the allocation of funds and report on and evaluate the performance of subrecipients *§578.5(c)(5)*	● Implements thorough the Collaborative Applicant. ● Receives information. ● Approves release of data. ● Supported by ESG area representatives.
Authority/ Oversight (in collaboration with ESG recipients)	Consult with recipients of ESG program funds to establish and consistently follow written standards for providing assistance *§578.5(a)(9)*	● Oversees consultation with the ESG recipient jurisdiction(s) ● Votes on written standards (including policies and procedures) for setting system level priorities and providing assistance in compliance with regulation.
	● Evaluate outcomes of projects funded by CoC and ESG, as well as State-funded CoC homelessness projects ● Make reports to the funding source as necessary *§578.5(a)(7)*	● Establishes the project evaluation process. ● Ensures project implementation through the Collaborative Applicant and Subcommittee Lead; Consults with the ESG recipient jurisdiction(s) as necessary. ● Reports results to the funding source.
Lead	Establish the Continuum of Care *§578.5(a)*	● Collaborates with the Membership to establish a regionwide membership. ● Reviews the membership roster for inclusion of relevant/required stakeholders.
	Establish a CoC Board that: ● Is representative of the relevant organizations and of projects serving homeless subpopulations, and ● Includes homeless or formerly homeless individuals. *§578.5(b)*	● Collaborates with the Membership to ensure annual review of the Board Membership to ensure inclusive representation using the processes identified in the Charter. ● Ensures the Membership reviews the selection process at least once every five (5) years.
	Comply with HUD Conflict of Interest Requirements *§578.95 (b)*	Ensures implementation of CoC Policy with support from the Collaborative Applicant.

The following table identifies **Locally Defined Roles and Responsibilities** of the CoC Membership:

Level of Responsibility	Activity	Implementation/Operation
Authority/ Oversight	Review the performance of HMIS and CES	Annually review the performance of HMIS and CES based on the terms of the written MOUs and HUD guidance, as applicable.
	Consult with the public entity/ governmental advisory group and ESG recipients to establish and consistently follow written standards for providing assistance	Ensure on-going consultation with ESG recipients with the Collaborative Applicant as the Lead Entity.

Lead	Ensure review the performance of the Collaborative Applicant	Annually ensures the review of the performance of the Collaborative Applicant and Administrative Entity in accordance with the MOU.
	MOU with CES, Collaborative Applicant, Administrative Entity	Establish through an MOU, the authorities delegated to the CoC Lead Agency to act as the Collaborative Applicant and Administrative Entity.
	Memorandum of Understanding	Designate an HMIS Lead Agency that is ratified by the CoC Membership.
	Consult with State and local government ESG recipients to plan the allocation of funds and report on and evaluate performance of subrecipients.	Partner with HMIS, CES, the Collaborative Applicant and ESG recipients to plan, review, and evaluate performance of recipients of CoC-allocated ESG and State funds. (Upon request, may support ESG recipients review of CoC direct fund recipient agencies.)
Support	CoC Committees and Workgroups	Supports committees and workgroups as identified and requested by the CoC.

Chapter 4
HUD Collaborative Applicant and State Administrative Entity

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Introduction

Federal regulations for the Continuum of Care (CoC) Program require communities to comply with specific responsibilities as described in the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Interim Rule (24 CFR 578). One of the responsibilities of the CoC is to designate a legal entity as the Administrative Agent, who is also an eligible applicant, to apply for funds on behalf of the CoC. Federally this administrative agent is referred to as the "Collaborative Applicant." Similarly, the State of California's Housing and Community Development Department (HCD) and Health and Human Services Agency invest in local efforts to resolve homelessness. For these State programs, the Administrative Agent is called the "Administrative Entity." The specific responsibilities of the Administrative Entity differ between the State funding programs. In each case, the Collaborative Applicant and/or Administrative Entity is expected to implement its responsibilities effectively and in compliance with the applicable regulations.

This chapter addresses the responsibilities and duties of the Collaborative Applicant and Administrative Entity.

References

The following references are applicable to the information in this chapter:

- Title 24 CFR part 578 - Continuum of Care Program, Interim Rule
- Title 24 CFR part 576 - Emergency Solutions Grant Program
- Title 22 CCR parts 8403, 8408, and 8409,
- Title 24 CFR 91.230, and
- State HSC 50406

Purpose

Designation of a Collaborative Applicant and an Administrative Entity provides a legal entity to act as the Administrative Agent to contract with federal and state public funding programs. This approach centralizes the planning, financial management, and reporting requirements in a single qualified agency to support the administrative capacity of the CoC. In many cases in California[7], the Collaborative Applicant and Administrative Entity are vested in the same organization.

Collaborative Applicant

The Collaborative Applicant is the legal entity that contracts with HUD on behalf of the CoC and carries out a series of planning and reporting duties, including, but not limited to, managing the local CoC Competitive Application preparation and submittal process, ensuring project applicant compliance, and consultation with Emergency Solutions Grant recipients. The Collaborative Applicant is the only entity that can request CoC Planning Grant Funds and is the only applicant empowered to submit the CoC Consolidated Application and Project Priority Listing to HUD during the annual CoC Competition.

[7] Nearly all of the 44 CoCs in California have identified the same administrative agency as both the CA and the AE.

The duties and responsibilities of the Collaborative Applicant can be found in the *Roles and Responsibilities of the Collaborative Applicant* section in this chapter.

Administrative Entity

The Administrative Entity carries out planning, contracting and reporting responsibilities for the portion of state funds awarded to the CoC. HCD requirements for organizations that are eligible to act as the Administrative Entity differ by program and between rounds of the same program in different years. For some programs, HCD has required the Administrative Entity to have experience as the HUD CoC Collaborative Applicant or have recent experience as an Emergency Solutions Grant (ESG) entitlement grant administrator. In many cases, the Administrative Entity is a unit of government.

Over the past decade, the State has allocated funds to various local organizations through several programs, such as Homeless Emergency Aid Program (HEAP), California Emergency Solutions and Housing (CESH), Homekey, multiple rounds of Homeless Housing, Assistance and Prevention (HHAP), and the Emergency Solutions Grant (ESG) programs. These programs offer allocations to certain jurisdictions and sometimes separately to CoCs. For each program, the State describes the requirements for identifying an "Administrative Entity" to manage the application process, plan activities, identify projects, submit reports and data to the State, and oversee use of the funds that are awarded for use in the local community.

The duties and responsibilities of the Administrative Entity are found in *Roles and Responsibilities of the Administrative Entity* section in this chapter.

Collaborative Applicant Responsibilities

In addition to the above, the CoC has delegated the following responsibilities to the Collaborative Applicant.

- Providing recommendations to the CoC Board for its final decisions.
- Keeping abreast of and informing the CoC Board on State homeless program requirements.
- Serving as a point of communication between State Offices and the CoC.
- Informing and educating the broader community about State solutions to address ending and preventing homelessness.
- Engaging in conversation related to outcome and performance data on the successes and challenges of people who are experiencing or have experienced homelessness.

Administrative Entity Responsibilities

State programs are governed by various regulations such as HSC 50406, 24 CFR91.230, 24 CFR 576 (ESG), and 42 USC sect. 11373. 22 CCR 8403, 8408, and 8409, The table in the *Roles and Responsibilities of the Administrative Entity* section summarizes the activities of the AE with regard to State homelessness funding allocated or awarded to the CoC[8].

The regulatory references and the eligibility requirements associated with the State programs are found in the *Roles and Responsibilities of the Administrative Entity* section.

[8] The State also allocates/awards funds to public entities, including the County of San Bernardino. These funds are administered at the sole discretion of the public entity to which they are awarded.

Terms of Service

The designation of the HUD Collaborative Applicant is valid for a maximum of three (3) years before it will be reviewed and approved by a vote of the CoC Board. There will be no requirement for a Request for Qualifications (RFQ). In response to negligence, poor performance or the desire of the Collaborative Applicant to not continue in the role, the CoC Board reserves the right to open an RFQ process to identify and designate a new Collaborative Applicant.

The State approves the Administrative Entity for the ESG program for two years. For other programs, the Administrative Entity is designated for the duration of the period of use of the award, subject to renewal or update in accordance with changes in program regulations or notices. The State publishes the eligibility criteria for Administrative Entity as part of the notices of funding opportunities.

Performance Standards/Memorandum of Understanding

The responsibilities of the Collaborative Applicant are documented in a Continuum of Care Collaborative Applicant Memorandum of Understanding.

The Collaborative Applicant Authorized Administrator is responsible for the execution of the MOU and the direct management of staff and resources to fulfill its duties. The CoC Board Chair and Vice Chair have the responsibility to review, update, and sign the MOU on behalf of the CoC. The MOU should contain all areas noted in this charter as under the purview of the Collaborative Applicant.

The CoC Board will review the performance of the Collaborative Applicant at least every three (3) years and publish a summary report of the outcome. The review will be based on the roles and responsibilities included in the MOU and the extent to which the Collaborative Applicant executes the duties. The designated entity may be terminated at the sunset of the MOU, upon mutual agreement, or for cause with a vote of two-thirds (2/3) of the CoC voting membership.

To effect a change in the organization selected to serve as the Administrative Entity for State funds allocated to the CoC, a recommendation for change must be supported by a two-thirds (2/3) vote of the Board and must comply with regulations at 22 CCR 8403.

At the time of creation and adoption of this charter, the San Bernardino City and County CoC (SB CoC) has designated the San Bernardino County Office of Homeless Services (OHS) as the Collaborative Applicant, Administrative Entity, and fiscal agent for federal, state, and local homeless funding under the CoC's purview. The Chief of OHS has been designated as the Authorized Administrator.

Roles and Responsibilities

Roles and responsibilities of the Collaborative Applicant and Administrative Entity include the following:

- **Regulatory Roles and Responsibilities**: Identified through federal and state regulation.
- **Locally Defined Roles and Responsibilities**: Delegated by the Membership.

There are three basic levels of responsibility:

- **Authority/Oversight**: Provides authority or oversight of a specific activity. Authority indicates the group with a formal vote as the responsible/approving body. Oversight indicates that reports and information will be provided to this body by another component.
- **Lead**: Charged with leading the action to implement the responsibility in accordance with the HUD regulations, CoC policies, and procedures. The Lead works closely with support structures to realize the vision for CoC system of care. The Lead works collaboratively within the structure to coordinate and operationalize the area of responsibility.
- **Support**: Is consulted and/or an active participant in carrying out a HUD regulation in collaboration with other structures and systems. These entities join the Lead in taking the action by providing expertise, information, and/or commitment to implementation.

Roles and Responsibilities of the Collaborative Applicant

The following table identifies Regulatory Roles and Responsibilities of the Collaborative Applicant as per Title 24 of the Code of Federal Regulations (CFR), and is organized by Level of Responsibility:

Level of Responsibility	Activity	Implementation/Operation
Authority/ Oversight	Apply for CoC and Planning Grant Funds §578.9	Prepare and submit the CoC Application and the Project Priority Listing for the national competition. (The Collaborative Applicant is the only entity allowed to apply for and receive CoC Planning Grant funds from HUD.)
Lead	Plan and conduct a Point-In-Time Count (PITC) throughout the CoC geographic area at least biennially §578.5(c)(2)	Collaborates with the Board and Committees to plan, implement, document and report on a PITC that is: • Compliant with HUD standards, and • Supported by software vendors and consultants.
	Conduct an annual gaps analysis of needs and services in the CoC geographic area *§578.5(c)(3)*	• Receives data from the CoC. • Reviews data quality. • Assesses disparities between available housing

		and services, use of resources, and needs. • Recommends system changes to fulfill goals.
	Provide information required to complete the Consolidated Plan(s) in the CoC geographic area *§578.5(c)(4)*	Collects and provides information related to homelessness as required by jurisdictions to complete their Consolidated Plan(s).[9]
Support	Establish the Continuum of Care *§578.5(a)*	• Maintains membership records. • Assists with: – Communication. – Public notices. – Meeting preparation and/or facilitation.
	Establish a Board that: • Is representative of the relevant organizations and of projects serving homeless subpopulations, and • Includes homeless or formerly homeless individuals. *§578.5(b)*	• Maintains membership records. • Assists with: – Communication. – Public notices. – Meeting preparation and/or facilitation.
	Hold meetings of the full Membership with published agendas at least semi-annually *§578.7(a)(1)*	Offers assistance with: • Logistics. • Materials. • Announcements. • Attendance records. • Verification of voting privileges. • Verifying a quorum.
	Make an invitation for new members to join publicly available at least annually *§578.7(a)(2)*	• Assists with: – Communication. – Documenting invitations. – Collecting and compiling applications. • Provides a roster to the Membership and Board.
	• Adopt and follow a written process for Board Member selection • Review, update as necessary, and approve the process at least once every five (5) years *§578.7(a)(3)*	• Documents the Board Member selection process. • Tracks the review cycle and calendar. • Assists in ensuring the Board Member selection process is followed by Membership. • Assists with maintaining the roster and tracking term limits.

[9] The Consolidated Plan typically covers a five (5) year span; however, Action Plans are required to be completed annually.

