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Seattle-King County Continuum of Care Governance Charter

I. Overview

This Charter further establishes Committees that are representative of the relevant organizations and of projects serving homeless subpopulations within the CoC’s geographic area. It also delegates authority for certain regulatory responsibilities to specific committees or entities within the geographic area.

For the purpose of this document, the Continuum of Care (CoC) Board will be referred to as the CoC Board, but is the same entity and has the same duties as the Advisory Committee per the language established in the Interlocal Agreement (ILA).

II. Duration

This Charter shall be adopted on the day it is approved by the current CoC Membership..

Thereafter, the Charter shall be updated and affirmed annually by the Seattle-King County Continuum of Care Membership in consultation with the CoC Board, collaborative applicant, and the Homeless Management Information Systems (HMIS) lead.

If the environment described in Section III changes significantly, or otherwise impacts the governance structure of the CoC as envisioned in this Charter, the CoC Membership will revise the Charter accordingly.

III. Environment

In December 2018, the City of Seattle and King County, with their local partners, publicly committed to moving forward with the actions and strategies outlined in a report by The National Innovation Service (formerly, Future Laboratories). The report contained ten actions and related strategies, including a recommendation to consolidate authority for homeless assistance through the implementation of a new regional consolidated entity.

On December 4th, 2019, Executive Dow Constantine and [then] City of Seattle Mayor Jenny Durkan voted on the ILA and Charter establishing and defining the role, scope, and governance of the King County Regional Homelessness Authority, including a Governing Committee, Implementation Board, and CoC Board [1].

The purpose of the CoC governance adjustments made via this Charter is to be responsive to the changing regional environment, so that the CoC can be as effective as possible and directly connected to regional efforts to make homelessness rare, brief and non-recurring.

IV. Mission, Values and Theory of Change

The mission of the CoC is to make homelessness in the region rare, brief, and non-recurring. To accomplish this mission, the CoC is adopting a set of values that will guide its actions and a theory of change that will orient the CoC in specific ways towards its mission.

The CoC (through the CoC Board and its committees) will endeavor to make funding, program and policy actions that are aligned with its stated values. These values will guide the actions of all CoC bodies established under this Charter:

[1] See Appendix 1

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- Recommendations and decisions will reflect the diversity of people experiencing homelessness.
- The CoC will promote equity for communities of color disproportionately affected by homelessness.
- Decisions and recommendations made by the CoC will reflect a cross-sector and regional approach.
- The CoC will operate with transparency and inclusiveness.
- The CoC will promote shared responsibility and accountability.
- CoC leadership will establish clearly defined roles and responsibilities and communicate decisions clearly and widely.

While values help to guide the development of specific recommendations and decisions that are presented to the CoC Board, a theory of change is necessary to provide a broad framework for how the work of the CoC orients towards the mission.

This theory of change was developed by the community, in concert with National Innovation Service and members of the Lived Experience Coalition¹ and is consistent with the theory of change adopted by key regional partners. The theory of change requires the CoC to approach the system resources it controls in a specific way, with the understanding that this orientation will have certain results.

If we create a homelessness response system that centers the voices of people who have lived experience of homelessness, then we will be able to focus on responding to needs and eliminating inequities, in order to end homelessness for all.

The values of racial equity and centering voices of people with lived experience are integral to the work of the CoC. Therefore, any changes to the stated mission or theory of change on behalf of the CoC must be approved by the CoC Membership prior to coming to the CoC Board for final approval.

V. Governance and Responsibilities

The CoC is a broad coalition of community members dedicated to the mission of the CoC. This includes people currently experiencing homelessness, those currently accessing services, people with lived experience of homelessness, service providers representing various populations and interventions, representatives of culturally-specific constituencies, funders, the faith community, researchers and universities, health care providers and others.

The full CoC membership shall meet at least twice a year. This may include an annual conference and/or other meetings dedicated to approval of necessary documents, approval of new CoC Board members, or review of progress towards approved plans/milestones. These meetings are open to the full CoC membership.

a. CoC Membership

¹ The Lived Experience Coalition represents people with lived experience of homelessness. Their mission states: The Lived Experience Coalition is a diverse group of people who are coming together to lift each other up, advocate for ourselves and others, and advance race and social justice. We work beyond oppressive structures by unifying our voices and efforts to dismantle multisystem barriers impacting people who are experiencing homelessness, involvement in the justice system, face unmet behavioral health needs, and/or fleeing violence or emotional/psychological victimization.

