





### **MEETING DATE & TIME**

☐ Wednesday, October 13, 2021 @ 2:00 p.m.

### MEETING LOCATION

This meeting will be held electronically due to the COVID-19 pandemic. Members of the public may attend this meeting via:

- ☐ Attendee Link: https://bit.ly/3tDDH6G
- ☐ Or call in (audio only) +1 571-429-5982 Phone Conference ID: 896 143 971#

### **MEETING AGENDA**

- **Bylaws**
- **Remote Participation** Policy
- CoC Operations Policy
- Shifting from transitional to ongoing CoC Committee membership
- **CoC Application**





## **Continuum of Care Committee**



## **PUBLIC MEETING REQUIREMENTS**

To conduct this meeting wholly electronically, the CoC Committee needs to make certain findings for the record to evidence our compliance with all applicable laws.

## 1) Audible record of attendance

Example: Tom Barnett, Reston, VA

**Roll Call**: For the roll call, each CoC Committee member should state your **name** and your **location**. **Motion 1**: "I move that the CoC Committee certify for the record that each CoC Committee member's voice may be adequately heard by each other CoC Committee member."

## 2) Need for Electronic Meeting

**Motion 2**: "I move that the CoC Committee certify that the COVID-19 pandemic and vulnerability of the homeless population, including lower than average vaccination rates, makes it unsafe for the CoC Committee and the public to physically attend this meeting in person, and the usual procedures cannot be implemented safely or practically. As a result, I further move that the CoC Committee conduct this meeting electronically through a dedicated video- and audio-conferencing line, and that the public may access this meeting via the Attendee Link, the address of which was included in the public meeting notice. If unable to join virtually, the public may still join by calling +1 571-429-5982, Phone Conference ID: 896 143 971#."

## **Continuum of Care Committee**



## **PUBLIC MEETING REQUIREMENTS**

## 3) Continuity of Government

**Motion 3**: "I move that the CoC Committee certify that the matters on its agenda today relate to the COVID-19 emergency itself, are necessary for continuity in Fairfax County government, and/or are statutorily required or necessary to continue operations and the discharge of the CoC Committee's lawful purposes, duties, and responsibilities."

# **Continuum of Care Committee**



1). Bylaws

Action Item (Bylaws Approval) – Motion 4

Si	immary of Changes
	<u>Article I: Name</u> – Name added
	Article II: Purpose – Duties now exist solely in the Charter which is referenced in this section
	<u>Article III: Membership</u> – Aligned with federal regulations, Nomination Subcommittee will need to develop information to support recruitment
	Article IV: Officers and their Duties – Secretary added, although OPEH staff support can continue to serve as the duly appointed agent and handle the minutes
	Article V: Meetings – Quorum is further defined under 'Voting' as "greater than 50 percent."
	Article VII: Conflict of Interest and Recusal – Aligned with federal regulations language  Article VIII: Code of Conduct – Aligned with federal regulations language  Article IX: Subcommittees – Added descriptions of the Selection & Ranking Subcommittee and the Nomination Subcommittee
	Removed the CoC Membership section and the CoC Lead Agency and HMIS Lead and added it to the CoC Policies





2). Bylaws Attachment: Remote Participation Policy

Action Item (Remote Policy Approval) – Motion 5

## **Summary of Changes**

Recording in Minutes: Removed the reference to record the reasoning in specificity to respect confidentiality.

# **Continuum of Care Committee**



## 3). CoC Operations Policy

Action Item (CoC Operations Policy Approval) – Motion 6

Summary of Changes
☐ CoC Membership (invitation and outreach)
☐ Role of CoC Lead Agency & HMIS Lead Agency (moved from Bylaws)
☐ HUD CoC Program Funding
Added clarification on the use of the Monitoring & Evaluation Tool; Subcommittee uses the Tool to accept renewal projects
☐ Clarified the CoC Lead Agency is responsible for the Monitoring & Evaluation Workgroup as it is not
intended for the Workgroup to function as a public body
☐ Added Emergency Solutions Grant (ESG) and Virginia Homeless Solutions Program (VHSP) processes



funding.

## 3). Local HUD CoC Program Policies

Action Item (Local Policies Approval) – Motion 7

**Emergency Solutions Grant (ESG) and Virginia Homeless Solutions Program (VHSP) processes** 

■ ESG (Example from the 2020 Distribution)

AGENCY	2019		2020		
	%	# of Clients	%	# of Clients	
Α	20%	844	19%	805	
В	25%	1034	20%	855	
С	32%	1338	31%	1302	
D	2%	98	3%	142	
Е	20%	807	26%	1083	
<b>Grand Total</b>	100%	4121	100%	4187	

VHSP DIRECT ASSISTANCE			
NCY	Allocation %	AMOUNT	
	29%	\$ 208,484	
	0%	\$0	
	22%	\$ 160,480	
	23%	\$ 164,226	
	26%	\$ 191,982	
۱L		\$ 725,172	

ESG & VHSP DIRECT ASSISTANCE			
<b>AGENCY</b>	Allocation %	AMOUNT	
Α	21%	\$ 256,772	
В	20%	\$ 241,440	
С	25%	\$ 305,344	
D	14%	\$ 164,226	
E	20%	\$ 240,270	
TOTAL		\$ 1,208,052	

Because not all providers contracted through **OPEH to operate Prevention and Rapid** Rehousing projects receive VHSP, the VHSP funding is considered prior to applying the percentages to allocate ESG.

The total number of clients served in project

prevention combined. The percentage of clients

each subrecipient serves is applied to the ESG

types eligible for rapid rehousing and in

■ VHSP

☐ Priority for project types funded

☐ Grantees

# **Continuum of Care Committee**



## 4). Shifting from transitional to ongoing membership

**Consideration Item (Officers process, Bi-Annual MTG)** 

## **Proposed CoC Committee Schedule & Workflow:**

MEETING DATE AND TIME	TOPICS	
January 12, 2022	<ul> <li>Select Officers: Chair &amp; Vice-Chair (nomination process to be condaps Analysis: Develop approach to gaps analysis</li> <li>Strategic Plan: Discuss approach to begin strategic planning</li> <li>Funding Opportunities: HOME-ARP</li> </ul>	nmunicated via e-mail)
April 13, 2022	<ul> <li>CoC Policies: Review and update HUD CoC Program policies, to in that should be considered in ranking. (Examples: uniqueness of p subpopulation, etc.)</li> <li>Bi-Annual CoC Meeting: Plan agenda for spring meeting</li> </ul>	, , , ,
July 13, 2022	☐ Annual Data: (data to be reviewed, SPM, LSA, BFZ, etc. TBD)	
October 12, 2022	<ul><li>□ PIT Considerations</li><li>□ Bi-Annual CoC Meeting: Plan agenda for winter meeting</li></ul>	Topic Considerations for Decem
	Standing Agenda Items:  ✓ Strategic Plan  ✓ Gaps Analysis	2021 Bi-Annual CoC Meeting  ☐ Coordinated Entry ☐ Rapid Re-housing/Shelter Tra ☐ Presentation on Regional Rac Equity Initiative



