



# BY-LAWS

As revised October 7, 2021

## **ARTICLE I: ORGANIZATION**

### **Section 1: Organization Name**

The name of this Continuum of Care (CoC) shall be called the Portsmouth Homeless Action Consortium, also referred to as PHAC.

### **Section 2: Geographic Area**

The geographic area served by the Portsmouth Homeless Action Consortium CoC is the City of Portsmouth in Virginia.

### **Section 3: Address**

Portsmouth Homeless Action Consortium, 1701 High Street 4<sup>th</sup> Floor, Portsmouth, VA 23704

## **ARTICLE II: MISSION AND PURPOSE**

### **Section 1: Mission**

To help decrease homelessness and enhance the quality of life of persons at risk of or experiencing homelessness in Portsmouth by fostering their levels of self-sufficiency through housing assistance and a supportive network of community services.

### **Section 2: Purpose:**

The primary purpose of the Portsmouth Homeless Action Consortium (PHAC) is to carry out the responsibilities of a Continuum of Care as defined by the U.S. Department of Housing and Urban Development (HUD), which includes but is not limited to the following duties:

- 1) To establish and operate a coordinated entry system that provides an initial, comprehensive assessment of the needs of individuals and families for housing and services
- 2) To establish and consistently follow fair, equitable written standards for screening, evaluating eligibility and administering assistance for individuals and families who are homeless or at risk of being homeless across the defined geographic area
- 3) To designate a Homeless Management Information System (HMIS) and an eligible PHAC member agency or organization in good standing to manage this system
- 4) To effectively coordinate and implement a system to meet the needs of homeless populations and subpopulations within the defined geographic area, including:
  - Plan for and conduct point-in-time counts of individuals who are homeless within the defined geographic area
  - Conduct an annual gaps analysis of homeless needs and services available within the defined geographic area

- Consult with the state and local government Emergency Solutions Grants (ESG) program recipients within the PHAC CoC on the plan for allocating these designated funds
  - Report on and evaluate the performance of grants' recipients and sub-recipients
- 5) To prepare and oversee an application for federal funds targeted to homelessness which includes establishing priorities for funding projects within the defined geographic area; determining which applications can be received for consideration and selecting the applications being submitted for funding
  - 6) To prepare, review and/or coordinate CoC funds with ESG and other federal funds as well as state and local funding dedicated to homelessness or to benefit the homeless services system
  - 7) To ensure homeless resources are invested efficiently and effectively in programs that meet the needs of the community and are high-performing
  - 8) To monitor program and system performance metrics established by HUD
  - 9) To select a Collaborative Applicant or eligible agent to submit an application (enter into a legal agreement with HUD on behalf of PHAC

## **ARTICLE III: MEMBERSHIP**

### **Section 1: Membership Composition**

All Members shall be in agreement with the stated purpose of this CoC. General membership shall be unlimited and consistent with the eligibility standards set forth.

PHAC membership will be comprised of individuals and agencies concerned with the development and coordination of homeless assistance programs. Not less than 51% of these individuals and agencies should include but are not limited to the following:

- |   |   |
|---|---|
| * Nonprofit Homeless Providers            | * Mental Health Agencies                        |
| * Victim Services Providers               | * Hospitals                                     |
| * Faith-based Organizations               | * Universities                                  |
| * Governments                             | * Affordable Housing Developers                 |
| * Businesses                              | * Law Enforcement                               |
| * Advocates                               | * Social Service Providers                      |
| * Organizations Serving Homeless Veterans | * School Districts                              |
| * Public Housing Agencies                 | * Homeless and Formerly Homeless<br>Individuals |

The CoC categorizes membership as described below. These will be defined by the current membership and updated in the By-laws as needed:

- A. Associations/Agencies- human services agencies, departments of local government, businesses, faith-based organizations, education organizations and other public agencies
- B. Individuals- any single person, not related to or employed by either of the aforementioned member associations. Those who are homeless or formerly homeless are welcome to join as individual members regardless of their affiliations

