



Yakima County Continuum of Care Governance Charter 2017

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Introduction

The Yakima County Continuum of Care (YC-CoC) is an association of emergency housing providers, service providers, community leaders, and any other interested person or entity who are concerned about addressing the emergency, transitional and permanent needs of the homeless.

Background

In 1983, the first federal task force on homelessness was created followed by an overwhelming demand from communities around the country that a national acknowledgement and response to the issue of homelessness be developed¹. In response, the Homeless Persons' Survival Act was introduced in both houses of Congress in 1986 which contained emergency relief measures, preventive measures, and long-term solutions to homelessness; unfortunately, only portions of this were enacted into law. In 1987, the Stewart B. McKinney Homeless Assistance Act was passed - named after its chief Republican Sponsor Representative Stewart B. McKinney of Connecticut². The original McKinney-Vento Act contained nine titles which included a definition of homelessness, creation of a multitude of programs assigned to a variety of departments to address food, shelter, a variety of housing programs, healthcare for the homeless, adult and child education, Veteran services, job training and more. During this same time, the experience of homeless providers across the country had demonstrated that the most effective strategy in terms of resource use and efficient means of providing homeless emergency services is within the context of a comprehensive continuum of care service model. The effectiveness of this model was described by HUD as a new tool "for addressing the problem of homelessness" and incorporated into the McKinney Act. In 1995, to encourage coordination of local providers and encourage a more strategic approach to housing and services, HUD required communities to submit a single application for these funds.

The Yakima Continuum of Care Homeless Committee was originally managed by the Yakima Coalition for the Homeless. In 2003, the original members included Yakima County, the City of Yakima, United Way of Central Washington, Triumph Treatment Services, Northwest Justice Project, Central Washington Comprehensive Mental Health (now Comprehensive Healthcare), Yakima Neighborhood Health Services and the Yakima Coalition for the Homeless. The assembled group also discussed a 10-year homeless prevention plan for Yakima County, the development of which would be one of the first tasks of an expanded Continuum of Care. Those in attendance unanimously agreed to expand the purpose of the Continuum. The newly expanded Continuum began to meet biweekly to develop an organizational plan. At a meeting on February 25, 2004, the Continuum adopted newly created membership guidelines, elected new co-chairs, created several committees and approved a new name, the Homeless Network of Yakima County.

In July 2015, after the closure of the Yakima County Department of Human Services, the Housing and Homeless Program was transferred to the Yakima Valley Conference of Governments (YVCOG) who became the new Collaborative Applicant. In October of 2015, the YVCOG formed the Homeless Planning and Policy Council (HPPC)³. In March of 2016, YVCOG conducted a planning retreat for the newly formed

¹ National Coalition for the Homeless, *NCH Fact Sheet #18*, June 2006

² In 2000, after the death of Representative Bruce Vento, a leading supporter of the act, President Clinton renamed it the McKinney-Vento Homeless Assistance Act.

³ Source: YVCOG Newsletter, Volume 43-Issue 11

Approved by YC-COC on August 22, 2017

HPPC and bold steps were identified to address homelessness⁴. The results of the planning retreat laid the groundwork for the subsequent 5-year plan to end homelessness adopted January 2017.

In January of 2017, the community requested technical assistance from HUD to improve the local Continuum of Care. Based on the training and assistance received from the contracted technical assistance provider, HomeBase, the community formed a new body to act as the Continuum of Care using a public and transparent process. In July of 2017, this body voted to have the current Homeless Planning and Policy Council serve as the interim Continuum of Care Board with Yakima Valley Conference of Governments continuing to serve as the Collaborative Applicant. Also during this meeting, two committees were developed to address updates to the Governance Charter and develop local priorities to be presented to the appointed CoC Board for approval.

In keeping with the Continuum of Care guidelines published by HUD, this governance charter codifies the Network's policies and procedures as well as their governance structure as a Continuum of Care.

Purpose

The purpose of the Yakima County Continuum of Care is to work together as a community to make homelessness a brief and rare occurrence in Yakima County through an efficient and effective homelessness response system that prioritizes and focuses on putting people into stable housing first.

Guiding Principles

1. Participate in developing and supporting public policy toward ending homelessness.
2. Provide a place to share ideas, concerns and resources and foster collaboration.
3. Increase community awareness related to the causes of homelessness, the needs of homeless people and ways to end homelessness through public education and advocacy.
4. Research and develop resources to support YC-CoC projects.
5. Implement and annually review the Five-Year plan to end homelessness.

Network Organizational Structure

As a formal Continuum of Care (CoC), the YC-CoC must have a Representative Board, Committees to implement the current plan, and an identified Collaborative Applicant.