	Consult with the Collaborative Applicant and HMIS Lead Agency to develop, follow, and annually update a Governance Charter that includes all HUD-required components *§578.5(a)(5)*	• Consults with the Collaborative Applicant and HMIS Lead to develop the Charter. • Helps ensure the Charter meets all HUD requirements.
	Consult with CoC recipients and subrecipients to establish performance targets, monitor performance, evaluate outcomes, and take action against poor performers *§578.5(a)(6)*	• Assists with: – Consultation and coordination to ensure inclusion of committees and community stakeholders – Monitoring and evaluating recipient and subrecipient performance and outcomes. – Communication. • Documents the process and results. • Retains reports.
	Consult with recipients of ESG program funds to establish and operate a Coordinated Entry System (CES) in accordance with HUD standards *§578.5(a)(8)*	• Assists with the consultation coordination to ensure inclusion of ESG jurisdictional recipients. • Documents standards, priorities, policies, and assessment tools. • Assists in an annual system review. • Signs the approved MOU with the CES Lead Agency.
	Consult with recipients of ESG program funds to establish and consistently follow written standards for providing assistance *§578.5(a)(9)*	• Assists with consultation coordination with ESG jurisdictional recipients. • Documents written standards. • Assists subcommittees.
	Designate a single HMIS for the geographic area[10] *§578.5(b)(1)*	Assists the Membership and HMIS Lead Agency in selecting and documenting the HMIS and comparable databases.
	Designate an eligible applicant to manage the HMIS, referred to as the HMIS Lead Agency *§578.5(b)(2)*	Assists the Board in documenting the selection of the HMIS Lead Agency.
	Ensure consistent participation in HMIS by CoC, ESG and State-funded CoC project recipients and subrecipients *§578.5(b)(4)*	• Helps coordinate with ESG representatives, • Assists the HMIS Lead in communication with CoC and ESG recipients and subrecipients.

[10] Victim Service Providers, by regulation, participate in a comparable database rather than

	Ensure HMIS is administered in compliance with HUD standards and policies *§578.5(b)(5)*	Assists the: • Board with HMIS review. • HMIS Lead Agency in implementation (e.g., communication and logistics) of and documenting the HMIS MOU.[11]
	Coordinate the implementation of a housing and services system, including at a minimum: • Outreach, engagement, and assessment • Shelter, housing, and support services • Prevention strategies *§578.5(c)(1)*	Assists: • The Board and Membership in designing, implementing, and documenting the CoC system. • With communication, reporting, assessment, and record retention.
	Comply with HUD Conflict of Interest Requirements *§578.95 (b)*	Assist the Membership, Board, and committees to ensure implementation of CoC Policy.

Roles and Responsibilities of the Administrative Entity

The following table identifies **Regulatory Roles and Responsibilities** of the Administrative Entity[12], and is organized by Level of Responsibility.

Level of Responsibility	Activity	Implementation/Operation
Authority/ Oversight	Contract for Funding	Signs contracts with State agencies) to receive CoC portions of State homeless program funds awarded by the State.
	HDIS Participation	Ensures HMIS data is reported to HDIS system.
	Communications – Point of Contact	Serves as a point of communication between State Offices and the CoC.
	Subrecipient Project Management	Prepares, signs, and oversees contracts and fiscal compliance of subrecipients for projects approved by the CoC and State funding source.
	Grant Administration	Designs, contracts, and manages planning and administrative activities of funds associated with State homelessness programs.
Lead	Application for Funds	• Prepares and submits applications for State-funding allocated to the

[11] Ensure compliance with Conflict of Interest policies are followed during development of the MOU and subsequent assessment, if the recommended HMIS Lead Agency is the Collaborative Applicant.

[12] The State programs are governed by various regulations such as 22 CCR 8403, 8408, 8409, HSC 50406, 24 CFR91.230, 24 CFR 576 (ESG), and 42 USC sect. 11373. *Chart C.* in the Appendix indicates the major regulations tied to Administrative Entity responsibilities.

		CoC, as directed by the Board. ● Verifies all components of an application are completed as directed by the funding source announcement.
Support	Planning	Supports completion of local planning processes as required by the specific State funding source for CoC allocation.
	Fiscal Compliance	Receives, expends, bills, and tracks funding to meet the terms and conditions of the State contract(s).

Locally Defined Roles and Responsibilities

The following table identifies **Locally Defined Roles and Responsibilities** of the Collaborative Applicant and Administrative Entity:

Level of Responsibility	Activity	Implementation/Operation
Authority/ Oversight	CoC Application Process	Manages a coordinated, inclusive, and outcome-oriented community process for the solicitation, objective review, selection, reallocation, and ranking of project applications.
Lead	Board Participation – Board Secretary	● CA selects a staff to serve in the role of Secretary of the CoC Board. ● Prepares and retains reports and documents.
	CoC Membership Application	● Manages the CoC membership application process. ● Maintains the roster of eligible voters.
	Regulatory Compliance – Updates and Changes	Tracks and notifies the CoC Membership and Board of HUD regulatory changes.
	Annual System Reporting	Receives data and ensures submittal of all required reports for the CoC including, but not limited to: ● CoC Program Registration ● Grant Inventory Worksheets ● Point-In-Time Count ● Housing Inventory Chart ● Longitudinal Systems Analysis ● HUD System Performance Measures
	Offers expertise and leadership as liaison to advisory groups to ensure the success of the CoC.	Engages with advisory groups related to outcome and performance data on the successes and challenges of people who are experiencing or

		have experienced homelessness.
Support	Board Composition and Selection Process	Supports selection of Service Provider and At-Large seats by supporting the development of a slate of candidates as Board members during the CoC process.
	CoC Communications	Provides logistical and communications support to the CoC Board and committees, including: ● Disseminating meeting materials and posting relevant documents to the CoC website. ● Website management.
	CoC System Development – Advocacy	Identifies, supports, and advocates for programmatic and systemic changes to improve services and outcomes for homeless and at-risk populations.
	CoC System Planning Trends and Funding	Identifies and communicates current and emerging needs and funding opportunities related to affordable housing and homelessness.
	Annual Review Processes – CES, Governance Charter, Written Standards	Facilitates and reports progress on required annual review processes related to the CES, Charter, and updates to Written Standards.
	Facilitate Community Education	Facilitates community outreach and education by: ● Assisting in the development of materials and meeting logistics. ● Documenting results.
	CoC Application – Technical Assistance to Applicants	Provide technical assistance and training to CoC Project Applicants to ensure eligibility of project applications.
	CoC Application – Technical Assistance to CoC	Provide technical assistance and advice to the CoC Board to enhance the competitiveness of the CoC Application.

Chapter Appendix A
Program Level Eligibility and Duties of the Administrative Entity

State Program	Eligible Applicants	Administrative Entity Eligibility Requirements	Functions to be Included in 2023-24 MOU
Home Energy Assistance Program (HEAP) CoC Allocation only	• A unit of general purpose local government; or • A non-profit entity	Has: • Previously administered federal HUD Continuum of Care (CoC) funds as the *Collaborative Applicant,* pursuant to 24 CFR 578.3. • Been designated by the CoC to administer program funds (HEAP NOFO)	None, program expired
California Emergency Solutions and Housing Program (CESH) CoC Allocation only	• A unit of general purpose local government; • A nonprofit organization that has previously administered HUD CoC funds as the collaborative application, per 24 CFR 578.3; or • A unified funding agency as defined in 24 CFR 578.3. Provide documentation in the application that the applicant is designated by the CoC to administer CESH Program funds.	Is an eligible applicant.	Track and report on CESH Round 1 and 2 funds approved on May 10, 2023.
Homeless Housing, Assistance and Prevention (HHAP) **CoC Allocation only**	• Entities identified in the funding notice (qualified units of government, CoCs, and subrecipients/affiliates in application).	• Is a part of the Regional Plan established in the application; • Must sign coordinated Regional Plan (Round 5). • Must complete community process with stakeholders as identified in the NOFA.	Pending – Community process; See list on pgs. 3-4; Housing & Safety Code reporting & tracking requirements.
State Housing and Community	An Administrative Entity that:	• Has received funding from HUD in at least one of the	AE is approved by State for 2 years.

Development (HCD) Emergency Solutions Grant (ESG) **CoC Award only**	● Is a unit of general purpose local government and has administered ESG funds as a HUD entitlement during at least one of the previous five years; ● Has no unresolved ESG monitoring findings with HUD or the Department that the Department determines poses a substantial risk to the Department; ● Can demonstrate the ability and willingness to perform the functions of an Administrative Entity (see " Administrative Entity and CoC Responsibilities" below and 25 CCR Section 8403 of the State Regulations); ● Be recommended by the CoC and willing to collaborate to the maximum extent feasible with its CoC. ● Follow Department requirements of 25 CCR 8403(k). For any change in AE.	past two years or has registered to apply for funding in the next competition; ● Has HUD-compliant conflict of interest policies in place; ● Has adopted written standards for the proposed activity; and ● Operates a HUD-compliant Homeless Management Information System (HMIS)	Compliance: for requirement 5. is Fed reg are 24 CFR 576 State See HCD list p. 2,5 Tracking and reporting FY 2023-24 funding.
HUD CoC Collaborative Applicant	● A unit of government or governmental instrumentality ● A private non-profit that is eligible for funding, or ● A legal entity may not be for profit.	CoC must be registered with HUD, designates the Collaborative Applicant per Governance Charter. Change in CA requires communication with HUD and designation during annual cycle.	Per 24 CFR 578 and Governance Charter. Annual NOFO application and reports. See pg. 9 for list Planning Grant submittal, activities, and implementation.

Chapter Appendix B
Crosswalk: HUD Collaborative Applicant and State Administrative Entity Roles and Responsibilities *(funding source requirements)*

Collaborative Applicant Roles and Responsibilities	**Administrative Entity Roles and Responsibilities** ***(for CoC Allocated Funds only)***
Recordkeeping requirements:	**Grants:**
● Evidence that the Board selected by the Continuum of Care meets the requirements of 24 CFR §578.5(b)	● Ensure the Administrative Entity that is selected by the CoC for the is registered and approved by the State.
● Evidence that the CoC has been established and operated as set forth in Subpart B, including: – Published agendas and meeting minutes; – An approved Governance Charter that is reviewed and updated annually; – A written process for selecting a board that is reviewed and updated at least once every five (5) years; – Designating a single HMIS for the CoC; and – Monitoring reports of recipients and subrecipients.	● Ensure completion of local planning processes as required by the specific state funding source. For example: HHAP 5 community meetings and recipient plan(s). ● Complete and submit State grant applications for CoC portion of state-funded homeless programs.
● Evidence that the CoC has prepared the application for funds as set forth in 24 CFR §578.9, including the designation of the eligible applicant to be the Collaborative Applicant.	● Verify all components of the electronic application are completed as directed in funding source announcement.
Administration:	**Administration:**
● Provide staff for CoC General Membership and CoC Board meetings for sending announcements, recording meeting attendance, and taking and maintaining meeting minutes.	● Enter into contract with the State Agency to receive CoC portions of State homeless programs such as HHAP and ESG funds
● Inform the CoC of HUD notices, interim rules, and changes to regulations.	● Responsible for tracking of funds and meeting the terms and conditions of the State contract(s).
● Coordinate the monitoring of performance and evaluation, and report findings to program recipients, the Board and membership.	● Contracting (when necessary) with sub-recipients and reporting on funds and activities to Cal ICH.
HUD Annual Requirements:	**State Requirements:**
CoC Program Registration	Ensure AE has been approved by the State (AE authorization by State for ESG is valid for 2 years).
Housing Inventory Count (HIC)	Update housing and services profiles in reports.
Point-in-Time Count (PITC)	Report PITS HMIS Data to HMIS.
Grant Inventory Worksheets (GIW)	Providing HMIS data to the State HDIS.
Local Application Process	
System Performance Measures (SPMs) PIT/HIC Data Entry	Extract SPM for state-supported programs.
Facilitate the CoC Program Competition	

Notice of Funding Opportunity (NOFO)	Track and respond to State announcements of funds available during the FY.
Consolidated Plan	Ensure priorities/projects being submitted to state align with the Consolidated Plan and CoC strategies for the CoC portion of state funds.
Longitudinal Systems Analysis (LSA)	Submitting required reports.
Grant Awards	Design and contract for use of planning and administrative funds; ensure local allocations meet minimum requirements as established by state – example youth program funding.
Consultation Requirements: (per 24 CFR 578)	**Consultation Requirements:**
Consult with CoC, HMIS, and ESG recipients – (per 24 CFR 578) to establish, set standards for operation of Coordinated Entry System	Ensures CoC meets State funding activities for consultation, coordination, and planning to meet State funding requirements.
Consult on Governance Charter policies and procedures, including code of conduct and recusal process.	No equivalent requirement.
Other Support Activities as negotiated and specified in the MOU.	Other Support Activities as negotiated and required by the State funding program.

Chapter Appendix C
State Program Narrative

Please use the link below to access the file describing the State funding programs for addressing homelessness.

..\..\Administrative Entity\AE and CA Definitions and details 10.6.23.docx

Chapter 5
Homeless Management Information System Lead Agency

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Introduction

One of the responsibilities of the Continuum of Care (CoC) is to implement a Homeless Management of Information System (HMIS) as prescribed by the U.S. Department of Housing and Urban Development (HUD). This chapter addresses the plan for implementation and management of the HMIS.

References

The following references are applicable to the information in this chapter:

- 24 CFR 578.7(a)(3)
- Homeless Emergency Assistance and Rapid Transition to Housing: Continuum of Care Program, 77 Fed. Reg. 45422, July 31, 2012 (24 CFR §578) (referred to as the CoC Program Interim Rule).
- HUD HMIS Data and Technical Standards, 2024.

Overview and HUD Requirements

The HMIS Lead Agency plays a vital role as the data repository, tracking, and report generating entity for the CoC. Together with the CoC Membership, CoC Board, Collaborative Applicant, and Coordinated Entry System (CES) Lead Entity, the HMIS Lead Agency works to ensure that the system serves people who are homeless or at imminent risk of homelessness by providing them with support to quickly establish and retain permanent housing.

Per HUD requirements, the CoC must designate a legal entity and CoC Program-eligible applicant to serve as the HMIS Lead Agency that will:

- Maintain the community's HMIS in compliance with HUD standards related to data standards, privacy, security, and reporting requirements, and
- Coordinate all related activities including training, maintenance, and the provision of technical assistance to contributing organizations.

The HMIS Lead Agency is responsible for the administration and daily operation of the system. HUD expects the HMIS Lead Agency to also include data from all homeless-dedicated housing and shelter resources within the CoC boundaries, whether or not they receive HUD funds.