## 5). CoC Application

Informational Item

☐ The CoC is applying for the following (total of \$10,747,930):

AMOUNT	DESCRIPTION
\$9,238,151	Renewal Funding Supports 19 existing projects operated by current HUD Grantees, 16 PSH and 3 RRH
\$461,908	Bonus Funding New Funding Opportunity, 1 PSH project serving 17 chronically homeless individuals
\$770,726	DV Bonus Funding New Funding Opportunity, 1 RRH project serving 47 households/60 persons identifying as victims of DV
\$277,145	Planning Grant Funding Supports 2 positions in OPEH, funding available to hire a consultant to support strategic planning efforts

## **Continuum of Care Committee**



## 5). CoC Application

Informational Item

☐ The CoC Consolidated Application, including the CoC Application attachments and the Priority Listing, will be
made available <a href="https://www.fairfaxcounty.gov/homeless/continuum-care">https://www.fairfaxcounty.gov/homeless/continuum-care</a> .

- □ CoC Application includes questions and responses related to the overall operations of the entire CoC
- The scoring has changed this year as a result of the pandemic. There are less points overall. This includes less points awarded for the outcomes of the system performance measures (although HUD has already stated in a webinar that we can expect this to go back up), performance points have been eliminated and replaced with bonus points for new projects submitted with housing and healthcare collaborations, and there is significant emphasis (more points added) on CoC Coordination and Engagement.

Application criteria	2018	2019	2021
Project Capacity, Review & Ranking	29	29	30
System Performance Measures	56	60	23
Homeless Management Information System	13	9	11
Point In Time Count	6	6	3
Performance & Strategic Planning – replaced by 10 bonus points Coordination with Healthcare providers	48	40	+10
CoC Coordination & Engagement	48	56	96
TOTAL POINTS POSSIBLE	200	200	163

(There was no competition in 2020)





☐ Wednesday,January 13, 2022@ 2:00 p.m.

### **MEETING LOCATION**

### **MEETING AGENDA DRAFT**

- 1) Selection of Officers
- **2) Gaps Analysis**: Develop approach to gaps analysis
- **3) Strategic Plan:** Discuss approach to begin strategic planning
- **4) Funding Opportunities:** HOME-ARP







# AFFORDABLE HOUSING ADVISORY COUNCIL Continuum of Care Committee

### **BYLAWS OF THE CONTINUUM OF CARE COMMITTEE**

2		
3	TABLE OF CONTENTS	
4	ARTICLE I: NAME	2
5	ARTICLE II: PURPOSE	2
6	ARTICLE III: MEMBERSHIP AND TERM OF OFFICE	2
7	Membership Requirements	2
8	Appointments	2
9	Resignations and Vacancies	3
10	Holdovers	3
11	ARTICLE IV: OFFICERS AND THEIR DUTIES	3
12	Elections	3
13	Chair	3
14	Vice-Chair	3
15	Replacement Officers	3
16	ARTICLE V: MEETINGS	4
17	VFOIA	4
18	Notice and Agenda	4
19	Frequency.	4
20	Voting.	4
21	Conduct.	4
22	Public Access.	5
23	Records	
24	Attorney-Client Privilege.	
25	ARTICLE VI: ATTENDANCE AND PARTICIPATION	
26	ARTICLE VII: CONFLICT OF INTEREST AND RECUSAL	
27	ARTICLE VIII: REMOVAL	
28	ARTICLE IX: SUBCOMMITTEES	
29	Selection & Ranking Subcommittee.	
30	Nomination Subcommittee.	
31	ARTICLE X: REPORTING	
32	ARTICLE XI: COMPLIANCE WITH LAW AND COUNTY POLICY	
33	ARTICLE XI: AMENDMENT OF BYLAWS	7
34		
35	ATTACHMENT: REMOTE PARTICIPATION POLICY	
36		
37		

38



### **ARTICLE I: NAME**

The name of this organization is the Continuum of Care Committee, hereinafter referred to as the "CoC Committee."

### **ARTICLE II: PURPOSE**

 Continuum of Care ("CoC") is the group organized to carry out the responsibilities required under Part 578 of the Code of Federal Regulations Relating to the Housing and Urban Development (HUD) and that is composed of representatives of organizations and individuals as listed in 24 CFR § 578.3. Fairfax County's CoC includes Fairfax County, the Cities of Fairfax and Falls Church, and the towns of Clifton, Herndon, and Vienna.<sup>1</sup>

The CoC Committee has been established as a Committee of the Affordable Housing Advisory Council (AHAC) for the purpose of providing community leadership and policy guidance, consistent with the One Fairfax policy, and to carry out the "Duties" listed in the CoC Committee Charter to ensure the successful end to homelessness in the Fairfax-Falls Church community. Although the CoC Committee operates as a Committee of AHAC, the Committee and the selection process outlined below is established in compliance with, 24 CFR §§ 578.5(b) and 578.7 (a)(3), and the Committee acts on behalf of Fairfax County's CoC in accordance with Part 578 of the Code of Federal Regulations Relating to HUD. In the event of a conflict between these Bylaws and the Federal Regulations, the Federal Regulations shall control.

#### ARTICLE III: MEMBERSHIP AND TERM OF OFFICE

 Membership Requirements. The Committee must (1) include at least one individual who is homeless or formerly homeless, and (2) represent the relevant organizations and projects serving homeless subpopulations. One member may represent the interests of more than one homeless subpopulation, and the membership must represent all subpopulations within the CoC to the extent that someone is available and willing to represent that subpopulation. The CoC Committee will cultivate an inclusive culture by including diverse perspectives and interests represented by individuals who reflect the County's diversity and are committed to housing affordability for all throughout the County.

**Appointments.** Membership and appointments to the CoC Committee shall be made and selected by the CoC Committee's Nomination Subcommittee as outlined in Article IX and shall include the representatives of relevant organizations and of projects serving homeless subpopulations and

EFFECTIVE [DATE] 2 of 7 | Page

<sup>&</sup>lt;sup>1</sup> Fairfax County's CoC is also known as the Fairfax-Falls Church Community Partnership to Prevent and End Homelessness.



include at least one homeless or formerly homeless individual. Members shall serve two-year terms, with a limit of three terms. Members can serve again after a one-year break.

**Resignations and Vacancies.** In the event a member cannot serve or resigns from the CoC Committee, the member should notify the Chair in writing.

**Holdovers.** In the event a member completes their term of office, remains qualified to serve as a member, and there is no successor appointed, then that person may continue to serve until such time as the member is reappointed or a successor member is appointed.