CoC Board

The CoC Board provides the Yakima County Continuum of Care with an informed and efficient means to conduct its business, makes administrative decisions, determines legislative priorities, approves position papers, engages in partnerships with other like-associations, presents public education, and recommends funding for YC-CoC sponsored projects. The CoC Board must be elected by the General Membership (See the Nominations Section) and be representative of that body and the community. Membership should be a minimum of 15 board members and no more than 23 board members at all times. Preferred segments, when participation is possible, include:

- | | |
|---|--|
| 1. Local Government Staff/Officials | 4. Local Jail(s) |
| 2. CDBG/HOME/ESG Entitlement Jurisdiction | 5. Hospital(s) |
| 3. Law Enforcement | 6. Mental Health Service Organizations |

⁴ Source: YVCOG Newsletter, Volume 44-Issue 2

Approved by YC-COC on August 22, 2017

7. Substance Abuse Service Organizations
8. Affordable Housing Developer(s)
9. Public Housing Authorities
10. Youth Homeless Organizations
11. School Administrators/Homeless Liaisons
12. Victim Service Providers
13. Street Outreach Team(s)
14. Homeless Subpopulation advocates
15. Agencies that serve survivors of human trafficking
16. Homeless or Formerly Homeless Persons
17. Faith Community
18. Employment & Training Services
19. Emergency Shelter Providers
20. Domestic Violence Victim Service Providers
21. Veteran Service providers
22. Community members

Each CoC Board Member serves a staggered four-year term with up to one-quarter of the committee turning over every year. CoC Board members may run for re-election and serve two consecutive terms. A one year hiatus is required before running for a third term. Terms for CoC Board members will begin on July 1st of each year following the YC-CoC's Annual meeting and CoC Board member elections. CoC Board Member terms will officially end on June 30th of each year.

CoC Board members include the Chair, Vice-Chair, and Committee Chairs. CoC Board members whose organizations are recipients of YC-CoC informed funding may not represent a majority of the CoC Board members. CoC Board members must adhere to the YC-CoC's Conflict of Interest policy (Exhibit B) when voting. The Vice-Chairs duties are to assume the duties of the Chair when they are not available to conduct YC-CoC business. The Chair will refrain from voting unless it is necessary to break a tie.

CoC Board Responsibilities

1. Conduct delegated YC-CoC business
2. Work with the Collaborative Applicant's (YVCOG) staff to coordinate meetings of the CoC (YC-CoC), with published agendas and minutes
3. Review annually and recommend updates as needed to the YC-CoC Governance Charter
4. Provide guidance and oversight for HUD's CoC Program by maintaining an active CoC Board that is representative of the relevant organizations and projects serving homeless subpopulations within Yakima County
5. Establish performance targets appropriate for population and program type in consultation with the Collaborative Applicant's (YVCOG) staff, State and Federal award recipients, and subrecipients
6. Direct YC-CoC planning and evaluation efforts to support evidence-based and measurable activities to prevent and end homelessness
7. Establish ad-hoc committees to complete specific tasks with identified deadlines and measurable outcomes

CoC Board Meetings

CoC Board meetings are held a minimum of 2 times a year. Agendas will be emailed a minimum of 24 hours prior to a scheduled meeting. Meeting minutes are the official record of the CoC Board and YC-CoC's actions and shall be sent out through email one week prior to scheduled meetings. Approved minutes will be posted on the YVCOG Web site at: <https://www.yvcog.org/documents/agendas-minutes/>

Decision Making

While open to YC-CoC members, only members of the CoC Board may vote at CoC Board Meetings. Each CoC Board member has one vote. In case of a conflict of interest, CoC Board members will abide by the YC-CoC's Conflict of Interest policy (Exhibit B) and will abstain from voting. Decisions are determined by a majority of members present during the vote. In the event of a tie, the measure will be tabled for further discussion and a follow up vote will be taken. If there is a second tied vote the YC-CoC Chair may cast a vote to break the tie. In the event the CoC Board faces a short-term, unique procedural situation that is not addressed by this Governance Charter and a decision is necessary between meetings, the Collaborative Applicant's (YVCOG) staff will e-mail CoC Board members and call for a vote. Votes may be collected by e-mail or an electronic survey tool. Decisions made by email must follow the same procedures as set forth in this Governance Charter.

Proxy voting is a form of voting whereby CoC Board Members may delegate their voting power to other members of the CoC Board to vote in their absence, and/or select a representative to represent their vote when the member is unable to attend a meeting. Members wishing to use a proxy must notify the YC-CoC Chair by email or in writing of who their proxy is, no later than one hour prior to the scheduled meeting. If the Chair is not notified within one hour prior to the meeting, the member will not be allowed a proxy for the meeting.