HMIS and Victim Service Providers

There can only be one HMIS system for the CoC, with an exception for Victim Service Providers (VSP) who gather data in a secured data system comparable to an HMIS. All CoC and Emergency Solutions Grant (ESG) grant recipients must contribute client-level data to the HMIS to meet the HUD reporting requirements.

Term

The designation of HMIS Lead Agency is valid for a maximum of three (3) years before it must be reviewed and approved by a vote of the CoC Board. There will be no requirement for a Request for Proposal (RFP). In response to negligence or poor performance of the HMIS Lead Agency, the CoC Board reserves the right to open an RFP process at any time to identify and designate a new HMIS Lead Agency.

Performance Standards/Memorandum of Understanding

The responsibilities of the HMIS Lead Agency are documented in the *Memorandum of Understanding between San Bernardino County, Office of Homeless Services and CA-609 San Bernardino City and County Continuum of Care, Homeless Management of Information System*, as approved by both parties.

The HMIS Lead Agency is responsible for approaching all efforts with impartiality and a sense of urgency that results in timely and effective implementation of the HMIS.

The senior position member (i.e., Director or Chief) of the HMIS Lead Agency is responsible for the direct management of HMIS staff and execution of the MOU. The CoC Board Chair and Vice Chair have the responsibility to define, update, and sign the MOU on behalf of the CoC. The MOU should contain all areas noted in this charter as under the purview of the HMIS Lead Agency.

The CoC Board will review the performance of the HMIS Lead Agency every year. The review will be based on the roles and responsibilities included in the MOU and the extent to which the HMIS Lead Agency executes the duties. The designation may be terminated at the sunset of the MOU, upon mutual agreement, or for cause with a vote of two-thirds the CoC voting membership.

At the time of creation and adoption of this charter, the SB CoC has designated the County of San Bernardino Office of Homeless Services as the HMIS Lead Agency.

Roles and Responsibilities

Roles and responsibilities of the HMIS Lead Agency include the following:

- **Regulatory Roles and Responsibilities**: Identified through federal and state regulation.
- **Locally Defined Roles and Responsibilities**: Delegated by the Membership.

There are three basic levels of responsibility:

- **Authority/Oversight**: Provides authority or oversight of a specific activity. Authority indicates the group with a formal vote as the responsible/approving body. Oversight indicates that reports and information will be provided to this body by another component.
- **Lead**: Charged with leading the action to implement the responsibility in accordance with the HUD regulations, CoC policies, and procedures. The Lead works closely with the CoC Board and the support structures to realize the vision for CoC system of care. The Lead works collaboratively within the structure to coordinate and operationalize the area of responsibility.
- **Support**: Is consulted and/or an active participant in carrying out a HUD regulation in collaboration with other structures and systems. These entities join the Lead in taking the action by providing expertise, information, and/or commitment to implementation.

Roles and Responsibilities of the HMIS Lead Agency

The following table identifies **Regulatory Roles and Responsibilities** of the HMIS Lead Agency as per Title 24 of the Code of Federal Regulations (CFR) and HUD HMIS Data Standards, and is organized by Level of Responsibility:

Level of Responsibility	Activity	Implementation/Operation
Authority/ Oversight	HMIS Vendor Relations *HUD HMIS Data Standards*	• Has signing authority for the HMIS (including software and hardware vendors). • Responsible for direct communications with HMIS vendor to ensure system performance.
	HMIS Funding *HUD HMIS Data Standards*	• Prepares applications for HMIS designated funding. • Manages funding in compliance with funding source requirements.
Lead (with the Collaborative Applicant and CoC Board)	Consult with the Collaborative Applicant to develop, follow, and annually update a Governance Charter that includes all HUD-required components *§578.5(a)(5)*	Consults with the Collaborative Applicant and CoC Board on the Governance Charter.
Lead	Consult with the Collaborative Applicant and recipients of ESG program funds to establish and operate a Coordinated Entry System (CES) in accordance with HUD standards *§578.5(a)(8)*	Consult with the Collaborative Applicant and recipients of ESG program funds in establishing the CES and standards.
	Designate a single HMIS for the CoC geographic area *§578.5(b)(1)*	Leads the review and selection of the HMIS software and vendor.

	Ensure consistent participation in HMIS by the CoC and ESG recipients and subrecipients (federal) and State-funded CoC project recipients and subrecipients (State) *§578.5(b)(4)*	Ensures participation in HMIS and coordinates with Victim Service Providers regarding comparable databases.
	Ensure HMIS is administered in compliance with HUD standards and policies *§578.5(b)(5)*	● Ensures HMIS policies and procedures are updated to retain compliance with HUD data standards and HMIS requirements. ● Works with the HMIS vendor and participating agencies to retain compliance with HUD data standards. ● Enforces security and privacy standards. ● Manages annual reports to HUD. ● Oversees HMIS daily operations.
Support	Plan and conduct a Point-In-Time Count (PITC) throughout the CoC geographic area at least biennially *§578.5(c)(2)*[13]	Provides required data from the HMIS for the sheltered and unsheltered PITC.
	Conduct an annual gaps analysis of needs and services in the CoC geographic area *§578.5(c)(3)*	Assists the Board and subcommittee(s) in implementing gaps analysis in collaboration with Membership.
	Apply for CoC and Planning Grant Funds *§578.9*	Ensures HMIS Lead Agency adheres to CoC Policy.

Locally Defined Roles and Responsibilities

The following table identifies **Locally Defined Roles and Responsibilities** of the HMIS Lead Agency:

Level of Responsibility	Activity	Implementation/Operation
Authority/ Oversight	HMIS Data Standards and Contracting	Manages all related written agreements, including agency, end user, and data sharing agreements.
	HMIS Privacy and Security Training	Provides agency and end-user training to ensure system integrity and data quality.
	HMIS Outreach and Engagement	Manages HMIS outreach and engagement, training, and technical assistance to direct service providers within the CoC.
	HMIS System Communication and updates	Keeps abreast of and informs the CoC Membership and Board on the HMIS, Annual Homeless Assessment Report, PITC and other data related regulation changes by HUD and the State of California.
	Project Level Data Services	● Offers HMIS expertise and recommendations regarding project performance evaluations and improvements. ● Collects and reports CoC and program performance data and use data gathered to quantify homelessness, communicate

[13] Current practice is to conduct sheltered and unsheltered counts annually. The HMIS Lead Agency has not been identified by the Ad Hoc Committee as providing support for the PITC, however, HUD regulations require HMIS participation.

		progress, and encourage performance improvement.
Lead	Ensures HMIS system is capable of implementing and supporting CES functions	● Incorporates the CES module in the HMIS system.[14] ● Advises subcommittee on CES module design.
	Integration and implementation of CES Module	Responsible for working with the HMIS software vendor to ensure successful integration and ongoing implementation of the CES module in the HMIS system.
	HMIS Annual Reports	Ensures data entry, reconciliation, and report generation for the PITC, Housing Inventory Count (HIC), and Longitudinal Systems Analysis (LSA) data in the HUD Data Exchange.
	State Funding Reporting	Ensures HMIS data is transmitted to State Homeless Data Integration System as required.
	State Performance Data	Provides data and reports, acting as the Administrative Entity for state-allocated CoC funds.
	CoC and State HMIS Privacy and Security	Maintains and adheres to HMIS Policies and Procedures, Privacy Plan, Security Plan, and Data Quality Plan.
Support	System Improvement and Planning	● Partners with CoC committees to provide and interpret data needed for CoC and ESG Program, and system performance evaluation and improvement. ● Identifies and communicates current and emerging trends based on homeless data collected within the CoC.
	System Effectiveness and Evaluation	Engages in conversations related to outcome and performance data on the successes and challenges of people who are experiencing or have experienced homelessness.
	System Improvement	● Offers HMIS expertise and recommendations regarding system level process and performance. ● Makes recommendations to Board.

[14] In 2022, the SB CoC Board voted to expand HMIS by incorporating a CES Module.

Chapter 6
Coordinated Entry System Lead Entity

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Introduction

The Continuum of Care (CoC) is required to consult with Emergency Solutions Grant (ESG) recipients and to establish and operate a Centralized or Coordinated Entry System (CES) to assess, prioritize, and offer housing and services to individuals and families. A designated CES Lead Entity is responsible for daily implementation of the CES.

This chapter addresses the roles and responsibilities of the CES Lead Entity for the CoC.

References

The following references are applicable to the information in this chapter:

- 24 CFR §578 (referred to as the CoC Program Interim Rule)
- Homeless Emergency Assistance and Rapid Transition to Housing: Continuum of Care Program, 77 Fed. Reg. 45422, July 31, 2012.
- CES Regulatory Guidance, Community Planning and Development (CPD) Notice 17-01.
- SBCoC CES Review Findings and Recommendations adopted by the CoC Board in September of 2022 and updated SB CoC CES Policies Guide, March 2023.

Coordinated Entry System Lead Entity

The CES Lead:

- Operates the CES as described in the CES Review Findings and Recommendations, September 2022, and the CES Policies Guide, March 2023.
- Is expected to coordinate program participants' initial screening and assessment and provide referrals to homeless services.

Each CoC is required to designate an entity to serve as the CES Lead. The designated CES Lead is tasked with fulfilling the responsibilities defined below and in the Memorandum of Understanding (MOU) between the CoC Board, on behalf of the CoC membership, and the CES Lead. The CES Lead should approach all efforts with impartiality and a sense of urgency in connecting people with housing and services.

Term

The designation of CES Lead by a vote of the CoC Board is valid for a maximum of three (3) years before it must be reviewed and re-approved or changed. There will be no requirement for a Request for Proposal (RFP). A MOU between the CoC and the CES Lead will identify the applicable term dates. In response to negligence or poor performance of the CES Lead, the CoC Board reserves the right to open an RFP process at any time to identify and designate a new CES Lead.

Performance Standards/Memorandum of Understanding

The responsibilities of the CES Lead entity are documented in the *Continuum of Care CES Lead Memorandum of Understanding.* The *CES Review and recommendations*

Report[15] and the subsequent *CES Guide*[16] detail the design, standards, and operations for CES as a system.

The Chief Executive of the CES Lead Entity, supported by the CES Coordinator as designed by the CES Lead Entity, is responsible for the direct management of staff and execution of the MOU. The CoC Board, in consultation with the HMIS Lead agency, has the responsibility of defining, updating, and approving the MOU. The MOU should contain all areas noted in this chapter as under the purview of the CES Lead entity. The CoC Collaborative Applicant will sign the MOU on behalf of the CoC.

The CoC will review the performance of the CES Lead every year and publish a summary report of the outcome. The review will be based on the roles and responsibilities as indicated in the MOU and the extent to which the CES Lead successfully executes the corresponding duties. The performance review will also take into account the input from the HMIS Lead Agency.

The designation of a CES Lead may be terminated at the sunset of the MOU, upon mutual agreement between the CES Lead Entity and the CoC Board, or for cause with a vote of at least two-thirds (2/3) of the CoC membership voting for termination.

At the time of creation and adoption of this charter, the San Bernardino City and County Continuum of Care (SB CoC) has designated Inland So Cal United Way - 211 as the CES Lead entity. The Executive Director of So Cal Inland United Way - 211 has been designated as the Authorized Administrator for the CES Lead. The Chief of the Office of Homeless Services is the authorized signor for the CoC Collaborative Applicant with respect to the CES.

Role and Responsibilities

Roles and responsibilities of the CES Lead Entity include the following:

- **Regulatory Roles and Responsibilities**: Identified through federal and state regulation.

- **Locally Defined Roles and Responsibilities**: Delegated by the Membership.

There are three basic levels of responsibility:

- **Authority/Oversight**: Provides authority or oversight of a specific activity. Authority indicates the group with a formal vote as the responsible/approving body. Oversight indicates that reports and information will be provided to this body by another component.
- **Lead**: Charged with leading the action to implement the responsibility in accordance with the HUD regulations, CoC policies, and procedures. The Lead works closely with support structures to realize the vision for CoC system of care. The Lead works collaboratively within the structure to coordinate and operationalize the area of responsibility.

[15] The CES Review, Findings, and Recommendations Report, Adopted by the Board in September 2022.

[16] Presented and accepted in March 2023.

- **Support**: Is consulted and/or an active participant in carrying out a HUD regulation in collaboration with other structures and systems. These entities join the Lead in taking the action by providing expertise, information, and/or commitment to implementation.

Roles and Responsibilities of the CES Lead Entity

The following table identifies **Regulatory Roles and Responsibilities** of the CES Lead Agency as per Title 24 of the Code of Federal Regulations (CFR), and is organized by Level of Responsibility:

Level of Responsibility	Activity	Implementation/Operation
Lead	Consults with the Collaborative Applicant, HMIS Lead Agency, and recipients of ESG program funds to establish and operate a CES in accordance with HUD standards *§578.5(a)(8)*	● Designs and implements a CES: – To coordinate housing and services. – As described in the CES Review and Recommendations Report and the CES Policy Guide. ● Establish an MOU with the Collaborative Applicant regarding the operation of the CES. ● Submits regular reports to the CoC Board.
Support	Annual Review of CES	Provide data and other information to the CoC Board and Collaborative Applicant to successfully complete the annual review of the CES , performance, and outcomes.

Locally Defined Roles and Responsibilities

The following table identifies **Locally Defined Roles and Responsibilities** of the CES Lead Entity:

Level of Responsibility	Activity	Implementation/Operation
Authority/ Oversight	Regional Access Points	Solicit and contract with eligible entities to operate access points in each subregion as described in the CES Policy guide.
Authority/ Oversight	Signing Authority	Sign, on behalf of the CES, as described in MOU or as directed by CoC Board.
Authority/ Oversight	Expertise and Recommendations	Offer CES expertise, recommendations, and best practices to the Board.
Lead	Technical Assistance and Training	Offer technical assistance and training to the Board and CES providers.
Lead	Funding	● Monitor opportunities for CES funding. ● Prepare applications for Board approval.
Lead	Regulatory Changes	● Maintain awareness of CES and outreach regulatory changes.