#### **ARTICLE IV: OFFICERS AND THEIR DUTIES**

**Elections.** The CoC Committee shall be served by two officers: a Chair and a Vice-Chair. The Chair shall be elected in accordance with the voting provisions of Article V by the CoC Committee members annually and such election shall be scheduled at the first meeting of each calendar year. The Chair of the CoC Committee will also serve on the Affordable Housing Advisory Council. Two months prior to the election meeting, a slate of candidates shall be nominated during a meeting held pursuant to Article V. After nomination, each candidate shall be polled on his or her willingness and ability to serve as Chair of the CoC Committee. At the election meeting, the Chair shall be elected from among the willing nominees in accordance with the voting provisions of Article V. At the meeting immediately following the election of the Chair, the Chair shall nominate the Vice-Chair. After nomination, each candidate shall be polled on their willingness and ability to serve as an officer of the CoC Committee. The Vice-Chair shall then be elected from among the willing nominees in accordance with the voting provisions of Article

**Chair.** The Chair presides over meetings of the CoC Committee and is eligible to vote at all times. The Chair has the authority to delegate appropriate functions to CoC Committee members and to request assistance from the County staff supporting the CoC Committee.

**Vice-Chair.** In the absence of the Chair at a meeting, the Vice-Chair shall perform the duties and exercise the powers of the Chair. If neither the Chair nor the Vice-Chair is available, the member present with the longest tenure on the CoC Committee shall act as Chair.

**Secretary**. The Secretary, or a duly appointed agent, shall be responsible for recording the minutes of meetings.

**Replacement Officers.** If an office becomes vacant for any reason, it shall be filled by an election at the next regular meeting having a majority of members present. The newly elected officer shall complete the unexpired term of the officer succeeded. Prior to the election of any replacement

EFFECTIVE [DATE] 3 of 7 | Page



# AFFORDABLE HOUSING ADVISORY COUNCIL Continuum of Care Committee

officer, all members shall be provided with notice of the proposed election before the meeting at which the replacement is elected.

**ARTICLE V: MEETINGS** 

**VFOIA.** All meetings shall be open to the public except as provided under the Virginia Freedom of Information Act, Virginia Code § 2.2-3700 *et seq.*, as amended ("VFOIA"). Pursuant to Virginia Code § 2.2-3701, "meeting" or "meetings" means the meetings including work sessions, when sitting physically, or through electronic communication means pursuant to § 2.2-3708.2, as a body or entity, or as an informal assemblage of (i) as many as three members or (ii) a quorum, if less than three, of the constituent membership, wherever held, with or without minutes being taken, whether or not votes are cast, of any public body. The Coc Committee may hold public hearings and report its findings to the Affordable Housing Advisory Council and/or the Board of Supervisors on issues that affect the public interest.

**Notice and Agenda.** Notice and the agenda of all meetings shall be provided as required under the VFOIA. All meetings shall be preceded by properly posted notice stating the date, time, and location of each meeting. Notice of a meeting shall be given at least three working days prior to the meeting. Notice of emergency meetings, reasonable under the circumstances, shall be given contemporaneously with the notice provided to CoC Committee members. Notices of all meetings shall be provided to the Office of Public Affairs for posting at the Government Center and on the County Web site. All meetings shall be conducted in public places that are accessible to persons with disabilities.

**Frequency.** The CoC Committee shall meet quarterly and as needed, which will be determined by the Chair. Meetings shall be held at a time agreed to by a majority of the CoC Committee's members, and at a place arranged by the staff of the supporting County department.

**Voting.** A quorum is necessary for a vote. A majority (more than 50%) of the membership of the CoC Committee shall constitute a quorum. In making any recommendations, adopting any plan, or approving any proposal, action shall be taken by a majority vote of CoC Committee members present and voting. Upon the request of any member, the vote of each member on any issue shall be recorded in the minutes. All votes of CoC Committee members shall be taken during a public meeting, and no vote shall be taken by secret or written ballot or by proxy.

**Conduct.** Except as otherwise provided by Virginia law or these bylaws, all meetings shall be conducted in accordance with *Robert's Rules of Order, Newly Revised*, and except as specifically authorized by the VFOIA, no meeting shall be conducted through telephonic, video, electronic, or

EFFECTIVE [DATE] 4 of 7 | Page



other communication means where the members are not all physically assembled to discuss or transact public business.

**Public Access.** For any meeting, at least one copy of the agenda, all agenda packets, and, unless exempt under the VFOIA, all materials furnished to CoC Committee members shall be made available for public inspection at the same time such documents are furnished to the CoC Committee members. Pursuant to the VFOIA, any person may photograph, film, record, or otherwise reproduce any portion of a meeting required to be open, but such actions may not interfere with any CoC Committee proceedings.

**Records.** Minutes of meetings should be recorded as required under the VFOIA. Minutes shall include: (1) the date, time, and location of each meeting; (2) the members present and absent; (3) a summary of the discussion on matters proposed, deliberated, or decided; and (4) a record of any votes taken. Such minutes are public records and subject to inspection and copying by citizens of the Commonwealth or by members of the news media. The supporting County department shall provide staff support to review and approve records and minutes of the meeting.

**Attorney-Client Privilege.** Records containing legal advice from counsel to the CoC Committee, and advice provided in closed session by legal counsel to the CoC Committee, are protected by the attorney-client privilege and from disclosure under the VFOIA. Any such records or advice should not be disclosed by members of the CoC Committee to any third party, or the privilege against disclosure may be waived. Questions regarding the handling of records or advice subject to attorney-client privilege should be directed to the CoC Committee's legal counsel.

### ARTICLE VI: ATTENDANCE AND PARTICIPATION

Any CoC Committee member who misses three consecutive meetings or more than half of the scheduled meetings within a 12-month period, or who fails to participate in the work of the CoC Committee without good cause acceptable to a majority of the other CoC Committee members may be subject to removal from the CoC Committee.

#### ARTICLE VII: CONFLICT OF INTEREST AND RECUSAL

No CoC Committee Chair, CoC Committee member, or any person acting on behalf of the CoC Committee 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. CoC Committee members must comply with all other applicable the Conflict-of-Interest requirements outlined in 24 CFR part 578.95.

EFFECTIVE [DATE] 5 of 7 | Page



# AFFORDABLE HOUSING ADVISORY COUNCIL Continuum of Care Committee

Any CoC Chair, CoC Committee member, or person acting on behalf of the CoC participating in or influencing decision making must identify actual or perceived conflicts of interest as identified in 24 CFR part 587.95 as they arise. Disclosure should occur in writing immediately after identifying the conflict of interest and if possible, prior to the discussion of any such issue. Individuals with a conflict of interest should state the nature of the disclosure to be recorded in the meeting minutes and abstain from discussion and voting on any issue in which they may have a conflict. All voting members shall have the right to recuse themselves from voting on a matter without providing excuse.