Nominations

Two months prior to the annual YC-CoC meeting in June, the YC-CoC Chair will form a Nomination Committee for the purpose of identifying a slate of candidates to serve as future CoC Board Members. The Nomination Committee is chaired by the YC-CoC Chair or their designee. When determining potential CoC Board member nominees, the Committee may consider specific representation criteria such as: geographic, professional, business, services, consumers, faith communities, government affiliations, etc.

The Nomination Committee Chair will bring a list of potential candidates to the CoC Board for an initial review so ballots can be created for the nominees and potential write-ins. Ballots will be distributed to YC-CoC Members in good standing, having attended a minimum of two Continuum related meetings to include: COC, COC Board, and Committee workgroups during the previous year, at the annual meeting and a vote of the Membership will be held. Those nominees receiving the greatest number of votes for each will be elected. This will include the identification of an incoming chair.

YC-CoC Chair

The YC-CoC Chair provides leadership to the YC-CoC and the CoC Board.

Chair Responsibilities

1. Chair CoC Board meetings and meetings of the YC-CoC
2. Meet with Collaborative Applicant (YVCOG) staff regularly to help plan and develop meeting agenda for the YC-CoC and CoC Board meetings
3. Call for special or emergency meetings as needed
4. Review reports, correspondence and other requests to the CoC Board prior to meetings
5. Represent the YC-CoC at sponsored events and activities
6. Act as a community spokesperson on behalf of the YC-CoC
7. Write and or sign letters of support on behalf of the YC-CoC

General Membership

The YC-CoC strives to recruit broad-based representation from community members, non-profit organizations, government, businesses, faith communities and homeless or formally homeless individuals who care about and want to advocate for homeless people or those at risk of becoming homeless in Yakima County. Individuals interested in membership should be well informed and current on issues, with an eye toward understanding the broad-based big picture effects of homelessness issues and to seize opportunities to affect decisions that will impact homelessness.

Membership in the YC-CoC is open to anyone in the community, though outreach efforts should be made to ensure cross-sector representation including:

1. Local Government Staff/Officials
2. CDBG/HOME/ESG Entitlement Jurisdiction
3. Law Enforcement
4. Local Jail(s)
5. Hospital(s)
6. Mental Health Service Organizations
7. Substance Abuse Service Organizations
8. Affordable Housing Developer(s)
9. Public Housing Authorities
10. Youth Homeless Organizations
11. School Administrators/Homeless Liaisons
12. Victim Service Providers
13. Street Outreach Team(s)
14. Homeless Subpopulation advocates
15. Agencies that serve survivors of human trafficking
16. Homeless or Formerly Homeless Persons
17. Faith Community
18. Employment & Training Services
19. Emergency Shelter Providers
20. Domestic Violence Victim Service Providers
21. Veteran Service providers
22. Community members

Members of the general public may submit a YC-CoC Membership form using the YC-CoC Membership Application found in (Exhibit A). Those who attend YC-CoC meetings are considered guests from the point of their first attendance until formally requesting membership to the YC-CoC. YC-CoC memberships are renewed each year at the annual meeting.

In order to become a member of the YC-CoC, potential members should:

1. Understand and support the YC-CoC's purpose and guiding principles
2. Complete a membership application, (Exhibit A) listing professional associations, community alliances, and legislative relationships, and be willing to advocate to these groups in support of YC-CoC priorities
3. Complete a Conflict of Interest Disclosure Statement on an annual basis and update the Disclosure Statement throughout the year if necessary.
4. Regularly attend meetings and participate on ad-hoc committees, which best reflect the member's area of specialty or interest
5. Actively promote and recognize the accomplishments of the YC-CoC and its members to the community at large
6. When speaking on behalf of the YC-CoC, limit comments to positions already affirmed by the YC-CoC
7. Collaborate and share information on potential resources that will expand and enhance YC-CoC supported homeless housing and services

General Membership meetings are open to both members and non-members. Guests are welcome to participate in discussions and advocacy-development. However, only YC-CoC Members can nominate and vote during annual elections for CoC Board positions. General Membership meetings are held a minimum

Approved by YC-COC on August 22, 2017

of 2 times a year with the specific dates and times determined at the annual meeting in June. Changes to the meeting schedule may be made at the discretion of the YC-CoC Chair. Meetings consist of general discussion, learning opportunities, service presentations, networking, collective advocacy and discussions necessary to meet the responsibilities of the YC-CoC as shown below.

