

Wake Continuum of Care Lead Agency Memorandum of Understanding
Between Wake County Government and Wake County Continuum of Care
Effective xx, 2024 – xx, 2029

This MEMORANDUM OF UNDERSTANDING (MOU) is hereby made and entered into by and between the Wake County Government hereinafter referred to as the Lead Agency, and the Wake County Continuum of Care.

I. PURPOSE OF THIS MOU

This agreement is to designate a single Lead Agency of the Wake County Continuum of Care (Wake CoC), to assume the roles of Collaborative Applicant, HMIS Lead, and Coordinated Entry Entity. This MOU affirms Wake County Government as the Lead Agency for the Wake CoC and outlines the key responsibilities as the designated Lead Agency. The Wake CoC is a collaborative and coordinated network of agencies, advocates, funders, and other community leaders working to implement homelessness prevention and intervention strategies for individuals and families experiencing homelessness. The Wake CoC Governing Board is the governing body of the Wake CoC and is responsible for setting Wake CoC goals, priorities, and strategies. The Lead Agency is responsible for providing logistical support to the Wake CoC and is empowered to facilitate system change in coordination with a balanced governance and implementation infrastructure.

II. BACKGROUND

The Wake CoC Charter was revised and codified on XX, 2024. The Wake CoC Charter sets forth the guiding principles of membership and participation in the Wake CoC; responsibilities delegated by the Wake CoC to the Governing Board, committees, and agents; and provisions for Wake CoC governance through policies and procedures.

The Wake CoC Governing Board is the policy-setting and decision-making body for the Wake CoC, which is responsible to the Wake CoC Membership, to fulfill its Housing and Urban Development (HUD)-defined responsibilities. The Wake CoC Governance Board is responsible for overseeing the planning, coordination of resources, and evaluation of results for the community. The Wake CoC Governing Board, through consultation with and a vote by the Wake CoC membership, will develop a process to select and approve a Lead Agency for a **five-year term**. A Lead Agency may be selected more frequently if there are performance concerns.

At the conclusion of this MOU or another agreed upon time, it is both the intention of Wake County and the Wake CoC Governance Board and Wake CoC Membership that an appropriate community-based organization be identified or developed, with adequate staffing and resources to fulfill all of the functions and responsibilities of the Lead Agency, as mutually agreed upon by Wake County, the City of Raleigh and the Wake CoC Membership.

III. TERMS

The parties to the agreement shall be Wake County Government and the Wake CoC Membership. The Wake CoC Membership will work collaboratively with Wake County Government, and, as a non-incorporated independent entity, it will authorize the signature of this agreement to its Governing Board Chair.

This MOU shall commence on the date of ##, 2024 and shall continue until ##, 2029 or another agency has been identified and agreed upon by Wake Continuum of Care Membership, Wake County Government, and the City of Raleigh.

- This MOU will be reviewed and renewed by both parties annually.
- If the Wake CoC Governing Board through its oversight process determines that the Lead Agency has not satisfactorily corrected material performance deficiencies under a written corrective action plan within the specified timelines, the Wake CoC Governing Board may terminate this MOU with approval from the Wake CoC Membership through written notice to the Lead Agency.

Wake County Government will assume the role of **Collaborative Applicant** for the annual Wake CoC communitywide funding competition adhering to all HUD and NC-507 Collaborative Applicant policies and procedures. Wake County Government is authorized to receive Wake CoC Planning Grants funds via transfer and apply for new planning grants.

Wake County Government will assume the role of **HMIS Lead** and is authorized to receive Wake CoC HMIS funds via transfer and apply for renewal funding. Wake County will adhere to all HUD and NC-507 HMIS policies and procedures.

Wake County Government will assume the role of **Coordinated Entry entity** and is authorized to receive Wake CoC Program funds via transfer and apply for renewal funding. Wake County Government will adhere to all Coordinated Entry policies and procedures.

Wake County Government will provide a written report to the Wake CoC Membership of progress and accomplishments at least every six (6) months. The Wake CoC Governing Board reserves the right to request additional reports or updates as needed and identified by the Wake CoC Membership.

All parties of this agreement agree to maintain compliance with all HUD-guidelines and requirements, and to adhere to the Wake CoC Charter, its outline processes and procedures, and any future amendments that may be adopted by a vote of the Wake CoC Membership's Voting Members.

Upon termination of this agreement for any reason, Wake County Government will participate in an expedient and professional transition of knowledge, documents, grants, and all other relevant information (even if not identified by name in this document) to the successor entity. This transition will also include a formal training period, terms of which will be negotiated by the parties involved, to facilitate the successful transfer of information without the disruption of Wake CoC programming.

IV. TRANSITION

Section about transition from current 3 Lead agencies (CA, HMIS, CE) to County – lay out timeline, etc. to ensure successful provision of services and stability of the system.