ARTICLE VIII: CODE OF CONDUCT

CoC Committee members must exercise care, diligence, and prudence when acting on behalf of the CoC and carrying out all applicable requirements and responsibilities as outlined in 24 CFR part 578. Work undertaken on behalf of the CoC Committee must be completed in the timeframe specified by the CoC Committee.

**ARTICLE VIII: REMOVAL** 

Any CoC Committee member(s) may be removed from the CoC Committee for cause, including but not limited to cause as set forth in Article VI, by a two-thirds majority vote of all of the CoC Committee members. The members' authority to recommend removal under these bylaws neither limits nor waives the Board of Supervisors' authority to remove members from the CoC Committee as provided by law.

**ARTICLE IX: SUBCOMMITTEES** 

The Chair may appoint standing subcommittees and a Chair for each with the consent of a majority of the CoC Committee's members present and voting. The Chair may also appoint special committees and a Chair for each with the consent of a majority of the CoC Committee's members present and voting. The CoC Committee may establish such subcommittees or working groups as needed to accomplish its goals.

Selection & Ranking Subcommittee. The Selection & Ranking Subcommittee is responsible for
(1) reviewing applications for new funding opportunities, if available, during the annual HUD CoC
Program Competition and selecting new project(s) for inclusion in the CoC's Consolidated
Application, and (2) ranking all projects, including both new and renewal projects, according to the
priorities identified in the annual gaps analysis and the approach developed in the local HUD CoC
Program funding policies, reviewed and updated annually by the CoC Committee. Membership for

EFFECTIVE [DATE] 6 of 7 | Page



## AFFORDABLE HOUSING ADVISORY COUNCIL Continuum of Care Committee

- the Selection & Ranking Subcommittee will be submitted annually to the CoC Committee for 230 231 approval.
- Nomination Subcommittee. The Nomination Subcommittee, comprised of at least two but no 233 more than four CoC Committee members, will solicit and accept nominations from the CoC for 234 participation on the CoC Committee to fill vacancies in the established seats. The Nomination 235 236 Subcommittee will seek people representing varied factions of the community who are dedicated to preventing and ending homelessness and can contribute unique expertise, opinions and 237 viewpoints on issues related to homelessness. Following review and acceptance of nominations, 238 the Nomination Subcommittee will submit the names to the Chair and Vice-Chair who jointly 239 240 approve new members.
- All meetings of any such subcommittees shall comply with the notice and other requirements of 242 243 the VFOIA. To the extent practicable, any such subcommittees shall be composed of at least four members. Subcommittee meetings may be held at the call of the Chairperson or at the request of 244 245 two members, with notice to all members.

#### ARTICLE X: REPORTING

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The Committee will develop regular reports that will be provided by the Affordable Housing Advisory Council to the Board of Supervisors, Fairfax County Continuum of Care and other related boards, 250 authorities and commissions as needed to ensure progress in achieving the goal of preventing and ending homelessness.

### ARTICLE XI: COMPLIANCE WITH LAW AND COUNTY POLICY

The CoC Committee shall comply with all Virginia laws, including, but not limited to, the VFOIA, and the Virginia State and Local Government Conflict of Interests Act, Virginia Code § 2.2-3100 et seq., as amended, with all County ordinances, and with all County policies concerning the activities of its boards, authorities, and commissions. In case of a conflict between a provision of these bylaws and any applicable ordinance or law, the provisions of the applicable ordinance or law, as the case may be, shall control.

### **ARTICLE XI: AMENDMENT OF BYLAWS**

These bylaws may be amended by the CoC Committee by adopting the proposed amendment or 265 amendments. Any such amendments to bylaws shall become effective upon approval by the CoC 266 Committee. The by-laws should be reviewed, updated and approved by the CoC Committee, acting 267 on behalf of the CoC, at least once every 5 years (578.7(a)(3)). 268

**EFFECTIVE** [DATE] 7 of 7 | Page



# AFFORDABLE HOUSING ADVISORY COUNCIL Continuum of Care Committee

1	REMOTE PARTICIPATION POLICY	
2		
3	TABLE OF CONTENTS	
4	AUTHORITY AND SCOPE	
5	DEFINITIONS	
6	MANDATORY REQUIREMENTS	
7	PROCESS TO REQUEST REMOTE PARTICIPATION	2
8	PROCESS TO CONFIRM APPROVAL OR DISAPPROVAL OF PARTICIPATION FROM A	
9	REMOTE LOCATION	
LO	RECORDING IN MINUTES	
L1		
L2	STRICT AND UNIFORM APPLICATION OF THIS POLICY	4
L3		
L4		
L5		
L6		
L7		
L8		
L9		
20		
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#### **AUTHORITY AND SCOPE**

- A. This policy is adopted pursuant to the authorization of Va. Code § 2.2-3708.2 and is to be strictly construed in conformance with the Virginia Freedom of Information Act (VFOIA), Va. Code §§ 2.2-3700—3715.
  - B. This policy shall not govern an electronic meeting conducted to address a state of emergency declared by the Governor or the County. Any meeting conducted by electronic communication means under such circumstances shall be governed by the provisions of Va. Code § 2.2-3708.2(A)(3).

#### **DEFINITIONS**

- 47 A. "Member" means any member of the CoC Committee of its Subcommittee(s).
  - B. "Remote participation", "remotely participate", or "participate remotely" mean participation by a member of the CoC Committee via telephonic, video, or other audio or combined audio and video electronic communication method where the member is not physically assembled with the other members of the CoC Committee.
- 52 C. "Meeting" means a meeting as defined by Va. Code § 2.2-3701.
  - D. "Notify" or "notifies," for purposes of this policy, means actual notice, including, but not limited to, email, text, telephone, or in-person notice.

#### MANDATORY REQUIREMENTS

- Regardless of the reasons why the member is participating in a meeting from a remote location by electronic communication means, the following conditions must be met for the member to participate remotely:
- A. A quorum of the CoC Committee must be physically assembled at the primary or central meeting location; and
- B. Arrangements have been made for the voice of the remotely participating member to be heard by all persons at the primary or central meeting location. If at any point during the meeting the voice of the remotely participating member is no longer able to be heard by all persons at the meeting location, the remotely participating member shall no longer be permitted to participate remotely.

### PROCESS TO REQUEST REMOTE PARTICIPATION

A. On or before the day of the meeting, and at any point before the meeting begins, the requesting member must notify the CoC Committee Chair (or the Vice-Chair if the requesting member is the Chair) that they are unable to physically attend a meeting due to (i) a temporary or permanent disability or other medical condition that prevents the member's physical attendance or (ii) a family member's medical condition that requires the member to provide care for such family member, thereby preventing the member's physical attendance or (iii) a personal matter and identifies with specificity the nature of the personal matter.