		● Inform the CoC and Board of changes as appropriate. ● Ensure the CES is implemented in compliance with HUD regulatory changes.
Support	CES Platform in HMIS	Coordinate with the HMIS Lead Agency in implementation of the CES Module in HMIS.

Chapter 7
Emergency Solutions Grant

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Introduction

Federal regulations (24 CFR 578) require the Continuum of Care (CoC) program to consult, plan, coordinate, and evaluate with Emergency Solutions Grant (ESG) recipients in the geographic area of the CoC. The intent of these efforts is to promote communitywide commitment to the goal of ending homelessness, and to promote access to and effective utilization of resources to assist homeless individuals and families achieve stable housing and optimal self-sufficiency. U.S. Department of Housing and Urban Development (HUD) regulations for the ESG entitlement (24 CFR 576) also incorporate consultation and coordination with the CoC.

This chapter addresses the roles and responsibilities for CoC coordination with the ESG program.

Purpose

The ESG Program provides funding to eligible jurisdictions to:

- Engage persons living in homelessness,
- Ensure quality operations of emergency shelters,
- Provide essentials services to shelter residents,
- Offer rapid rehousing opportunities to households and outreach to people living in homelessness, and
- Assist in the prevention of homelessness.

The CoC program does not fund emergency shelters or prevention. Consultation between the CoC and ESG programs is necessary to design a system of care to achieve HUD's primary goals by intentionally planning and leveraging resources available to the community to form a comprehensive system of shelter, housing, and services.

Term

Designation of ESG eligible areas is determined by HUD and the State, and are publicly announced annually. These areas are referred to as ESG Entitlement Areas or ESG Recipients. Projects and subrecipients are determined through the application and request for funding processes established by the ESG recipients who are public entities.

At the time of adoption of this Charter, San Bernardino County and the CoC each receive an allocation of state-level ESG funds. The CoC must utilize an Administrative Entity to contract for and manage State ESG funds. See *Chapter 4 – HUD Collaborative Applicant and State Administrative Entity* for additional information.

Roles and Responsibilities

Roles and responsibilities of the CoC Board include the following:

- **Regulatory Roles and Responsibilities**: Identified through federal and state regulation.
- **Locally Defined Roles and Responsibilities**: Delegated by the Membership.

There are three basic levels of responsibility:

- **Authority/Oversight**: Provides authority or oversight of a specific activity. Authority indicates the group with a formal vote as the responsible/approving body. Oversight indicates that reports and information will be provided to this body by another component.
- **Lead**: Charged with leading the action to implement the responsibility in accordance with the HUD regulations, CoC policies, and procedures. The Lead works closely with support structures to realize the vision for CoC system of care. The Lead works collaboratively within the structure to coordinate and operationalize the area of responsibility.
- **Support**: Is consulted and/or an active participant in carrying out a HUD regulation in collaboration with other structures and systems. These entities join the Lead in taking the action by providing expertise, information, and/or commitment to implementation.

Roles and Responsibilities of Emergency Solutions Grant Recipients

The following table identifies **Regulatory Roles and Responsibilities** of the Emergency Solutions Grant Recipients as per Title 24 of the Code of Federal Regulations (CFR), and is organized by Level of Responsibility:

Level of Responsibility	Activity	Implementation/Operation
Lead	Evaluation of ESG subrecipients in CoC	• Evaluate ESG subrecipients for compliance with regulations and written standards. • Share results related to CoC program recipients on request.
Support	• Evaluate outcomes of projects funded by CoC and ESG, as well as State-funded CoC homelessness projects • Make reports to the funding source as necessary *§578.5(a)(7)*	• CoC and ESG representatives participate in the evaluation of ESG-funded projects. • Provide reports to CoC Board, or designee.
Support	Consult with Collaborative Applicant, HMIS Lead, and ESG areas to establish and operate a CES consistent with 24 CFR 578. Ensure consistent participation in HMIS by CoC and ESG recipients and subrecipients and state funded CoC projects in the Coordinated	• Consult with Collaborative Applicant, HMIS Lead, and CES Lead on CES system design, assessment criteria and operating standards. • Ensure ESG recipient participation in CES.

	Entry System (CES) in accordance with HUD standards.	
Support	Consult with recipients of ESG program funds (entitlements) to establish and consistently follow Written Standards for providing assistance.	Consult with the CoC Board and subcommittee in establishing eligibility, policies, and priorities for assistance in CoC Written Standards.
Support	Ensure consistent participation in HMIS by CoC, ESG, and state-funded CoC project recipients and subrecipients. *§578.5 (b)(4)*	Support the HMIS Lead Agency and Collaborative Applicant in ensuring ESG project participation in HMIS.
Support	Consult with State and local government ESG program recipients to plan the allocation of ESG funds. *§578.8 (c)*	Consult with the Collaborative Applicant and CoC Board regarding the use of ESG funding.
Support	Evaluate performance of ESG subrecipients in CoC *§578.8 (c)(5)*	ESG staff evaluate ESG subrecipients for compliance with regulations and Written Standards. Share results related to CoC program recipients on request.

Locally Defined Roles and Responsibilities

The following table identifies **Locally Defined Roles and Responsibilities** for ESG recipients:

Level of Responsibility	**Activity**	● Implementation/Operation
Support	Annual Processes – Housing Inventory Chart (HIC) and Point-in-Time (PIT) count	● Encourage participation in the sheltered and unsheltered PIT count. ● Provide all data needed for completion of the HIC to the Collaborative Applicant and HMIS Lead Agency for inclusion in the timely submittal of the HIC to HUD.
Support	Educate and advise the CoC on eligible uses of ESG funds	Encourage participation of public entities/ units of government to help educate and advise the CoC on eligible uses of ESG program funds.

Chapter 8
Committees

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Introduction

This chapter addresses the roles, responsibilities, protocols, and practices related to the establishment and operation of committees in the Continuum of Care (CoC) structure. Committees can include Standing Committees, Ad Hoc Committees, Subcommittee (Task and Work Groups), and regional or other networks that have been recognized by the CoC. Ad Hoc groups and subcommittees may be convened by either the CoC Membership, or the CoC Board. Only the CoC Board can establish decision-making Standing Committees. Like the CoC Board, Standing Committees are subject to the Brown Act.

Purpose

The purpose of Committees is to provide support and advice on the development of policies and procedures to effectively implement the CoC. These policies must align with the adopted Governance Charter. Although broad community input is welcomed by the CoC, official advisory bodies are established through standard procedures.

Committee development is designed to achieve the following goals:

- Increase participation by the CoC Membership, Board, and designees in the policy development process;
- Undertake specific tasks as requested by the CoC membership or Board;
- Develop proposals and recommendations Board for consideration;
- Interact with Collaborative Applicant staff assistance;
- Interact with staff, Council members, and members of the County Board of Supervisors, so that the concerns of local governments are fully understood in the formulation of regional policies; and
- Actively seek the involvement of other regional agencies, and business and citizen groups so that their perspectives can be incorporated in CoC policies and decisions.

Roles and Responsibilities

Official Committees have the power, duty, and responsibility to:

- Compile, document, and archive, in a form accessible to the CoC Membership and public, any documents related to the Committee and/or Board including all actions taken to amend said documents.
- On its own initiative or in response to a request by a committee, committee members, members of the CoC or the Board, review CoC-related governing documents and recommend amendments to such documents.
- Conduct periodic reviews and recommend amendments to policies, written standards, and procedures to enhance the effectiveness of the CoC.
- Assist in the development and documentation of the structure and functioning of all committees.
- Develop internal standards for committees so long as they do not supersede or supplant existing CoC rules and/or regulations.
- Create sub-committees or task groups as needed to complete its work.
- Adopt special rules, consistent with the Rules, Policies and Procedures of the CoC, as it deems advisable to govern the conduct of internal Committee business.
- Perform other duties as requested by the CoC Membership or Board and provide copies of correspondence through the CoC Secretary.

Committee Designations

Committees, comprised of CoC members in good standing who are selected and invited to participate, are established to perform specific functions for the CoC or Board. These committees may be structured to provide specific services, research, and/or recommendations to further the work of these groups. All Committee meetings will be conducted in accordance with the CoC's Code of Conduct and Principles of Decorum.

Committees will be designated as either Decision-Making or Advisory:

- **Decision-Making Committees** A decision-making committee is empowered to make certain types of decisions without returning to the CoC Membership or Authorizing group. These committees are required to follow Brown Act[17] for public notice, public comment, and member restrictions. Decision-Making Committees are Standing Committees that meet on regular dates and times as approved by the CoC. Meeting agendas will be posted on the San Bernardino County Homeless Partnership website in advance of the meeting and a reference copy will be available at the meeting location. Agendas will have a designated time on the agenda for public comment. If a Decision-Making Committee wishes to solicit additional input, it may schedule a specific time and notify all stakeholders of that opportunity. If a committee wishes to request a meeting that is not regularly scheduled, the committee Chair must consult with Collaborative Applicant staff on the availability of meeting space and support staff needed for the meeting. Meeting notices will be distributed through the CoC Secretary.

  Committee Member attendance will be recognized distinctly from the public using a roll call, either through physical location for in-person meetings, or by name recognition in virtual meetings. A meeting summary should be kept to the extent necessary to record important discussions and decisions made and provided to the CoC Secretary. All motions must be recorded, including the persons making and seconding the motion and the outcome of the vote.

  Some, but not all, Standing Committees may be given decision-making power. The Standing Committees list identifies these authorities.

- **Advisory (Ad Hoc) Committees**. These temporary committees will not be subject to Brown Act protocols. However, agendas should still be established and published to assist in meeting facilitation and transparency. An Advisory Committee is established to help inform decisions made by the CoC Board or CoC Membership. These groups provide vital expertise and information through discussion on topics, areas of interest, or specific tasks related to the CoC and community. Committee meetings, except those pertaining to the selection or funding of projects, or those related to legal action, are open to the public as spectators. Ad hoc committees are comprised of members of the legislative body. The Chair or Facilitator of an Ad Hoc Committee can invite others from the community in order to strengthen achievement of the committee objectives.

[17] Ralph M. Brown Act, CA.

Committee List and Purpose

Specific committees may be designated as ongoing Standing committees, while other committees, discretionary or ad hoc, may be established as necessary for a period of time to accomplish special functions that achieve the responsibilities of the CoC or efficient operation of the CoC Membership or Board.

In addition to the responsibilities indicated for each subgroup below, responsibilities may be added or removed, as approved by the CoC Board.

A Standing Committee is one that is recognized as essential to the function of the CoC and is maintained on an ongoing basis unless dissolved through CoC Membership or Board action. Specific duties and responsibilities of each standing committee are outlined in subsequent sections of this Chapter. Standing Committees have a responsibility to increase the knowledge or capacity of the CoC related to their area of interest/domain. The Standing Committee Chair can form Ad Hoc, task-oriented subgroups that are advisory-only. These temporary, task-oriented subgroups are not decision-making, meet at times as determined by the group, offer input to the Committee Chair, and are not subject to the Brown Act.

Other Discretionary Committees

Other Discretionary Committees are appointed by the CoC Membership and Board as necessary to fulfill distinct needs of the CoC. The Membership and Board Chair have the discretion to activate these committees. The Chair, with the approval of the governing board, may identify additional Discretionary Committees as the needs of the CoC warrant. Such committees have the same general responsibilities to the Board and the membership of the CoC as Standing Committees. Specific duties and responsibilities of Discretionary Committees will mirror general responsibilities of established Standing Committees.

Special Ad Hoc Committees

The CoC, the Board Chair and Vice Chair, may establish Ad Hoc Committees to address special, short-term projects. In contrast to other discretionary committees, the primary purpose of these committees is temporary, rendering it unlikely that these committees will continue beyond one year or as needed per year.

Committee Officers

Each Standing Committee will elect at least two committee officers: one to serve as Chair of that committee; and one to serve as Secretary. Officers are elected for a term of two years. Although not mandatory, Standing Committees will typically include at least five (5) CoC Voting Members. The protocols for selection of the officers for each position include the following:

- The nominee for a position receiving a majority of votes cast and who accepts the nomination will be declared as elected to fill the position.
- If no nominee receives a majority vote on any vote, then the lowest vote receiver and anyone not receiving a vote will be dropped from the next ballot until a nominee receives a majority.
- Each committee will designate a liaison who assists with communication to the full

CoC as needed. Liaisons support their committee by communicating committee recommendations to the Membership. The liaison functions could be assigned to a member of the committee who is also a Board Member or Committee Officer.

- The Committee Members, like all CoC Members, will abide by the Code of Conduct, including the Conflict-of-Interest policy.
- No two Committee Officers members may come from the same agency or affiliated agency.

Committee Meeting Protocols

Location

Standing Committee meetings will be held at a location accessible to the public and accommodating to special needs. Virtual participation will be allowed in accordance with the committee protocol and Brown Act requirements. Committee Members can participate virtually from multiple locations within the CoC geography as long as the Brown Act notices and rules for participation are followed:

- the location is accessible to the public,
- notice of the meeting and agenda are provided in advance and are available at the location,
- members of the public can attend from any published location,
- there is opportunity for public input, and
- votes are taken by roll call.

Dates and Times of Committee Meetings

Meetings of all standing committees will be held regularly. The date and time of committee meetings will be determined by the Committee Chair, in consultation with the other Committee member(s) and the appointed Secretary.