General Membership Responsibilities

1. Hold meetings of the full membership, with published agendas, at least semi-annually
2. Make an invitation for new members to join publicly available within the geographic area
3. Adopt and follow a written process to select CoC Board to act on behalf of the Continuum of Care. The process must be reviewed, updated, and approved by the Continuum at least once every 5 years
4. Appoint additional committees, subcommittees, or workgroups;
5. Consult with recipients and subrecipients to establish performance targets appropriate for population and program type, monitor recipient and subrecipient performance, evaluate outcomes, and address poor performance.
6. Evaluate outcomes of projects funded under the Emergency Solutions Grants program (when relevant) and the Continuum of Care program, and report to HUD in partnership with the Collaborative Applicant
7. In consultation with recipients of Emergency Solutions Grants program funds (when relevant) within the geographic area, establish and operate either a centralized or coordinated assessment system that provides an initial, comprehensive assessment of the needs of individuals and families for housing and services through the Coordinated Entry Committee.
8. Designate an HMIS Lead and Operate a Homeless Management System (HMIS) which will be managed by the HMIS Committee:
9. Work with the Collaborative Applicant to prepare for the application for federal funds by doing the following:
 - a. Design, operate, and follow a collaborative process for the development of applications and approve the submission of applications in response to a NOFA published by HUD
 - b. Establish priorities for funding projects in the geographic area
 - c. Determine if one application for funding will be submitted for all projects within the geographic area or if more than one application will be submitted for the projects within the geographic area
 - d. The Continuum retains all of its responsibilities, even if it designates one or more eligible applicants other than itself to apply for funds on behalf of the Continuum. This includes approving the Continuum of Care application.

Committees

Current committees include HMIS/Data Committee, Coordinated Entry Committee, and Ad-Hoc Committees

HMIS/Data Committee

Participation on the HMIS/Data Committee is required for grant recipients/sub-recipients of Local, State or Federal homeless and housing funds. Committee membership is voluntary for non-recipient organizations participating in HMIS. Membership will also include the designated HMIS Lead and identified Program Coordinator.

HMIS Committee Responsibilities

Tasks will be conducted with the assistance of the designated HMIS Lead and identified Program Coordinator:

1. Designate a single Homeless Management Information System (HMIS) for the geographic area;
2. Designate an eligible applicant to manage the Continuum HMIS, which will be known as the HMIS Lead;
3. Review, revise, and approve a privacy plan, security plan, and data quality plan for the HMIS.
4. Ensure consistent participation of recipients and subrecipients in the HMIS; and
5. Ensure the HMIS is administered in compliance with requirements prescribed by HUD.
6. Annually review, revise, and approve privacy, security, and data quality requirements of the YC-CoC's HMIS Data Quality Plan
7. Review monthly reports regarding data completeness, timeliness, and accuracy and correct any identified data quality problems
8. Work with the HMIS Program Coordinator to review comparable data and create monthly dashboard reports and trend analysis for the CoC Board to use in planning and evaluation
9. Support HMIS partner agencies in producing accurate reports and in addressing data quality issues
10. Maintain consistent participation on the HMIS Committee and encourage new agencies to participate in HMIS

Coordinated Entry Committee

The Coordinated Entry Committee is responsible for working with the Lead Grantee (State Designation) as identified by the Department of Commerce in developing a Coordinated Assessment system. A centralized or coordinated assessment system is defined to mean 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. As detailed in the Emergency Solutions Grants program interim rule published on December 5, 2011, through the administration of the Rapid Re-Housing for Families Demonstration program and the Homelessness Prevention and Rapid Re-Housing program, as well as best practices identified in communities, centralized or coordinated assessment systems are important in ensuring the success of homeless assistance and homeless prevention programs in communities. In particular, such assessment systems help communities systematically assess the needs of program participants and effectively match each individual or family with the most appropriate resources available to address that individual or family's particular needs. Therefore, HUD has required, through this interim rule, each Continuum of Care to develop and implement a centralized or coordinated assessment system for its geographic area. Such a system must be designed locally in response to local needs and conditions.

