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**CONTINUUM OF CARE  
GOVERNANCE CHARTER**

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FL-503 Lakeland, Winter Haven/  
Polk Continuum of Care Homeless  
Coalition of Polk County Lead  
Agency  
1815 Crystal Lake Drive  
Lakeland, FL 33801

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## I. INTRODUCTION

The Continuum of Care (CoC) is a regional, year-round planning body of representative stakeholders in the community's work toward ending homelessness, which coordinates the community's policies, strategies and activities toward ending homelessness. Its work includes gathering and analyzing information in order to determine the local needs of people experiencing homelessness, implementing strategic responses and measuring results. The CoC also sets the local process for applying, reviewing and prioritizing project applications for funding each year in the Continuum of Care Program Competition.

This document outlines key governance components of the CoC including CoC responsibilities.

## II. DEFINITIONS

CoC Catchment Area:	A catchment area is the area from which a continuum of care attracts a population that uses its services. The catchment area for FL-503 is Polk County.
Centralized or Coordinated Assessment System:	A centralized or coordinated process designed to coordinate program participant intake, assessment, and provision of referrals. A centralized or coordinated assessment system covers the geographic area, is easily accessed by individuals and families seeking housing or services, is well advertised, and includes a comprehensive and standardized assessment tool.
Collaborative Applicant:	An eligible applicant that has been designated by the Continuum of Care to apply for a grant for Continuum of Care planning funds on behalf of the Continuum.
Continuum of Care:	A community based collaborative effort which plans and coordinates the integration of services for the homeless in a geographical area and oversees the operating of systems and processes assigned to it. The Continuum of Care serves four main functions: <ul style="list-style-type: none"><li>▪ Operating the CoC Program;</li><li>▪ Designating and operating an HMIS;</li><li>▪ Continuum of Care planning;</li><li>▪ Preparing an application for funds.</li></ul>
Continuum of Care Plan:	A community plan to organize and deliver housing and services to meet the specific needs of people who are homeless as they move to stable housing and maximum self-sufficiency. It includes funding goals and action steps to end homelessness and prevent a return to homelessness.
Continuum of Care System:	A coordinated set of services to address the needs of the homeless. The fundamental components of the Continuum of Care system do not work in isolation from one another. Rather, the Continuum of Care system is a dynamic system in which services are linked through referrals and networking. This linkage

helps homeless persons access services more easily and progress toward permanent housing and self-sufficiency.

HMIS Lead: The entity designated by the Continuum of Care to operate the HMIS on its behalf.

Lead Agency: Agency that is designated to carry out the activities of the CoC including fiscal and compliance activities. Regular administrative tasks may include, but are not limited to: management of the annual HUD application and all state grants, coordination of other funding opportunities, project and system monitoring, meeting management, etc.

Ten-Year Plan: The Ten-Year Plan to End Homelessness shall coordinate the efforts of the Continuum of Care members and the local Community Planning Districts in the area included in the CoC consolidated application submitted to HUD and the State of Florida.

### **III. NAME**

The name of this Continuum of Care (CoC) shall be **Lakeland/Winter Haven/Polk County Continuum of Care** and the name of this CoC board shall be the **Lakeland/Winter Haven/Polk County CoC Governance Board**, herein referred to, respectively, as “the CoC” and “the Board.”

### **IV. PURPOSE**

The CoC is a membership planning and oversight body for the single-county region of Polk County, Florida. The purpose of the CoC is to develop and implement strategies to help end homelessness in Polk County. The CoC coordinates the community’s policies, strategies, and activities toward ending homelessness. Its work includes gathering and analyzing information in order to determine the local needs of people experiencing homelessness, securing resources to address the needs of people experiencing homelessness in the CoC catchment area, identifying and bridging gaps in housing and services, educating the community on homeless issues, providing advice and input on the operations of homeless services, and measuring CoC performance.

The CoC Governance Board, as constituted in Article VI of this charter, provides ongoing leadership and administrative oversight to fulfill the purposes of the Lakeland/Winter Haven/Polk County Continuum of Care.

### **V. ROLES AND RESPONSIBILITIES**

#### **RESPONSIBILITY TO OPERATE THE CONTINUUM OF CARE**

**Lead Agency Designation** -- To efficiently and effectively operate the Continuum of Care, a Lead Agency will be selected by the membership. The relationship between the CoC and the Lead Agency and its responsibilities are outlined in the Lead Agency Memorandum of Understanding at Appendix B. The Lead Agency will:

- Provide oversight and direction to the continuum of care planning process, exercising executive direction over continuum activities, and ensuring administrative support to the continuum;
- In consultation with recipients of ESG and CoC funds within the CoC, establish and consistently follow written standards for providing CoC assistance;
- Ensure CoC meetings and workshops are scheduled and that participants are notified in a timely manner in accordance with this governance charter;
- Hold meetings of the full membership, at least semi-annually, and make a public invitation for new members at least annually;
- Coordinate with the U. S. Department of Housing and Urban Development (HUD) to ensure all information related to grants available through HUD are current;
- Coordinate with the State of Florida to ensure all information related to grants available through the State of Florida is current;
- Educate the community on homeless issues.

**Meetings and New Members** -- The Lead Agency will ensure that meetings of the full membership are held at a regular time approved by the membership and that the meeting agenda, time, date and location of meetings along with minutes of the meetings are posted on the Lead Agency website. Additionally, the Lead Agency will make an invitation for new members to join the CoC publicly available within the geographic area at least annually.