## **Section 2: Active Membership**

Membership for the PHAC CoC will be available through an open registration process. Individuals or agencies residing in the Hampton Roads area who are interested in becoming a member of the PHAC CoC must contact the Collaborative Applicant Portsmouth Department of Social Services and complete a Registration of Applicant Membership Form. Based on designations, active members are further required to:

- A: Individual Active Member: must participate in 50% of the Bi-Monthly Community meetings and participate in 50% of at least one (1) standing committee meeting(s).
- B. Agency Active Member: must designate at least one (1) Active Member and a substitute member. The designated member (or substitute) must attend 75% of Bi-Monthly Community meetings and 75% of at least one (1) standing committee meeting(s). Committee meetings excluding Executive Committee must be attended by the program representative or his/her designee.

Active Members are entitled to vote. Agency Active members are allowed only one vote per agency. When multiple members of an Active Agency attend meetings, they will only be allowed one official vote. Committee meetings should be attended by the designated member or his or her designee. Designee is to disclose whether they have authority to act on behalf of the member agency. Active members are entitled to request and receive letters indicating their length membership and description of their participation for grant purposes. Members with excused absences will be given an opportunity to vote or comment on the handling of the official business of PHAC. Members with excused absences may vote on the business of PHAC with written or pre-selected representation (proxy) if received on the day of the vote. Members with excused absences may also vote prior to the meeting through email sent directly to the CoC Co-Chairs.

### Section 3: Conflict of Interest

Members of the CoC and its' Committees shall comply with federal, state and local laws and related regulations. The business of the CoC should be conducted in a manner so as to avoid all conflicts of interest. The program standards for conflicts of interest described by the U. S. Department of Housing and Urban Development's Interim Rule for the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act, found at 24 CFR Part 578.95 (available at [www.hudexchange.info/](http://www.hudexchange.info/)) is outlined below:

- A. No CoC 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.
  1. Organizational Conflict- An organizational conflict of interest arises when, because of activities or relationships with other persons or organizations, the recipient or sub-recipient is unable or potentially unable to render impartial assistance in the provision of any type or amount of assistance under this part, or when a covered person's objectivity in performing work with respect to any activity assisted under this part is or might be otherwise impaired. Such an organizational conflict would arise when a board member of an applicant participates in decision of the applicant concerning the award of a grant, or provision of other financial benefits, to the organization that such member represents. It would also arise when an employee of a recipient or sub-recipient participates in making rent reasonableness determinations under 24 CFR Part 578.49(b)(2) and 24 CFR Part 578.51(g) and housing quality inspections of property under 24 CFR Part 578.75(b) that the recipient, sub-recipient, or related entity owns.
  2. Other Conflicts- For all other transactions and activities, the following restrictions apply:
    - i. No covered person, meaning a person who is an employee, agent, consultant, officer, or elected or appointed official of the recipient or its sub-recipients and who exercises or has exercised any functions or responsibilities with respect to activities assisted under this part, or who is in a position to participate in a decision-making process or gain inside information with regard to activities assisted under this part, may obtain a financial interest or benefit from an assisted activity, have a financial interest in any contract, subcontract, or agreement with respect to an assisted activity, or have a financial interest in the proceeds derived from an assisted activity, either for him or herself or for those with whom he or she has immediate family or business ties, during his or her tenure or during the one-year period following his or her tenure.