Coordinated Entry Committee Responsibilities

1. The Continuum must develop a specific policy to guide the operation of the centralized or coordinated assessment system on how its system 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 nonvictim service providers.
2. In consultation with recipients of Emergency Solutions Grants program funds (when relevant) within the geographic area, establish and consistently follow written standards for providing Continuum of Care assistance. At a minimum, these written standards must include:

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- Policies and procedures for evaluating individuals' and families' eligibility for assistance under this part;
- Policies and procedures for determining and prioritizing which eligible individuals and families will receive transitional housing assistance;
- Policies and procedures for determining and prioritizing which eligible individuals and families will receive rapid rehousing assistance;
- Standards for determining what percentage or amount of rent each program participant must pay while receiving rapid rehousing assistance;
- Policies and procedures for determining and prioritizing which eligible individuals and families will receive permanent supportive housing assistance

Ad-Hoc Committees

Ad-Hoc Committees are formed for short term projects. These committees are appointed by the YC-CoC Chair and committee members are self-selected and a chair is either appointed by the YC-CoC Chair or selected by the committee members. Ad-Hoc Committees must establish a goal and set benchmarks for completing tasks when appropriate. Committee chairs report progress at CoC Board meetings. Ad-Hoc Committee chairs are non-voting members of the CoC Board, unless the Committee Chair is also a member of the CoC Board. Example would include a Point in Time Committee, Application Review Committee (for HUD application scoring and review, or any other short-term need).

Collaborative Applicant

HUD defines the Collaborative Applicant as the eligible applicant designated by the CoC to collect and submit the CoC Registration, CoC Consolidated Application (which includes the CoC Application and CoC Priority Listing), and apply for CoC planning funds on behalf of the CoC during the CoC Program Competition. The CoC may assign additional responsibilities to the Collaborative Applicant so long as these responsibilities are documented in the CoC's governance charter⁵. The process for selecting a Collaborative Applicant will include recommendations by the CoC Board followed by a vote by the General membership. A simple majority will be required with voting restricted to current members.

Collaborative Applicant Responsibilities

1. The Collaborative Applicant is responsible for completing the CoC Planning Grant Application in accordance with the HEARTH Act and annual NOFA guidelines. The Planning Grant Application should be reviewed and approved by the YC-CoC and CoC Board.
2. Apply to HUD for funding for all of the projects within the geographic area and enter into a grant agreement with HUD for the entire geographic area.
3. The Collaborative Applicant shall monitor HUD funded programs in accordance with an approved quality assurance plan to ensure compliance with HUD requirements
4. Review HUD's scoring of the CoC application submitted by the Collaborative Applicant and provide in-depth capacity building and technical assistance to grantees in areas that received less than the maximum number of points thus moving toward a high-performing status.
5. Require subrecipients to establish fiscal control and accounting procedures as necessary to assure the proper disbursement of and accounting for federal funds in accordance with the requirements of 24 CFR parts 84 and 85 and corresponding OMB circulars.

⁵ HUD Exchange; <https://www.hudexchange.info/faqs/2322/what-is-a-collaborative-applicant/>

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6. Obtain approval of any proposed grant agreement amendments by the YC-CoC before submitting a request for an amendment to HUD

YC-CoC Staff

Staffing for the YC-CoC is provided by the Collaborative Applicant and includes the responsibilities listed below.

YC-CoC Staff Responsibilities

1. Provide support to the CoC Board, General Membership and Sub-committees
 - a. Maintain CoC Board, General Membership and Committee rosters and email lists
 - b. Maintain YC-CoC web site and all forms of communications approved by the YC-CoC
 - c. Manage and file meeting minutes, agendas and related documentation approved by the YC-CoC
 - d. Provide training and technical assistance to existing and new YC-CoC members and maintain orientation packet materials
 - e. Provide event coordination and support for YC-CoC sponsored activities
2. In consultation with the YC-CoC - develop, follow, and update annually a governance charter
3. Keep abreast of legislative and policy issues affecting homelessness and report to CoC Board
4. Work with the CoC Board and General Membership to annually review and update the 5-year plan.
5. Work with the CoC Board and General Membership to plan for and conduct, an annual point-in-time count of homeless persons within the geographic area that meets the following requirements:
 - a. Homeless persons who are living in a place not designed or ordinarily used as a regular sleeping accommodation for humans must be counted as unsheltered homeless persons.
 - b. Persons living in emergency shelters, transitional housing, and permanent supportive housing projects must be counted as sheltered homeless persons.
 - c. Other requirements established by HUD by Notice.
6. In partnership with the YC-CoC, design, operate, and follow a collaborative process for the approval of applications in response to available federal funds
7. Other duties as required to maintain YC-CoC operations.

Non-Discrimination

The YC-CoC complies with Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974 and the Fair Housing Amendments Act of 1988), Executive Order 110063, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and Titles II and III of the Americans with Disabilities Act (ADA).

The ADA and Section 504 both stipulate that "no otherwise qualified persons with disabilities...shall, solely by reason of his or her disability, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance (Section 504) or any activities of "public entities," of state or local governments, regardless of whether they receive federal funding (Title II of the ADA). The Fair Housing Amendments Act regulations state "It shall be unlawful for any person to refuse to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford a person with a disability equal opportunity to use and enjoy a dwelling unit including public and private use areas."