V. MODIFICATIONS AND OTHER PROVISIONS

- A. **Modifications.** Either party may request modifications to this MOU. Any changes, modifications, revisions, or amendments to this MOU requested will be put forth to the Wake CoC Membership for a vote among Voting Members. Those modifications which are voted upon and agreed upon by the Wake CoC Membership and between the parties to this MOU shall be incorporated by written instrument, and effective when executed and signed by all parties to this MOU.
- B. **Compliance with Applicable Laws.** The parties shall, at all times, comply with all applicable laws including federal, state, county, and municipal statues, ordinances, and regulations relating to this MOU or which may affect the performance of this MOU.
- C. **Indemnification.** Each party shall be responsible for and indemnify, defend, and hold harmless the other party, from and against any third-party claims arising out of or in connection with (a) the negligent acts or omissions of its respective officers, agents, directors, and employees to the extent allowable by law; and (b) its breach or alleged breach of this MOU.
- D. **Liability.** No officer, member, official, or agent of the Wake CoC or the Identified Entity shall be personally liable in connection with this MOU.

VI. LEAD AGENCY AND COLLABORATIVE APPLICANT RESPONSIBILITIES

For purposes of staffing the work of the Wake CoC, the Wake CoC Governance Board must designate a Lead Agency. **SENTENCE REFERENCING CHARTER...**

Specific responsibilities of the Lead Agency are detailed below:

A. Wake CoC Funding

In coordination with the Wake CoC Governing Board, develop and implement a plan to comply with **24 CFR 578.7(c)**, as well as all other obligations mutually agreed upon in writing, including submitting annual HUD application(s) for funding Wake CoC programs and the application to HUD for funds to support planning activities for the Wake CoC. All funding responsibilities will be done in coordination with the Wake CoC Governing Board and the Funding Review Committee.

1. Develop and administer, in collaboration with the Funding Review Committee, a fair, consistent, and transparent process for allocating funds to eligible recipients. This includes collecting and organizing required application information from all projects funded by the Wake CoC.
2. Create an annual workplan to submit the annual Wake CoC NOFO Program Competition application.
3. Support annual Notice of Funding Opportunities (NOFO) requirements and provide required information to complete the Consolidated Plan.
4. Coordinate policy and procedure updates, lead marketing of available funding, give input and data into the written application, provide administrative support, and support a transparent and compliant local NOFO Competition.
5. Collaborate with the Funding Review Committee to support and staff a compliance monitoring process for Wake CoC and ESG programs including the reporting and evaluation of performance including alignment to written standards.

6. Implement performance monitoring with targets using the System Performance Dashboard for Wake CoC and ESG and report to the Wake CoC Governing Board and relevant work groups.

B. Wake CoC Planning and Governance

Provide adequate staff and administrative support to the Wake CoC Governing Board, Standing Committees, and Workgroups to enable the Wake CoC to address the critical needs facing people in Wake County who are homeless or at risk of becoming homeless.

1. Receive Wake CoC Planning funds from the Collaborative Applicant on behalf of the Wake CoC to support planning and governance activities.
2. Provide logistical support for Wake CoC responsibilities as outlined in Interim Rule – 24 CFR 578.71.
3. Support the Wake CoC Governing Board through no less than bimonthly meetings.
4. Convene and support the Wake CoC Governing Board and appointed Committees and Workgroups in the administration of their duties and responsibilities as outlined in the Wake CoC Charter.
5. Provide administrative support to the Wake CoC Governing Board including board packets, agendas, recording minutes, sending meeting notifications, and ensuring timely and appropriate updates.
6. Collaborate with Wake CoC Governing Board officers to ensure compliance to the Wake CoC Charter.
7. Coordinate with the Wake CoC Governing Board Executive Committee to host Wake CoC meetings at least quarterly and in alignment with Wake CoC Charter.
8. Coordinate with the Wake CoC Governing Board Leadership Council to ensure compliance with the Wake CoC Charter, other applicable governing documents, funder requirements, and more in alignment with the Wake CoC Charter.
9. On an annual basis, the Governing Board, Wake CoC Membership, and the Collaborative Applicant will work together develop strategic goals for the Collaborative Applicant's mandatory activities listed above and include it in an annual work plan.
10. Review and update Wake CoC membership annually and collect signed Conflict of Interest policies.
11. Facilitate the Wake CoC Governing Board selection process in collaboration with the Wake CoC Governing Board and Nominations Committee.
12. Develop Annual Action Plans for operationalizing Wake CoC goals and priorities and provide updates to the Wake CoC Governing Board and Wake CoC.
13. Establish, maintain, and review written standards for proving homelessness assistance programs.
14. Establish, maintain, and update an online Wake CoC onboarding curriculum and work with the Nominations Committee to host a new member orientation at least once annually.

15. Develop an annual impact report for the Wake CoC to share progress on Wake CoC goals and strategies.
16. Mobilize planning efforts to inform community plan updates, evaluations, the Wake CoC Charter, and governance reviews.
17. Conduct an annual gaps analysis of homelessness needs and services.
18. Conduct an annual sheltered and unsheltered Point-in-Time (PIT) Count of individuals and families in alignment with HUD requirements.
19. Recruit effective Committee and Workgroup participants and critical voices inclusive of people with lived experience.
20. Prepare work products to support an efficient, inclusive, and transparent Wake CoC process (workflows, policies, procedures, trainings, etc.).
- 21.