- B. On issues in which a CoC Member has a conflict of interest as described above, neither the Member nor his/her delegate may vote. Members may not participate in discussions regarding funding allocation decisions while they are an applicant for that funding. The Chairs of the CoC will be responsible for monitoring the disclosure of members' conflicts of interest.
- C. In the event that a matter, which raises a potential conflict of interest, comes before the CoC, the CoC Board, or its' Committees or workgroups for consideration, recommendation, and decision, the Member shall disclose the conflict of interest as soon as he or she becomes aware of it, and the disclosure shall be recorded in the minutes of the meeting.
- D. Members found violating the conflict-of-interest policy or federal regulations will be referred to the CoC Governance Committee. The Governance Committee shall investigate all allegations of failure to comply with this conflict-of-interest policy. If a PHAC CoC Member is found to have violated the letter or intention of this conflict-of-interest policy, the Governance Committee will be responsible for recommending an appropriate response to this breach of policy to the PHAC CoC Board. The Governance Committee may recommend any action, including but not limited to a statement of reprimand recorded in the board minutes or removal from the board or other action. The PHAC CoC Board will consider the recommendations of the Governance Committee and vote on corrective or punitive actions to be administered.
- E. Members of the PHAC CoC who also serve on other CoC's will honor the confidentiality of each individual CoC, specifically related to funding strategies and tactics.
- F. All Active Members of the CoC agree to sign an agreement of confidentiality at initial membership. Confidentiality Agreements may be amended as needed.

#### **Section 4: Dues**

There are no membership dues for the PHAC CoC.

## **ARTICLE IV: VOTING**

### **Section 1: Voting**

Decisions subject to a vote may be taken by a majority of the Active Members (As described in Article III, Section 2).

### **Section 2: Voting Representation**

Prior to a CoC vote and the compilation of the list of Active Members, each Active Member organization or institution will select one representative as their voting representative. The Collaborative Applicant will compile a list of eligible voters prior to any vote. Questions or disputes about Active Membership will be resolved by the Governance Committee. Voting will occur in person unless otherwise determined by the Executive Committee or Co-Chairs.

- A. Associations/Agencies: Each association/agency shall have at least one representative who attends meetings. Each association/agency that is an Active Member with the CoC has one vote. A single person may only serve as the voting representative of one association/agency.
- B. Individuals: Homeless or formerly homeless persons and other single persons who are not associated with a Member Association may join as individuals. Each individual who is an Active Member with the CoC has one vote. Homeless or formerly homeless individuals currently employed by or serving on the Board of Directors of an Association that is an Active Member may serve as the voting representative of that Association however may not vote on behalf of the Association, in addition to another designated voting representative of that Association.

### **Section 3: Quorum**

#### **A. Quorum of Members**

The presence of a simple majority of the CoC's Active Members (As defined in Article II, Section 2) will be a quorum and sufficient to conduct a vote at a general or special meeting.

#### **B. Quorum of Officers**

A minimum of fifty percent (50%) of the Executive Committee shall constitute a quorum for the transaction of business.

### **Section 4: Parliamentary Procedure**

In the absence of the consensus of the Active Members, the rules contained in the current edition of "Robert's Rules of Order, Newly Revised", shall be the parliamentary authority for all matters of procedures unless specifically addressed in the by-laws.

## **ARTICLE V: MEETING**

### **Section 1: General Meetings**

A meeting of the PHAC CoC membership is considered the Community Meeting. The PHAC CoC will meet at least six times per year. The meeting schedule will be approved by the Board and disseminated to all the PHAC CoC members within 30 days of the beginning of the operating fiscal year (July-June). Special meetings may be called to address state or federal deadlines, imperatives or other business. Agendas and notices of Community Meetings will be distributed by email five days prior to the meeting. CoC Community meetings are open to the public.

### **Section 2: Special Meetings**

Special Meetings of the PHAC CoC or its Board may be called by the Co-Chairs or by written and signed request of one-third of the Board or by one-third of the Active Members. Request must specify the date and objectives of the proposed meeting and only items specified in the notice will be considered. Special Meetings that will require a vote or the handling of official business of the PHAC CoC require at least three (3) business day's prior notice via e-mail by the Collaborative Applicant. The Secretary or Substitute Secretary will be responsible for notification of said meeting. Written notifications of the meeting shall be sent via mail, e-mail or fax and will specify the date, time, location and purpose of the scheduled meeting.