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- i. Members of the CoC shall be those organizations and individuals who are interested in, and supportive, of our community's goals to end homelessness.
- ii. The membership and selection process for members of the CoC Board is outlined in the following sections.

b. CoC Board (Advisory Committee)

i. Purpose

The purpose of the Board will be to function as the CoC Board for specific legally required duties and to act in an advisory capacity to the Governing Committee and Implementation Board of the Regional Authority in accordance with the ILA. This allows for a strong connection between the administration of HUD funding and the broader regional efforts towards making homelessness rare, brief and non-recurring, while also preserving the integrity of the CoC Application process and compliance with HUD requirements.

The CoC Board will perform two main functions:

- 1. It will function as the CoC Board for actions required under the HUD regulations at 24 CFR §578, including approval of committee recommendations that do not have appropriation/political components.
- 2. It will apprise the Governing Committee and Implementation Board on policy and technical issues on which it has made decisions, and forward for approval any committee recommendations that it identifies as sensitive or political in nature, or for which it does not have decision-making authority.

ii. Decision Making and Authority

CoC Board meetings are open to the public with public input opportunities available via email and specific time allocated on the agenda. Meetings will operate under the premise of consensus and will strive to operate in an open environment, with sufficient time for discussion so each person has a fair chance to be heard and issues can be understood.

- A. Only seated CoC Board members may vote on CoC business. Where substantial differences of opinion exist, the final report shall make an effort to reflect the divergence of views.
- B. In cases where consensus cannot be reached, the CoC Board will resort to Robert's Rules of Order, with a requirement of a super majority vote of 60 percent of those present for the item on the table.
- C. Decisions may be made only when a quorum, defined as 50 percent plus one of currently seated Board members, of the CoC Board is present.
- D. CoC Board members will have expertise in areas related to housing and homelessness, or related fields. While the CoC Board will receive recommendations from workgroups for specific policy and program decisions, it is authorized to make final decisions that are based on their own expertise and experience, which may be independent of recommendations provided.
- E. Decisions made by the CoC Board in cases where there is a disagreement between the

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Consumer Advisory Council/Youth Action Board and another committee may be appealed to the CoC Board by the Chair of the impacted committee or Consumer Advisory Council/Youth Action Board.

- F. CoC Board members are strongly encouraged to attend in person. Attendance by telephonic conference may be permitted in extenuating circumstances. The CoC Board will be “principals only” unless a proxy is submitted in writing in advance of the meeting.
- G. A super-majority vote of 60 percent of those present and voting shall be required to approve new members.
- H. The CoC Board has authority to adopt revisions to the Charter in compliance with HUD CoC Program regulations.
- I. The CoC Board approves final submission for the annual CoC application to U.S. Department of Housing and Urban Development (HUD), including establishing annual priorities and ranking (see Committees).
- J. The CoC Board designates the CoC Collaborative Applicant and HMIS Lead.
- K. The CoC Board reviews policy recommendations from standing committees of the CoC for regional implementation, and forwards those recommendations requiring action by the Implementation Board and Governing Committee.

iii. Commitment

Unless otherwise provided by written agreement, any CoC Board member may resign at any time by giving written notice. In addition, the CoC Board Co-Chairs may remove members for repeated absence, misconduct, or violation of conflict-of-interest policies.

- a. Regular personal attendance at committee meetings and events is required unless excused by the Co-Chairs for good reason. This commitment is not delegated to others. Three unexcused absences in one year are grounds for removal.
- b. Commitment to listen to, value and utilize the experience and contribution of people who are or have experienced homelessness as equal partners and leading decision-makers in ending homelessness.
- c. A one-year minimum commitment is required.
- d. A quarterly commitment to seek input from, convey the interests of, and provide updates to the communities that CoC Board members represent and are accountable to, including recipients of CoC services, cities, tribes, and providers.
- e. Leadership to further regional goals, including serving as a community champion, speaking on behalf of the regional efforts or the CoC and assuring ongoing dialogue with the community on opportunities, progress, results and barriers to ending homelessness in King County.

iv. CoC Board Membership and Selection Process

The CoC Board will have a maximum membership of 19 people.

- A. Applications for CoC Board membership will be open to the public and will be managed by an Ad-Hoc Selection Committee established by the CoC Board when necessary. The Selection

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Committee will make recommendations to the CoC Board for vacant seats.

