MHC/CoC Governance Workgroup
Sept. 12, 2017
Meeting Location: 800 2nd Avenue North

Present: Liz Allen Fey, Renee Pratt, Wendell Segroves, Paula Foster, Mina Johnson, Catherine Knowles, Daryl Murray, Rachel Hester, Erik Cole, Josh Lee (Legal)
Staff: Judith Tackett, Treva Gilligan

Minutes: The meeting notes of Aug. 22 were adopted.

Workgroup members formally brought Sean Muldoon into the meeting and invited him to the table.

Catherine Knowles reported back from the newly seated CoC Governance Board saying there was not much time to give a detailed update of the workgroup. However, the CoC Governance Board based on input from Daryl Murray clarified that the workgroup would not come back with a recommendation but with a discussion.
Liz Allen Fey asked why the workgroup shouldn't make a recommendation? After some discussion the members of the MHC/CoC Governance Workgroup decided that they would take a recommendation for consideration to both bodies, which then allows for both bodies to have further discussion prior to a decision being made.

Potential structure of a unified board
Paula Foster and Judith Tackett met to outline a potential board structure and membership. Judith Tackett handed out a document and walked the workgroup through the presented slate. After further discussion, focusing especially on the number of Council members that should be appointed, the workgroup agreed on the following:

Form a 25-member Planning Council:

- 2 Metro Department representatives (non-voting, who serve as co-chairs of the Mayor's Interdepartmental Council on Homelessness) – appointed by Mayor
- 3 Metro Council members (voting) – appointed by Vice Mayor
- 8 Mayor appointees
- 12 elected by the CoC membership, 3 of whom have lived experience (past or present)

The following explanations were given during discussion:
The Mayor's Interdepartmental Council on Homelessness is facilitated and led by the Metropolitan Homelessness Commission with the goal to coordinate within Metro. This is a quarterly staff meeting of Department heads representing more than the seven departments that are currently represented on the Homelessness Commission.
Having the Mayor appoint two co-chairs who then serve on the Planning Council will allow for a direct link and reporting of what is happening at the Metro staffing level.

A lot of discussion focused on the appropriate number of Council members. The group went back and forth between 2 or 4 members and settled on three. They felt based on the attendance on the Commission, three is a good number.

Currently, the Mayor appoints 11 members to the Metropolitan Homelessness Commission, three of whom are people with current or past lived homeless experience. It was determined that the people with lived experience should be elected by the CoC membership, which would still leave 8 voting members to be appointed by the Mayor.

The remaining slots of the 25-member board would be nominated and voted on by the CoC membership (total of 12 voting members).

Rachel Hester pointed out that by having the liaison between a new Planning Council and the Mayor's Interdepartmental Council on Homelessness, we are actually adding more voices to the conversation and coordination around homelessness. Liz Allen Fey agreed saying that this approach would connect the Planning Council with all relevant Metro departments.
During the discussion Sean Muldoon and Paula Foster drew parallels to the Ryan White Planning Council.

The workgroup further stated that the name of the Planning Council would change (no longer Metropolitan Homelessness Commission) and it would be anchored in a Metro ordinance. Liz Allen Fey said this wasn't about blending two organizations. Instead it was about how we as a city move ahead by taking the values of the current Metropolitan Homelessness Commission and the CoC Governance Board and combine it.
The new Planning Council's role would be planning and coordination. It will be answering the question of what if we do away with the Commission and the CoC Governance Board and create a new model that supports the work that needs to be done?

All agreed that if we stay in old constructs, then we won't create anything new. Thus, this is really not about merging to boards, it is about dissolving them and rebuilding something new that moves us forward. "When you do that, you lose a lot of the baggage on both sides," Rachel Hester said.

Josh Lee reminded everyone that the CoC is created by federal law, the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act. The HEARTH Act defines CoC as a region in which all stakeholders working on and interested in homelessness build a systems approach to ending homelessness. The full membership has to decide on some key requirements on a board: 1. At least one person must be homeless or formerly homeless; and 2. The CoC has to adopt a written process to select that board.
There has to be an annual election for the board by the full membership. Josh Lee said the decision-makers may want to put in some safeguards that will make it harder to change certain structures in the future. For example, in order to change bylaws or the charter, there needs to be a 2/3 majority vote.

The workgroup discussed the benefits of having an ordinance in place, which would strengthen the local government involvement including from elected officials.

Rachel Hester raised the question of whether this Planning Council could legally hold a major fundraiser. Josh Lee said that this would be a governance/oversight Council. To do a fundraiser, there would need to be a backbone organization. It could be the collaborative applicant or any other member organization. But the fundraiser would have to be housed somewhere. Then everyone could pitch in and everybody could reach out to their networks and participate. Liz Allen Fey said we still have Metro staff attached to the Planning Council. The Planning Council could determine through a strategic plan where any fundraising money could go.