**Governance Board** – The CoC has adopted and follows the written process contained in sections VI, VII, VIII and IX of this charter to define membership, organization including an executive committee, terms of office, selection process, and responsibilities of a board to act on behalf of the CoC.

**Updating Governance Policy** -- The Lead Agency will ensure that this Governance Charter is reviewed and updated annually and that all CoC procedures and policies are reviewed and updated as necessary to comply with all HUD requirements, HMIS requirements, and State of Florida guidance and direction. All updated policies and procedures will be approved by the CoC membership.

**Evaluating and Monitoring** -- Consulting with grant recipients and subrecipients, the CoC will establish performance targets in line with funder requirements, monitor recipient and subrecipient performance, evaluate outcomes, take action against poor performers, and report results to HUD.

**Establishing and Oversight of a Coordinated Entry System** -- The CoC will establish a coordinated entry system that provides an initial, comprehensive assessment of the needs of individuals and families for housing and services for all people experiencing homelessness in the CoC catchment area. The Lead Agency will oversee the operation of the coordinated entry system, providing day-to-day direction, evaluating the performance of the system, and reporting to the membership.

**Coordinated Entry System Policies and Procedures** – The Lead Agency will develop policy and procedures to guide the operation of the coordinated entry system and ensure they are followed. These policies and procedures will address the needs of individuals and families who are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, or stalking, but who are seeking shelter or services from non-victim service providers. They will also address the needs of homeless veterans and unaccompanied youth. Additionally, the policies and procedures will address evaluating all individuals’ and families’ eligibility for assistance, and determining and prioritizing which eligible individuals and families:

- will receive transitional housing assistance,
- will receive rapid rehousing assistance;
- will receive permanent supportive housing assistance.

The policy and procedures must also address the percentage or amount of rent each program participant must pay while receiving rapid rehousing assistance.

### **RESPONSIBILITY TO DESIGNATE AND OPERATE A HMIS**

**Single Homeless Management Information System (HMIS) Designation and HMIS Lead Agency Designation** – The CoC will designate a single HMIS for the CoC catchment area and an eligible applicant to serve as the HMIS Lead Agency to manage the HMIS for the CoC. The relationship between the CoC and the HMIS Lead Agency and its responsibilities are outlined in the HMIS Lead Agency Memorandum of Understanding at Appendix C.

**HMIS Planning** – The HMIS Lead Agency will develop and annually review, and revise, as required, a privacy plan, security plan, and data quality plan for the HMIS. All revisions will be approved by the CoC membership after review.

**Consistent Participation of Recipients and Subrecipients** – Agency participation in the HMIS is subject to the execution of a standardized participation memorandum of agreement by the agency and the HMIS Lead Agency covering each party’s responsibilities in privacy, security, and data entry and data integrity.

**Administer the HMIS** – The HMIS Lead Agency will administer the HMIS in accordance with the CoC HMIS Policies and procedures manual which implement all HUD requirements.

### **RESPONSIBILITY FOR CONTINUUM OF CARE PLANNING**

**Ending Homelessness** – The Lead Agency will develop strategies to end homelessness in Polk County, based on the consideration of documented best practices, local needs and gaps, innovations in programs and service delivery, and available and potential resources.

**Annual CoC Planning Procedure** – The Lead Agency will develop an Annual CoC Planning Procedure which documents the Continuum of Care year-round planning activity to ensure the Continuum of Care system meets the needs of the homeless by identifying types of services needed, the location where services are needed, the capacity that must be met by the services, and identifying approaches to providing those services. This procedure must address:

- **Point-in-Time Homeless Count** -- Planning for and conducting an annual point-in-time count of homeless persons within the geographic area that meets HUD requirements. The count must include both homeless persons who are living in a place not designed or ordinarily used as a regular sleeping accommodation for humans counted as unsheltered homeless persons and persons living in emergency shelters and transitional housing counted as sheltered homeless persons. The count must also meet other requirements established by HUD by Notice.
- **Annual Gaps Analysis** -- Conducting an annual gaps analysis of the homeless needs and services available within the geographic area;
- **Consolidated Plans** -- Providing information required to complete the Consolidated Plans to the three consolidated plan jurisdictions within Polk County;
- **Emergency Solutions Grants** -- Consulting with Emergency Solutions Grants program recipients within Polk County on the plan for allocating Emergency Solutions Grants program funds and reporting on and evaluating the performance of Emergency Solutions Grants program subrecipients.

**Strategic Plan** – The Planning Committee, supported by the Lead Agency, has responsibility for developing a five-year strategic plan to alleviate homelessness and annual increments of that plan. The strategic plan will include goals for reducing the numbers in each sub-population of the homeless within the Polk County

area at the beginning of the planning period. These goals will also be linked to resource needs that will provide the baselines for grant applications.

**CoC Plans Approval** -- The CoC membership will approve all plans and all updates. Approved plans will be filed at the offices of HCPC and posted on the Lead Agency website.

### **RESPONSIBILITY TO PREPARE APPLICATION FOR FUNDS**

**Collaborative Applicant** – The CoC will designate and approve by membership vote a Collaborative Applicant for the CoC. The relationship between the CoC and the Collaborative Applicant and its responsibilities are outlined in the Collaborative Applicant Memorandum of Understanding at Appendix D. The Collaborative Applicant will:

- Establish the local process for applying, reviewing and prioritizing project applications for funding in the annual HUD Continuum of Care Program competition;
- Collect and combine the required application information from all applicants and for all projects within Polk County that the CoC has selected for funding and submit the Consolidated Application;
- Approve the final submission of applications in response to the CoC Notice of Funding Availability;
- Apply for CoC planning funds on behalf of the CoC;
- Apply for Unified Funding Agency designation from HUD if directed to do so by the CoC;
- Participate in the development of the governance charter with the CoC;
- Act on behalf of the CoC when applying to HUD for grants.