Representational categories shall be identified to ensure that membership comprises an appropriate array of committed private and public sector community leaders who reflect the diversity of people experiencing homelessness and regional differences. At least one seat will be reserved for a local public funder of the CoC for the purpose of promoting alignment with funding decisions within the CoC. Individuals may fulfill cross-representation of categories. Members selected for each category listed below should explicitly represent each named community.

A majority of the members of the CoC Board Committee shall be persons whose combination of identity, personal experience, or professional expertise enables them to credibly represent the perspectives of, and be accountable to, marginalized demographic populations that are statistically disproportionately represented among people experiencing homelessness in King County.

- B. All CoC Board Members shall possess substantial and demonstrable expertise, experience and/or skill in one or more of the areas specified in this subsection:
 - a. implementation of policies and practices that promote racial-ethnic equity;
 - b. provision of services for persons experiencing homelessness or related social services with an emphasis on serving populations that are disproportionately represented amongst those experiencing homelessness; and
 - c. physical and/or behavioral healthcare or another intersecting system of care/institution.
- C. Individual members shall be selected so that each geographical area specified in this subsection is represented on the fully seated CoC Board:
 - a. South King County
 - b. East King County
 - c. North King County
 - d. City of Seattle
- D. At a minimum, CoC Board membership must include (members may fit more than one category):
 - a. All members must have lived experience of homelessness, housing insecurity and/or instability
 - b. Homeless housing/services providers, coalitions, and/or advocates (no more than 6 direct homeless service providers)
 - c. Subpopulation representation:
 - i. Youth ages 16-24 (1)
 - ii. Youth Action Board appointed seat (1)
 - iii. Elders (1)
 - iv. Families (1)
 - v. Chronically Homeless (1)
 - vi. Single Adults, Non-Chronic/Non-Veteran (1)
 - vii. Domestic Violence Survivors (1)
 - viii. Veterans (1)
 - ix. Immigrant and Refugee communities (1)
 - x. Incarceration knowledge (1)

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- xi. Lesbian, Gay, Bisexual, Trans, Queer, Intersex, Asexual, Two Spirit Community (1)
- xii. Disability rights advocate (1)
- d. Faith Based Organization/Community Partner (1)
- e. Public or private funders of homeless housing and/or services, with at least one position reserved for a representative of a local public funder that funds the CoC (2)
- f. Black/African American Community representative (1)
- g. American Indian/Alaskan Native Community representative (2)
- E. The CoC Board shall elect two Co-Chairs only one of whom shall be a provider.
- F. CoC Board membership must be reviewed every five years. New committee members shall be appointed under the following circumstances:
 - a. The resignation or dismissal of a current member.
 - b. Instances in which current membership no longer fulfills the required representation.
 - c. In each of these cases, a super-majority vote of 60 percent of those present and voting shall be required to approve new members.
- G. Dismissal of a current CoC Board member is warranted under the following circumstances:
 - a. Engagement in activities counter to the values of the Continuum of Care,
 - b. Frequent, persistent and unexcused absences from Committee meetings (three or more in one year), or
 - c. Breaking the CoC Conflict of Interest policy for Committee members.
 - d. In each of these cases, a super-majority vote of 60 percent of those present and voting shall be required to approve new members.

V. Terms

- a. A term begins at a calendar year, January through December and initial terms are three years.
- b. Initial CoC Board membership terms shall be staggered.
- c. Terms for Co-Chairs shall be for three years from the date of nomination, with the option of serving one additional year.

e. Workgroups

Workgroups are structured to ensure a system-level focus rather than a CoC-specific focus. Generally, Workgroups have the following characteristics:

- The chair of each workgroup be the Director of the corresponding functional area of the Regional Authority,
- Chairs and members of each workgroup participate in ongoing training around integrating racial equity into their work. Workgroups should be held accountable to develop analyses and policies that drive progress toward achieving equitable outcomes for people experiencing homelessness.
- Members are selected by the Board from the staff of the Regional Authority, and the provider (including government partners like the VA or health care) and lived experience communities based on their expertise in the subject matter,
- Workgroups are limited to no more than 8 regular members,

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- Workgroups are responsible for ongoing communication and coordination with the CoC Board,
- Workgroup members must participate consistently and substantively or may be removed by the Committee Chair, and
- Workgroups are empowered to identify and engage specific experts for time-limited projects to increase capacity.

