

Seattle-King County Continuum of Care Governance Charter

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Amended: June 2023

Vote: June 23, 2023 by CoC members

Note: If approved, any amendments other than fixing simple grammatical or formatting errors must go back in front of the CoC membership for approval.

DRAFT Seattle-King County Continuum of Care Governance Charter

I. Overview

This Seattle-King County Continuum of Care Governance Charter (Charter) establishes the governance structure for the Seattle-King County Continuum of Care (CoC) in accordance with the McKinney-Vento Homeless Assistance Act (as amended) and in accordance with state and local law.

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), dated December 11, 2019, between King County and the City of Seattle that established the King County Regional Homelessness Authority.

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

III. Regional 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. 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.¹

On September 4th, 2019, Executive Dow Constantine and [then] City of Seattle Mayor Jenny Durkan transmitted a proposed ILA to their respective councils to establish and define the role, scope, and governance of the King County Regional Homelessness Authority, including the creation of a Governing Committee and Implementation Board.²

The purpose of the CoC governance adjustments made via this Charter is to be responsive to the

¹ National Innovation Service (formerly, Future Laboratories). (2018, December). NIS Homelessness Response System 10 Actions Report. King County regional Homelessness Authority. <https://kcrha.org/wp-content/uploads/2019/06/future-lab-report.pdf>

DRAFT Seattle-King County Continuum of Care Governance Charter

changing regional environment, so that the CoC can be 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 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:

- 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 is consistent with the theory of change adopted by the King County Regional Homelessness Authority. The theory of change requires the CoC to approach the system resources it controls in a specific way, with the understanding that this orientation is aimed at specific 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 principles of racial equity, social justice, and centering voices of people with lived experience are integral to the work of the CoC. Therefore, any changes to the stated mission on behalf of the CoC must be approved by the Client Advisory Council and Youth Action Board prior to coming to the 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.

DRAFT Seattle-King County Continuum of Care Governance Charter

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. Meetings may be called for by the Regional Homelessness Authority in order for it to complete its administrative duties as the designated Collaborative Applicant, HMIS Lead, and Coordinated Entry operator.

a. CoC Membership

i. Invitation to Join

The CoC will make an invitation for new members to join publicly available at least annually.

ii. Members

Members of the CoC shall be those organizations and individuals who live or work within King County and are interested in, and supportive of, our community's goals to end homelessness.

iii. Membership Requirements

In order for an organization or individual to become a member of the CoC they must:

- Sign-up to become a member.
- Maintain a minimum attendance of one full membership meeting a year.
- Adhere to the Mission and Values of the CoC.

iv. Membership Levels & Voting

1. CoC membership will have two levels: individual and organization.
2. Individuals will have one vote. Organizations will have one vote with an individual representative. Representatives of organizations will not have voting power as an individual during a vote.
3. No organization may have staff or board members make a majority of a vote.

v. Conflict of Interest

1. No member 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. Therefore, any individual participating in or influencing decision making must identify actual or perceived conflicts of interest as they arise and comply with the letter and spirit of this policy. Disclosure should occur at the earliest possible time and if possible, prior to the discussion of any such issue. Individuals with a conflict of interest should abstain from discussion and voting on any issue in which they may have a conflict. An individual with a conflict of interest, who is the committee chair, shall yield that position during discussion and abstain from voting on the item.

- vi. Annual written disclosure statements will be provided by each member by the end of February. Members will not be permitted to participate in a discussion or a vote until the statement is on file. All voting members shall have the right to recuse themselves from voting on a matter without providing an excuse.

vii. Role and Responsibilities

1. CoC members vote to approve CoC Board Members.
 - A super-majority vote of 60 percent of those present and voting shall be required to approve members.