# AFFORDABLE HOUSING ADVISORY COUNCIL Continuum of Care Committee

- B. The requesting member shall also notify the staff coordinator to the CoC Committee of their request, but their failure to do so shall not affect their ability to remotely participate.
  - C. If the requesting member is unable to physically attend the meeting due to a personal matter, the requesting member must state with specificity the nature of the personal matter. Remote participation due to a personal matter is limited each calendar year to two meetings or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater. There is no limit to the number of times that a member may participate remotely due to a temporary or permanent disability or other medical condition or that of a family member that requires the member to provide care.
  - D. The requesting member is not obligated to provide independent verification regarding the temporary or permanent disability or other medical condition or the family member's medical condition that prevents their physical attendance at the meeting.
  - E. The Chair (or the Vice-Chair if the requesting member is the Chair) shall promptly notify the requesting member whether their request is in conformance with this policy, and therefore approved or disapproved.

# PROCESS TO CONFIRM APPROVAL OR DISAPPROVAL OF PARTICIPATION FROM A REMOTE LOCATION

- When a quorum of the CoC Committee has assembled for the meeting, the CoC Committee shall vote to determine whether:
- A. The Chair's decision to approve or disapprove the requesting member's request to participate from a remote location was in conformance with this policy; and
- B. The voice of the remotely participating member can be heard by all persons at the primary or central meeting location.

#### **RECORDING IN MINUTES**

- A. If the member is allowed to participate remotely due to a temporary or permanent disability or other medical condition, or a family member's medical condition that requires the member to provide care to the family member, the CoC Committee shall record in its minutes (1) the CoC Committee's approval of the member's remote participation; and (2) the remote location from which the member participated.
- B. If the member is allowed to participate remotely due to a personal matter, this should be noted in the minutes along with the remote location from which the member participated.
- 109 C. If a member's request to participate remotely is disapproved, the disapproval, including the 110 grounds upon which the requested participation violates this policy or VFOIA, shall be recorded 111 in the minutes with specificity.



### 113 CLOSED SESSION

114 If the CoC Committee goes into closed session, the member participating remotely shall ensure that 115 no third party is able to hear or otherwise observe the closed meeting.

# 116 117 STRICT AND UNIFORM APPLICATION OF THIS POLICY

- 118 This Policy shall be applied strictly and uniformly, without exception, to the entire membership,
- and without regard to the identity of the member requesting remote participation or the matters
- that will be considered or voted on at the meeting.



## Fairfax-Falls Church Community Partnership

CONTINUUM OF CARE OPERATIONS FAIRFAX COC, VA-601

# FAIRFAX COUNTY CONTINUUM OF CARE OPERATIONS TABLE OF CONTENTS

3	TABLE OF CONTENTS	
4	COC MEMBERSHIP OVERVIEW	. 2
5	COC MEMBERSHIP INVITATION AND OUTREACH	. 2
6	COC MEETINGS	. 2
7	COC LEAD AGENCY	. 3
8	HMIS LEAD AGENCY	. 3
9	HUD COC PROGRAM: MONITORING & EVALUATION	. 4
10	Purpose	
11	Monitoring & Evaluation Tool and Scoring	. 4
12	Monitoring & Evaluation Workgroup	. 5
13	HUD COC PROGRAM: REALLOCATION	. 5
14	Purpose	. 5
15	Reallocation Definition	. 5
16	Types of Reallocation	
17	HUD COC PROGRAM: SIGNIFICANT PROJECT CHANGES	
18	Background	. 6
19	Reasons a Recipient May Change	. 6
20	Assessing Project Design	. 7
21	Identifying a New Subrecipient	
22	Coordination with the HUD Field Office	. 7
23	HUD COC PROGRAM: NEW FUNDING OPPORTUNITIES	
24	HUD COC PROGRAM: COC PRIORITY LIST	. 8
25	EMERGENCY SOLUTIONS GRANT (ESG)	
26	Background	. 9
27	Priorities	. 9
28	Allocation Approach	
29	VIRGINIA HOMELESS SOLUTIONS GRANT (VHSP)	
30	Background	
31	Priorities	10
32	Grantees	10
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CONTINUUM OF CARE OPERATIONS FAIRFAX COC. VA-601

### COC MEMBERSHIP OVERVIEW

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The general CoC body includes any individual or organization that is committed to preventing and ending homelessness in the Fairfax-Falls Church community. Fairfax County's CoC strives to ensure that membership includes a diverse and broad representation of all the necessary voices needed to accomplish the goal of making homelessness rare, brief and one time. Membership includes stakeholders, in alignment with 24 CFR Part 578.5, such as:

- o Affordable Housing Developer(s) & Advoca
- Businesses
- CDBG/HOME/ESG Entitlement Jurisdiction
- o Disability Service Organizations & Advocate
- Domestic Violence Service Providers & Advocates
- Faith Based Organizations
- Homeless or Formerly Homeless Persons
- Hospital(s) & EMS/Crisis Response Team(s)
- Human Trafficking Service Providers
- Law Enforcement
- Lesbian, Gay, Bisexual, Transgender (LGBT)
   Advocates

- Local Government Staff/Officials
- Local Jail(s)
- Mental Health Service Organizations & Advocates
- Other homeless subpopulation advocates
- Public Housing Authority
- School Administrators/Homeless Liaisons
- Street Outreach Team(s)
- Substance Abuse Service Organizations & Advoca
- Veteran Service Providers
- Universities
- Youth Homeless Organizations & Advocates

Members receive information relevant to the CoC, including meeting invitations, funding opportunities, training opportunities, and CoC updates. Fairfax County's CoC operates in compliance with federal nondiscrimination and equal opportunity requirements. The CoC Lead ensures that meeting spaces are accessible, electronic formats are available to those with visual impairments, TTY is used to meet the needs of those with hearing impairments, and other disabilities can be accommodated upon request.

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#### **COC MEMBERSHIP INVITATION AND OUTREACH**

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New members are invited to join the CoC annually through a public invitation process that includes an announcement through Fairfax County's Office to Prevent and End Homelessness' listserv, which is accessible through Fairfax County's website. Membership invitations are shared throughout the year with any new agency or individual that becomes involved in homeless services or that the CoC Lead agency is made aware of. The CoC encourages organizations serving culturally specific communities experiencing homelessness (including but not limited to Black, Latino, Indigenous, other People of Color, persons with disabilities, etc.), to join the CoC.

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#### **COC MEETINGS**

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Fairfax County's CoC will hold meetings offered to full membership and other interested parties at least twice per year in which the date, time, and agenda will be made publicly available.