### **Section 3: Community Meeting**

The CoC election and installation of the new Executive Committee Officers shall take place every two years in the month of November at the Community meeting. Advanced notice of the slate presented by the Nominating Committee will be provided ten (10) days prior to the meeting to all committee members.

### **Section 4: Executive Committee Meetings**

Regular meetings of the Executive Committee may be called by the Co-Chairs or by the resolution of the Executive Committee as determined. The Secretary or designee shall notify each Officer seven (7) days prior to the meeting and shall specify date, time and location of the meeting. Special meetings of the Executive Committee may be called by the Co-Chairs or by the written request of two (2) Executive Committee Officers at any time. Such a meeting shall have a requirement of a three-day prior notice unless waived by the majority or if a quorum is present. Attempts shall be made to contact all Executive Committee Officers regarding the request for a Special Meeting. Any actions taken during such meeting shall be deemed valid.

## **Section 5: Missed Executive Committee Meetings**

Each Executive Committee Officer is to notify one of the Co-Chairs, if he/she is unable to attend a regular meeting. Failure to attend at least three (3) consecutive regular meetings, unless there are extenuating circumstances that are acceptable to the Executive Committee, shall constitute grounds for removal from the Executive Committee.

## **Section 6: Attendance and Participation for Funding:**

### **A. Continuum of Care Funding:**

Agency Directors or program decision makers of CoC funded projects are required to be an “Active Member” of PHAC (As defined in Article II, Section 2). Active members seeking to request funding for projects must have attended 75% of the PHAC meetings throughout the previous year. Agencies seeking to submit a new project application for CoC funding should refer to the Collaborative Applicant for additional guidance.

### **B. State and Federal Funding:**

Certain state and federal programs require a signed CoC Participation Certification as part of the application process. Grantees desiring to submit state and/or federal applications for funding are required to be an Active Member of PHAC and attend 75% of required meetings throughout the previous year (As defined in Article II, Section 2).

### **C. New Agencies:**

New Agencies seeking to apply for funding opportunities that do not meet the attendance requirements may submit a letter of Good Faith from a CoC Lead where they do receive funding as well as a letter of Intent explaining how the applicant proposes to provide services or housing within the City of Portsmouth. The Portsmouth CoC leadership will review the letters and approve a waiver (if applicable) to the funding application attendance requirement. Furthermore, the Agency if applying agrees to fulfill all participation requirements of PHAC as defined in Article II, Section 2.

## **Section 7: Committee Reports**

Minutes or notes of meetings of the PHAC CoC Bi-Monthly Community meetings, Executive Committee meetings and Committee Meetings shall be kept. Minutes of the Community Meetings shall be the responsibility of the Secretary or the agreed upon designee. The minutes or notes shall be forwarded to and reviewed by the PHAC CoC Co-Chairs and emailed to committee members no later than ten (10) days following the last CoC meeting. Minutes will include, at a minimum, the date, time and place of the meeting, the names of all individuals in attendance, the topics discussed, votes recorded and any follow up action items with the person(s) assigned to complete it. All committee reports presented or submitted shall be noted with a summary of its content and any other information deemed necessary by the Chairs.

The Collaborative Applicant will keep electronic and hard copies of the minutes and other meeting materials for a minimum of five years or to HUD standards if longer. Committee minutes will be kept by each Committee Chair or their designee and all committee minutes will be submitted to the Board Chairs seven to ten business days following each meeting.

## **ARTICLE VI: GOVERNANCE**

### **Section 1: Purpose**

The purpose of the Portsmouth Homeless Action Consortium (PHAC) Continuum of Care (CoC) governance structure is to ensure the orderly operations of the Continuum. The governance structure applies to the two main bodies, the full membership and the CoC Executive Committee.