The Collaborative Applicant designated by the CoC must be a legal entity that can enter into contractual agreements. The Collaborative Applicant has the authority to sign a grant agreement with HUD. Additionally, the Collaborative Applicant Executive Director ensures that the Consolidated Application, including the Priority Listings are posted to the Collaborative Applicant’s website before the submission deadline and notifies community members and key stakeholders that the application is available.

**Collaborative Application Development Process** – The Collaborative Applicant, working with the Planning Committee, is responsible for developing and annually updating the Annual Planning Policy which documents the year-round, collaborative application development process. The Collaborative Applicant also ensures the procedure is implemented and documented. It is the responsibility of CoC member agencies to actively participate in the collaborative application development process and to review all work products.

**A Priority for Funding Projects** – The Project Selection Committee, chosen from persons neither employed by an applicant nor with a financial interest in an applicant, is responsible for prioritizing project applications. The Collaborative Applicant is responsible for developing ranking criteria and procedures to be used in the ranking process based on established priorities that align with local and federal policies for recommending projects for the annual HUD Continuum of Care Program competition funding. Additionally, The Collaborative Applicant is to ensure that Project Selection Committee meeting minutes are taken and made available to the full CoC membership. The Governance Board approves all procedures and criteria.

**Other Application for Funds Responsibilities** -- The Collaborative Applicant will:

- Maintain documentation regarding the policy and procedures established by the members the CoC for the solicitation, evaluation, selection, and awarding of grants and contracts;
- Maintain documentation of the rating criteria established by the members of the members CoC for grants and contract award evaluation for submission to the Continuum of Care membership;

- Collect and distribute grant and contract proposals from applicants based on approved procedures and criteria;
- Conduct membership meeting including funding discussions and funding policy votes.

## **VI. MEMBERS OF THE CoC GOVERNANCE BOARD**

The CoC Governance Board shall consist of 22 members with representation from all sectors of the community, including but not limited to: individuals experiencing homelessness, service providers, business community, funders, faith community, and representatives of government.

Because the Board serves at the behest of the CoC, most members will be elected by the full membership of the CoC through an annual process. In addition to the elected members, 6 members of the CoC Governance Board will be appointed, as listed below.

### **Appointed Members**

6 members will be appointed, as follows:

1. One person appointed by the Polk County Board of County Commissioners;
2. One person appointed by the City of Lakeland City Commissioners;
3. One person appointed by the City of Winter Haven City Commissioners;
4. Chamber of Commerce CEO or her/his appointee
5. United Way of Central Florida CEO or her/his appointee
6. CoC Lead Agency Executive Director or her/his appointee. This individual serves in a nonvoting, ex officio capacity.

### **Elected members**

16 members to be elected from the categories below to be elected by the full membership of the CoC:

1. One person who is currently experiencing homelessness or one person who has been homeless (note: representation of a person who is currently experiencing homelessness or who has been homeless is required)
2. One representative of the Veterans Administration
3. A Public Housing Authority Executive Director or her/his appointee
4. One representative of State-certified domestic/sexual violence provider Executive Director or her/his appointee
5. One representative of an indigent health care provider organization
6. One representative from law enforcement
7. One representative from the behavioral health services field
8. One representative of the healthcare industry
9. One representative from higher education
10. One representative of the employment services field
11. One emergency shelter provider
12. One permanent supportive housing provider
13. One representative from the public school systems
14. One representative of the faith community
15. One representative from the private philanthropic sector
16. One representative from the private business sector

### **Additional Membership Conditions**

No organization may have more than two (2) staff or Board representatives seated on the CoC Governance Board at any time, regardless of which seats they occupy. Every effort shall be made to ensure that the Board is representative of CoC stakeholder groups, and that all homeless services areas are represented on the Board. Every effort shall be made to ensure that no more than 25% of representation of the Board comprises human services/housing providers or any other single stakeholder group.

Individuals who are appointed to the Board by an appointing entity serve at the pleasure of the appointing entity. Individuals appointed or elected as representatives of agencies or populations serve in those capacities, and may no longer serve in those capacities if their representative status changes. Individuals elected or appointed in representative capacities should have the authority to represent their respective agencies or bodies.

## **VII. LEADERSHIP OF THE CoC GOVERNANCE BOARD (EXECUTIVE COMMITTEE)**

The CoC Governance Board will use an Executive Committee. The members of the Board's Executive Committee shall consist of: one (1) Chair, one (1) Vice Chair, one (1) Secretary, and 5 additional At Large Executive Committee members elected by and from the full CoC Governance Board. The outgoing Chair shall serve on the Executive Committee as Immediate Past Chair for one year following the expiration of his/her term as Chair.

The Executive Committee is empowered to act on behalf of the full Board between meetings of the full Board, in cases of emergency or as directed by the Board. A quorum for Executive Committee action is 5 persons. Executive Committee action is subject to review by the full Board at its next regular meeting. Actions of the Executive Committee may be overturned by a two-thirds vote of the Board members present at the next regular Board meeting.

The Board shall elect the Chair, Vice Chair, Secretary, and At Large members of the Executive Committee annually following the election of the Board.

A member of the Board Executive Committee may serve no more than two consecutive terms in a given office. No organization may have more than one (1) staff or Board representative on the CoC Board Executive Committee at any time, regardless of which seats they occupy.

