TPCH GOVERNANCE UPDATES

Issued by the TPCH Governance & Planning Committee
Approved by TPCH General Council – February 13, 2020

Background: HUD approved intensive technical assistance to support improvements to the Tucson/Pima County Continuum of Care governance structure in Summer 2019. HomeBase was selected by HUD as the technical assistance provider and conducted a two-day site through which it conducted meetings and interviews with TPCH General Council, Board, Governance & Planning Committee, Board Officers, Committee Chairs, and Lead Entities. HomeBase subsequently issued a report of recommendations to improve TPCH governance. The Governance and Planning Committee has met bi-weekly since receipt of the HomeBase recommendations and issued its formal recommendations to the TPCH General Council on February 13, 2020.

Recommendations are being issued in two stages:

Stage 1 – February 2020: Recommendations that address the overall governance structure of the CoC, distribution of responsibilities, and role and composition of the CoC Board and Committees.

Stage 2 – May 2020: Detailed recommendations and proposed revisions to the CoC Governance Charter that incorporate approved Stage 1 recommendations and detail a proposed approach to actualize those recommendations (identify standing committees, committee and board composition, etc.)

This two-stage process is intended to assess General Council approval for the foundational recommendations and collect additional CoC member input before proposing detailed governance charter revisions.

Approved Stage 1 Governance Updates:

1) To re-assign responsibility for developing the CoC's strategic plan to prevent and end homelessness from the CoC Board to the CoC General Council in partnership with the CoC Board and Lead Entities.

2) To limit CoC Board membership to not more than 20 individuals reflective and representative of the General Council with a priority on recruiting community decision-makers to Board service.

3) To assess and re-align committees to strategic plan goals.

4) To re-structure committee membership by establishing an elected or appointed voting membership roster of relevant subject matter experts and people with lived experience of homelessness and housing instability to provide expertise and guidance to the CoC Board and General Council in the committee's subject area.

5) To permit the CoC Board to approve the total number of members to be seated on each CoC committee to ensure community representation while promoting efficient, effective decision-making to advance strategic plan priorities.

6) To develop a community process by which the CoC Board and/or General Council elect or appoint individuals or organizations with relevant expertise and experience to CoC Committees.

7) To permit non-members to attend committee meetings to provide additional information and perspective to items on the committee's agenda.

8) To clarify the role of CoC Committees as expert deliberative forums to conduct research and provide policy recommendations to the CoC Board, and to implement decisions made by the CoC Board.

9) To establish a succession plan for Committee leadership by electing Vice-Chairs with the anticipation that Vice-Chairs will advance to Chair in the subsequent year, and encouraging a minimum of one year continued membership for exiting Chairs.

10) To eliminate committee participation as a requirement for obtaining and maintaining CoC voting membership and to develop appropriate alternative requirements for CoC voting membership.

11) To permit CoC committees comprised primarily of people with lived experiences of homelessness and housing instability to adopt alternative governance structures, voting requirements, and membership criteria if approved by the CoC Board.

The pages that follow provide additional detail regarding the Stage 1 recommendations as issued by HomeBase and revised by the TPCH Governance and Planning Committee. All recommendations have been reviewed and approved by the TPCH Board.
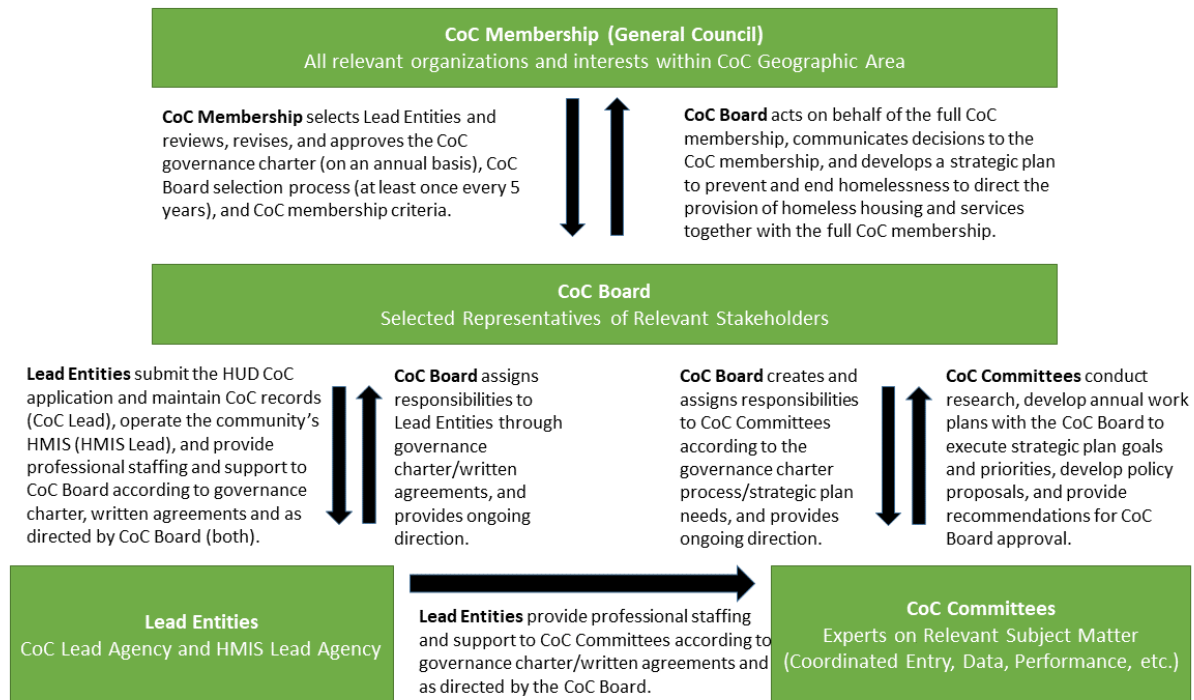
RECOMMENDATION DETAIL