Distribution of Meeting Notices

- Decision-Making Committees:
  - Regular Meetings: No later than 3 days before each regular Standing Committee meeting, notice of a scheduled committee meeting shall be delivered, mailed, or transmitted electronically to the Board Secretary so as to meet the Brown Act requirements (Government Code sections 54950-54963).
  - Special Committee Meetings: As soon as practical but not less than 24 hours prior to a Special Committee Meeting, notice of a Special Committee Meeting will be delivered, mailed, or transmitted electronically to the Secretary for release so as to meet the Brown Act requirements (Government Code sections 54950-54963).
  –
- Advisory Committees and Ad Hoc Groups will set their own meeting schedule and agendas. The Brown Act is not imposed when " *the attendance of a majority of the members of a legislative body at an open and noticed meeting of a standing committee of that body, provided that the members of the legislative body who are not members of the standing committee attend only as observers."*

Agendas

The Chair of a Committee will be responsible for overseeing the preparation of the agenda for committee meetings, in consultation with the CoC Secretary. The agenda items for a committee meeting will remain within the subject matter of the committee as

determined by the Charter or document approving an action. The committee Chair shall determine the order of agenda items and shall make time allocations for the agenda items.

Agenda Order

The agenda for any committee operating under the Brown Act will include verification of attendance, an opportunity for Public Comment, and approval of the minutes from the prior meeting. Although not a mandate, a typical Brown Act meeting sequence is:

1. Call to Order
2. Roll Call
3. Public Comment
4. Review of the Consent Calendar
5. Approval of the Minutes
6. Routine Business Items (such as reports)
7. Old Business
8. New Business
9. Adjournment

The Committee Chair has the discretion to change the order of agenda items.

Posting of the Agenda

- Time for Posting:
  - Regular Meetings: No later than 72 hours before the meeting. (§54954.2)
  - Special Committee Meetings. The agenda for a Special Committee Meeting shall be posted no later than 24 hours before the meeting. (§54956)
- Place and Manner of Posting:
  - On the San Bernardino County Homeless Partnership website (http://www.sbcounty.gov/sbchp)
  - At the meeting site.
    - In both instances, the agenda must be freely accessible to all members of the public (§54954.2)

Distribution of the Agenda Package

On the same day the agenda for a committee meeting is posted, the agenda will be transmitted electronically to:

- Each committee member.
- Members of the public having filed written or electronic requests to receive notifications.

Conduct of a Committee Meeting

In general, the conduct for committees shall be followed in accordance with the Code of Conduct and Principles of Decorum as described in the Governance Charter.

Quorum and Voting

A quorum consists of a majority of the committee present in person or participating virtually in accordance with the stipulations of the Brown Act. A majority of the voting committee members is needed to carry a motion or other action. When virtual

participation from other locations within the CoC is part of the meeting quorum, votes should be delayed until members in those locations can participate electronically. When a quorum of voters present is not possible due to conflicts of interest, but decision on the matter at hand is required to avoid clear detriment to the CoC, the Rule of Necessity may be invoked. The Chair of every committee can vote as a member of the committee, so long as the Conflict of Interest rules are followed.

In general, committee proceedings should be conducted using the Principles of Decorum and will activate Roberts Rules of Order when necessary to maintain order.

Rights of Members of the Public
Members of the public have the right to:

- Attend all meetings of a committee except where confidential or exempt information is likely to be disclosed (in which case that part of the meeting will be held in closed session);
- Have access to reports and supporting documents, and any records of decisions made by the committee unless they contain confidential or exempt information; and
- Right to complain to the committee regarding breaches of Code of Conduct or violations of these policies or policies under the CoC's Grievance Policy.

Responsibilities
Members of the public are expected to follow the Rules of Decorum when engaging in CoC meetings, including subcommittees, A member of the public who is violent, abusive, or threatening to any other person while at a meeting, or disrupts the ability of the meeting members to conduct business may be excluded from the meeting by the Chair, Co-Chair, or Coordinator of the meeting until such conduct is resolved.

Equal Opportunity
In all of its dealings with members of the public, the members of each committee will endeavor to provide the highest level of service and aim to distribute services fairly across the community, (except where they need to or by law must be targeted to meet special needs) regardless of age, gender, marital status, disability, color, race, nationality, ethnic and national origin, religious beliefs or sexual orientation and will thoroughly investigate any complaint of noncompliance with this policy.

Geographic Coverage and Community Input

To ensure effective communication with other stakeholders, the CoC will seek input from various groups and associations throughout the CoC. Liaisons will seek input and advice from each region of the CoC and systems and organizations that contribute to achieving the CoC objectives.

The CoC geography is comprised of five (5) geographic regions, Information from each region and regular communication each region is essential to effective planning for the provision of housing and services to people living in homelessness, or at risk of homelessness. To ensure these vital connections, Liaisons will be responsible for participating in homeless activities in the regions. The regions are identified as:

- Central Valley
- Desert

- East Valley
- Mountains
- West Valley

To ensure inclusive participation of a wide array of other community systems and organizations, the CoC will seek input from subject matter experts, professionals, and advocates and persons with lived experience enhances the understanding of homelessness, special -needs subgroups, and community resources. The CoC will outreach to each of these community assets to learn from them hear their perspectives on CoC plans and strategies.

Community- Based Input
CoC Liaisons will meet with community groups and other professionals as often as necessary to inform CoC goals and actions. Each Liaison will provide a summary of activities, key information and recommendations and report back to the CoC and Board through the CoC Secretary at each meeting, or as requested by the Board.

Although not part of the formal CoC governance structure, information from community experts and regional groups assists the CoC by:

- Offering information about regional priorities, goals, and strategies
- Facilitating regional alignment of resources and service coordination.
- Announcing opportunities for regional participation in CoC activities.
- Engaging a broad range of public and private stakeholders in regional planning and coordinated service delivery.
- Providing insight on service gaps and needed projects or resources.

Regional Steering Committees

Regional Steering Committees (RSC) are regionally-based committees that advise the CoC Membership and Board. These committees are constituted by the organizations in their respective areas, and function as subcommittees to the CoC.

Regions
The Regional Steering Committee group is comprised of five (5) regional groups representing the following regions as identified in the Governance Charter:

- Central Valley
- Desert
- East Valley
- Mountains
- West Valley

Members
Each RSC is constituted by the relevant parties in the subregion and are typically comprised of CoC members, members of the provider networks, and representatives from each regional city, incorporated and unincorporated, schools, county agencies, and public and private entities.

Meetings
Each RSC will meet as often as necessary to accomplish their purpose. Each RSC will

retain meeting minutes and make them available to the CoC and Board through the CoC Secretary and provide a summary of activities and other recommendations monthly or as requested by the Board. Each Regional Steering Committee may create subcommittees to focus on specific issues, challenges, or projects related to the committee's tasks.

Role and Functions

Regional Steering Committees are able to provide leadership and serve as a regional advisory body to the CoC through a selected regional liaison to the CoC Board. Although governed externally, RSCs assist the CoC by:

- Setting regional priorities, goals, and action steps as adopted by the CoC.
- Facilitating regional alignment of resources and service coordination.
- Coordinating regional participation in CoC activities.
- Engaging a broad range of public and private stakeholders in regional planning and coordinated service delivery.
- Providing project funding priorities and recommendations to regionally fund resources, based on a project prioritization process.
- Facilitating alignment across the CoC as a whole for coordinating, planning, and investment.

Committee Name	Category	Protocol	Description
CoC Governance Board (Board)	Decision-Making	Brown Act	● Charged with substantial responsibilities, authorities, leadership, and support duties as identified in the Chapter 3: CoC Board of this Governance Charter[18]. ● Required by the U.S. Department of Housing and Urban Development (HUD) regulations[19].
Membership Committee	Advisory to CoC	CoC Decorum, Robert's Rule	● Assists with the ongoing review of the CoC Governance and the enhancement of CoC Member participation. ● Collaborates with the Board Chair and County Counsel to enhance an understanding of the Charter and Rules to refine for clarity, as needed. ● Develops membership procedures, and reviews strategies for the recruitment of new members. ● Develops and implement strategies for welcoming new Board members. ● Implements strategies for re-instating lapsed members.
CoC Performance Oversight and Review Committee	Advisory	Brown Act	● Assists with monitoring the CoC's strategic, operational, fiscal, and grant performance of federal and state CoC funded programs. The Performance Oversight and Review Committee: ● Ensures: - Alignment between local, state and/or HUD strategic priority system performance measures and local performance measures as established in accordance with regulation. - Optimal performance of the CoC through the actions of task groups focused on evaluating key areas of system design and performance. (Although the Performance Oversight and Review Committee is a Standing Committee, a task group could be time-limited and convened for the period of time needed to accomplish the assigned task [to: ● Provides oversight of CoC-funded recipients, reviews data outcomes, and makes recommendations based upon documented outcomes. ● Reviews annual performance of organizations and/or programs and provides strategic recommendations regarding outcomes to the Board. ● Provides recommendations on current policies and procedures for accessing the CoC homeless service delivery system, complementing County contract compliance standards.
Regional Steering Committees (established though the Homeless Partnership Network)	Advisory	Brown Act	● Provide information and insight of the needs and priorities of the geographic subregion. ● Helps facilitate communication between the subregion and the CoC Membership and Board.
Youth Action Board (YAB)	Advisory	Brown Act	● Provides feedback and leadership on issues related to youth and young adult homelessness. ● Leads discussion and forms recommendations regarding youth -dedicated funding, subject to funding source regulations and ratification by the CoC Board.

[18] Chapter 3: CoC Board
[19] 24 CFR 578.

Appendix to Chapter 8

Brown Act[2] Excerpts Related to Meetings - Definitions

Legislative Body
Advisory committees, composed solely of the members of the legislative body that are less than a quorum of the legislative body are not legislative bodies, except that standing committees of a legislative body, irrespective of their composition, which have a continuing subject matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body are legislative bodies for purposes of this chapter.

Meeting
As used in this chapter, "meeting" means any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location as permitted by Section 54953, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body. **54952.2.(a)**

Applicability of the Brown Act
The Brown Act does not apply to the CoC Membership nor several meeting situations, such as:
(6) The attendance of a majority of the members of a legislative body at an open and noticed meeting of a standing committee of that body, provided that the members of the legislative body who are not members of the standing committee attend only as observers. **54952.2. C (6)**

[2] Ralph M Brown Act: California Government Code § 54950, 1953.

Chapter 9
Code of Conduct

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Introduction

Continuum of Care (CoC) entities engaged in activities supported by federal resources are required by federal regulations to develop and follow a Code of Conduct. This chapter addresses information related to the San Bernardino City and County CoC (SB CoC) Code of Conduct.

References

The following references are applicable to the information in this chapter:

- 2 CFR 200
- 24 CFR 578

Overview

The U.S. Department of Housing and Urban Development (HUD), as well as the State of California, offer substantial resources to address homelessness in the CoC. The CoC is entrusted with specific responsibilities related to the use of public funds invested in addressing a serious community concern, that being homelessness. Members are expected to observe the highest standards of ethical conduct in the execution of these responsibilities. In addition to federal and state regulations, administrative publications help guide individual and organizations in implementing Code of Conduct standards.

CoC Responsibilities

The CoC:

- Establishes a Code of Conduct for the management of the CoC's core structures (CoC Membership, CoC Board, subcommittees, ad hoc committees and working groups), and
- Ensures the Homeless Management Information System (HMIS) Lead Agency, Coordinated Entry System (CES) Lead Agency, and recipient organizations have:
  - Established a Code of Conduct compliant with federal regulation, and
  - Registered their codes on the Code of Conduct e-Library.[20]

CoC Members

In most instances, participating CoC members are employed by a responsible public, non-profit or private sector agency or firm that has an adopted Code of Conduct or Employee Manual that controls the behavior of the employee in the conduct of business on behalf of his/her employer. When conducting business on behalf of the CoC, each person and organization will abide by the Code of Conduct established by the CoC. Concerns about member conduct, will be referred to the Bylaws and Membership Committee and, if warranted, for investigation and possible referral of the individual or member's agency for any personnel or legal action that may be warranted.

Members are expected to carry out the mandate of the CoC to the best of their ability and maintain the highest standards of integrity for actions with other Members of the Board, CoC Representatives, Service Recipients, Service Providers, and members of the public. Members of the Board and Standing Committee Chairpersons will complete ethics training or ethical standards review at the beginning of their initial term of office.

[20] https://www.hud.gov/sites/dfiles/SPM/documents/CodeofConductE-Library

Principles of Decorum and General Conduct

While Roberts Rules of Order inform the official foundation of meeting management, the SB CoC strives to promote an inclusive, cordial, and consensus-building environment focused on achieving positive outcomes for the people/communities being served. To that end, CoC meeting decorum are based on the following basic principles:

- **Safe, Non-Abusive Space**: This is a safe space where everyone's opinion matters. Therefore, members of the CoC are expected to conduct themselves with courtesy and respect without harassment, physical or verbal abuse, or threats of abuse.
- **Inclusion of many voices:** We aim to allow every CoC member the opportunity to give input. Please be respectful of the person speaking, and do not speak while they are speaking. When it is your turn to speak, please do not disparage another person or agency with your comments.
- **Respect of time limits:** Please be respectful of the time we have for meetings. Arrive on time, plan to stay for the entire meeting, and don't take up too much time when it's your turn to speak/give input.
- **Resolution of Conflicts:** If you have a grievance/complaint against another CoC member/member organization, the issue should first be brought to the attention of the person/organization before being addressed at a public meeting. If the matter cannot be resolved, consider filing a formal grievance as implemented by the CoC.
- **Professionalism:** Professional conduct is an expectation. Professionalism is portrayed in your demeanor and quality of behavior that is open, respectful, and poised. Professionalism is marked by 'emotional intelligence' (EQ), shown in actions that are calm and confident, but not aggressive. EQ allows us to gracefully listen to each other even if opinions differ. Unprofessional behavior is always prohibited. Examples of unprofessional behavior includes, but is not limited to, spoken, written, virtual, cyber-bullying, and physical conduct and expressions that are threatening, berating, vulgar, degrading, demeaning or intended to show contempt or disdain for another. This applies regardless of if the person is present or observes the behavior. Such conduct is prohibited if it is directed at or relates to members of the Board, Committee Members, Members of the CoC, and members of the public, whether or not they are present to observe the behavior.
- **Reliable and Accountable:** Working together successfully is founded on personal reliability and accountability. Each of us are expected to follow through on commitments and be accountable to each other to achieve shared goals for the good of the community. All CoC Members are expected to exercise adequate control and supervision over matters for which they are individually responsible.
- **Ethics:** Ethical behavior conforms to policies and standards and promotes fairness, equity, and cultural competence. Personal relationships should not result in special considerations, including bias or favoritism, which influence the performance of their official duties in a manner contrary to the interest of the broader CoC.
- **Public Conduct:** The Principles of Decorum extend to actions beyond the official meeting time. When engaging in CoC business, actions should reflect the Principles of Decorum in any public forum or engagement.
- **Retaliation:** Retaliation is prohibited against any person who makes a complaint about a Member's professional behavior.