## **VIII. TERMS OF CoC GOVERNANCE BOARD OFFICE**

Members of the CoC Governance Board will serve two-year terms and no more than three (3) sequential terms of office. Members must be reelected to serve at the end of each term. Terms will be staggered to ensure continuity of CoC governance. In the first year, the Board will establish a policy to ensure staggering of terms.

Persons elected to serve the unexpired term of a member who has resigned or been removed will serve out the remainder of that person's term. This person will be eligible for appointment or election to three subsequent sequential terms.

## **IX. CoC GOVERNANCE BOARD MEMBER QUALIFICATIONS AND RESPONSIBILITIES**

All members of the CoC Governance Board shall affirm a professional interest in, or personal commitment to, addressing and alleviating the impacts of homelessness on the people of Polk County, Florida.

Each CoC Governance Board Member must also:

1. Be a CoC member in good standing.
2. Sign a conflict of interest disclosure statement.
3. Collaborate with other members to work toward the CoC mission.
4. Abide by the CoC governance charter, policies, and procedures.
5. Actively serve on at least one committee per year.
6. If representing a certain sector of homeless services or prevention, solicit input from others in that sector who are not on the Board to ensure their voices are represented.
7. Attend and participate actively in meetings.
8. Participate in the activities of the CoC Governance Board, including the Point-in-Time count, HMIS oversight, strategic planning, advocacy and public education efforts, project and system performance reviews.

## **X. CoC GOVERNANCE BOARD PROCESS SELECTION**

As described in Section VI, 4 Board members are appointed by specific bodies. The remaining Board members are elected at an annual meeting of the CoC membership except for the Past Chair. To be elected to the Board, a CoC member must obtain a majority vote of the CoC members in attendance.

### **Removal**

If a CoC Board Member is absent without prior notification from more than 25% of the regular CoC Board meetings in a calendar year, that person will be administratively removed from the CoC Board.

A Board Member may also be removed for cause from the Board upon a two-thirds vote of the remaining Board members. If a Board member wishes to resign, the Board member shall submit a letter of resignation to the Chair.

### **Conflict of Interest**

Any individual participating in or influencing decisions must identify actual or perceived conflicts of interest as they arise and comply with the letter and spirit of the Conflict of Interest Policy at appendix A. All members of the Board and Committee Chairs must complete the Annual Conflict of Interest Statement (attached to Appendix A) once each year.

A financial conflict of interest is broadly defined to include a conflict by any Board Member with any other Director(s), professional employment and groups, funding sources, and vendors, and with members of their immediate family or significant others. Disclosure should occur at the earliest possible time and, if possible, prior to the discussion of any such issues. Individuals with a conflict of interest shall abstain from both discussion and voting on any issues in which they may have a conflict. An individual with a conflict who is the Board chair shall yield that position during discussion and abstain from voting on the item. Decisions by the Board must be justifiable as being in the best interests of the CoC. Minutes of meetings involving possible conflicts of interest shall record such disclosure, abstention, and rationale for approval.

### **Decision Making, Quorum, and Proceedings at Meetings**

The CoC Governance Board will meet at least quarterly but may meet more frequently, as needed.

Board Meetings shall be open to any interested party. Meetings will be noticed in advance through the CoC membership list and on the Lead Agency website. Such notice will include the date, time, and location of the meeting. Should the requirements of the State of Florida Sunshine Law be relevant to any meeting, the Board will comply with the requirements of the Sunshine Law.

A quorum for Board meetings is defined as 50% of Board membership. Conduct of Board meetings shall be vested in the Chair. Meetings will be conducted according to Robert's Rules of Order, revised edition. Meeting procedures for Board meetings must provide an opportunity for all Board members present to be heard and for the efficient conduct of business.

Actions of the Board will be by majority vote of the Directors present.

Minutes of meetings shall be taken by the Secretary or his/her designee and shall be made available to interested parties.

### **Committees and Workgroups**

The CoC Governance Board will appoint committees, subcommittees, or workgroups to fulfill the work of the CoC. Much of the CoC's work is conducted at committee and workgroup meetings. Standing committees will include:

1. Capacity Building
2. Planning
3. Membership & Public Relations
4. Advocacy
5. Project Selection Committee

### **Ad Hoc Committees**

The CoC Governance Board may also create time-limited ad-hoc committees to develop recommended solutions to the specific issue for which they were created.

### **Committee Membership**

Committees and workgroups will be open to CoC members, in addition to the CoC Governance Board, however a Board member will serve as Chair for each committee. Committees and workgroups will submit their findings and recommendations to the CoC Governance Board for further action.

## **XI. CoC MEMBERSHIP**

The CoC is open to any individual or organization that is interested or has a personal commitment to addressing and alleviating the impacts of homelessness on the people of Polk County, Florida.

To be a member in good standing, the individual or organization must have completed an application for membership and paid dues in full for the calendar year. Membership dues are determined annually by the CoC Governance Board. Dues will be waived for persons experiencing homelessness.

## **Recruitment and Outreach**

The CoC will publish and appropriately disseminate an open invitation at least annually for persons within the CoC area to join as new CoC members. Recruitment efforts will be documented by the CoC.