DRAFT Seattle-King County Continuum of Care Governance Charter

2. CoC Members vote to approve the CoC Charter.
 - A simple majority vote of 50% of those present and voting shall be required to approve amendments to the CoC Charter.

b. Advisory Committee (CoC Board)

i. Purpose

The purpose of the Board will be to function as the CoC Board for specific legally required duties and act in a broad advisory capacity to the Governing Committee and Implementation Board of the King County Regional Homelessness Authority in accordance with the ILA., This allows for a strong connection between the administration of federal 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 administrative rules and 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, in compliance with and to the extent required by the Open Public Meeting Act, Chapter 42.30 RCW, as amended, with policies and procedures adopted by the CoC Board. Public input opportunities will be made available via email and specific time allocated on the agenda for regular board meetings. Meetings will strive for consensus and will allow 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 the seated 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

DRAFT Seattle-King County Continuum of Care Governance Charter

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

- f. CoC Board members are strongly encouraged to attend in person. Meetings will be hybrid when possible. The CoC Board will be “principals only” unless a proxy is submitted in writing in advance of the meeting.
- g. The CoC Board has authority to adopt revisions to the Charter in order to comply with HUD CoC Program regulations.
- h. The CoC Board approves the local process for the annual CoC application to U.S. Department of Housing and Urban Development (HUD), including establishing annual priorities and ranking (see Committees).
- i. The CoC Board designates the CoC Collaborative Applicant and HMIS Lead.
- j. 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 board 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 each Board member as well as people who are or have experienced homelessness as equal partners in ending homelessness and leading decision-makers in ending homelessness.
- c. A one-year minimum commitment is required with a maximum term of three years.
- 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. CoC Board members must adopt and follow a written process to select a board to act on behalf of the Continuum of Care. The process must be reviewed, updated, and approved by the Continuum at least once every 3 years.

DRAFT Seattle-King County Continuum of Care Governance Charter

- b. Applications for CoC Board membership will be open to the public and will be managed by an Ad-Hoc Selection Committee of at least three CoC Board members established by the CoC Board when necessary. The Selection 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, public, and nonprofit 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 shall be persons whose combination of identity, personal experience, or professional expertise enables them to credibly represent the perspectives of, and be accountable to, populations that are disproportionately represented among people experiencing homelessness in King County.

- c. 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 such as foster care or criminal/legal systems.
- d. 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
- e. At a minimum, CoC Board membership must include (members may fit more than one category):
 - a. People with lived experience of homelessness, housing insecurity and/or housing 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
 - ii. Elders
 - iii. Families
 - iv. Chronically Homeless

DRAFT Seattle-King County Continuum of Care Governance Charter

- v. Single Adults, Non-Chronic/Non-Veteran
 - vi. Domestic Violence Survivors
 - vii. Veterans
 - viii. Immigrant and Refugee communities
 - ix. Lesbian, Gay, Bisexual, Trans, Queer, Intersex, Asexual, Two Spirit (LGBTQIA2S+) Communities
 - x. People with disabilities
- d. Faith Based Organization/Community Partner
 - e. Youth Action Board appointed seat
 - f. 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.
 - g. Black/African American Community representative
 - h. American Indian/Alaskan Native Community representative
- f. The CoC Board shall elect two Co-Chairs, only one of whom may be a provider.
 - g. 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 CoC Members present and voting shall be required to approve new members.
 - h. 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 dismiss current members.
 - i. Board members may take a leave of absence of up to four months due to extenuating circumstances. The seat will not be counted towards quorum during the four months.

i. Terms

- a. A term begins at the first regular CoC Board meeting after being confirmed by CoC membership. Term commitment is a minimum of one year and a maximum of three years. A one-year extension may be allowed in order to ensure membership terms are staggered.
- b. CoC Board membership terms shall be staggered.
- c. Terms for Co-Chairs shall be for one year from the date of nomination, with the option of serving one additional year.