Standing Workgroups of the CoC Board include:

1. Consumer Advisory Council – Co-Chaired by the Director of the Office of the Ombuds and a representative from the Lived Experience Coalition or relevant Customer representative, with members selected by people with lived experience of homelessness either through the Lived Experience Coalition or relevant Customer-lead body. Along with the Youth Action Board, the Consumer Advisory Council will review and approve policy and program recommendations made by other workgroups before they are sent to the Advisory Committee or Implementation Board for final approval.

A recommendation may be sent to the Advisory Committee without the approval of the Consumer Advisory Council if, after at least two good faith efforts to reconcile, the workgroups cannot reach agreement. In this case, the recommendation must be accompanied by written comment from the Consumer Advisory Council/Youth Action Board. If the disputed recommendation is presented in person to the Advisory Committee, the co-Chairs of the Consumer Advisory Council/Youth Action Board must also be invited to present their concerns.

2. Youth Action Board - The Youth Action Board (YAB) is a collective of young people who have current or past experience of homelessness. YAB members guide the implementation of the Coordinated Community Plan to prevent and end youth homelessness on behalf of the Continuum of Care. Along with the Consumer Advisory Council, the Youth Action Board will review and approve policy and program recommendations made by other workgroups before they are sent to the Advisory Committee or Implementation Board for final approval.

A recommendation may be sent to the Advisory Committee without the approval of the Youth Action Board if, after at least two good faith efforts to reconcile, the workgroups cannot reach agreement. In this case, the recommendation must be accompanied by written comment from the Consumer Advisory Council and Youth Action Board. If the disputed recommendation is presented in person to the Advisory Committee, the co-Chairs of the Consumer Advisory Council and Youth Action Board must also be invited to present their concerns.

3. System Performance Workgroup - Chaired by the Director of the appropriate office of the Regional Authority. Members include Regional Authority staff, providers and people experiencing homelessness with expertise in this area. Members must also include HMIS and CEA staff.
4. Coordinated Entry Committee - staffed by the manager of the appropriate office within the Regional Authority. Members include Regional Authority/CE staff, providers and customers with expertise in this area.
5. CoC Application/Ranking Workgroup – Chaired by the Chief Executive Officer (or their designee) of the Regional Authority in order to ensure system-level priorities are articulated. Members

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include non-HUD funded providers and customers who can make strong recommendations to the CoC Board for ranking projects for the annual CoC Competition.

6. Cross-Cutting Policy Workgroup – The purpose of this workgroup is to provide a forum for providers serving a variety of populations to develop recommendations or share practices regarding interventions, challenges or policy issues. Chaired by the Director of the appropriate office of the Regional Authority, this workgroup includes representation from groups serving populations such as veterans, domestic violence survivors, families, youth, unsheltered persons, etc. This committee may exceed the 8-person standard.

Each standing workgroup shall develop a charter or work plan to guide its work and priorities.

The CoC Board has the authority to establish time-limited, ad-hoc workgroups as needed.

f. Delegation of Authority

The CoC Board retains the authorities detailed in the regulation at 24CFR 578.7 and 578.9, with the exception of the following:

- 578.7(a)(6 and 7) – Establishing, monitoring, evaluating and taking action regarding performance are delegated to the Regional Authority in collaboration with the NOFO subcommittee. Developing recommendations on system-level performance metrics is delegated to the System Performance Workgroup. The CoC Application/Ranking Workgroup must consider System Performance metrics in the CoC application process. Approval for new policies by the CoC Board is contingent on review/approval by the Consumer Advisory Council and Youth Action Board.
- 578.7(a)(8) – Establishing and operating a Coordinated Entry System is delegated to the appropriate office of the Regional Authority. The CEA Policy Advisory Workgroup is delegated authority to recommend system-level practices and procedures informed by expert members. Approval for new practices by the CoC Board is contingent on review/approval by the Consumer Advisory Council/Youth Action Board.
- 578.7(a)(9) – Establishing written standards is delegated to the Regional Authority. Approval for new policies by the CoC Board is contingent on review/approval by the Consumer Advisory Council/Youth Action Board.
- 578.7(b)(1-5) – Selection, implementation and operation of the regional HMIS is delegated to the Chief Executive Officer of the Regional Authority.
- 578.7(c)(1-5) – CoC planning must be conducted as part of regional planning efforts. Therefore, the development of a work plan, conducting the point-in-time count, conducting a gaps analysis, coordinating with ESG recipients and providing input into the regional Consolidated Plan is delegated to the Chief Executive Officer of the Regional Authority.