The **General Council** is the term used by the Tucson/Pima County CoC to describe the full membership of the Continuum. The full membership of the CoC, as in other CoCs, includes all relevant entities and organizations that address homelessness in the geographic area. According to the recommendations contained in this report, the General Council's role and authority should be limited to those best-suited for a body of this size and nature, including: (1) approving revisions to the CoC's Governance Charter; (2) approving revisions to the CoC Board selection process and electing members of the CoC Board; (3) defining CoC membership criteria; (4) selecting the Collaborative Applicant and HMIS Lead agencies; and (5) serving as a forum for the dissemination of information to all relevant stakeholders within the Continuum.

The **CoC Board** is the HUD-mandated body that every Continuum must create to oversee the response to homelessness within the community. CoC Boards should consistent of no more than 15-20 stakeholders (including at least one homeless or formerly person) who are collectively representative of the broader membership of the Continuum. The most successful CoCs are led by strong CoC Boards that incorporate a broad range of higher-level stakeholders. The CoC Board should be empowered to serve as the primary decision-making body for the Continuum, including: (1) to act on behalf of the full CoC membership to approve and implement policy; (2) to communicate decisions to the full CoC membership; (3) to lead the development and implementation of a strategic plan to prevent and end homelessness (with input from the full CoC membership); and (4) to ensure compliance with all applicable HUD requirements.

The CoC interim rule explicitly provides for the establishment of **CoC Committees**, work groups, and/or task groups, though it does not define the proper scope of authority exercised by those committees, leaving it to individual communities to delegate appropriate authority and responsibilities to such committees. CoC Committees should serve primarily as forums for expert deliberation, formulation, and implementation of policies decided upon by the CoC Board. In concert with the Lead Entities, CoC Committees should: (1) work in concert with the CoC Board to develop annual work plans containing action steps in alignment with the community's strategic plan to prevent and end homelessness; (2) conduct research; (3) develop policy proposals and provide recommendations to the CoC Board for approval; (4) exercise decision-making authority where delegated to do so by the CoC Board; and (5) implement relevant decisions made by the CoC Board.

Every CoC must designate **Lead Entities**, including a CoC Lead Agency (also known as a Collaborative Applicant), which is the only entity permitted to receive the Continuum's planning grant, and an HMIS Lead Agency, which is the only entity permitted to receive the Continuum's HMIS grant(s). Tucson/Pima County's Lead Entities should be empowered to provide professional staffing and support for the CoC as a whole, including the General Council, CoC Board, and CoC Committees.

CoC Membership (General Council)
All relevant organizations and interests within CoC Geographic Area

CoC Membership selects Lead Entities and reviews, revises, and approves the CoC governance charter (on an annual basis), CoC Board selection process (at least once every 5 years), and CoC membership criteria.

CoC Board acts on behalf of the full CoC membership, communicates decisions to the CoC membership, and develops a strategic plan to prevent and end homelessness to direct the provision of homeless housing and services together with the full CoC membership.

CoC Board
Selected Representatives of Relevant Stakeholders

Lead Entities submit the HUD CoC application and maintain CoC records (CoC Lead), operate the community's HMIS (HMIS Lead), and provide professional staffing and support to CoC Board according to governance charter, written agreements and as directed by CoC Board (both).

CoC Board assigns responsibilities to Lead Entities through governance charter/written agreements, and provides ongoing direction.