Stewardship of Resources

Board Members must assure the resources entrusted to them are used for conducting

official business only. CoC, CoC Board, and Standing Committees members must abide by the Conflict-of-Interest Policies established for CoC operations.

Conflict of Interest

The CoC Conflict of Interest Policy including details of all HUD required policy elements is found in Governance Charter Chapter 10.

Protection of Confidential Information

In line with the rules and guidelines of the CoC, Members of the Coc and the CoC Board have a responsibility to protect the security of any confidential information provided to, or generated by, the activities of the CoC. The CoC will comply with:

- Regulations protecting Personally Identifiable Information (PII), and
- Protections afforded for persons:
  - Covered by:
    - Federal regulations (24 CFR 578.), and
    - The Violence Against Women Act (2022 Reauthorization), and
  - In protected classes under anti-discrimination.

Public Statements and Media Response

When making public statements or speaking to the media on CoC matters, Board Members will make clear whether they are speaking in their own name or if the CoC or Board Chair has empowered them to speak on the group's behalf.

Response to Charges of Violations of the Code of Conduct

Violations of any provision of this Code of Conduct may result in appropriate disciplinary action, which may include censure, removal of Membership, permanent disqualification from holding future Board positions, and/or referral to appropriate authorities for civil and/or criminal prosecution. Determinations made with respect to potential violation of the Code of Conduct shall in no way preclude or replace any other action that may be warranted by the Code.

Violations of the Principles of Decorum including items that are not included in the e-Library Code of Conduct, may result in the member being: reminded of the Principles of Decorum; requested to cease and desist from the aberrant behavior; excluded from the meeting; escorted from the meeting site; suspended from meeting attendance; removed from membership; or other actions, such as security or law enforcement intervention, as deemed necessary by the convenor or Chairperson.

Code of Conduct Violation Hearings

The Bylaws and Membership Committee upon a motion supported by a two-thirds (2/3) vote, may choose to conduct a hearing concerning a possible violation of this Code of Conduct by a Member of the Board. The Board Member accused of violating this Code of Conduct will have thirty (30) days' notice prior to a hearing on the matter. The accused Council Member may bring witnesses on his or her behalf to the hearing, and the Bylaws and Membership Committee may elect to call witnesses to inquire into the matter.

If found, by a vote of two-thirds of the Bylaws and Membership Committee, that the

accused Board Member has violated this Code of Conduct, the Committee will recommend an appropriate sanction to be implemented. A Board Member subject to sanction may, within thirty (30) days of such sanction vote by the Bylaws and Membership Committee, challenge the recommendation for full Board consideration prior to the final decision of the Board. A record of the decision of the full Board to sanction a Member for a violation of this Code of Conduct will be placed in the minutes of the Board.

If requested by a majority, the Committee may also give guidance to the CoC concerning other aspects of conduct, including actions of staff, consultants or other persons charged with implementation of duties relative to the responsibilities of the Board.

Documentation of Board Action

The CoC Board must conduct/transact business in a fair and transparent manner. To this end, the Board will promptly create a record of actions, considerations, and decisions to be made available to members of the public in accordance with the California Public Records Act [CA Government Code, section 6250, et seq.]. Meetings of the Board are open to members of the public wishing to observe in accordance with established By-Laws. The public may address the Board at its regular meetings concerning any matter within its purview during the time set aside for public comment. If a Visitor to a Board meeting is verbally or physically disruptive to the proceedings, they may be asked to leave.

Ability to Conduct Business Under Government Awards

The CoC acknowledges the Code of Conduct for Doing Business under Federal Awards, "Conducting Business in Accordance with Ethical Standards" requirements as identified in the Administrative, National & Departmental Policy Requirements and Terms for HUDs Financial Assistance. [21]('Admin Policy') and the U.S. Department of Housing and Urban Development (HUD) regulations 24 CFR 578. as the standards for the CoC Code of Conduct.

The elements of these requirements are incorporated, by reference, in the CoC Code of Conduct and the Conflict-of-Interest Chapters of the CoC Charter. Each CoC and ESG recipient and subrecipient organization must file a Code of Conduct compliant with federal regulations (2 CFR 200) with the HUD Code of Conduct e-Library. Instructions for filing a Code of Conduct are found in the Appendices...

Debarment or Suspension by Public Funding Sources

Members of the Board must be eligible to transact business with federal and local government. At the time of nomination, potential Members of the Board must not be individuals or representatives of agencies that are barred or suspended from transacting business with federal, state, or local government. Similarly, organizations applying for funding though the CoC must be able to transact business with federal and local government, as well as meet HUD organizational threshold criteria specified by the funding opportunity announcement. These criteria serve to protect the use of public funds from fraud, mismanagement, and promote effective use of funds in the community. Review of the Board Member eligibility is incorporated into the annual election process.

[21] https://www.hud.gov/sites/dfiles/SPM/documents/AdminReqsandTermsFY2023-10282022.doc

Response to Non-Compliance with Administrative Requirements

Entities that are not in compliance with the requirements identified in the federal Admin Policy or which are debarred or suspended from doing business with the federal or local government will not be allowed to apply for or receive funding through the CoC until the organization provides evidence from the applicable governmental entity that corrective action has resulted in reinstating the organization's status as eligible to apply.

Chapter 9 Appendix
Registration of a Code of Conduct

Registration of an Organizational Code of Conduct

To be listed in the Code of Conduct e-library as required by HUD CoC policies, forward an electronic copy of the Code of Conduct statement to: askGMO@hud.gov

The email should contain:

1. Organization UEI#
2. Organization Legal Business Name (from the System for Award Management website [SAM.gov])
3. Complete mailing address
4. Name, title, email, and phone number for the person with executive authority.
5. Electronic code of conduct statement (searchable documents preferred)

The Code of Conduct e-library will be recorded in a single Microsoft Excel workbook displaying organizations with compliant Code of Conduct policy submissions. The Code of Conduct e-library is updated at least quarterly.

On Agency Letterhead

(Note: A cover letter on the company's letterhead must provide the name and title of the responsible official, mailing address, business telephone number and email address).

I. REQUIRED COVER LETTER

ABC Agency (LEGAL NAME)

UEI # _____

To All Interested or Invested Parties (or To Whom It May Concern):

The *ABC AGENCY* Code of Conduct for doing business with other entities and individuals, including federal departments, is designed for compliance with applicable regulations. For U.S. Department of Housing and Urban Development (HUD) under the Continuum of Care (CoC) the core regulations are found in 2 CFR part 200; 24 CFR part 578; and 24 CFR part 576.

Within *ABC Agency* the (name of position such as Executive Director, Board President, compliance officer) is responsible for compliance with the organizational Code of Conduct, including the Conflict-of-Interest Policy. The contact information for this individual is:

Name of Individual _____

Title or Position _____

Mailing Address _____

City _____State _____

Zip code _____

E-Mail Address _____

Telephone Number _____Fax Number _____

A copy of the organizational Code of Conduct for Doing Business Under Federal Awards, is attached for review and registry in the Code of Conduct e-library.

Respectfully submitted,

SIGNATURE

Executive Director (or Title of Authorized Administrator)

(Code of Conduct Attached).

Chapter 10
Conflict of Interest

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Introduction

Recipients (grantees) and subrecipients of Continuum of Care (CoC) funds are required to create, submit, and follow a Code of Conduct compliant with 2 CFR 200.317 and 318, including a Conflict of Interest policy that meets U.S. Department of Housing and Urban Development (HUD) regulations in 24 CFR 578.95. The CoC is responsible for ensuring compliance with these regulations. This chapter addresses information related to the Conflict of Interest policy.

Purpose

The purpose of the CoC Conflict of Interest policy is to emphasize the CoC's commitment to the highest standards of integrity, fairness and conduct to ensure the public trust. Members of the CoC are expected to conduct themselves in the best interest of the community with the highest integrity. The policy is intended to meet HUD's regulatory requirements but does not replace additional, applicable state and federal laws governing conflicts of interest applicable to nonprofit and charitable organizations. The intent is to avoid any actual conflict of interest or the appearance of a conflict of interest. Each person to whom this policy applies must be free of any activity, association, or investment which might influence, or give the appearance of interfering with, the independent exercise of his or her judgment in conducting the CoC's activities or in dealing with the CoC.

Policy

Participants in the CoC will refrain from engaging in actions that constitute or appear to constitute a conflict of interest as described in this policy when conducting CoC business.

Interested Individuals

No member or spouse, dependent, or other immediate family of the member, may participate in or influence discussions and/or decisions concerning the award of a grant or other financial benefits to an organization that the member represents or is directly connected to, nor to themselves as individuals[22].

All CoC personnel and representatives, whether paid or unpaid, will refrain from any real or perceived conflicts of interest as described in 24 CFR 578.95 as well as any applicable program regulations, grant agreements, or contract specifications.

HUD rules under 24 CFR 578.95(b) specifically state that no CoC Board Member may participate in or influence the discussions or resulting decisions concerning the award of a grant or other benefits to the organization the member represents. HUD rules in 24 CFR 578.95(c) specify organizational conflicts of interest, while part 24 CFR 578.95(d) is related to other conflicts. The statements emphasize and further explain, but do not eliminate, the requirements under 2 CFR 200. The 24 CFR 578.95(d) 1. is clear that that the restrictions extend to family members, subrecipients and other individuals and organizations with whom has business ties and that the term of restriction endures for one year following the tenure of service.

[22] Directly connected includes any official relationship, such as participation as a staff, a member of the Board, contractor or other activities involving financial remuneration or other non-financial benefits.

Interested Organizations

An 'interested organization" is described to align with the code of conduct for doing business and ethical standards requirements as identified in the Administrative, National & Departmental Policy Requirements and Terms for HUDs Financial Assistance[23]. ('Admin Policy') and the U.S. Department of Housing and Urban Development (HUD) regulations.

An organizational conflict arises when, because of activities or relationships with other persons or organizations, the recipient or subrecipient is unable to or potentially unable to render an impartial decision.

No person who is an employee, agent, consultant, officer, or elected or appointed official representative of a recipient or subrecipient organization and who exercises or has exercised any functions or responsibilities with respect to funded activities, or who is in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from the activity, or have a financial interest in any contract, subcontract, or agreement with respect to, or the proceeds or non-financial benefit, either themself, or for those with whom they have immediate family or business ties, or the organization(s) they represent.

Term of Restriction

These conflict-of-interest restrictions are applicable to all covered persons during the period for engagement or for one year thereafter. Immediate family ties include (whether by blood, marriage, or adoption) the spouse, parent (including a stepparent), child (including a stepchild), brother, sister (including a stepbrother or stepsister), grandparent, grandchild, and in-laws of an 'interested' person or organization.

Similar to conflicts of financial interest, no member may engage in the conflict of representation/commitment. Members who are directly connected to an organization, or whose immediate family are directly connected to an organization, must declare the conflict, and take action as described in this policy into resolve the conflict of representation.

Minimum Requirements

HUD requires the CoC Conflict of Interest Policy to:

- Address the "Conducting Business in Accordance with Ethical Standards" requirements included in the Administrative, National & Departmental Policy Requirements and Terms for HUDs Financial Assistance;
- Prohibit real and apparent conflicts of interest that may arise among officers, employees or agents, and any member of his or her immediate family, partner, or an organization that employs any of the covered parties;
- Hold that policies also apply to other organizational conflicts of interest;
- Prohibit the solicitation or acceptance of gratuities or inducements in excess of a minimum value by covered persons or organizations, and

[23] Updated in October, 2022.

- Provide for administrative and disciplinary actions to be applied for actions in violation of the standard.

Failure to provide a compliant code of conduct, including the conflict of interest policy, and/or to notify HUD of conflicts of interest can result in sanctions, including removal of HUD funds.

Gratuities and Inducements

Interested persons are covered by the general prohibitions of 2 CFR 200 and the HUD conflict of interest policy under 24 CFR 578 from gaining, or attempting to gain, non-financial benefits through requests for exceptions to policies and procedures that fall outside the standards established for exception. Unsolicited nominal gratuities, for the SB CoC will be defined as gifts, items, or services valued at $100 or less.

Procuring Property and Services

Conflict of Interest extends to the procurement of goods and services as described in:

- 2 CFR 200.317 for private funds
- 2 CFR 200.318(c) for federal funds
- 24 CFR 578.95 for HUD CoC funds
- 24 CFR 576 for Emergency Solutions Grant (ESG) funds

The only exceptions that are allowed to these procurement guidelines are those contained in a specific list in the Admin Policy and 24 CFR 578.95 (d)2 with written permission from HUD.

Disclosure of a Conflict of Interest

In accordance with regulations, conflicts of interest must be disclosed. Any individual participating in or influencing decision making must identify actual or perceived conflicts of interest/representation as they arise and comply with the letter and spirit of this policy. Disclosure should occur at the earliest possible time and, if possible, prior to the discussion of any such issue. Individuals with a conflict of interest should abstain from discussion and voting on any issue in which they may have a conflict.