**CONTINUUM OF CARE OPERATIONS** FAIRFAX COC. VA-601

### **COC LEAD AGENCY**

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The Office to Prevent and End Homelessness (OPEH) manages and coordinates the homeless services system as the CoC Lead Agency. OPEH was established in 2008 to serve as staff to the Continuum of Care and its governance. In this capacity, collaborates with other county agencies, non-profits, faith

/4	Care and its governance. In this capacity, conaborates with other country agencies, non-profits, faith			
75	and business communities, and those with lived experience of homelessness to support the			
76	achievement of the community-wide vision that every person in the community can access and			
77	maintain safe and affordable housing.			
78				
79	OPEH has the following roles, responsibilities, and functions:			
80	☐ As the Collaborative Applicant and CoC Lead Agency, OPEH submits the CoC Registration, CoC			
81	Consolidated Application (which includes the CoC Application and CoC Priority Listing), and applies			
82	for CoC planning funds on behalf of the CoC during the CoC Program Competition			
83	☐ Manages, coordinates, and monitors the day-to-day implementation of the strategic plan to end			
84	homelessness, including system-wide evaluation of the community's response to homelessness			
85	☐ Manages the Coordinated Entry System as well as the development and maintenance of the			
86	Coordinated Entry System policies.			
87	☐ Provides the information required to complete the Consolidated Plan(s) for the geographic area			
88	<ul> <li>Oversees the ESG funding, including the allocation of ESG and monitoring of subrecipients; serve as</li> </ul>			
89	the applicant for ESG allocated through the State			
90	Coordinates a Point-in-Time Count, at least annually, to identify the number of people experiencing			
91	sheltered and unsheltered homelessness and complies with other requirements established by			
92	HUD by Notice, including the annual FY CoC Program NOFA (NOFO).			
93	☐ Prepares and submits any system-wide HUD reports required of the CoC, including but not limited			
94	to the Annual Homeless Assessment Report (AHAR), Longitudinal Systems Analysis (LSA), System			
95	Performance Measures (SPMs), Point in Time Count (PIT), and Housing Inventory Count (HIC), and			
96	Consolidated Annual Performance and Evaluation Report (CAPER).			
97	Coordinates an annual gaps analysis of the homeless needs and services available within its			
98	geographic area, which includes a housing inventory.			
99	Oversees the invitation of new membership to the CoC (see section 12)			
100	☐ Coordinates the bi-annual CoC meetings (see section 12)			
101	☐ Acts on behalf of the CoC in the absence of a functioning CoC Committee.			
102				
103	HMIS LEAD AGENCY			
104				
105	The Office to Prevent and End Homelessness (OPEH), as the HMIS Lead Agency, has the following roles,			
106	responsibilities and functions:			
107	☐ Staffs the management of the HMIS;			
108	Designates a single HMIS to be used by the CoC to meet HUD's data collection, management, and			

- 1
- 1 109 reporting standards;



CONTINUUM OF CARE OPERATIONS FAIRFAX COC, VA-601

110		Reviews the comparable database(s) proposed to be used by domestic violence homeless projects,
111		including any ongoing enhancements, to assess for compliance with HUD Data Standards prior to
112		selection and implementation;
113		Provides oversight of the day-to-day administration of the HMIS system and any necessary
114		corrective action to ensure that the partners comply with federal requirements of HMIS;
115		Maintains written HMIS Policies and Procedures and monitor to support compliance;
116		Ensures HMIS data element collection is compliant with the current HMIS Data Standards, Data
117		Dictionary and corresponding Program Manuals;
118		Develops security and privacy policies including Data Sharing Agreements and HMIS End-User
119		Agreements;
120		Executes and maintains a written HMIS Agency Participation Agreement with each Agency,
121		including the requirements of the security plan and privacy policy with which the Participating
122		Agency must abide;
123		Provides training resources and technical support on the HMIS application, requirements, security,
124		and privacy policies;
125		Develops Data Quality processes for partners to maintain high-quality data completion and
126		accuracy;
127		Encourages and supports partner participation;
128		Ensures HMIS application is capable of producing required reporting;
129		Produces system-wide reporting required by HUD;
130		Ensures HMIS system integrity and availability;
131		Manages and maintains mechanisms for soliciting, collecting, and analyzing feedback from end
132		users, program managers, agency executive directors, and homeless persons.
133		
134	HU	ID COC PROGRAM: MONITORING & EVALUATION
135		
136		rpose. To ensure effective and efficient use of their region's HUD Continuum of Care (CoC) Program
137		nding, all recipients of HUD CoC Program funding in the Fairfax CoC are monitored annually by
138	Fai	rfax County's Office to Prevent and End Homelessness (OPEH), the CoC's Lead Agency.
139		
140		onitoring & Evaluation Tool and Scoring. The Monitoring & Evaluation Tool used by the CoC is
141		signed to provide a comprehensive review of the agency and project and includes agency capacity,
142		mpliance with federal regulations, use of the federal funding (including fully spending the HUD CoC
143		ogram dollars), housing capacity and utilization, implementation of best practices connected to
144	ser	vices and policies, data quality, and outcomes.
145		
146		e data is based on the Annual Performance Report (APR) the project submits to HUD and includes
147	sev	veral of the System Performance Measures <sup>1</sup> (numbers served, length of time experiencing

<sup>&</sup>lt;sup>1</sup> System Performance Measures - HUD Exchange



CONTINUUM OF CARE OPERATIONS FAIRFAX COC. VA-601

homelessness, employment and income, exits to permanent housing). The Tool highlights the priorities and strategic directions of both HUD and the Fairfax County CoC.

A Monitoring & Evaluation Tool must be completed for each individual project and submitted to OPEH by the established Monitoring & Evaluation schedule. OPEH reviews and scores each Tool. Scoring methodology is outlined directly in the Tool for transparency. The score is used by the Selection & Ranking Subcommittee to (1) accept renewal projects for inclusion in the CoC's Application, and (2) develop the CoC Priority List (ranking) during the annual competition for HUD CoC Program funding.

Monitoring & Evaluation Workgroup. OPEH, the CoC Lead Agency, is responsible for facilitating the Monitoring & Evaluation process, which includes convening the Monitoring & Evaluation Workgroup. The Monitoring & Evaluation Workgroup is comprised of recipients of HUD CoC Program funding as well as other non-profit representatives and community members that are a part of the CoC. The Monitoring & Evaluation Workgroup is responsible for reviewing and updating the Monitoring & Evaluation Tool annually. After the annual Monitoring & Evaluation Tools have been submitted to OPEH and scored, the Monitoring & Evaluation Workgroup reviews the results monitoring (with identifying names of agencies and projects omitted) to ensure integrity of process.

### **HUD COC PROGRAM: REALLOCATION**

**Purpose.** The Fairfax County CoC is committed to maximizing the effectiveness of the financial resources to house as many individuals and families as possible. To that end, reallocation of existing resources is a tool that may be used.