Liz Allen Fey said the Planning Council would engage a communitywide planning process that sets forth the new vision. Daryl Murray said the CoC does not have its own money, but the Homelessness Commission has money. So who would have oversight?
Liz Allen Fey said that Planning Council sits within MSS. "You have your existing staff that supports the Planning Council." Rachel Hester said one of the barriers on the CoC was that organizations think the new Planning Council would go to the funders. "What we can say is, 'No, funders continue what they want to fund, but we have a community plan.'"
Paula Foster said that this could benefit smaller organizations that are currently not funded through HUD because a strategic community plan builds in what we need as a community.
Rachel Hester agreed, "Now you broaden in the people who are not in the HUD world…"
Sean Muldoon added that both the Commission and CoC have functioned with those bodies being where all the action happens. "It hasn't been the committees. Everything has been done ad hoc." He said the first year was going to be about formalizing the infrastructure.
Liz Allen Fey said the way to get there was by getting the key stakeholders to do the work and come up with a communitywide plan.
Paula Foster said the CoC exists solely right now to figure out how to use HUD dollars, but what everyone keeps saying is that the CoC should not be just about HUD dollars. Including a community strategy would make our HUD application stronger. Erik Cole added that having good data to use in the decision-making process was important. "Right now there is a gap of data collection," he said. "That's another place where HMIS and this body need to be connected heavily. Right now we don't have a good picture of what the actual need is."

Summary of Discussion
At this point, Liz Allen Fey summarized where the workgroup was at this point:

- We 're recommending a Planning Council
- 25 members: 12 elected by the CoC (this includes 3 people with lived experience), 10 appointed by the Mayor (this includes 2 non-voting Department representatives), 3 Council members appointed by the Vice Mayor.
- We recommend that the Planning Council operates out of a clear strategic community plan that is developed within the first 18-24 months.
- We recommend that the CoC represents the entire community (beyond service providers and homeless community).
- We recommend that the Planning Council is a planning and coordinating body.

Erik Cole said this group needed to be very clear in outlining timelines to ensure the Planning Council and community can meet them

Ordinance
Further discussion focused on a possible ordinance. Josh Lee recommended that the ordinance would be drafted in broad strokes with more details contained in the Governance Charter/By-Laws.

Questions were raised about the expectations of the CoC membership to have a vote on the Collaborative Applicant (CA), which was an expectation that was raised through the Cloudburst process. The group discussed that regardless of the governance discussions, the CA was a separate vote. Erik Cole mentioned the letter that he sent out the membership, which included a timeline.

Liz Allen Fey also brought up that the staff that comes with the Planning Council remains in place, which was one thing that needed to be addressed.

The group talked some more about timeline, but decided since the CoC was in the midst of the NOFA process, the membership was not really able to listen to further governance and CA discussions until October.
Treva Gilligan pointed out that regardless of when a CA vote is, MDHA will serve as the CoC CA through a contract with HUD until June 2018.

Timeline
The group engaged in a lengthy discussion outlining what still needed to happen.
Next, the group sequenced the events and put a timeframe to it.

This is the result of the timeline/sequencing of events:
Timeline (not in sequence yet)

1. OCTOBER
    a. ID independent facilitator (Center for Nonprofit Management, Jodi Lentz??)
    b. Draft document of recommendation from this body. OCTOBER 15
2. OCTOBER 15:
    a. Create joint presentation
    b. Capture questions/ concerns/ FAQ
    c. Identify possible structure
    d. Confirm the role(s) of committees
3. NOVEMBER:
    a. Present to CoC governance – NOVEMBER 8
    b. Present to MHC – NOVEMBER 3
    c. Conversations with Key leaders – 3 (MDHA, Catholic Charities)
    d. Indication from Mayor/Vice Mayor to support the concept in place
4. CoC membership presentation – NOVEMBER 16

5. Draft Ordinance for proposed change
6. JANUARY
    a. CoC board Vote to support intent
    b. CoC membership vote on intent
7. FEBRUARY
    a. Commission vote
    b. CoC governance vote – final decision to move ahead to form a Planning Council based on the recommended ordinance (effective on X date we put a transition Council in place, etc.)
    c. CoC membership vote – final (that's the big vote)
8. Presentation to Council
9. Ordinance to Council filed
10. By-law creation & ID transition board
11. By-law vote

Ongoing:

- Engage Cloudburst (ask for letter of opinion)
- Informing publics (lived experience, Interdepartmental Council)

Homework:

- Erik Cole will reach out to Jodi Lentz to serve as independent facilitator.
- Recommendation: (not fully baked, show that we're thinking about it) – Liz & Sean & Judy will put the recommendation together – Josh & Erik will review

    CoC Planning Council

        25 members

            elected - 12

            appointed - 11

            appointed (ex-officio) - 2

        Mission & Purpose from CoC Governance Charter

        Information:

        - Necessary and beneficial
        - Governance – Planning Council's function is governance
        - Builds on our work, how do we take it forward

How we move forward (presentation)

Current membership lists

Current committee lists, when they meet, on paper

Next meeting: Oct. 24, 9-11 am to review the presentation.