

Comparison of CoC Original Charter to Changes “Proposed” in CoC Charter Revision One (1) – March 15, 2018

- Reference to CoC Governance Board, Officers, etc., in document has been replaced with CoC Planning Council
- Page two (2) - Potential membership list was condensed
- Page two (2) – Language added in 2nd paragraph to clarify that all CoC meetings are open to the public in compliance with state and federal regulation/laws

- Language below beginning on page three (3) of the original charter was stricken:

~~**Governance Board**~~

~~**A. Selection of Governance Board members**~~

~~The Board is elected by the membership. The Board will be representative of the membership of the CoC and will include: representatives of organizations providing housing or services for persons experiencing homelessness; at least two homeless or formerly homeless individuals; and members from the public and private sectors. Nominations will be presented, as requested to the CoC membership by the Nominating Committee (which consists of representatives from a minimum of 3 separate agencies, organizations or businesses, as well as concerned individuals). Members shall elect the officers at the Annual Meeting of the CoC to be held in June of each year. The Nominating Committee will present its recommended slate to the CoC at the annual meeting. Members of the CoC membership may submit recommendations to the Nominating Committee for consideration and nominations may be made from the general membership. The terms for these positions begin at the annual meeting.~~

~~Vacancies on the Governance Board occur by the expiration of the normal term, resignation, death, or removal by the CoC or by failure to attend required meetings. Vacancies shall be filled by nomination from the general membership of the CoC in the same manner as original appointments. Such appointment shall be for the remainder of the unexpired term and the member shall then be eligible for reelection to a full term on the Governance Board.~~

~~**B. Members**~~

~~The Governance Board shall be comprised of no fewer than eleven (11) and not more than twenty-five (25) persons representing constituencies that mirror the Nashville community and reflect guidance provided in the HEARTH Act. All Governance Board members are expected to serve on at least one CoC committee.~~

Replaced with the following beginning on Page three (3) of the “Proposed” Charter Revision One (1):

CoC Planning Council

A. Background and Introduction:

Homelessness has long been recognized as an issue of significant community concern in Metro Nashville-Davidson County. Throughout the years efforts have been made by individual citizens, the community, homeless social services agencies, and the government to address these concerns. The **Nashville-Davidson County Continuum of Care**, adhering to evolving national

guidance of the U.S. Department of Housing and Urban Development, has operated as a homelessness planning body since 1994, establishing an official Governance Board in 2011. In 2005, Metro Government advanced their previous efforts to address homelessness through the creation, by ordinance, of the **Metropolitan Homelessness Commission**. In 2009, Congress enacted the HEARTH Act which codified into law the CoC planning process to assist homeless persons by providing greater coordination in responding to their needs.

Over the past 13 years these two (2) entities have been operating independently and in many ways redundantly to address and end homelessness in our community. In July 2017, in order to create a high functioning Continuum of Care , the members of the Metropolitan Homelessness Commission and the Governance Board formed a joint workgroup to unify the homeless governance structure in Nashville-Davidson County, to reduce duplication, strengthen Nashville's community based planning efforts and most effectively garner and manage resources to end homelessness. Their work is reflected in parts of this Charter "Revision" One (1), as well as in a City Ordinance to create a single governance structure within the CoC to be called the Nashville-Davidson County CoC Planning Council.

To maintain the relationship with and access to Metropolitan Davidson County-Nashville Government staff and resources for optimal Planning Council functioning, the Planning Council will be an independent division of the Metropolitan Social Services Commission. As such there are no limits to the Planning Council's power or authority and it is empowered to make decisions and recommendations as the governance entity for the CoC as required by 24 CFR Part 578.

B. Composition of Planning Council

With the enactment of the Charter "Revision" One (1) on [REDACTED], the CoC Planning Council will become the **Nashville Davidson County CoC Planning Council**, referred to as Planning Council for the remainder of this document.

The newly created Planning Council will be seated for its first meeting after the enactment of the Charter "Revision" One (1). It will be comprised of the current members of the CoC Planning Council and Metro-Davidson County Homelessness Commission. It will create a transition plan of staggered terms and normal attrition to achieve the optimal composition by the end of year two (2) of its operational year (July 1 to June 30).

The Planning Council will be comprised of 25 members:

- 14 elected by the CoC Planning Council Membership,
- Eight (8) appointed by the mayor, and
- Three (3) Metro Council members.

The Planning Council will have no less than five (5) members who will have current/past lived experience of being "At-Risk of Homelessness" and/or "Homeless". Composition of the Planning Council will reflect constituencies that mirror the Nashville Community and reflect the guidance provided in the Hearth Act.

C. Selection of Planning Council Members

There will be a separate process for selection of Planning Council members from the CoC, Mayoral Appointment, and Metro Council.

CoC: The CoC Nomination Committee is charged to develop and implement an on-going process of identification, recruitment, and vetting of potential governance candidates in an effort to maintain a current pool of candidates for anticipated/unanticipated vacancies. CoC Planning Council members will be elected from a slate of candidates prepared by the Nomination Committee and nominations made from the floor by a voting member of the CoC in good standing. Normal Planning Council terms will coincide with the CoC's operational year, so the election will occur in the month prior. Terms will be staggered so that at no point will all seats be up for re-election.

Vacancies occurring as a result of normal term, resignation, death, or removal for cause will be filled by a similar process. Such elected members shall serve the remainder of the original term and be eligible for re-election to a full term.