**Reallocation Definition.** Reallocation is a process to shift funds, in whole or part, from existing eligible renewal projects to create one or more new projects, or to expand eligible renewal projects, without decreasing the CoC's ARD. New projects or expanded projects created through reallocation must meet the requirements set forth in the HUD CoC Program Interim Rule<sup>2</sup> and related HUD CoC Program Notice of Funding Availability or Opportunity. Reallocation action will be taken with the goal of alignment with the HUD and HEARTH ACT<sup>3</sup> policy guidance, performance criteria specified in the annual HUD NOFA or NOFO with emphasis on local needs, data, and project performance.

### **Types of Reallocation**

**A. Voluntary Reallocation.** OPEH will ask HUD CoC Program grantees annually of their interest in voluntarily reallocating funding, in whole or part, during the annual review of the Grant Inventory Worksheet (GIW). Agencies should consider (1) if the project is continuing to improve the homeless services system, and (2) if 100% of the HUD CoC Program funding was used in the latest operating

<sup>&</sup>lt;sup>2</sup> CoC Program Interim Rule - HUD Exchange

<sup>&</sup>lt;sup>3</sup> Homeless Emergency Assistance and Rapid Transition to Housing Act - HUD Exchange



CONTINUUM OF CARE OPERATIONS FAIRFAX COC, VA-601

186	year. HUD CoC Program grantees should notify OPEH in writing of their intent to reallocate by the
187	deadline established each year.
188	
189	B. Performance Based Reallocation. Performance-based reallocation of HUD CoC Program funding
190	may be considered when projects are determined to be underperforming or do not contribute
191	substantially to meeting the goals of the Continuum of Care for preventing or ending
192	homelessness. The Monitoring & Evaluation Tool will be used to identify projects that produce the
193	lowest scores. The projects that produce the lowest scores will be notified in writing by the Fairfax
194	County's Office to Prevent and End Homelessness (OPEH), the CoC's Lead Agency, of the need to
195	improve their performance. The project will develop a plan to improve performance. As needed,
196 197	OPEH will conduct a more intensive monitoring process with projects producing low scores, including but not limited to file reviews and technical assistance. Projects that do not improve
198	scores the following year may be considered for reallocation by the Selection & Ranking
199	Subcommittee.
200	Subcommittee.
201	HUD COC PROGRAM: SIGNIFICANT PROJECT CHANGES
202	
203	Background. Section 578.105 of the HUD CoC Program Interim Rule sets forth the parameters for
204	grant and project changes. Paragraph (b) defines significant project changes as:
205	☐ a change of recipient,
206	☐ a change of project site,
207	additions or deletions in the types of eligible activities approved for a project,
208	☐ a shift of more than 10 percent from one approved eligible activity to another eligible activity,
209	a reduction in the number of units, and
210	a change in the subpopulation served.
211	
212	OPEH should be notified in the event the project assesses the need to make any of the
213	aforementioned changes. The significant change must be necessary to better serve the program
214	participants and continue to meet local priorities established. The significant change must be
<ul><li>215</li><li>216</li></ul>	submitted to the HUD Field Office for approval as per the HUD CoC Program Interim Rule.
217	Reasons a Recipient May Change. A change of recipients may be requested in the following
218	scenarios, including but not limited to:
219	☐ A recipient agency chooses to no longer continue administering the CoC Program grant,
220	☐ A recipient agency is no longer able to administer the CoC Program grant,
221	☐ A CoC decides that a recipient agency should no longer be allowed to administer the CoC
222	Program grant. This could be due to a history of monitoring findings, and poor performance, for
223	example.
224	

<sup>&</sup>lt;sup>4</sup> Key Considerations for CoCs in Changing Recipients (hudexchange.info)



CONTINUUM OF CARE OPERATIONS FAIRFAX COC. VA-601

Assessing Project Design. Fairfax County's Office to Prevent and End Homelessness (OPEH), the CoC's Lead Agency, will use the Monitoring & Evaluation Tool data to determine if the project meets the threshold to continue to be funded as originally designed or if reallocation should be considered. The reallocation process will be followed should it be determined that the project is under-performing or not meeting community needs identified through the gaps analysis.

### **Identifying a New Subrecipient**

**A. Subrecipient.** If a subrecipient is currently involved in the operation of the project and there is no current audit or monitoring issues, the subrecipient will be given automatic preference to assume operations of the project as the recipient. This is intended to reduce the disruption to program participants. Fairfax County's Office to Prevent and End Homelessness (OPEH), the CoC's Lead Agency, has the authority to approve the transition.

**B. New Applicants.** If there are no subrecipient(s) involved or interested in serving as the recipient, the CoC will be notified of the opportunity to apply to operate the existing project. Applicants will be considered based on their eligibility to administer HUD CoC Program funding, organizational and financial capacity, expertise in serving the target population, and experience in administering federal grant funds. The Selection & Ranking Subcommittee will be responsible for selecting the new recipient and will follow the process established for selecting applicants for new funding opportunities.

**Coordination with the HUD Field Office.** Once a new recipient agency has been selected by the CoC, a request must be submitted in writing to the HUD Field Office for a significant change to the project application. The request should include a description of how the new recipient will continue to administer the grant. The request must also have documentation verifying the new recipient is a CoC Program eligible applicant. The HUD Field Office may review any outstanding financial audits, monitoring findings, results from investigations by the Office of the Inspector General, or other documents to ensure that there are no capacity issues. HUD must approve this change and execute a grant agreement amendment before the new recipient can begin operating the project.

#### **HUD COC PROGRAM: NEW FUNDING OPPORTUNITIES**

The NOFA or NOFO for the HUD CoC Program competition notes that CoCs may use up to 5 percent of their Final Pro Rata Need (FPRN), or 25 percent of the CoC's Preliminary Pro Rata Need (PPRN) minus its Annual Renewal Demand (ARD), whichever is greater to create one or more new project applications for the following types of projects: PH-PSH, PH-RRH, Joint TH and PH-RRH component, HMIS, and SSO-CE.

Once the NOFA or NOFO is released for the annual competition, Fairfax County's Office to Prevent and End Homelessness (OPEH), the CoC's Lead Agency, notifies the community of the



## Fairfax-Falls Church Community Partnership

CONTINUUM OF CARE OPERATIONS FAIRFAX COC, VA-601

opportunity to apply for new funding, including the amount of funding available, the eligible project type, as well as the criteria developed to evaluate the applications. The CoC's gaps analysis is used to identify local priorities.

The Selection & Ranking Subcommittee reviews the applications submitted for the new funding opportunities and selects the new project(s) to move forward in the CoC's Consolidated Application. All applicants are notified in writing whether or not their applications were accepted for inclusion in the CoC Consolidated Application and ranked on the CoC Priority Listing at least 15 days before the close of the HUD CoC Program competition or in accordance with the expectations defined in the NOFA or NOFO.