### **Section 2: CoC Governance and Structure**

The leadership of the PHAC CoC is the Executive Committee and is formally designated by vote of PHAC members and is active in the duties and structure set forth by this document. The PHAC CoC Executive Committee shall have the power to act on behalf of and in the best interest of the Continuum of Care.

The CoC Executive Committee will meet at least quarterly. The presence of a simple majority of the Executive Committee will be a quorum and a sufficient manner to conduct business at any meeting of the Committee. Conference calls or the use of other telecommunications or video equipment systems are acceptable ways to conduct committee business. The Executive Committee shall keep regular minutes of its proceedings and report such proceedings at the next scheduled meeting.

No more than one-third of the CoC executive members will be current recipients of funding from the coordinated funding process. Other executive members will represent constituent groups and individuals supporting the systems-level coordination of federal, state, and other funds and resources targeted to ending homelessness. If an individual elected to fulfill a required position on the Executive Committee subsequently leaves that agency, the committee shall determine how to best to address such action and ensure the CoC remains in compliance with HUD regulations.

Responsibilities of the Executive Committee include but are not limited to:

1. Attend regularly held PHAC Executive Committee Meetings
2. Actively participate in a minimum of one committee or workgroup with the exception of the Executive Committee Chairs
3. Ensure federal/state applications for funding and required submissions are on time and of good quality.
4. Ensure all new and renewal projects are evaluated annually, including the implementation of a process to improve performance, where needed

5. Ensure the CoC and projects funded are in compliance with HUD, HEARTH Act, and other relevant regulations
6. Ensure that all CoC affiliated funding applications are based on recommendations from the PHAC CoC Executive Committee
7. Internally monitor CoC funded programs for compliance
8. Ensure CoC and other public funds are being efficiently and effectively used to end homelessness in the region.
9. Approve selection process for program inclusion on CoC affiliated collaborative requests

### **Section 3: Executive Committee and Elected Officer Positions**

The Executive Committee is made up of Elected Officers, Committee Chairs and one representative from all agencies or collaborative entities that are recipients of federal or state CoC grant funds. Elected positions consist of two Co-Chairs, and Secretary. These positions are elected bi-annually and each officer serves a two-year staggered term or until his or her successor is subsequently elected. The two Co-Chairs will provide leadership for PHAC. One Co-Chair will be elected from a nonprofit organization, and the other Co-Chair will be designated from a City Department. The Nominating Committee will select a slate of candidates for the Community Meeting in November. At the Community Meeting, nominations may also be accepted from the floor. These officers shall perform the duties prescribed within this Governance and within the parliamentary authority as described by Robert's Rules of Order.

### **Section 4: Duties of Officers**

#### Co-Chairs:

1. Preside at the PHAC CoC Membership Meetings and Executive Committee Meetings
2. Provide direction and leadership, along with the PHAC Executive Committee to ensure that all functions of the CoC are carried out
3. Provide reports and timely updates to the PHAC CoC
4. Appoint committee chairs for membership to the Executive Committee.
5. Publicly represent the PHAC CoC
6. Commence meetings
7. Set meeting agendas

#### Secretary:

1. Responsible for accurate written records of all meetings of the Executive Committee and Community meetings.
2. Responsible for the distribution of all meeting minutes from the Executive and General Membership meetings the Monday prior to the next scheduled meeting
3. Prepare correspondence and ensure proper filing of all Executive Committee and General Membership documentation
4. Record the adoption or revision of any policy

5. Perform other appropriate duties as assigned by the Co-Chairs or General Membership

### **Section 5: Power to Appoint Other Officers and Agents**

The Executive Committee shall have the power to appoint such other officers and agents as the Executive Committee may deem necessary for the transaction of CoC business. The Executive Committee shall have the power to fill any vacancy in any office as needed.

### **Section 6: Removal or Resignation of Officers and Agents**

Any Officer or Agent may be removed by the Executive Committee through majority vote, when in violation of the Conflict-of-Interest Policy (By-Laws: Article III, Section 3) or for other violations of the policies and procedures of the PHAC CoC.