Approved by YC-COC on August 22, 2017

Changes to Governance Charter

Changes to the Bylaws can be made by a vote of the General Membership of the YC-CoC.

Exhibit A – Yakima County Continuum of Care Membership Application

In applying for membership, I agree to the following guidelines:

- I understand and support the mission and purposes of the YC-CoC.
- I can commit to attending at least 2 YC-CoC meetings in the next 12-months.
- I am willing to serve on ad-hoc committees and volunteer or attend YC-CoC sponsored events
- I have regular access to electronic mail, and am willing to accept this as the primary source of communication between YC-CoC meetings.

Name: _____

Organization you represent: _____

Mailing Address: _____

Telephone: _____

E-mail Address: _____

Current or past Boards or Committee's you've served on: _____

Signature _____

Date _____

Email form to crystal.testerman@yvcog.org

Exhibit B – Conflict of Interest Policy

YAKIMA COUNTY CONTINUUM OF CARE CONFLICT OF INTEREST AND RECUSAL POLICY

Approved August 15, 2017

Article I – Conflict of Interest and Recusal Policy

No member may participate in or influence discussions and/or decisions concerning the award of a grant or other financial benefits to the organization that the member represents or to themselves as individuals. Therefore, any individual participating in or influencing decision making with regards to such decisions must identify actual or perceived conflicts of interest 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.

No member shall engage in any behavior demonstrating an actual conflict of interest or giving the appearance of any such conflict. Individuals with a conflict of interest should abstain from discussion and voting on any issue in which they may have a conflict.

No member shall solicit or accept gifts or gratuities by anyone for their personal benefit in excess of a de minimus value.

Annual written disclosure statements will be provided to each voting member by the last day of January. Voting Members will not be permitted to participate in a discussion or a vote until the statement is on file with the CoC Lead Agency. All voting members shall have the right to recuse themselves from voting on a matter without providing excuse.

Article II – Purpose

- 1) The purpose of this CoC membership conflict of interest policy is to protect the Yakima County Continuum of Care (Yakima CoC) and to emphasize the Yakima CoC's commitment to the highest standards of integrity, fairness and conduct so as to ensure the maximum public trust.
- 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.
- 3) This policy is also intended to identify "independent" members.

The Yakima CoC Member Conflict of Interest Policy **applies to all CoC Members** (inclusive of Voting Members, CoC Board Members and Committee Members). In their activities on behalf of and in their dealings with the CoC it is the responsibility of each CoC Member to avoid any actual conflict of interest and 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.

Article III – Definitions

- 1) **Interested person** – Any CoC Member who has a direct or indirect financial interest, as defined below, is an interested person.
- 2) **Conflict of Interest** - A conflict of interest may exist when the interests or activities of any member, director, or officer may be seen as competing with the interest and activities of the CoC, or when the member, director or officer, derives a financial or other material gain as a result of a direct or indirect relationship. Such conflicts are presumed to exist in those circumstances in which a member or director’s actions may have a preferential impact upon the agency or entity employing the member or director. Such actions are presumed to include, but are not limited to, the development of policies in which a self-serving bias may be present as well as in decisions affecting the allocation of resources. Members of the Yakima Continuum of Care (Voting Members, Committee Members, and/or Board Members) may not participate in decisions concerning awards of grants, provisions of financial benefits to such member or the member’s organization, or implementing corrective actions as a result from CoC Collaborative Applicant monitoring activities of CoC and ESG activities. They must excuse themselves from the decision making process.

Further, persons or entities that have provided Letters of Support, or similar supporting or opposing documents with regards to a specific project, program or proposal have a conflict of interest in CoC actions concerning funding of such projects, programs or proposals and must excuse themselves from the decision making process.

- 3) **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 management position in any entity which has a financial interest, such as serving on the Board of an organization with a financial interest in the CoC;
 - c. A compensation arrangement with the CoC or with any entity or individual with which the CoC has a transaction or arrangement; or
 - d. 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.

- 4) **Independent member** – A CoC Member shall be considered “independent” for the purposes of this policy if he or she is “independent” as defined in the instructions for the IRS 990 form or, until such definition is available, the member:
 - a. Is not, and has not been for a period of at least three years, an employee of the CoC or any entity that has a financial interest with the CoC;
 - b. Does not directly or indirectly have a significant business relationship with the CoC, which might affect independence in decision-making;

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- c. Is not employed as an executive of another corporation where any of the CoC's Board members serve on that corporation's compensation committee; and
- d. Does not have an immediate family member who is an executive officer or employee of the CoC or who holds a position that has a significant financial relationship with the CoC.

