

Title: 3.7.2 CoC Lead Agency Agreement

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Prepared By: CAFTH

Reviewed By: Governing Council

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Approved By: Governing Council

Date Approved: June 14, 2023

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**Purpose:**

The purpose of this Agreement is to officially designate Community Alliance for the Homeless hence forth referred to as Lead Agency, as the Collaborative Applicant for the Continuum of Care and the CoC Planning Lead Agency. This Agreement also sets forth the duties and responsibilities of the two parties, the Memphis and Shelby County Homeless Consortium, and the Lead Agency, and the timeframe for these duties.

**Scope:**

This policy applies to everyone who operates under the umbrella of the CoC, including the CoC and HMIS Lead Agencies, the MSCHC Governing Council, and agencies that receive CoC and ESG funding for program operation.

**Policy:**

The Memphis and Shelby County Homeless Consortium is the membership association that serves as the Continuum of Care (CoC) for Memphis and Shelby County. As required by the HEARTH Act, the Consortium is a geographically based group of representatives that carries out the planning responsibilities of the Continuum of Care program. These representatives come from organizations that provide services to people experiencing homelessness, or represent the interests of people experiencing homelessness or people with lived experience of homelessness. (HEARTH Act Interim Regulations, p. 45423 of the Federal Register.) The Continuum of Care also designates a Collaborative Applicant, which is “the only entity that can apply for a grant from HUD on behalf of the Continuum that the Collaborative Applicant represents.” (Interim Regs. page 45423.)

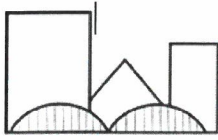
The HEARTH Act further sets forth that the Consortium/Continuum of Care is responsible for the following three primary tasks:

- 1) Operation of the Continuum of Care
- 2) Designation & operation of a Homeless Management Information System (HMIS); and
- 3) CoC Planning.

More specifically, the CoC is tasked with: measuring performance both community-wide and program specific as it relates to reducing homelessness; developing and managing a centralized or coordinated assessment that addresses the housing and services needs for all individuals and families who experience homelessness in the County; preparing and overseeing the application for community funding; and establishing funding priorities. (HEARTH Act Interim Regulations, page 45423.)

**1. Governing Council Duties**

As detailed in the Memphis and Shelby County Homeless Consortium By-Laws, the Governing Council is the primary decision making body for the CoC. The Governing Council, among its



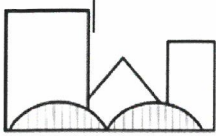
specified duties, is tasked with entering into an agreement with an organization or multiple organizations to serve as the Collaborative Applicant for the CoC, the Lead Agency for planning purposes, and to administer the HMIS. The Governing Council sought and received approval from the Consortium to enter into an agreement with the Lead Agency to perform the three duties required by the HEARTH Act, and further detailed in this Agreement. Duties of the Governing Council related to this Agreement are as follows:

- a. The Governing Council will provide input year-round into the planning, performance management, HMIS administration, and annual grant submission performed by the Lead Agency. The Governing Council is also responsible for bringing forward policies and information to the full Consortium for ratification and/or amendment in order to enable the Lead Agency to complete its duties as required by HUD and this agreement.
- b. Code of Conduct: No member of the Governing Council may participate in or influence discussions or decisions that would result in a financial or other material benefit to the organization that the member represents.
- c. As set forth in the Consortium's Policies and Procedures for Annual Renewals and Reallocations, the Governing Council will hear and act on appeals from providers not in agreement with action by the Ranking and Review Committee as it recommends renewals and reallocations during the annual CoC grant submittal process.

## **2. Collaborative Applicant/CoC Planning Duties**

The Lead Agency will provide year-round planning and support to the Consortium, as well as serve as the Collaborative Applicant for the CoC.