### **Section 7: Delegation of Powers**

The Executive Committee may delegate the duties of any office to any other office as needed, however no officer shall execute, acknowledge or verify any instrument in more than one capacity.

### **Section 8: Role of the Collaborative Applicant**

The Collaborative Applicant for the PHAC CoC is the Portsmouth Department of Social Services (PDSS) as determined by vote of the CoC. PDSS's responsibilities include but are not limited to the following:

1. Support the work of the CoC Executive Committee and Standing Committees
2. Maintain a copy of all meeting minutes and notes for the Executive Committee and the Bi-Monthly Community Meetings.
3. Provide notification of meetings and agendas to membership and other community members, in timely manner
4. Maintain an attendance roster of all PHAC related meetings
5. Prepare the list of eligible voters for the PHAC CoC based on the By-Laws
6. Coordinate PHAC monthly meetings
7. Manage the Homeless Management Information System (HMIS) and provide technical assistance as needed
8. Compile and submit all CoC Collaborative Applications, to include HUD NOFA, in coordination with respective member agencies
9. Coordinate the annual Point-In-Time Counts in collaboration with member agencies, volunteers and lead agency staff
10. Complete an annual Housing Inventory Chart
11. Assist and lead efforts in implementing a community plan to prevent and end homelessness
12. Monitor CoC funded community programs

13. Collaborate with the CoC Policy and Planning Committee and Performance/Monitoring and Evaluation subcommittee in developing a clear and fair selection process on program inclusions for CoC collaborative funding request
14. Provide technical assistance for community agencies and work in collaboration with community programs to generate acceptable outcomes that are efficient and effective in reaching the goals set forth in the consolidated plan, 10-year plan, local PHA plan and the CoC plan.

## **ARTICLE VII: COMMITTEES**

### **Section 1: Standing Committees and Duties** *(See attached Portsmouth Homeless Action Consortium Committee Guide for specific committee action items)*

All committees of Portsmouth Homeless Action Consortium are formally organized and must have a signed conflict of interest statement from each committee member on file at the PHAC office and abide by the rules set forth within. The PHAC CoC may establish standing and ad hoc committees and workgroups as the need arises through a simple majority vote in an Executive Committee Meeting, Community Membership Meeting or Special Meeting.

Committees make recommendations to the Executive Committee. Membership in committees must be approved by the Executive Committee. Workgroups serve to coordinate resources, programs, and direct services. Membership in workgroups is determined based on the responsibilities outlined in the specific workgroup’s charters and in consultation with the Collaborative Applicant and relevant Committees. Membership in workgroups is open unless confidentiality protocols necessitate otherwise. Annually, the Executive Committee will publish a list of all active committees and workgroups. The established Committees and responsibilities for the PHAC CoC are as follows:

#### Executive Committee

- a. Provide direction for PHAC and coordinate activities of the CoC
- b. Act as liaison to the City Council, Consolidated Plan, the 10-Year Plan to End homelessness, and any other related City Projects
- c. Act as liaison to regional and state groups
- d. Review all funding proposal requests prior to submission and authorize letters of support for funding proposals
- e. Schedule and conduct PHAC Executive and General meetings

#### HMIS Oversight and Management Committee

- a. Provide information and guidance to the PHAC CoC related to the implementation of HMIS.
- b. Ensure that all HUD funded organizations are trained in and fully utilizing HMIS

- c. Provide input, oversight and guidance on the development of HMIS policies and procedures and ensure that the PHAC CoC meets or exceeds all related federal and applicable regulations
- d. Conduct appropriate oversight of the HMIS
- e. Ensure HMIS activities are compliant with Data Quality, Security and Standards