The CoC, through the Membership and Public Relations Committee, will identify and address membership gaps in essential sectors, from key providers or other vital stakeholders. The CoC, through the Membership and Public Relations Committee, will recruit members to ensure that it meets all membership requirements set forth in its governance charter, including representation of certain populations and certain organizations. Specifically, outreach will be conducted to obtain membership from the following groups (and others):

1. Nonprofit homeless assistance providers
2. Victim service providers
3. Faith-based organizations
4. Governments
5. Businesses
6. Advocates
7. Public housing agencies
8. School districts
9. Regional Workforce Boards
10. Social service providers
11. Mental health and substance abuse agencies
12. County Health Departments, hospitals and primary health care providers
13. Colleges and Universities
14. Affordable housing developers
15. Law enforcement
16. Veterans' organizations
17. Individuals who are, or have been, homeless
18. Other relevant organizations within the CoC's geography (which may include substance abuse service providers and funders, foster care, local job councils, etc.)

## **Decision Making, Quorum, and Proceedings at Meetings**

CoC full membership meetings shall be held at least quarterly, with one meeting specified as the annual meeting at which Governance Board elections are held.

CoC meetings shall be open to any interested party. Meetings will be noticed in advance through the CoC membership list and on the Lead Agency website. Such notice will include the date, time, and location of the meeting. Should the requirements of the State of Florida Sunshine Law be relevant to any meeting, the CoC and Board will comply with the requirements of the Sunshine Law.

Conduct of CoC meetings shall be vested in the CoC Governance Board Chair, Vice Chair, or by the Lead Agency Executive Director if designated by the CoC Governance Board Chair. Meetings will be conducted according to Robert's Rules of Order, revised edition. Meeting procedures for CoC meetings must provide an opportunity for all present to be heard and for the efficient conduct of business.

Decisions at CoC meetings will be final upon a majority vote of the members present.

Minutes of meetings shall be taken by the Secretary or his/her designee and shall be made available to interested parties.

### **Relationship between the CoC Governance Board and the full CoC Membership**

The CoC Governance Board serves at the behest of the CoC. Should the CoC want to designate certain responsibilities to the CoC Governance Board, it is able to do so.

The CoC Governance Board will keep the full CoC membership involved by including members in workgroups and committees and sharing information via email lists and any other means appropriate.

As described in Section VI, 18 members of the CoC Governance Board are elected by the full CoC membership. Each CoC member in good standing who is present at the CoC annual meeting is entitled to one vote.

## **XII. FUNDING**

The Executive Director of the Lead Agency is authorized to pursue all funding opportunities required to carry out the CoC duties and responsibilities assigned in this document. The Lead Agency Executive Director will obtain Board approval for each CoC funding opportunity to be pursued.

## **XIII. AMENDMENT AND REVIEW**

The CoC will review, update, and approve this governance charter at least annually. Amendment of the Charter requires a majority vote of the CoC membership at a regularly scheduled meeting of the vote of the CoC, provided that notice of the scheduled vote on the charter amendment was provided at least two weeks prior to that CoC meeting.

# APPENDIX A – CONFLICT OF INTEREST POLICY AND PROCEDURE

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## CONFLICT OF INTEREST POLICY

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Lakeland, Winter Haven/Polk County  
Continuum of Care  
Homeless Coalition of Polk County  
Lead Agency  
5304 South Florida Avenue  
Suite 406  
Lakeland, FL 33813

## **PURPOSE**

1. The purpose of this conflict of interest policy is to protect the Lakeland, Winter Haven/Polk County Continuum of Care (CoC) interests when it is contemplating entering into a transaction or arrangement that might benefit the private interests of a Board Member of the CoC.
2. This policy is intended to supplement, but not replace, any applicable state and federal laws governing conflicts of interest applicable to nonprofit and charitable organizations.

## **DEFINITIONS**

Financial interest:

A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

- a) An ownership or investment interest in any entity with which the CoC has a transaction or arrangement,
- b) A compensation arrangement with the CoC or with any entity or individual with which the CoC has a transaction or arrangement, or
- c) A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the CoC is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial. A financial interest is not necessarily a conflict of interest. A person who has a financial interest may have a conflict of interest only if the Board decides that a conflict of interest exists, in accordance with this policy.

Organizational Conflict:

An organizational conflict of interest arises when, because of activities or relationships with other persons or organizations, the Member of the Board or Committee is unable or potentially unable to render impartial assistance in the provision of any type or amount of assistance under 24 CFR Part 578 (Interim Final Rule), or when an individual's objectivity in performing work with respect to any activity assisted under Part 578 is or might be otherwise compromised.

## **POLICY**

### **Conflict of Interest**

No CoC Board Member or member of a committee may participate in or influence discussions concerning the award of a grant or other financial benefits to that individual or the organization that the Member represents.

### **Recusal Policy**

CoC Board Members and persons acting on behalf of the CoC must remove themselves from the decision-making or evaluation process when a personal or organizational conflict exists. CoC Board Members and members of other CoC committees must recuse themselves during the decision-making or evaluation process, abstain from any voting related matters subject to the conflict, and leave the room, or meeting,

while such matters are being discussed. Following the discussion, the Board Member or committee member should rejoin the meeting. Where possible, agenda items should be rearranged in order to move other items of business up on the agenda so that the discussion item in conflict can be discussed last.

## **Duty to Disclose**

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest or organizational conflict and be given the opportunity to disclose all material facts to the Board.

## **Recusal of Self**

Any director may recuse himself or herself at any time from involvement in any decision or discussion in which the director believes he or she has or may have a conflict of interest, without going through the process for determining whether a conflict of interest exists.