Article IV – Procedures

- 1) **Duty to Disclose** – In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the conflict and/or financial interest and be given the opportunity to disclose all material facts to the Board.
- 2) **Recusal of Self** – Any CoC Member has a duty to recuse himself or herself at any time from involvement in any decision or discussion in which the member 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. Where there is a conflict of interest, Voting Members of the Yakima Continuum of Care should recuse themselves from any decision, and Committee Members and Board Members should recuse themselves from any discussion and decision. In the event a CoC Member raises a conflict of interest issue of another Member which they believe warrants recusal, the Chair will allow both the Member raising the conflict and the Member defending him or herself from the claim an opportunity to explain why there may or may not be a conflict. Those Members will then be excused from the meeting and the remaining Members present will determine whether or not a recusal is necessary. The Members' determination will be final.
- 3) **Determining Whether a Conflict of Interest Exists** – Conflict of Interest Statements shall be completed annually by all CoC Members. The Board may review all Conflict of Interest Annual Statements to determine whether a conflict of interest exists in the event of a challenge under Article IV, Section 2, or upon the request of a Member.
- 4) **Violations of the Conflicts of Interest Policy**
 - a. If the Board has reasonable cause to believe a CoC 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.
 - b. 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.

Article V – Records of Proceedings

The minutes of the Board shall contain and reflect:

- 1) 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.

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- 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.

Article VI – Annual Statements

- 1) Each CoC Member (inclusive of Voting Members, CoC Board Members and Committee Members) shall annually sign a statement which affirms such person:
 - a. Has received a copy of the conflict of interest policy;
 - b. Is or is not an Independent Member;
 - c. Has read and understands the policy;
 - d. Has agreed to comply with the policy; and
 - e. Lists other organizations in which they may have an interest.
- 2) If at any time during the year, the information in the annual statement changes materially, the CoC Member shall disclose such changes and revise the annual disclosure form at the earliest opportunity.
- 3) 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.

VII – Exceptions and Changes to Policy

The CoC reserves the right to make an exception to this policy and procedures based on communication from HUD that impact the CoC's ability to carry out the policy and procedures as described above. The CoC also reserves the right to amend this policy on an annual basis.

**CONFLICT OF INTEREST DISCLOSURE STATEMENT
FOR
CONTINUUM OF CARE MEMBERS**

Each Continuum of Care (“CoC”) Member (including CoC Board members, committee members and general members) shall affirm that they have read and acknowledge that they are to avoid conflicts of interest in their actions and service on the CoC. It is expected that all CoC members will use good judgment, adhere to high ethical standards, and avoid situations that create an actual or perceived conflict of interest. As a CoC member, you acknowledge the following (please acknowledge by checking the box):

- I have read and understand the CoC’s Conflict of Interest Policy and agree to abide by it.
- I will not participate in or influence discussions or resulting decisions concerning the awarding of a grant or other financial benefits to an organization that I represent.
- If I am unable to render impartial assistance in the provision of any type or amount of financial assistance, or be objective in performing work with respect to the CoC, I will recuse myself from those activities, which may include removing myself from a meeting, discussion and/or deliberation if requested.
- If the organization I represent receives funds or benefits from the CoC I agree not to participate in the decision-making process, deliberations or gain inside information that would benefit the organization that is unavailable to other organizations, with regards to obtaining funds or benefits, unless the actions fall under an exception listed in 24 CFR 578.95(d)(2).
- If the organization I represent receives funds or benefits from the CoC I agree that I have a conflict of interest if I, or someone in my immediate family or business ties, may obtain a financial interest or benefit from the award of funds or benefits; if I, or someone in my immediate family or business ties, have a financial interest in any contract, subcontract or agreement with respect to funded activities; or if I, or someone in my immediate family or business ties, have a financial interest in the proceeds derived from a funded activity. This conflict provision applies to my time as a CoC member and during the one-year period following my tenure. This conflict does not exist if it is subject to an exemption listed in 24 CFR 578.95(d)(2).
- If I am on the CoC Board, I agree to exercise my duties to the CoC Board in good faith, in a manner that is in the best interests of the CoC, and with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would use under similar circumstances.
- To fully disclose possible conflicts of interest, I hereby disclose that I have a financial or other interest (such as a seat on a Board of Directors or employment, for example) of the following non-profit and/or for-profit organizations:

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I hereby certify that the foregoing is true and correct to the best of my knowledge.