#### Membership, Education and Advocacy Committee

- a. Identify Stakeholder and membership recruitment and communication needs
- b. Set membership goals based on the needs identified PHAC public relations
- c. Work with other committees to coordinate messaging and membership goals and
- d. Implement all education and public training activities for membership and external audiences
- e. Identify the education and advocacy best practices to meet associated needs
- f. Work with other committees to set goals for identified education needs

#### Resource Development Committee

- a. Link gaps in services to resources
- b. Serves on the Regional Task Force to End Homelessness
- c. Ensure homeless citizens in Portsmouth are a priority
- d. Work towards the enhancement and further coordination/engagement with the public housing system; to include PRHA

#### Continuum of Care Policy and Planning Committee

##### Sub-Committees:

1. Performance/Monitoring and Evaluation Committee
2. Rank and Review Committee
  - a. Update relevant data and services for CoC planning purposes
  - b. Review and analyze APR's, PIT Data, and mainstream resources
  - c. Coordinate priorities including the ranking of projects
  - d. Raise match funding for CoC projects
  - e. Coordinate other collaborative activities
  - f. Review newly identified gaps in services
  - g. Develop action plans for the CoC group

#### Veterans Committee

- a. Liaison between Portsmouth Continuum and regional veterans' homelessness initiatives
- b. Assist Veteran with navigation through the Coordinated Entry Process
- c. Attend and represent the Portsmouth CoC at the SHR Vet Leadership Forums
- d. Provide the CoC with all feedback/concerns regarding Veteran's access to housing services

## PHAC Coordinated Entry System (CES) / Portsmouth Coordinated Assessment Network (PCAN)

- a. Responsible for the development and implementation of a coordinated process to coordinate program participant intake assessment and provision of referrals for the City of Portsmouth
- b. Provide assistance to homeless individuals and families in finding services and resources that will aid them in becoming self-sufficient

### **Section 2: High Risk Agencies**

PHAC will strive to work closely with all member agencies in the region. When working with agencies that are considered high risk of failure to respective CoC affiliated programs, PHAC will assist these agencies in capacity building activities by working to identify the weakness, examining the structure, efficiency of the staff, financial accounting GAAP practices, and ability to meet state and federal guidelines. Mentoring and monitoring will take place as well as offering available technical assistance opportunities. In the event an agency is found in violation of federal/state regulations, the Executive Committee will work with the Collaborative Applicant, the respective committee(s) to investigate and determine the corrective action plan, up to the reallocation of funds.

### **Section 3: Donations**

The Executive Committee may accept on behalf of the CoC any contribution, gifts, grant or bequest for the general or special purpose of the CoC. A record shall be kept of all gifts and their disposition. Financial gifts shall be receipted by the Treasurer and the record be made available (or reported) to the Executive Committee and General Membership. Gifts in-kind (non-financial but material or services) shall be recorded by the Treasurer with receipt. Disposition information shall be available (or reported) to the membership.

### **Section 4: Conflict of Interest**

Grantees and Sub-grantees will maintain a written code of standards of conduct governing the performance of their employees engaged in the award and administration of contracts. No employee, officer or agent of the grantee or sub-grantee shall participate in selection, award or administration of a contract supported by Federal funds, if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when (1) an employee, officer or agent or (2) an immediate family member, partner or organization is being hired by or has other financial interests in an agency or business selected for an award.

A grantees or sub-grantee's officers, employees or agents will neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements in exchange for or in an attempt to influence decisions.

## **ARTICLE VIII: AMENDMENTS**

### **Section 1: Amendments**

These bylaws and governance may be amended at a regular or special meeting of the CoC by simple majority vote of the Active Members present at a meeting called for that purpose.

Amendments must be in written form, reviewed by the Executive Committee, and distributed to the Active Members of the CoC at least two weeks prior to presentation and vote. There is only one vote per agency.

## **ARTICLE IX: APPLICABILITY**

### **Section 1: Applicability**

If there is any conflict between applicable Federal and/or State statutes, rules, or regulations and these by-laws, such statutes, rules, or regulations will prevail. If any provision of these by-laws is held invalid, the remainder of the by-laws will not be affected thereby.