Affirmation Statement

To ensure Members are fully aware of the Conflict-of-Interest Policy, the CoC requires each CoC Member (inclusive of Voting Members, CoC Board Members and Committee Members) to annually sign a statement which affirms such person has:

- Received a copy of the Conflict of Interest Policy;
- Read and understands the policy; and
- Agreed to comply with the policy.

Each Member of the CoC will annually sign a statement which declares whether such person has one or more conflicts of interest.

If at any time during the year, the information in the annual statement changes materially, the CoC Member will disclose such changes and revise the annual disclosure form at the earliest opportunity.

The Board Secretary will regularly monitor and enforce compliance with this policy through notice to the Board after reviewing annual statements. The Board will take other actions as are necessary for effective oversight.

Recusal of Self

Any CoC Member, representative, or 'interested' person has an opportunity to recuse themselves from involvement in any decision or discussion in which the member believes there may be a real or perceived conflict of interest, without going through a process to determine whether a conflict of interest exists.

Implementation of Policy

The Conflict of Interest Policy will be reviewed annually during review of the Governance Charter.

The disclosure of conflicts of interest statement for each official member will be completed when applying for continuing membership in the CoC. The process will ensure that each representative:

- Has access to the Conflict of Interest Policy;
- Declares that he/she has read and understands the policy;
- Agrees to comply with the policy; and
- Discloses conflicts of interest.

Voting Members need to file the required disclosure statement prior to participating in a discussion or vote on an item where a real conflict of interest applies. All voting members shall have the right to recuse themselves from voting on a matter without providing excuse.

If at any time during the year, the information in the annual statement changes materially, the CoC Member will disclose such changes and revise the annual disclosure form at the earliest opportunity.

Recusal Protocols

Recusal protocols depend on the type of interaction and level of decision under consideration. Covered persons, such as family members, are asked to declare a potential conflict of interest as part of any request to speak as a member of the public on an action item.

The table below provides the recusal protocol to be followed based on the type of conflict:

Situation	Recusal Protocol
Ratification of an action on a Consent Agenda	Member declares a conflict of interest and abstaining from the vote.

Discussion of actions by which the organization or individual may be advantaged	Member refrains from the discussion.
Actions which may impact the organization's/individual's eligibility to apply or receive benefits	Member refrains from discussion and voting.
Decisions related to funding, prioritization, or other direct impact	Member must be absent from the meeting space during discussion and voting. • For virtual meetings, the member can leave the virtual forum by exiting the session. • For meetings in-person, the Member must leave the meeting room and may not listen or otherwise observe the session through other means, such as audio or visual technology.

Record of Declarations and Recusal Proceedings

The minutes of meetings:

- The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the Board's decision as to whether a conflict of interest in fact existed.
- The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

Administrative and Disciplinary Actions

Violations of the Conflict of Interest policies by officers, employees, and CoC representatives, will result in the following actions:

- Administrative actions:
  - Immediate full disclosure of interest and/or the potential profit for said award(s) or contract(s) in writing.
  - A review of said action or interest to the governing Board of Directors and notification to the local HUD field office representative(s).
- Remedies and Disciplinary Actions concerning conflicts of interest:
  - Require the officer, employee, or agent to remove him/herself from any discussions and/or voting relating to the award or contract.
  - Disciplinary action that may result in termination or removal from the office held or position of employment with the organization.
  - Cessation of services or termination of a contract or vendor agreement.
  - Referral for assessment of the legal ramifications associated with the violations, if warranted.
- Policy implementation and tracking includes: The declaration of a conflict of interest noted during a meeting will be referenced in the applicable meeting minutes.

- The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the Board's decision as to whether a conflict of interest in fact existed.
- The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.
- The Board will regularly monitor and enforce compliance with this policy by reviewing annual statements and taking such other actions as are necessary for effective oversight.
- This policy is effective until further notice and will be included in the orientation packet during the on-boarding process, and available throughout the Member's term of service by contacting the CoC Board Secretary.

Conflict of Interest and Maintenance of Quorum

When compliance with the Conflict of Interest Policy would result in the committee not meeting a quorum of eligible voters, the Rule of Necessity may be invoked. Guidance for the use of the Rule of Necessity follows:

Rule of Necessity

The Rule of Necessity is a legal principle for circumstances when the disqualification of the person(s) would render a decision-making body unable to take an action that is restricted by time-limits external to the body. In other words, in specific situations, this rule permits a voter to hear and cast a vote in specific situations if it cannot otherwise be heard and failure to take action would create greater harm. This rule is based on the idea that in certain situations, there may be no other option but to allow someone with a conflict of interest to participate in the decision-making process. The Rule of Necessity is often invoked in emergency situations where there is no one else available to make a decision and the decision cannot be delayed.

CoC Circumstances for Invoking the Rule of Necessity

For the CoC, the invocation of the rule must be based on necessity: (i.e., the decision cannot be delayed to another time when a quorum can be convened) **and** the failure to decide would clearly cause greater harm to the mandated responsibilities of the CoC (or Board). The case for necessity **must** be supported by **objective data,** and the process must be clearly documented. Invocation of the Rule of Necessity will be in the records tracking the incidents of Conflict of Interest and recusal. The record **must**:

- Identify there was an actual and specific threat/harm that required immediate action.
- Demonstrate:
  - There was no realistic alternative to taking action at the point in time (i.e., could not be delayed).
  - The harm caused by invoking the Rule of Necessity is not greater than the harm avoided.
- Include the information required by the Conflict-of-Interest Recusal Policy Agenda item, persons involved, etc.).

Invoking the Rule of Necessity must be a rare occurrence. If the CoC/Board pattern of decision-making repeatedly invokes the Rule of Necessity, the pattern will be reviewed to determine if changes are needed in structures, protocols, or representation. Use of the Rule of Necessity by the Board or a committee on four or more occasions during the year will motivate a review.

SAN BERNARDINO COUNTY
INTERAGENCY COUNCIL ON HOMELESSNESS

COMMITTEE AND REGIONAL – RULES AND PROCEDURES

COMMITTEE BACKGROUND

Mission and Scope

The mission of the Committees shall be to support the development of policies and procedures which serve the growth and development of the Interagency Council on Homelessness (ICH), and which do not conflict with the adopted Governance Charter and Bylaws of ICH. The ICH desires to obtain the broadest possible involvement in homeless assistance programs and the decision making process that affect homeless individuals and families within the County. The principal means of obtaining this participation is through the ICH Membership and its advisory bodies.

Advisory bodies are established through the committee structure. Committee development is designed to achieve the following goals:

1. Increase participation by ICH and Continuum of Care (CoC) members and designees in the policy process;
2. Undertake specific tasks as requested by the ICH;
3. Develop proposals and recommendations, with Office of Homeless Services (OHS) staff assistance, for ICH consideration;
4. Interact with staff and Council members so the concerns of local governments are fully understood in the formulation of regional policies; and
5. Actively seek the involvement of other regional agencies, and business and citizen groups so that their perspective can be incorporated in ICH's policies and decisions.

Duties and Responsibilities

The ICH Committees shall have the power, duty and responsibility to:

- Compile, document and have archived, in a form accessible to the membership and public, any documents related to the Committee and/or ICH including all actions taken to amend said documents.
- On its own initiative or in response to a request by a committee, committee members, members of the CoC or the ICH governing board, review CoC related governing documents and recommend amendments to such documents to the ICH.
- Conduct periodic reviews and recommend amendments to policies, written standards, and procedures in order to enhance the CoC.

Adopted November 13, 2019

Amended August 26, 2020

- Assist in the development and documentation of the structure and functioning of all committees.
- Develop internal standards for its committees as long as they do not supersede or supplant ICH rules and/or regulations.
- Create sub-committees as needed to complete its work.
- Adopt such special rules as it deems advisable to govern the conduct of internal Committee business which are not inconsistent with the Rules, Policies and Procedures of ICH.
- Perform other duties as requested by the ICH and provide copies of correspondence to the ICH through the OHS.

STRUCTURE

Committee meetings shall be conducted in accordance with the Brown Act. All committee meetings shall have an agenda that will be posted on the San Bernardino County Homeless Partnership website in advance of the meeting.

All committees will have a designated time on the agenda for public comment. If the committee wishes to solicit additional input it should schedule a specific time and notify all stakeholders of that opportunity. Seating for the public will be provided in an area of the meeting room that is distinct from that of the committee members. A meeting summary should be kept to the extent necessary to record important discussions and decisions made. All motions must be recorded, including the persons making and seconding the motion and the outcome of the vote.

If a committee wishes to request a meeting that is not regularly scheduled, the committee chair must consult with OHS staff on room availability and support staff. Meeting notices shall be distributed through OHS.

Committees

Committees, comprised of active members of the CoC (committee members do not have to be ICH board members), are established to perform specific functions for the ICH. These committees also may be structured to provide specific services to the membership of the ICH and overall CoC.

Specific committees will continue on an ongoing basis as “standing” committees of the ICH while “other” committees, discretionary or special ad hoc, may be established as necessary for the efficient operation of the ICH or to accomplish special functions that may be useful to the working of the ICH and CoC.

Standing Committees

A standing committee is one that the ICH has recognized as essential to the function of the CoC and its governing board and is maintained on an ongoing basis unless dissolved through board

action of the ICH. Specific duties and responsibilities of each standing committee are outlined in the subsequent sections of these rules, policies and procedures.

Standing committees include the following:

- Bylaws and Membership
- CoC Performance Oversight
- Emergency Preparedness and Response
- Health
- Homeless Youth Taskforce
- Housing
- Identify Resource Availability
- Outreach and Coordinated Entry System
- Point-In-Time Count Oversight

Bylaws and Membership Committee

The Bylaws and Membership Committee is a standing committee that is responsible for the ongoing review of the ICH Bylaws and the enhancement of ICH Member participation. To that end, the committee shall:

- Review current ICH bylaws to identify and recommend changes to conform to current policies, procedures, best practices and rules of proper governance;
- Collaborate with the Chair and County Counsel to enhance understandability of the bylaws and to add necessary or remove unnecessary verbiage as needed;
- Develop membership policies and procedures, review strategies for recruitment of new ICH member individuals, and make recommendations for ICH membership. The committee will consider the following criteria when evaluating potential ICH Members:
    - Commitment to ICH's vision and mission,
    - Strong willingness to serve, and
    - Capacity to be "ambassadors" for ICH and represent the organization as needed and desirable;
- Develop and implement strategies for welcoming new ICH members; and
- Develop and implement strategies for re-instating lapsed members.

CoC Performance Oversight Committee

The CoC Performance Oversight committee is responsible for monitoring the CoC's strategic, operational, fiscal, and grant performance of federal and state CoC funded programs and for ensuring alignment between local, state and/or HUD strategic priority system performance measures and local performance measures as set or encouraged by the ICH.

The CoC Performance Oversight Committee shall:

- Provide oversight of the CoC funded recipients and make recommendations based upon documented outcomes.
- Review the Annual Performance Reports of the above responsible organizations and/or programs and provide strategic recommendations regarding outcomes to the ICH.
- Review data outcomes for CoC funded recipients.
- Provide recommendations on current policies and procedures for accessing the CoC homeless service delivery system, complementing county contract compliance standards.

Emergency Preparedness and Response Committee

The Emergency Preparedness Committee will plan emergency-related activities and services for the homeless that will include enhancing mass notification and communication systems, and systematically evaluating its communication systems to ensure continuous quality improvement and messages targeting homeless communities.

The Emergency Preparedness Committee shall assist in:

- Reviewing the County's Emergency Operations Plan and other supporting emergency documents and recommending changes to the appropriate agencies.
- Exploring the formation of homeless emergency teams that can assist agencies and departments in carrying out emergency activities when called upon.
- Coordinating with agencies to educate the homeless on their individual responsibilities in preparing for emergencies and providing information on what they can expect from homeless service providers during an emergency.
- Collecting and providing, as appropriate, research and data as well as assembled comments on emergency-related events for the Interagency Council on Homelessness (ICH).
- Reporting to the ICH on the Committee's progress. Each report will provide information on upcoming emergency interventions along with recommendations for improving the region's preparedness, if appropriate.
- Advising the ICH on strategies to improve the effectiveness and efficiency of regional preparedness activities for the homeless and its relationship with relevant agencies, organizations, and community groups.

Health Committee

The Health Committee is a standing committee responsible for: the development of collaborative solutions to the challenges associated with providing health care to unsheltered and sheltered homeless individuals and families, and adults and children at-risk for homelessness. The Health Committee will seek to improve the coordination and communication between health care and homeless service providers to bridge the gap between homeless and health related services. The

Committee will focus on addressing the need for additional training and providing educational resources for health care and homeless service providers.

The Health Committee shall advise on the following:

- Expand chronically homeless persons' mainstream resource access and use, particularly Affordable Care Act and Medi-Cal Reform opportunities.
- Increase the availability/accessibility of homeless housing options, especially for chronically homeless persons and individuals exiting hospitals/in-patient settings.
- Increase permanent supportive housing (PSH) inventory and chronically homeless persons' access to PSH. This includes increasing awareness of "Housing First," an evidence-based practice.
- Provide education for homeless providers on Health Homes and Whole Person Care.
- Facilitate partnerships among homeless assistance system and managed care organizations.
- Promote increased use of Medicaid waiver opportunities to provide services to target populations.
- Identify relevant partners, agencies, and sectors not represented currently in housing-healthcare coordination and develop strategies to engage them.
- Expand the use of peers to support of Medi-Cal enrollment and follow through work, including navigating housing, homeless services, medical and behavioral health systems, employment and other non-clinical steps along the road to recovery and housing stability.

<u>Homeless Youth Taskforce Committee</u>

Originally established by the Children's Network Policy Council on February 2010, the Homeless Youth Taskforce was formed to investigate the needs of homeless and unaccompanied youth in San Bernardino County and to find solutions to address those needs. Homeless children and youth are a distinct and vulnerable population in need of intensive, developmental appropriate targeted support. It is estimated that 1.6 to 1.7 million youth experience homelessness on their own each year. The purpose of the Homeless Youth Taskforce is to ensure that youth-related runaway and homelessness issues are appropriately addressed through a "comprehensive countywide network" of service delivery for this hard to reach population.