g. Conflicts of Interest

All members of the CoC shall abide by the Conflict of Interest guidelines provided in the Continuum of Care Interim Rule at 24 CFR 578.95 Conflicts of Interest. All members of the CoC Board will sign a Conflict of Interest statement at the beginning of their membership. Members who find themselves faced with a potential conflict between their business, organizational or private interests and their CoC

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responsibilities shall avoid conflict of interest during the decision-making process by following these guidelines:

- A. Disclose any actual or potential conflicts of interest in advance of the meeting to the Board Chair or Vice-Chair.
- B. Publicly disclose conflicts of interest at relevant CoC Board meetings.
- C. Recuse himself or herself at any time from involvement in any decision, vote, or discussion in which they believe he or she may have a conflict of interest.
- D. Relationship Between the S-KC CoC Board, Governing Committee and Implementation Board**

The CoC Board elects to function in an advisory capacity to the Governing Committee and Implementation Board in accordance with the King County Regional Homelessness Authority ILA/Charter.

i. Designations

a. HMIS

The eligible applicant and operator of the HMIS on behalf of the CoC will be the Regional Authority, to become effective at such time that the Regional Authority has sufficient capacity to carry out these duties.

b. Collaborative Applicant

The Collaborative Applicant on behalf of the CoC will be the Regional Authority, to become effective at such time that the Regional Authority has sufficient capacity to carry out these duties.

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Appendix 1: King County Regional Homelessness Authority Governance Structure

KING COUNTY REGIONAL HOMELESSNESS AUTHORITY AS PASSED BY THE KING COUNTY COUNCIL December 11, 2019

- **Mission:** The mission of the King County Regional Homelessness Authority is to significantly decrease the incidence of homelessness throughout King County, using equity and social justice principles.
- **Organization:** Establishes a Governmental Administrative Agency between King County and the City of Seattle. Additional parties may sign on later as subscribing agencies. No Public Development Authority would be created.



THE GOVERNING COMMITTEE

- Approve and amend all plans governing the Authority and all budgets with 2/3 majority; nine members constitute a quorum
- Confirm members of the Implementation Board
- Approve Authority's organizational structure
- Hire CEO with 2/3 majority; may fire CEO with nine votes
- Three members representing lived experience appointed by the Advisory Committee

CHIEF EXECUTIVE OFFICER

Reports to Implementation Board and regularly provides information to the Governing Committee including quarterly performance reports. Provides annual presentations to the King County Council and Seattle City Council.

IMPLEMENTATION BOARD - 13 MEMBERS WITH THE BELOW COLLECTIVE EXPERTISE



- Criminal Justice
- Fiscal Oversight
- Physical or Behavioral Health
- Academic Research or Data Performance Evaluation
- Affordable Housing Finance or Development
- Business Operations or Strategy
- Equity Implementation
- Homelessness Service Provision
- Federal Continuum of Care Service Provision
- Labor Unions/Workforce
- Youth Services
- Child Welfare Services
- Three members representing lived experience

THE IMPLEMENTATION BOARD

Role: Develop and recommend to the Governing Committee the Authority's plans, budgets and operations, and be primarily responsible for ensuring their implementation.

- Power to create additional committees and respective appointments
 - Members cannot be elected officials, current contract holders or their representatives
 - King County Executive, King County Council, Seattle Mayor, Seattle City Council, and Sound Cities Association each appoint two members of Implementation Board respectively
 - Three members representing lived experience appointed by Advisory Committee after receiving recommendations from the Lived Experience Coalition
 - Requires the membership of the Implementation Board to reflect the racial makeup of King County.
- Additional Characteristics:**
- Majority able to represent marginalized populations statistically disproportionately represented among people experiencing homelessness
 - Reflect geographic diversity
 - Local business community
 - Faith/religious groups
 - Philanthropy
 - Neighborhood/community associations

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ADVISORY COMMITTEE - CONTINUUM OF CARE
Perform the functions of the mandatory Federal Continuum of Care Board.

OTHER KEY PROVISIONS

FIVE YEAR PLAN
Required to address at least youth/young adults, families, veterans, single adults, seniors and those with acute behavioral challenges.

SUB-REGIONAL PLANNING PRINCIPLES
Specifies that funding and services will be distributed throughout the County regardless of whether a jurisdiction joins the interlocal agreement. Specifies that sub-regional planning would inform and be integrated in the development of the five year plans.

COORDINATION ACROSS SYSTEMS AND SERVICES
CEO shall assign liaison to ensure coordination and collaboration with homelessness crisis response partners and activities and adjacent systems whose work intersects with homelessness.

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