CoC Board creates and assigns responsibilities to CoC Committees according to the governance charter process/strategic plan needs, and provides ongoing direction.

CoC Committees conduct research, develop annual work plans with the CoC Board to execute strategic plan goals and priorities, develop policy proposals, and provide recommendations for CoC Board approval.

Lead Entities
CoC Lead Agency and HMIS Lead Agency

Lead Entities provide professional staffing and support to CoC Committees according to governance charter/written agreements and as directed by the CoC Board.

CoC Committees
Experts on Relevant Subject Matter (Coordinated Entry, Data, Performance, etc.)

Challenge: The General Council currently holds *de facto* primary decision-making authority, in that CoC Board decisions may be appealed to or re-litigated by the General Council. This makes it unclear what constitutes a final decision within the CoC. Note that the same situation is replicated in the relationship between the CoC Board and the various Committees (see the CoC Committees section below for more information).

Recommendation: Empower the CoC Board to serve as the primary decision-making body for the Continuum of Care.

The CoC Board should have primary responsibility for the full range of CoC activities current that are, in some cases, currently exercised by the General Council. At its core, well-functioning CoC Boards provide high-level oversight, decision-making, and direction setting for the overall Continuum, while handling three primary responsibilities outlined in the CoC interim rule:

- Operating the CoC, including: setting Continuum-wide priorities (through the development of a strategic plan); assigning written responsibilities to the CoC Committees (through annual work plans) and CoC Lead Entities (through written agreements) and providing oversight of their efforts; and discussing and approving recommendations generated by CoC Committees.

- Setting priorities for and overseeing the work of the Collaborative Applicant/CoC Lead and HMIS Lead.

- Administering and overseeing the annual CoC competition and CoC application submission to HUD.

Challenge: Stakeholders indicated that the CoC Board is not fully trusted by the general membership and therefore not empowered to exercise primary decision-

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> making authority. This may be because the Board's membership is not currently representative of the full range of stakeholders and viewpoints within the Continuum.
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> **Recommendation: Ensure the CoC Board composition is reflective and representative of the makeup of the General Council.**

Board members must be selected using a written process adopted by the CoC, contained in the CoC's Governance Charter, and reviewed, updated, and approved by the Continuum at least once every 5 years. The Board must be representative of the relevant organizations and projects serving homeless subpopulations and include at least one homeless or formerly homeless individuals. CoC Boards may consist of, but are not limited to, higher-level representatives from some combination of the following:

- **Government:** Local government staff or officials, CDBG/HOME/ESG entitlement jurisdictions, Public Housing Authorities, League of Cities, Parks and Recreation or Natural Resources Departments, etc.

- **Health:** Hospitals, EMS/crisis response teams, etc.

- **Mental Health:** Mental health service organizations, advocates, etc.

- **Substance Abuse:** Substance abuse service delivery organizations, advocates, etc.

- **Education:** School administrators, homeless liaisons, etc.

- **Criminal Justice:** Law enforcement, local jails, etc.

- **Disability Services:** Disability service organizations, advocates, etc.

- **Victim Services:** CoC-funded and non-CoC-funded victim service providers, domestic violence advocates, agencies that serve survivors of human trafficking, etc.

- **LGBT:** LGBT service organizations, advocates, etc.

- **Youth:** CoC-funded and non-CoC-funded youth homelessness organizations, advocates, etc.

- **Other:** Street outreach teams, housing developers, faith-based communities, other homeless subpopulation advocates, homeless or formerly homeless individuals (at least one is required), etc.

The Continuum must establish a code of conduct and recusal process for the Board, its officers, and any person acting on behalf of the Board. This is necessary because Board members are subject to a strong conflict of interest requirement: No Continuum of Care Board member may participate in or influence discussions or resulting decisions concerning the award of a grant or other financial benefits to the organization that the member represents.

To ensure the efficiency of decision-making, Board size should be limited to no more than 15-20 members. To ensure wide representation without increasing size (and therefore decreasing efficiency), individual Board members often wear more than one "hat" (e.g., a single individual may simultaneously represent local government and a CoC-funded provider, if the local government receives CoC funding).

> Challenge: The purpose of TPCH's CoC Committees are detailed in the Governance Charter, but some stakeholders reported a lack of clarity around how the committee work is connected to broader community effort to end homelessness.
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> **Recommendation: Ensure that existing Committees align with strategic plan priorities and CoC needs.**

The CoC should have committees and work groups that are related to both the CoC's functions (e.g. HMIS, coordinated entry, etc.) and overall community-wide goals (e.g. diversion/prevention, affordable housing development). The current TPCH committee structure seems to revolve around functions of the CoC. TPCH could be well-served to create or restructure of its committees in relation to the community's goal around ending homelessness (as stated in the strategic plan description above).