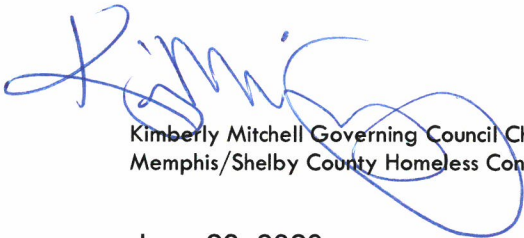
- a. In order to meet the requirements under the HEARTH Act and for the community funding application to receive the maximum points available, the Lead Agency will provide staff support and technical assistance/policy guidance to the Consortium, its active committees, and the Governing Council.
- b. With input and consent from the Consortium, the Lead Agency will develop and annually refine a performance assessment process that is aligned with the HEARTH Act and Mayor's Action Plan to End Homelessness.
- c. The Lead Agency will conduct an annual performance assessment process as specified in the Policies and Procedures for Annual Renewals, that includes agency site visits, random case file reviews, and analysis of HMIS and financial management data.
- d. The Lead Agency will help identify and/or respond to program requests for technical assistance or program refinement that will result in enhanced performance.
- e. The Lead Agency will lead the annual Point-In-Time count and Housing Inventory, informed by best practice standards and HUD requirements.
- f. The Lead Agency will support implementation of the HEARTH Act by sharing all relevant information, offering technical assistance and support to all CoC and ESG funded programs.



- g. The Lead Agency will provide annual gaps analysis and performance information to the City and County and will provide recommendations and support to the City for the Emergency Solutions Grant (ESG) funding process.
- h. The Lead Agency will provide at least annual assessments of the community’s progress in reducing homelessness and systems-level analysis.
- i. With input and assistance from the Consortium and its Governing Council, the Lead Agency will help develop and manage a coordinated assessment process that helps identify appropriate interventions for all individuals and families experiencing homelessness in Shelby County.
- j. The Lead Agency will develop and submit the community’s application for funding under the Continuum of Care program as the Collaborative Applicant, and will coordinate the submission of the Consolidated Application, including the individual program applications.
- k. The Lead Agency will apply for the HUD CoC Planning grant renewal funding, and if awarded, will enter into an agreement with HUD, perform the required grant activities, as well as work to raise match for the Planning Grant.
- l. The Lead Agency will facilitate and oversee the HUD-mandated Coordinated Entry System for Memphis/Shelby County.

This agreement shall remain in effect for the period of July 1, 2023 to June 30, 2024 and may be revoked by mutual agreement of the parties.

By:



Kimberly Mitchell Governing Council Chair  
Memphis/Shelby County Homeless Consortium

June 28, 2023

Date

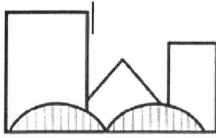
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D. Cheré Bradshaw, Executive Director  
Community Alliance for the Homeless

June 28, 2023

Date



Title: 3.7.3 HMIS Lead Agency Agreement

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Prepared By: CAFTH

Reviewed By: Governing Council

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Approved By: Governing Council

Date Approved: June 14, 2023

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**Purpose:**

The purpose of this Agreement is to officially designate Community Alliance for the Homeless, hence forth referred to as HMIS Lead Agency, as the HMIS Administrator. This Agreement also sets forth the duties and responsibilities of the two parties, the Memphis/Shelby County Homeless Consortium, and HMIS Leady Agency, in this agreement and the timeframe for these duties.

**Scope:**

This policy applies to everyone who operates under the umbrella of the CoC, including the CoC and HMIS Lead Agencies, the MSCHC Governing Council, and agencies that receive federal dollars for program operation.

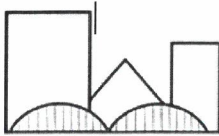
**Overview:** The Memphis/Shelby County Homeless Consortium is the membership association that serves as the Continuum of Care (CoC) for Memphis and Shelby County. As required by the HEARTH Act, the Consortium is a geographically based group of representatives that carries out the planning responsibilities of the Continuum of Care program. These representatives come from organizations that provide services to people experiencing homeless, or represent the interests of people experiencing homelessness or people with lived experience of homeless (HEARTH Act Interim Regulations, p. 45423 of the Federal Register). The Continuum of Care also designates a Collaborative Applicant, which is “the only entity that can apply for a grant from HUD on behalf of the Continuum that the Collaborative Applicant represents” (Interim Regulations, page 45423).