## **Compensation**

1. A voting member of the Board who receives compensation, directly or indirectly, from the CoC for services is precluded from voting on matters pertaining to that member's compensation.
2. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the CoC for services is precluded from voting on matters pertaining to that member's compensation.
3. No voting member of the Board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the CoC, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

## **Annual Statements**

1. Each director, principal officer and member of a committee with Board delegated powers shall annually sign a statement which affirms such person:
  - a) has received a copy of the conflict of interest policy,
  - b) has read and understands the policy,
  - c) has agreed to comply with the policy.

The Annual Conflict of Interest Statement is an attachment to this policy.

2. Each voting member of the Board shall annually sign a statement which declares whether such person is an independent voting member of the governing body.
3. If at any time during the year, the information in the annual statement changes materially, the director shall disclose such changes and revise the annual disclosure form.
4. The Board shall regularly and consistently monitor and enforce compliance with this policy by reviewing annual statements and taking such other actions as are necessary for effective oversight.

# **PROCEDURES**

## **Determining Whether a Conflict of Interest Exists**

After disclosure of the financial interest or organizational conflict and all material facts, and after any discussion with the interested person, he/she shall leave the Board meeting while the determination of a

conflict of interest is discussed and voted upon. The remaining Board members shall decide if a conflict of interest exists.

## **Addressing the Conflict of Interest**

1. An interested person may make a presentation at the Board meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
2. The President of the Board shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
3. After exercising due diligence, the Board shall determine whether the CoC can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
4. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the Board shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the CoC's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether to enter into the transaction or arrangement.

## **Violations of the Conflicts of Interest Policy**

1. If the Board has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
2. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the Board determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

## **Record of Proceedings**

The minutes of the Board shall contain:

1. The names of the persons who disclosed or otherwise were found to have a financial interest *or* organizational conflict in connection with an actual or possible conflict of interest, the nature of the financial interest or organizational conflict, 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.
2. 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.

# ATTACHMENT

## Lakeland, Winter Haven/Polk County Continuum of Care Annual Conflict of Interest Statement

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Board Position: \_\_\_\_\_

Conflict of Interest:

I affirm the following:

I have received a copy of the CoC Conflict of Interest Policy. \_\_\_\_\_(initial)

I have read and understand the policy. \_\_\_\_\_(initial)

I agree to comply with the policy. \_\_\_\_\_(initial)

I understand that the CoC is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of tax-exempt purposes. \_\_\_\_\_(initial)

Disclosures:

1. Do you have a financial interest or organizational conflict (current or potential), including a compensation arrangement, as defined in the Conflict of Interest policy with the CoC? Yes No

a. If yes, please describe it: \_\_\_\_\_

b. If yes, has the financial interest or organizational conflict been disclosed, as provided in the Conflict of Interest policy?

Yes No

2. In the past, have you had a financial interest or organizational conflict, including a compensation arrangement, as defined in the Conflict of Interest policy with the CoC? Yes No

a. If yes, please describe it, including when (approximately): \_\_\_\_\_

b. If yes, has the financial interest or organizational conflict been disclosed, as provided in the Conflict of Interest policy?

Yes No

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## APPENDIX B—LEAD AGENCY MEMORANDUM OF UNDERSTANDING

### MEMORANDUM OF UNDERSTANDING

#### BETWEEN

**FL503 – Lakeland/Winter Haven/Polk County Continuum of Care**

#### AND

**Homeless Coalition of Polk County, Inc.**

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**WHEREAS** the FL-503 Lakeland/Winter Haven/Polk County Continuum of Care (the “CoC”) adopted a Governance Charter on August 16, 2017;

**WHEREAS** the CoC shall serve the geographic area of the FL-503 Lakeland/Winter Haven/Polk County Continuum of Care, which includes the county of Polk to:

- Promote a community-wide commitment to the goal of ending homelessness
- Provide funding for efforts by nonprofit providers, States and local governments to rehouse homeless individuals and families rapidly while minimizing the trauma and dislocation caused to homeless individuals, families, and communities as a consequence of homelessness;
- Promote access to and effective use of mainstream programs by homeless individuals and families
- Optimize self-sufficiency among individuals and families experiencing homelessness; and

**WHEREAS** the CoC shall develop policies and procedures conforming to the State of Florida Statute 420.623 (Title XXX – Social Welfare; Chapter 420 – Housing; Part VI, Social Welfare – Affordable Housing; Coalitions for Homeless, Family Emergency Assistance; Local Coalitions for the Homeless) to designate an eligible organization to serve as the Continuum of Care (CoC) Lead Agency to provide services outlined in this Memorandum of Understanding;

**WHEREAS** the CoC has designated its Governance Board to sign this Memorandum of Understanding on its behalf; and

**WHEREAS** Homeless Coalition of Polk County, Inc., a 501 (c)(3) nonprofit organization, has been designated as the CoC Lead Agency by the CoC, and as such is responsible for the annual State of Florida grant funds applications on behalf of agencies within the CoC catchment area, and shall manage the CoC and ensure the CoC is in compliance with all applicable Florida Statute 420.623 rules and regulations;

The parties agree to the following:

#### **ROLES AND RESPONSIBILITIES OF THE CoC LEAD AGENCY:**

1. Coordination of CoC required meetings, including logistics, agendas, and minutes
2. Recordkeeping of all CoC-related documents
3. Development of a homeless continuum of care plan
4. Application for State of Florida grant funds on behalf of CoC agencies
5. Monitoring of State-funded projects
6. Coordination of annual Point in Time count of homeless persons
7. State of Florida mandated reporting

8. Update and maintain CoC website
9. Execute HUD-required Planning activities
10. Manage CoC Coordinated Entry process
11. Assist with advocacy and outreach within the community
12. Governance Board and CoC-member development and support

**ROLES AND RESPONSIBILITIES OF THE CoC GOVERNANCE BOARD:**

1. Approve policies and procedures for performance monitoring, evaluation, corrective plans and reporting for all CoC Program and ESG recipients and subrecipients.
2. Ensure that any potential or perceived conflicts of interest are addressed in an effective, open, and timely manner.
3. Collaborate to secure and align local public and private funds, state funds, and federal funds to prevent and end homelessness.
4. Review, evaluate, and score project applications in response to grant solicitations for homelessness assistance resources.
5. Approve CoC performance targets appropriate for each population and program type.
6. Conduct an annual performance review of the CoC Lead Agency.