## **ARTICLE X: HOLD HARMLESS**

### **Section 1: Hold Harmless**

Members of the PHAC CoC agree to indemnify, defend and hold harmless the PHAC COC Executive Committee, committees and workgroups against all losses, expenses, damages and costs arising out of participation in the PHAC CoC, excluding incidents of negligence and willful malfeasance.

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**PORTSMOUTH HOMELESS ACTION CONSORTIUM  
COMMITTEE GUIDE**

<b>Executive Committee</b>		<p><b><u>Action Items:</u></b></p> <ul style="list-style-type: none"> <li>• Referral systems development – develop process to make referral to other programs/agencies;</li> <li>• Increase committee participation;</li> </ul>
<b>Membership, Education and Advocacy Committee</b>		<p><b><u>Action Items:</u></b></p> <ul style="list-style-type: none"> <li>• Outreach and recruitment of new members to enhance the CoC membership to include mainstream partners</li> <li>• ID high value stakeholders/individuals in the Portsmouth Community</li> <li>• Set membership goals based on the needs identified by PHAC public relations</li> <li>• Work with other committees to coordinate messaging and membership goals</li> <li>• Solicit annual feedback from participants involved in the Coordinated Entry Process</li> <li>• Identify the public needs related to education and advocacy best practices</li> <li>• Implement education and public trainings as needed for membership and external audiences</li> <li>• Work with other Committee’s to set goals for identified education needs</li> </ul>
<b>Resource Development Committee</b>		<p><b><u>Action Items:</u></b></p> <ul style="list-style-type: none"> <li>• Link gaps in services to resources;</li> <li>• Serves on the Regional Task Force to End Homelessness</li> <li>• Ensure homeless citizens in Portsmouth are a priority</li> <li>• Work towards the enhancement and further coordination/engagement with the public housing system; to include PRHA</li> </ul>

<p><b>CoC Policy and Planning Committee</b></p> <ul style="list-style-type: none"> <li>❖ Performance/Monitoring and Evaluation sub-committee</li> <li>❖ Ranking and Review Committee</li> </ul>		<p><b><u>Action Items:</u></b></p> <ul style="list-style-type: none"> <li>• Adopt a written CoC Plan/CoC Application;</li> <li>• Create the following policies: <ul style="list-style-type: none"> <li>○ ESG and CoC monitoring – should use the same process;</li> <li>○ Program and performance monitoring and evaluation of all CoC funded programs</li> <li>○ Provide leadership guidance for the ranking and review committee</li> <li>○ Provide annual report for gap analysis</li> <li>○ Set priorities regarding identified gaps</li> <li>○ Prioritize goals and resources</li> </ul> </li> </ul>
<p><b>HMIS Oversight and Management Committee</b></p>		<p><b><u>Action Items:</u></b>  <i>(Refer to HMIS Interim Rule and follow standards)</i></p> <ul style="list-style-type: none"> <li>• Provide report on client level data associated with the Coordinated Entry Process</li> <li>• Aligns and interacts with the Lead Agency on HMIS issues</li> </ul>
<p><b>Coordinated Entry System</b></p>		<p><b><u>Action Items:</u></b></p> <ul style="list-style-type: none"> <li>• Develop written policies and procedures that align with the HUD Coordinated Entry Process</li> <li>• Ensure that the Coordinated Entry Process and the standardized prioritization for referrals is well publicized for local, regional and state federal partners</li> <li>• Ensure the use of standardized access points</li> <li>• Ensure the completion of a preliminary screening for referral determination</li> <li>• Collect comprehensive needs assessment and compile agenda for bi-weekly case coordination</li> <li>• Manage and maintain a centralized by-name lists of all homeless persons that have presented for services</li> <li>• Ensure that all client information is safeguarded</li> </ul>