The HEARTH Act further sets forth that the Consortium/Continuum of Care is responsible for the following three primary tasks:

- 1) Operation of the Continuum of Care
- 2) Designation & operation of a Homeless Management Information System (HMIS), and
- 3) Continuum of Care Planning

More specifically, the CoC is tasked with: measuring performance both community-wide and program-specific as it relates to reducing homelessness; developing and managing a centralized or coordinated assessment that addresses the housing and services needs for all individuals and families who experience homelessness in the County; preparing and overseeing the application for community funding; and establishing funding priorities (HEARTH Act Interim Regulations, page 45423).

**1. Governing Council Duties**



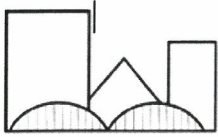
As detailed in the Memphis/Shelby County Homeless Consortium by-laws, the Governing Council is the primary decision-making body for the CoC. The Governing Council, among its specified duties, is tasked with entering into an agreement with an organization or multiple organizations to serve as the Collaborative Applicant for the CoC, the Lead Agency for planning purposes, and to administer the HMIS. The Governing Council sought and received approval from the Consortium to enter into an agreement with the HMIS Lead Agency to perform the three duties required by the HEARTH Act, and further detailed in this Agreement. Duties of the Governing Council related to this Agreement are as follows:

- a. The Governing Council will provide input year-round into the planning, performance management, HMIS administration, and the annual grant submission performed by the HMIS Lead Agency. The Governing Council is also responsible for bringing forward policies and information to the full Consortium for ratification and/or amendment in order to enable the HMIS Lead Agency to complete its duties as required by HUD and this Agreement.
- b. Code of Conduct: No member of the Governing Council may participate in or influence discussions or decisions that would result in a financial or other material benefit to the organization that the member represents.
- c. As set forth in the Consortium's Policies and Procedures for Annual Renewals and Reallocations, the Governing Council will hear and act on appeals from providers not in agreement with action by the Ranking and Review Committee as it recommends renewals and reallocations during the annual CoC grant submittal process.

## 2. HMIS Administration Duties

The HMIS Lead Agency will manage a Homeless Management Information System, subject to the Consortium's HMIS Policies and Procedures which were adopted in 2013. These responsibilities are as follows:

- a. The HMIS Lead Agency will ensure the operation of and consistent participation (to the extent possible) by recipients of funds from the ESG and CoC programs.
- b. The HMIS Lead Agency, with support and input from the Consortium's HMIS Committee, will establish the HMIS and be responsible for selecting the vendor, initiate and implement HMIS policies and procedures, conduct oversight, and data quality management, as well as ensure execution of appropriate data security standards.
- c. The HMIS Lead Agency will execute written HMIS Participation Agreements and/or Business Agreements with each HMIS lead for the CoC and ESG funded programs that include the requirements of the security plan by which all users must abide, the penalties associated with violating the security and confidentiality policies, as well as training requirements for system users.
- d. The HMIS Lead Agency will conduct at least quarterly training for HMIS users.



- e. The HMIS Lead Agency will ensure that the HMIS Policies and Procedures will be reviewed and updated annually. The HMIS Lead Agency will work with providers who are not CoC or ESG funded to seek inclusion of their data and, when resources permit, enter data on their behalf.
- f. The HMIS Lead Agency will use HMIS to generate data for the Annual Point in Time Count, Emergency Housing Inventory Count, the Annual Homelessness Assessment Report, and community and program performance reports, and will provide this data to the Collaborative Applicant.
- g. The HMIS Lead Agency will serve as the applicant for HMIS funding under the Continuum of Care, and if awarded funds, will enter into an agreement(s) with HUD for the grant activities related to administration of the community's HMIS.
- h. The HMIS Lead Agency will work to raise funds that will serve as the federally required match for the HMIS CoC and/or ESG grants.

This Agreement shall remain in effect for the period of July 1, 2023 to June 30, 2024 and may be revoked by mutual agreement of the parties.

By:



Kimberly Mitchell Governing Council Chair  
Memphis/Shelby County Homeless Consortium

June 28, 2023

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D. Cheré Bradshaw, Executive Director  
Community Alliance for the Homeless

June 28, 2023

Date