**DURATION AND RENEWAL**

Except as provided in the TERMINATION section, the duration of the MOU shall be from January 1, 2019 through December 31, 2019. This agreement shall renew automatically each year unless either party gives notification pursuant to TERMINATION section.

**AMENDMENTS/NOTICES**

The MOU may be amended in writing by either party and is in effect upon signature of both parties. Notices shall be mailed, emailed or delivered to:

1. Chair of the CoC Governance Board;
2. Executive Director of Lead Agency.

**TERMINATION**

Either party may terminate this MOU at a date prior to the renewal date specified in the MOU by giving 60 days written notice to the other party. If HUD CoC Planning Grant funds relied upon to undertake activities described in the MOU are withdrawn or reduced, or if additional conditions are placed on such funding, any party may terminate this MOU within 30 days by providing written notice to the other party. The termination shall be effective on the date specified in the notice of termination.

Signatures:

\_\_\_\_\_  
 Chair  
 CoC Governance Board

\_\_\_\_\_  
 Executive Director  
 Lead Agency

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Date

# APPENDIX C – HMIS LEAD AGENCY MEMORANDUM OF UNDERSTANDING

## MEMORANDUM OF UNDERSTANDING

### BETWEEN

**FL503 – Lakeland/Winter Haven/Polk County Continuum of Care**

### AND

**Homeless Coalition of Polk County, Inc.**

---

**WHEREAS** the FL-503 Lakeland/Winter Haven/Polk County Continuum of Care (the “CoC”) adopted a Governance Charter on August 16, 2017;

**WHEREAS** the CoC shall serve the geographic area of the FL-503 Lakeland/Winter Haven/Polk County Continuum of Care, which includes Polk County, to:

- Promote a community-wide commitment to the goal of ending homelessness;
- Provide funding for efforts by nonprofit providers, States and local governments to rehouse homeless individuals and families rapidly while minimizing the trauma and dislocation caused to homeless individuals, families, and communities as a consequence of homelessness;
- Promote access to and effective use of mainstream programs by homeless individuals and families;
- Optimize self-sufficiency among individuals and families experiencing homelessness; and

**WHEREAS** the CoC shall develop policies and procedures conforming to the U.S. Department of Housing and Urban Development (HUD) requirements detailed in 24 CFR part 578 to designate an eligible organization to serve as the Homeless Management Information System (HMIS) Lead Agency to provide services outlined in this Memorandum of Understanding;

**WHEREAS** the CoC has designated its Governance Board to sign this Memorandum of Understanding on its behalf; and

**WHEREAS** Homeless Coalition of Polk County, Inc. has been designated as the HMIS Lead Agency by the CoC, and as such is the sole eligible applicant for HUD CoC HMIS project grant, and shall manage the HMIS as required by HUD and that the CoC is in compliance with all applicable HUD rules and regulations;

The parties agree to the following:

### **ROLES AND RESPONSIBILITIES OF THE HMIS LEAD AGENCY:**

1. Oversee day-to-day administration and operation of HMIS;
2. Maintain relationship with CoC’s HMIS software vendor;
3. Maintain and keep current all licenses and user agreements;
4. Maintain a working relationship with all HMIS-contributing organizations;
5. Develop and implement HMIS-related trainings for end users;
6. Develop and follow a data quality plan (to be approved by the CoC);
7. Develop and follow a data security and privacy plan (to be approved by the CoC);
8. Produce standard and customized reports, as applicable and requested by member agencies;
9. Maintain compliance with HUD’s current data standards;

10. Point in Time count survey development, data entry, and data compilation;
11. Maintain current and accurate data related to CoC housing inventory;
12. Provide mandatory reporting to HUD – AHAR, PIT, HIC, and other reports, as required;
13. Develop and submit HMIS project application for annual consolidated application.

**ROLES AND RESPONSIBILITIES OF THE CoC GOVERNANCE BOARD:**

1. Approve policies and procedures for performance monitoring, evaluation, corrective plans and reporting for all CoC Program and ESG recipients and subrecipients;
2. Ensure that any potential or perceived conflicts of interest are addressed in an effective, open, and timely manner;
3. Collaborate to secure and align local public and private funds, state funds, and federal funds to prevent and end homelessness;
4. Review and approve the HMIS project application as a response to HUD’s annual CoC Program NOFA for homelessness assistance resources;
5. Approve CoC performance targets appropriate for each population and program type;
6. Conduct an annual performance review of the HMIS Lead Agency.

**DURATION AND RENEWAL**

Except as provided in the TERMINATION section, the duration of the MOU shall be from January 1, 2019 through December 31, 2019. This agreement shall renew automatically each year unless either party gives notification pursuant to TERMINATION section.