Mayoral Appointments: Mayoral appointments to the Planning Council will be made by the city's Mayor who has the discretion to make an independent informed choice and/or access candidates identified through the CoC's Nomination Committee process. Normal Planning Council terms for Mayoral Appointments will coincide with the CoC's operational year, so the appointment will occur in the month prior.

Vacancies occurring as a result of normal term, resignation, death, or removal for cause will be filled by a similar process. Such appointed members shall serve the remainder of the original term and be eligible for re-appointment to a full term.

Metro Council Appointments: Metro Council Member appointments to the Planning Council will be made by the city's Vice Mayor from the pool of the following Metro Council positions: Vice Mayor, At-Large, 1st Term, and 2nd Term. Normal Planning Council terms for Council Appointments will coincide with the CoC's operational year, so the appointment will occur in the month prior.

Vacancies occurring as a result of expiration of normal term, council term, resignation, death, or removal for cause will be filled by a similar process. Such appointed members shall serve the remainder of the original term.

- Language below beginning on page four (4) of the original charter was stricken:

~~C. Terms~~

~~Governance Board Members shall serve terms of three years, staggered initially as the group begins operating, beginning with the regularly occurring Nashville CoC meeting in June. All members shall hold office until their successors have been duly elected and qualified. An individual may serve up to two consecutive terms in any one position on the Governance Board. After serving 2 consecutive terms, he or she must allow at least one year to elapse before running again for the Governance Board. If a Board member must resign for good cause prior to serving the full 3 year term, he/she may run again the following year, if interested. Elections~~

~~will be held each year in a staggered manner according to the terms set herein, so that at no point will all seats be up for reelection.~~

~~**Resignation and Removal:** Any Governance Board member, except the Chair, may resign by tendering a written notice to the Chair. The Chair may resign by tendering written notice to the Governance Board. Any officer may be removed by the Governance Board whenever, in the judgment of the Board, the best interest of the organization will be served thereby. A 2/3 majority vote of the total membership of the Governance Board shall be required to remove a member. This action may only be taken at a regularly scheduled meeting of the Governance Board.~~

Replaced with the following beginning on page five (5) of the "Proposed" Charter Revision One (1):

D. Terms

Planning Council Members shall serve terms of three (3) years beginning with the first meeting of the CoC / Planning Council's operating year in July. All members shall hold office until their successors have been duly elected and seated. An individual may serve up to two (2) consecutive terms on the Planning Council. After serving two (2) consecutive terms, he or she must allow at least one (1) year to elapse before becoming eligible for nomination to the Planning Council. If a Planning Council member must resign for good cause prior to serving the full three (3)-year term, he/she may become eligible for nomination again in the following year, if interested.

Resignation Any Planning Council member, except the Chair, may resign by tendering a written notice to the Chair. The Chair may resign by tendering written notice to the Planning Council.

Removal: Any officer may be removed by the Planning Council from the officer position whenever, in the judgment of the Council, the best interest of the organization will be served thereby. A vote to remove an officer must occur during a regularly scheduled Planning Council meeting and requires a two-thirds (2/3) vote of the Planning Council to remove an officer from her/his position.

An elected Planning Council Member may only be removed from the Planning Council by a two-thirds majority vote of the voting members of the CoC during a regularly scheduled meeting. The request for consideration for removal may originate from the Planning Council and/or membership.

An appointed Planning Council Member may only be recommended for removal only by the mayor or vice mayor (as indicated by appointment) from the Planning Council by a two-thirds (2/3) majority vote of the voting members of the CoC during a regularly scheduled meeting. The request for consideration for recommendation of removal may originate from the Planning Council and/or membership.

- Attendance requirement of "80% in E. Meetings, Quorum, and Voting" on page four (4) of original Charter has been replaced with "75% in same section relabeled F. Meetings, Quorum, and Voting" on page six (6) of "Proposed" Charter Revision One (1).

- Terms limits for Officers of “up to two (2), three (3)-year terms” in F. Officers of Governance Board” on page five (5) of the original Charter has been replaced with “up to three (3), one (1)-year terms” in G. Officers of Planning Council” on page six (6) of “Proposed” Charter Revision One (1).
- Language for “#2 duties of Governance Board Chairperson” and #6 on page five (5) of original Charter has been replaced with the following language on page six (6) of the “Proposed” Charter Revision One (1):

2. Make, with the advice and consent of the Planning Council, appointments of all committee chairs deemed necessary for the operation of the CoC

6. This office has a one (1) year term, and has voting privileges restricted to tiebreaking

- The following sections have been added on page seven (7) of the “Proposed” Charter Revision One (1):

A. Planning Council Advisors

The Planning Council will identify and employ the use of key community advisors for its decision making process as indicated by issue and/or need. The invitation for participation will come from the Planning Council Chair at the request / recommendation of the Planning Council. The Mayor will make available two (2) designated employees of departments of metropolitan government that frequently interact with individuals at risk of and/or experiencing homelessness for such requests.

I. Planning Council Supports

Administrative support will be provided to the Planning Council and the CoC Standing and Ad Hoc committees by the staff of the Collaborative Applicant and HMIS Lead as required by the U.S. Department of Housing and Urban Development, as well as by staff of the Homeless Impact Division of Metro Social Services.