Proliferation of unnecessary Committees complicates the organizational structure of the overall CoC and creates inefficiencies within the community's decision-making process. As such, the Continuum should regularly review the role/responsibilities of each Committee to ensure that all existing Committees are necessary, unique and not duplicative of work performed by other Committees, and in alignment with the strategic plan to prevent and end homelessness.

> Challenge: Community stakeholders reported some confusion around the overall purpose of committees in the CoC structure.
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> **Recommendation: Develop and implement annual work plans to guide Committee activities towards the goals and priorities of the community's strategic plan to prevent and end homelessness.**

Committees should serve as expert forums to drive the work of the Continuum forward and foster more strategic decision-making within the community. As such, Committee activities should align with the community's overall strategic plan to prevent and end homelessness, as well as with core CoC functions (coordinated entry, HMIS, etc.).

Because any strategic plan is by nature a longer-term undertaking, Committee activities should be defined by the goals and priorities of the strategic plan as divided into action-oriented tasks. Committees should work closely with the CoC Board to develop annual work plans defining the Committees' tasks for the year in a manner consistent with the broader objectives of the strategic plan. This will ensure that the community is able to meet the long-term goals contained in the strategic plan and enable coordinated action throughout the Continuum.

The CoC Board should be empowered to oversee the work of the Committees. This means that the Board should not only help define the annual undertakings of the Committees, but also that it should be empowered to ensure that the Committees are meeting their objectives.

> Challenge: Community stakeholders reported some confusion around the overall purpose of committees in the CoC structure.
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> **Recommendation: Committees should serve as expert deliberative forums to conduct research and develop policy recommendations for approval by the CoC Board, as well as implement the decisions made by the CoC Board.**

Since committee membership, under this plan, will not be representative of the full range of relevant stakeholders within the CoC, but instead consist of subject matter experts related to the Committee's area of responsibility, Committees should not make sweeping decisions on behalf of the Continuum. Instead, Committees should primarily conduct research and policy development on behalf of the overall Continuum and present their findings and recommendations to the CoC Board.

Committee reports should form a substantial portion of the regular CoC Board agenda, which will enable the Board to engage with the substance of the Committee work, while ensuring the decision-making is the Board's primary responsibility. Committee reports should include presentation of the full range of viewpoints by either the Committee's officers or designated representative of the various viewpoints. In other cases, the CoC Board may choose to delegate decision-making authority to Committees where doing so would improve the efficiency of the decision-making process.

Once the CoC Board has made a decision, it should assign relevant implementation work back to either the Committee or the appropriate Lead Entity (CoC Lead or HMIS Lead).

> Challenge: Every stakeholder groups commented on the ineffectiveness of the CoC's current committee structure due to inconsistent participation, confusion around voting and quorums, and lack of standards for reporting out committee recommendations and decisions.
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> **Recommendation: Define and limit Committee membership to ensure that the CoC Committees are effective forums for developing and implementing policy.**

Smaller committees are typically more efficient than larger committees. Committee participation requirements should be eliminated and committee membership limited to a number approved by the CoC Board. The CoC should develop policies regarding membership rotation to ensure that fresh perspectives are incorporated into committee deliberations going forward.

Committee membership should be based on experience and expertise with the committee's subject matter. All committees should include people with lived experience of homelessness and housing instability.

Note that limiting Committee membership need not preclude participation in discussion by other individuals or organizations: non-member individuals and organizations should be permitted to attend Committee meetings in order to provide additional information or perspectives related to the meeting agenda.

> Challenge: While most TPCH committees have large membership, CoC leadership reported difficulty attracting interested and qualified candidates to lead committees.
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> **Recommendation: When selecting committee leadership, balance the need to incorporate fresh perspectives while maintaining stability and consistency.**

Each Committee should include two officers, a Chair and a Vice Chair, who are responsible for developing meeting agendas, ensuring that the Committee meets its objectives, tracking attendance, and facilitating meetings. Committee officers typically serve one-year terms in office in order to ensure that fresh perspectives are regularly incorporated into Committee leadership.

In order to ensure competence, stability, and consistency among Committee leadership, only a Vice Chair should be chosen each year. At the end of their year of service as Vice Chair, the Vice Chair should assume the role of Chair. To further bolster continuity, a Chair can continue to serve as a committee member for an additional year following their term as Chair.

> Challenge: The CoC's standard committee governance structure may be inconsistent with the work and participation of committees comprised primarily of people with lived experiences of homelessness and housing instability.
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> **Recommendation: Committees comprised primarily of people with lived experience of homelessness and/or housing instability may utilize alternate membership, participation, and governance structures with approval of the CoC Board.**