C. Wake CoC Communications

Carry out necessary activities related to educating and facilitating communication on behalf of the Wake CoC to the Wake CoC membership, elected and local leaders, and the general public.

1. Develop and implement a cohesive communications strategy for the Wake CoC and manage all Wake CoC communications and platforms (website, newsletter, social media, etc.).
2. Provide an annual State of Homelessness address to the Wake CoC Membership and Wake CoC Governing Board.
3. Develop communication materials to support open, transparent, and continuous communication with partners, Wake CoC Membership, and the public.
4. Maintain an accurate and up-to-date contact list of all Wake CoC members.
5. Maintain a dedicated website for the Wake CoC and ensure it is readily accessible to the Wake CoC, Governing Board and Committee Leadership, and the general public.
6. Distribute a Wake CoC-focused newsletter once a month.
7. Develop and distribute an invitation for new members to join the Wake CoC at least annually.
8. Draft and send letters of support for agencies upon request, following a protocol approved by the Governing Board and Wake CoC Membership.
9. Draft and send approved communications on behalf of the Wake CoC at the request of the Wake CoC Board, Membership or any of its committees.

VII. HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS) LEAD RESPONSIBILITIES

For purposes of complying with all requirements of 24 CFR 578.7(b), including monitoring HMIS operations within Wake County, the Wake CoC must designate an HMIS Lead. **SENTENCE REFERENCING CHARTER...**

Specific responsibilities of the HMIS Lead Agency are detailed below:

- A. Provide dedicated staff for fulfilling HMIS Lead responsibilities.
- B. Manage single HMIS for the entire Wake CoC geography in compliance with HUD requirements.
- C. Review HMIS policies and procedures at least annually.
- D. Review, revise, approve, and implement HMIS privacy, security, and data quality plans at least annually.
- E. Provide communication and outreach on changes in HMIS procedures and data collection to providers.
- F. Develop and conduct regular trainings and technical assistance support for providers including operating user support and ticketing systems.
- G. In collaboration with the Collaborative Applicant, ensure consistent participation of the Wake CoC Program Grantee and sub-recipients in HMIS.
- H. Track and reinforce recipient and subrecipient participation in HMIS.
- I. Execute participation agreements with every contributing HMIS organization and user agreements with every user.
- J. Enhance the HMIS system and data capabilities by actively encouraging HMIS participation and overseeing data quality and completeness.
- K. Complete or provide information for all private, local, state, and federal reports, including but not limited to Point-in-Time (PIT) count, Housing Inventory Count (HIC), Longitudinal System Analysis (LSA), and System Performance Measures (SPM).
- L. Work with the Wake CoC Governing Board Committees and Workgroups to support HMIS data use in project monitoring.
- M. Implement the local HMIS such that it is in compliance with applicable data and security standards as released by HUD.
- N. Ensure HMIS policies and procedures are consistent with Wake CoC goals.
- O. Provide regular System Performance Measures to the Wake CoC Governing Board for review.

VIII. COORDINATED ENTRY ENTITY RESPONSIBILITIES

For purposes of overseeing the Wake CoC's Coordinated Entry System, the Lead Agency will be the designated administering agency.

Specific responsibilities of the Coordinated Entry entity are detailed below:

- A. Evaluate countywide needs and provide dedicated staff to fulfill Coordinated Entry System (CES) responsibilities.
- B. Develop and implement policies and procedures for Coordinated Entry operations, in coordination with the Coordinated Access Committee.
- C. Provide training to participating Access Sites and homeless services providers in the CES policies and procedures, including Assessment tools.

- D. Maintain the By-Name Prioritization list of assessment clients who have not been able to be diverted or prevented from homelessness.
- E. Prioritize and match clients based off of the CES policies and procedures for existing housing resources.
- F. Facilitate case conferencing processes with case conferencing groups including veterans, youth and young adults, and other special populations, as needed, with the goal of assuring clients are referred to appropriate interventions.
- G. Evaluate performance of the CES and make recommendations for adjustments as necessary to the Wake CoC Membership, Governing Board, and Coordinated Entry System Committee.
- H. Ensure compliance with HUD regulations.
- I. Establish a clear and accessible communication plan.
- J. Promote standardized screening and assessment process.
- K. Make the Wake CoC Governing Board aware of any contracts for vendors or professional services signed on behalf of the Wake CoC for HMIS services that exceed \$50,000 or one-year in duration.

IX. REVIEW, RENEWAL, AND MODIFICATIONS

The Wake CoC Governing Board and Wake County Government will annually review and renew this MOU. At that time, this MOU can be modified to ensure alignment to Wake CoC goals and priorities and any Wake CoC Charter changes. The review and renewal process must be complete before the expiration of the current MOU.