The Homeless Youth Taskforce shall:

- Raise awareness on the issue of child and youth homelessness throughout San Bernardino County and advocate through ICH to improve related services;
- Educate the public about the unique needs and challenge faced by youth living in homelessness;
- Act as a clearinghouse for homeless youth service providers to exchange ideas and resources in order to better meet the ends of homeless children within the County;

- Promote programs and services for homeless children and youth so that they may have access to free and appropriate public education while removing or minimizing any barriers that they may face;
- Increase homeless youth collaborative and coordination efforts through engagement, sharing of information, and reducing and/or eliminating any overlap and duplication of services for homeless youth;

Housing Committee

The Housing Committee is a standing committee responsible for identifying and promoting housing opportunities and resources for homeless individuals and families, including individuals that have recently been incarcerated and/or on probation/parole. The Committee shall work closely with the San Bernardino County Reentry Collaborative (SBCRC) and the CoC Regional Network in identifying existing resources that support permanent housing solutions for the homeless and recently incarcerated.

The Housing Committee shall:

- Research, identify, and create housing opportunities for homeless individuals and families, including the provision of housing for ex-offenders;
- Consider delivery methods and models that take into account the specialized needs of the reentry population;
- Identify stakeholders and establish relationships for collaboration with housing service delivery;
- Develop a marketing and awareness plan for recruitment of housing developers and to build public and private support;
- Create and maintain a list of housing providers that are willing to assist homeless populations ; and
- Coordinate and report to both the Interagency Council on Homelessness and the Reentry Collaborative.

Outreach and Coordinated Entry System Committee

The Outreach and Coordinated Entry System committee will be a standing committee responsible for the enhancement and continual development of a coordinated entry system and assessment process for the entire CoC region, which works to meet the needs of clients from all jurisdictions in the CoC and which prioritizes local, state and federal efforts. This committee will strive to have government and/or non-profit representation from each jurisdictional region within the Continuum.

The Outreach and Coordinated Entry System committee is charged with the following responsibilities:

- Advocacy on behalf of those who are homeless or at-risk of becoming homeless as well as coverage of all the subpopulations served by the regional CoC.
- Maintaining a system of outreach, assessment, and prevention for determining the needs and conditions of an individual or family who is homeless.
- Monitoring the progress and impact of, and periodically recommending any necessary revisions to an implementation plan for a coordinated entry and assessment system for all homeless and prevention resources within the CoC.
- Create recommendations for any outreach or coordinated entry system written standards for eligibility, assessment, and prioritization of resources for all CoC and Emergency Solutions Grant (ESG) program types.
- Evaluating, updating, and recommending training for the Coordinated Entry System policies and procedures.

Other Committees

Other (discretionary) committees are those appointments which the ICH recognizes as being necessary to fulfill distinct needs of the CoC. However, the ICH Chair has the discretion whether to activate these committees as needed. The ICH Chair, with the approval of the governing board, may identify additional discretionary committees as the needs of the CoC warrant. Such committees have the same general responsibilities to the ICH and the membership of the CoC as standing committees. Specific duties and responsibilities of discretionary committees will mirror general responsibilities of established standing committees.

Special Ad Hoc Committees

At the discretion of the ICH Chair and members of the ICH, certain ad hoc committees may be established to address special, short-term projects. In contrast to other (discretionary) committees, and given the primary purpose of these committees, it is unlikely that these committees will continue beyond one year or as needed per year.

Committee Officers

Each ICH committee will elect a voting committee officer to serve as Chair of that Committee for three (3) years. The appointed Chair currently serving in this capacity at the time of the adoption of the new Governance Charter and Bylaws will be considered as the Chairperson elect of the committee and will serve the full term as identified in these rules and procedures.

Each committee also shall elect a voting Secretary and remaining five voting Executive Committee members that will each serve no more than two (2) year terms. The election of each member will be voted on individually using the following procedures:

- The first nominee receiving a majority of votes cast will be declared duly elected to fill the position.

- If no nominee receives a majority vote on any vote, then the lowest vote receiver and anyone not receiving a vote will be dropped from the next ballot until a nominee receives a majority.
- After a position is filled, nominations will again be requested for the next position until all five (5) elected Committee positions have been filled.
- No two elected Executive Committee members may come from the same agency or affiliated agency. The elected members of the Executive Committee must represent one of the five established regions.

COMMITTEE MEETINGS LOGISTICS

Location

Except as permitted by law, Committee meetings shall be held at a location accessible to the public and accommodating to special needs.

Dates and Times of Committee Meetings

Meetings of all standing committees shall be held regularly at dates and times set by committee members in good standing. The date and time of committee meetings shall be determined by the Committee Chair, in consultation with the other Committee member(s) and the appointed Secretary.

Distribution of Meeting Notices

Regular Meetings: No later than 14 days before each regular standing meeting, notice of a scheduled committee meeting shall be delivered, mailed, or transmitted electronically to the OHS so as to meet the Brown Act requirements (Government Code sections 54950-54963).

Special Committee Meetings: As soon as practical but not less than 24 hours prior to a Special Committee Meeting, notice of a Special Committee Meeting shall be delivered, mailed or transmitted electronically to the OHS so as to meet the Brown Act requirements (Government Code sections 54950-54963).

PREPARATION OF THE AGENDA

The Chair of a Committee shall be responsible to oversee the preparation of the agenda for Committee meetings, in consultation with the OHS. The agenda items for a Committee meeting shall be within the subject matter of the Committee as determined by or under the descriptions described within this document. The Committee Chair shall determine the order of agenda items and shall make time allocations for the agenda items in 5-minute increments.

CONTENTS OF THE AGENDA

Agenda Order

The general order of the agenda for a Meeting shall be:

1. Call to Order
2. Roll Call
3. Public Comment
4. Review of the Consent Calendar
5. Approval of the Minutes
6. Routine Business Items (such as reports)
7. Old Business
8. New Business
9. Adjournment

Agenda Order Adjustments

The Committee Chair shall have the discretion to change the order of agenda items.

DISTRIBUTION OF THE AGENDA AND AGENDA PACKAGE

Posting of the Agenda

1. Time for Posting.

a. Regular Meetings: The agenda for a Regular Meeting shall be posted no later than 72 hours before the meeting. (§54954.2)

b. Special Committee Meetings. The agenda for a Special Committee Meeting shall be posted no later than 24 hours before the meeting. (§54956)

2. Place and Manner of Posting.

The agenda for a meeting shall be posted on the San Bernardino County Homeless Partnership website (http://www.sbcounty.gov/sbchp) that is freely accessible to all members of the public (§54954.2) and posted at the meeting site.

Distribution of Agenda Package

On the same day the agenda for a Committee meeting is posted, the agenda shall be transmitted electronically to: each committee member and members of the public having filed written or electronic requests to receive same. The agenda package shall be distributed to committee members with the agenda.

CONDUCT OF A COMMITTEE MEETING

In general, code of conduct for committees shall be followed in accordance with the Code of Conduct as described in the Governance Charter and Bylaws of ICH.

QUORUM AND VOTING

A quorum consists of one-third of the total committee members. A simple majority of those present and constituting a quorum carries a motion or other action. When technical issues cannot

be resolved, but a communication on the matter at hand is required or appropriate, the communication may reflect significant varying positions of members. The chair of every committee can vote as a member of the committee.

In general, committee proceedings should be conducted on an informal basis. The rules of order shall be in accordance with the latest edition of Roberts Rules of Order.

RIGHTS OF MEMBERS OF THE PUBLIC

Members of the public have the following rights:

- Attend all meetings of the committees except where confidential or exempt information is likely to be disclosed, and that part of the meeting is therefore held in closed session;
- See all reports and background papers, and any records of decisions made by the Committee unless they contain confidential or exempt information; and
- Right to complain to the committee regarding breaches of the ICH Code of Conduct or violations of these policies or ICH policies under the ICH Governance Charter Grievance Policy.

Responsibilities

A member of the public who is violent, abusive or threatening to any other person while at a committee may be excluded by the Chair or Co-Chair of the Committee from the meeting until such conduct is resolved.

Equal opportunities

In all its dealings with members of the public the members of each committee will endeavor to provide the highest level of service and aim to distribute services fairly across the community except where they need to (or by law must) be targeted to meet special needs, regardless of age, gender, marital status, disability, color, race, nationality, ethnic and national origin, religious beliefs or sexual orientation and will thoroughly investigate any complaint of noncompliance with this policy.

REGIONAL STEERING COMMITTEES

Background

On September 25, 2019, the ICH voted to accept changes to its Governance Charter and Bylaws reflecting a change in the structure of the ICH. The restructuring calls for the creation of Regional Steering committees that will combine the efforts of members of the Homeless Provider Network (HPN) with city regional representatives to create a new joint regional committee that will report directly to the ICH.

The new joint regional committee will represent all cities, homeless services organizations, homeless advocates, and members of the public interested in the provision of homeless services

to the region through the CoC. The HPN will continue to meet on a quarterly basis comprised of all five (5) regional groups representing the following regions as identified in the ICH Governance Charter and Bylaws: Central Valley, Desert, East Valley, Mountains, and West Valley. The new joint regional committee will meet monthly in place of the HPN monthly regional meetings.

Role and Functions of the Committees

The ICH Regional Steering committees will provide leadership and serve as a regional advisory body for the ICH as members of the CoC. ICH Regional Steering committees will be comprised of CoC members uniting members of the HPN and representatives from each regional city, incorporated and unincorporated, schools, county agencies, and public and private entities. The Regional Steering committees roles and responsibilities include:

1. Setting regional priorities, goals and action steps based on recommendations set forth in the Multijurisdictional Homeless Action Plan;
2. Facilitating regional alignment of resources and service coordination;
3. Coordinating regional participation in all San Bernardino County Homeless Partnership and CoC activities;
4. Engaging a broad range of public and private stakeholders in regional planning and coordinated service delivery; and
5. Providing project funding priorities and recommendations for regionally funding resources, based on a project prioritization process.

The Regional Steering Committees will meet as many times as necessary to accomplish the assigned tasks stated in these rules and procedures. Committees will make available all meeting minutes for the ICH and public, and provide a summary of activities and other recommendations monthly or as requested by the ICH. Each Regional Steering committee may create subcommittees to focus on specific issues, challenges, or projects related to the committee's assigned tasks.

Membership

Committee membership will include relevant CoC members and other interested stakeholders or relevant experts. Each Regional Steering committee is open to all agencies or municipalities interested in addressing homelessness in one of the five regions. For the purposes of conducting business and maintaining a quorum, each region will be composed of a minimum of six (6) or a maximum of twenty (20) voting delegates. There must be a minimum of one (1) non-governmental seat for every government seat on each committee and voting delegates must represent a governmental or community-based organization located within the region.

Each Regional Steering committee will be composed of two (2) co-chairs, one HPN individual elected by the HPN to represent the homeless service providers, and one appointed by the City Select committee to represent their region on ICH. In addition, each Regional Steering committee will appoint a Secretary to be responsible for preparing agendas, invitations, draft recommendations and reports for meetings in consultation with the OHS.

The election of the remaining eighteen (18) voting regional delegates will be voted on individually using the following procedures:

- The first nominee receiving a majority of votes cast will be declared duly elected to fill the position.
- If no nominee receives a majority vote on any vote, then the lowest vote receiver and anyone not receiving a vote will be dropped from the next ballot until a nominee receives a majority.
- After a position is filled, nominations will again be requested for the next position until all eighteen (18) elected regional voting delegates have been filled.
- No two elected regional delegates may come from the same agency or affiliated agency.

All participants of each Regional Steering committee may vote for the delegates who will be voting on their behalf as part of each committee. Each of the eighteen (18) voting delegates shall serve a term not to exceed two (2) years. Elections will occur biennially.

Meetings

Each Regional Steering committee shall convene regular monthly meetings. Each meeting of the Regional Steering committee shall be held at a date and location, fixed by the Committee at its previous session, and preceding meetings of the ICH when such meetings are scheduled at an appropriate time.

Ad hoc meetings may be convened by either co-Chair:

1. When the majority of voting delegates make a request for such a meeting;
2. At the request of the ICH when circumstances demand; and
3. Via internet/teleconference if so agreed by a simple majority of delegates, in accordance with the Brown Act.

In addition to exercising the powers conferred upon them elsewhere by these rules, either co-Chair shall declare the opening and closing of each meeting of the Regional Steering committee, shall direct the discussion, ensure the observance of these rules, and shall accord the right to speak, and announce decisions. The Chairperson may also call a speaker to order if their remarks are not relevant to the subject under discussion.

Records of the meetings of the Regional Steering committee shall be kept by the Secretary and shared with the Office of Homeless Services secretary to be made available to the ICH Board. Meetings shall be conducted in accordance with the provisions of the Brown Act (Government Code, section 54950, et seq.) and under Robert's Rules of Order.

Please be advised that **Elections for EDRSC Committee Members** will take place during the next EDRSC meeting on:

Tuesday, November 17, 2026
10:00 a.m.

Committee members elected during this election will serve a two-year term.

Organizations and individuals representing the following stakeholder groups are eligible to participate:

- Advocates
- Affordable Housing Developers
- Businesses
- Mental Health Agencies
- Nonprofit Homeless Service Providers
- Faith-Based Organizations
- Governments
- Homeless and Formerly Homeless Persons
- Hospitals
- Law Enforcement
- Persons with Lived Experience
- Organizations Serving Homeless and Formerly Homeless Veterans
- Public Housing Agencies
- School Districts
- Social Service Providers
- Universities
- Victim Service Providers

We encourage all eligible stakeholders to attend and participate in the election process.