Signature:

Date:

Print Name:

Organization You Represent on CoC:

Exhibit C – Code of Conduct

The Yakima CoC Board Code of Conduct represents the CoC's commitment to high standards. The following standards should be regarded as minimum expectations for conduct. Yakima CoC Board Members will act in accordance with and maintain the highest standards of professional integrity, impartiality, diligence, creativity and productivity. CoC business will be conducted in a manner that reflects the highest standards and in accordance with federal, state, and local laws and regulations.

1. Compliance with Policies

Members will conduct the Yakima CoC business in accordance with the governance charter of Yakima CoC including conflict of interest policies.

2. Conflict of Interest

A. Members must act in the best interests of the CoC and avoid situations where their personal interests or relationships interfere with acting in good faith on behalf of the Yakima CoC.

B. Members may not engage in activities that are in conflict with the interests of the Yakima CoC or that may negatively impact the reputation of the CoC.

C. Members are required to follow the Yakima CoC governance charter regarding conflicts of interest.

3. Confidentiality

It is the intent of the CoC board to maintain a standard of confidentiality regarding confidential information obtained thru involvement with the Yakima CoC as both a best practice and standard of professionalism and courtesy to all members. It is understood that this standard regarding confidential information may be overridden by any applicable public disclosure laws.

4. Impartiality

Member agencies shall act impartially and with integrity. Members will:

A. Not knowingly be a party to or condone any illegal or improper activity.

B. Not directly, or indirectly, seek personal gain which would influence, or appear to influence, the conduct of their duties.

C. Not exploit CoC professional relationships for personal or professional gain.

D. Be alert to the influences and pressures that interfere with the professional discretion and impartial judgment required for the performance of members.

5. Fraud

A. The term fraud refers to, but is not limited to: intentionally entering false or erroneous information into electronic software systems; any dishonest or fraudulent act; forgery or alteration of any official document; misappropriation of funds, supplies, or Continuum of Care materials; improper handling or reporting of money or financial transactions; profiting by self or others as a result of inside knowledge; destruction or intentional disappearance of records, furniture, fixtures, or equipment; accepting or seeking anything of material value from vendors or persons providing services or materials to the Continuum of Care for personal benefit; or any similar or related irregularities.

B. Fraudulent acts will not be tolerated and may result in termination from CoC Board.

6. Gifts or honoraria

It is not permissible to offer or accept gifts, gratuities, excessive favors or personal rewards intended to influence the Yakima CoC's decisions or activities.

7. Harassment

Harassment, interpreted as unwelcome conduct, comment, gesture, contact, or intimidating and offensive behavior likely to cause offence or humiliation, will not be tolerated and may result in disciplinary measures up to and including removal from CoC Board.

8. Laws and Regulations

CoC business will be conducted in manner that reflects the highest standards and in accordance with all federal, state, and local laws and regulations.

Exhibit D – Acronym List

The following table defines the list of acronyms used in this document.

CDBG	Community Development Block Grant - The Community Development Block Grant (CDBG) program is a flexible program that provides communities with resources to address a wide range of unique community development needs. Beginning in 1974, the CDBG program is one of the longest continuously run programs at HUD. The CDBG program provides annual grants on a formula basis to 1209 general units of local government and States.
HOME	HOME Investments Partnership Program - The HOME Investment Partnerships Program (HOME) provides formula grants to States and localities that communities use - often in partnership with local nonprofit groups - to fund a wide range of activities including building, buying, and/or rehabilitating affordable housing for rent or homeownership or providing direct rental assistance to low-income people. HOME is the largest Federal block grant to state and local governments designed exclusively to create affordable housing for low-income households.
ESG	Emergency Solutions Grants program - The HEARTH Act revised the Emergency Shelter Grants Program to create the Emergency Solutions Grants (ESG) Program. The Emergency Shelter Grants provided funds under the first allocation of FY 2011 funds and earlier fiscal years. ESG recipients and subrecipients use Emergency Shelter Grants Program funds to rehabilitate and operate emergency shelters and transitional shelters, provide essential social services, and prevent homelessness.
HEARTH Act	<p>The Homeless Emergency Assistance and Rapid Transition to Housing – The HEARTH Act of 2009 was signed into law on May 20, 2009. The HEARTH Act amends and reauthorizes the McKinney-Vento Homeless Assistance Act with substantial changes, including:</p> <ul style="list-style-type: none"> • A consolidation of HUD's competitive grant programs • The creation of a Rural Housing Stability Assistance Program • A change in HUD's definition of homelessness and chronic homelessness • A simplified match requirement • An increase in prevention resources • An increase in emphasis on performance