**AMENDMENTS/NOTICES**

The MOU may be amended in writing by either party and is in effect upon signature of both parties. Notices shall be mailed, emailed or delivered to:

1. Chair of the CoC Governance Board;
2. Executive Director of the HMIS Lead Agency.

**TERMINATION**

Either party may terminate this MOU at a date prior to the renewal date specified in the MOU by giving 60 days written notice to the other party. If the HUD HMIS funds relied upon to undertake activities described in the MOU are withdrawn or reduced, or if additional conditions are placed on such funding, any party may terminate this MOU within 30 days by providing written notice to the other party. The termination shall be effective on the date specified in the notice of termination.

Signatures:

\_\_\_\_\_  
 Chair  
 CoC Governance Board

\_\_\_\_\_  
 Executive Director  
 HMIS Lead Agency

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Date

# APPENDIX D—COLLABORATIVE APPLICANT MEMORANDUM OF UNDERSTANDING

## MEMORANDUM OF UNDERSTANDING

### BETWEEN

**FL503 – Lakeland/Winter Haven/Polk County Continuum of Care**

### AND

**Homeless Coalition of Polk County, Inc.**

---

**WHEREAS** the FL-503 Lakeland/Winter Haven/Polk County Continuum of Care (the “CoC”) adopted a Governance Charter on August 16, 2017;

**WHEREAS** the CoC shall serve the geographic area of the FL-503 Lakeland/Winter Haven/Polk County Continuum of Care to:

- Promote a community-wide commitment to the goal of ending homelessness
- Provide funding for efforts by nonprofit providers, States and local governments to rehouse homeless individuals and families rapidly while minimizing the trauma and dislocation caused to homeless individuals, families, and communities as a consequence of homelessness;
- Promote access to and effective use of mainstream programs by homeless individuals and families
- Optimize self-sufficiency among individuals and families experiencing homelessness; and

**WHEREAS** the CoC shall develop policies and procedures conforming to the U.S. Department of Housing and Urban Development requirements detailed in 24 CFR part 578 to designate an eligible organization to serve as the Collaborative Applicant to provide services outlined in this Memorandum of Understanding;

**WHEREAS** the CoC has designated its CoC Governance Board to sign this Memorandum of Understanding on its behalf; and

**WHEREAS** Homeless Coalition of Polk County, Inc., a 501(c)(3) nonprofit organization, has been designated as the Collaborative Applicant by the CoC, and as such is the sole eligible applicant for HUD CoC Planning Grant funds, and shall manage the required HUD process on behalf of the CoC to ensure the maximum amount of funds are received by the CoC jurisdiction and that the CoC is in compliance with all applicable HUD rules and regulations;

The parties agree to the following:

### **ROLES AND RESPONSIBILITIES OF THE COLLABORATIVE APPLICANT:**

1. Conduct the HUD CoC Program grant process, which includes but is not limited to:
  - a. Plans and coordinates a collaborative grant process within the CoC catchment area
  - b. Develops an application timeline
  - c. Establishes CoC priorities that align with HUD’s priorities, as stated in the Notice of Funds Availability (NOFA) or related materials

- d. Ranks projects according to the NOFA's instructions
  - e. Prepares the application for CoC approval
  - f. Submits the consolidated application
2. Applies for HUD Planning dollars and is able to provide the match required for the planning grant.
  3. Develop, in cooperation with the CoC, performance targets appropriate for each population and program type based on HUD performance standards identified in HUD guidance, NOFAs and notices.
  4. Conduct performance monitoring, evaluation and reporting of all CoC program and ESG program recipients and subrecipients.
  5. Develops a quality improvement plan (QIP) and provides technical assistance for underperforming projects.
  6. Provides required reports to HUD.
  7. Establishes written standards for HUD-funded and state-funded recipients and subrecipients
  8. Serves as liaison between CoC-funded projects and the local HUD Field Office located in Jacksonville, FL.

## **ROLES AND RESPONSIBILITIES OF THE CoC GOVERNANCE BOARD:**

1. Approve policies and procedures for performance monitoring, evaluation, corrective plans and reporting for all CoC Program and ESG recipients and subrecipients.
2. Ensure that any potential or perceived conflicts of interest are addressed in an effective, open, and timely manner.
3. Collaborate to secure and align local public and private funds, state funds, and federal funds to prevent and end homelessness.
4. Review and approve the funding application and response to HUD's annual CoC Program NOFA for homelessness assistance resources.
5. Approve CoC performance targets appropriate for each population and program type.
6. Approve written standards for HUD-funded homeless projects.
7. Conduct an annual performance review of the Collaborative Applicant.

## **DURATION AND RENEWAL**

Except as provided in the TERMINATION section, the duration of the MOU shall be from January 1, 2019 through December 31, 2019. This agreement shall renew automatically each year unless either party gives notification pursuant to TERMINATION section.

## **AMENDMENTS/NOTICES**

The MOU may be amended in writing by either party and is in effect upon signature of both parties. Notices shall be mailed, emailed or delivered to:

1. Chair of the CoC Governance Board
2. Executive Director of the Collaborative Applicant

## **TERMINATION**

Either party may terminate this MOU at a date prior to the renewal date specified in the MOU by giving 60 days written notice to the other party. If the HUD CoC Planning Grant funds relied upon to undertake activities described in the MOU are withdrawn or reduced, or if additional conditions are placed on such funding, any party may terminate this MOU within 30 days by providing written notice to the other party. The termination shall be effective on the date specified in the notice of termination.

Signatures:

\_\_\_\_\_  
Chair  
CoC Governance Board

\_\_\_\_\_  
Executive Director  
Collaborative Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date