### **HUD COC PROGRAM: COC PRIORITY LIST**

As part of the annual COC competition, each CoC is required to submit a project list to HUD that includes its new and renewal projects in order of priority. Projects high on the list are likely to be funded by HUD while projects lowest on the list run the risk of not receiving funding.

The Monitoring & Evaluation Tool score is the primary consideration in determining (1) if renewal projects should be included in the CoC's Consolidated Application and, (2) the order of the projects in the CoC Priority List. The Monitoring & Evaluation Tool demonstrates a preference to projects that fully utilize the federal funding, adhere to best practices, and achieve the highest outcomes. Each project application, including both new and renewal projects, must clearly demonstrate that it is meeting the needs of the homeless services system, is contributing to ending homelessness in the CoC, and aligns with the local priorities identified through the annual gaps analysis. The Selection & Ranking Subcommittee is responsible for developing the CoC Priority List and uses the following approach:

#	Project Type	Ranking Approach	Ranking Approach Justification
1	Renewal	Ranked first in order of	All Renewal Projects will be ranked
	Projects	Monitoring & Evaluation (M&E)	above New Projects IF assessed to
		Score (highest to lowest)	meet community need and M&E
			threshold.
2	Reallocation	If expansion project: rank	Reallocation is a shift of existing
		directly below Renewal Project	renewal funding. If the reallocation is
		being expanded	an expansion, should be ranked
			directly below the project it is
			expanding.
3	1 <sup>st</sup> Time	Ranked below Renewal Projects,	Only Renewal Project(s) not in
	Renewals	above New Projects	operation. Rank below renewals IF all
			Renewal Projects are assessed to meet
			community need and M&E threshold.



## Fairfax-Falls Church Community Partnership

CONTINUUM OF CARE OPERATIONS FAIRFAX COC, VA-601

4	New	Rank below Renewal,	Bonus projects should be ranked in
	Projects	Reallocation (if expansion), and	order of score according to the New
		1 <sup>st</sup> Time Renewals	Project Application and in accordance
			with local priorities established.

**EMERGENCY SOLUTIONS GRANT (ESG)** 

**Background.** The Emergency Solutions Grants Program (ESG) is a federal block grant authorized by subtitle B of the McKinney Vento Homelessness Assistance Act. ESG is funded by the US Department of Housing and Urban Development and, as an urban county, Fairfax County is a recipient. The grant funding is administered by the Office to Prevent and End Homelessness in the Department of Housing and Community Development.

The Code of Federal Regulations § 576.400(a) states that recipients "must consult with each Continuum of Care that serves the recipient's jurisdiction in determining how to allocate ESG funds each program year; developing the performance standards for, and evaluating the outcomes of, projects and activities assisted by ESG funds; and developing funding, policies, and procedures for the administration and operation of the HMIS." The following document articulates the Fairfax Continuum of Care's (CoC) recommendations for allocating annual ESG funding. Additional recommendations regarding the performance standards, outcomes, and HMIS will be developed at a later date.

**Priorities.** ESG is the largest source of rental assistance and financial assistance supporting homelessness prevention and rapid rehousing in Fairfax County. Both project types are critical strategies to prevent and end homelessness in the Fairfax CoC therefore the CoC recommends that ESG funding remains limited to the homelessness prevention and rapid rehousing ESG program components, along with eligible administrative activities. The recommendation only applies to the regular annual award and does not apply to supplemental ESG funding, such as the grant funding appropriated through the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

**Allocation Approach.** The Fairfax CoC recommends that ESG funding is awarded to subrecipients contracted by the Office to Prevent and End Homelessness to provide homelessness prevention and rapid rehousing assistance. The following steps are recommended by the CoC to determine the percentage of ESG funding allocated to each subrecipient annually:

☐ Homeless Management Information System (HMIS) data should be used to identify the number of individuals served in the most recently completed fiscal year by each subrecipient in project types eligible for rapid rehousing (emergency shelters including overflow, hotel, and hypothermia prevention, as well as street outreach). The individuals should be de-duplicated by subrecipient agency.



### Fairfax-Falls Church Community Partnership

CONTINUUM OF CARE OPERATIONS FAIRFAX COC. VA-601

328	Ц	HMIS data should also be used to identify the number of individuals served in the most recently
329		completed fiscal year by each subrecipient in homelessness prevention. The individuals should be
330		de-duplicated by subrecipient agency.
331		The number of individuals served in projects eligible for rapid rehousing and in homelessness
332		prevention are combined. The subrecipient should be awarded a percentage of the total ESG
333		funding based on the percentage of clients each subrecipient serves.
334		Because not all providers contracted through Fairfax County's Office to Prevent and End
335		Homelessness to operate homelessness prevention and rapid rehousing projects receive the
336		allocation of ESG funding awarded by the Commonwealth of Virginia through the Virginia
337		Homeless Solutions Program (VHSP), the VHSP rental assistance funding is combined to the ESG
338		rental assistance prior to applying the percentages. This helps ensure that funding for
339		homelessness prevention and rapid rehousing rental and financial assistance from the largest and
340		second largest sources are distributed equitably across Fairfax County.

### **VIRGINIA HOMELESS SOLUTIONS GRANT (VHSP)**

Background. Virginia Homeless Solutions Program (VHSP) is administered by the Virginia Department of Housing and Community Development (DHCD) Homeless and Special Needs Housing (HSNH) division to support the development and implementation of localized emergency crisis response systems and to ensure homelessness is rare, brief, and non-recurring through coordinated community-based activities. Fairfax County's Office to Prevent and End Homelessness in the Department of Housing and Community Development applies for the funding on behalf of the Continuum of Care as the CoC Lead Agency. The role of the CoC, as defined in the Virginia HSNH Funding Guidelines, is to promote a community-wide goal of ending homelessness, provide funding for efforts to rehouse those who are homeless, promote access to mainstream programs, and optimize housing stabilization. The responsibilities include governance and structure, system coordination and planning, designating and operating the HMIS, and designing a coordinated entry system.

**Priorities.** VHSP is the second largest rental assistance resource in Fairfax County used for both Homelessness Prevention and Rapid Rehousing. Both project types represent critical strategies to prevent in end homelessness in the Fairfax Continuum of Care and therefore the use of VHSP funding is limited to Homelessness Prevention, Rapid Rehousing, and eligible Administrative Activities.

**Grantees.** Because the CoC has the ability to consider both ESG and VHSP in the allocation of funding, the application submitted by Fairfax County's Office to Prevent and End Homelessness will be limited to existing grantees contracted through Fairfax County's Office to Prevent and End Homelessness to operate homelessness prevention and rapid rehousing projects. In the event that there is a change in contracted providers, the allocation will be transitioned to the new provider in the next renewal or application for VHSP funding.