a. Workgroups

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

DRAFT Seattle-King County Continuum of Care Governance Charter

- All Workgroup members must sign up to be a CoC member.
- The chair of each work group must be a CoC Board member, or a CoC member who has been designated by the CoC Board. Chairs will be supported by the Director of the corresponding functional area of the Regional Authority. The Director of the corresponding functional area may serve as an interim Chair of the workgroup.
- 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 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 12 regular members,
- 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,
- Workgroups are empowered to identify and engage specific experts for time-limited projects to increase capacity.
- Workgroups are empowered to make changes to practices and policies due to local, state, and federal government requirements, but are required to provide a timely update to the CoC Board on any changes.
- Any changes to practices and policies made by workgroups that are based on best practices, or are advised by the workgroup, must be brought to a regular CoC Board meeting for approval.
- Workgroups will provide a general update on current work and next steps to the CoC Board on a quarterly basis at minimum. This update may be in the form of a written report or presentation at a regular CoC Board meeting.

Standing Workgroups of the CoC Board:

1. Standing Workgroups

- In the event that CoC Board Membership includes fewer than one-third members with lived experience of homelessness or housing instability, the CoC Board must establish a Client Advisory Council – Staffed by a designee of the Regional Homelessness Authority and a CoC Board Member, the Client Advisory Council will include members with lived experience who also have an analysis and understanding of the homelessness response system.
- 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 will review and approve youth and young adult policy and program recommendations made by other workgroups before

DRAFT Seattle-King County Continuum of Care Governance Charter

they are sent to the CoC Board or Implementation Board for final approval.

2. Standing Workgroup Responsibilities

The Youth Action Board, and Client Advisory Council if established, will review and approve relevant policy and program recommendations made by other workgroups before they are sent to the CoC Board or Implementation Board for final approval.

A recommendation may be sent to the CoC Board without the approval of the Client Advisory Council/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 Client Advisory Council/Youth Action Board. If the disputed recommendation is presented in person to the CoC Board, the co-Chairs of the Client Advisory Council and/or Youth Action Board must also be invited to present their concerns.

3. System Performance Committee (SPC) - The SPC is co-chaired by CoC Board members with membership including Regional Authority staff, providers and clients with expertise in this area. Members must also include HMIS Lead and CE staff. Potential members must apply to the SPC and be approved by a majority of SPC members. The SPC oversees policies and procedures related to HMIS, HMIS standards, metrics and evaluation, and ranking for the annual CoC competition.
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. The CE Committee oversees policies and procedures related to Coordinated Entry.
5. CoC Application Workgroup – Staffed by a designee of the Regional Authority in order to ensure system-level priorities are articulated. The purpose of this workgroup is to prepare the local application for the annual CoC Competition. Members may include non-HUD funded providers and customers who can make strong recommendations to the SPC and CoC Board for ranking projects for the annual CoC Competition.
6. Cross-Cutting Policy Workgroup – This workgroup may be formed 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 12-person standard.

The CoC Board has the authority to establish time-limited, ad-hoc workgroups as needed. Each standing and ad-hoc workgroup shall develop a charter or work plan to guide its work and priorities. The charter or work plan shall specifically outline and clearly articulate the specificity of the role that the working group will take on and the timeframe in which the work will take

DRAFT Seattle-King County Continuum of Care Governance Charter

place. The charter or work plan shall be presented to the Board at a regular meeting for the Board's approval.

b. Delegation of Authority

The CoC Board retains the authorities detailed in the regulation at 24 CFR 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. Developing recommendations on system-level performance metrics is delegated to the System Performance Committee. 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 Client 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 CE Board is delegated authority to recommend system-level practices and procedures informed by expert members. Approval for new practices by the Advisory Committee is contingent on review/approval by the Client 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 Client 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.

c. 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 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 Co-Chairs.
- B. Publicly disclose conflicts of interest at relevant CoC Board meetings.
- C. Recuse himself or herself at any time from involvement in any decision or discussion in which they believe he or she may have a conflict of interest.

d. CoC Board, Governing Committee and Implementation Board Relationship

The CoC Board elects to function in an advisory capacity to the Governing Committee and

DRAFT Seattle-King County Continuum of Care Governance Charter

Implementation Board in accordance with the King County Regional Homelessness Authority ILA. The CoC Board will provide quarterly reports to the Governing Committee and Implementation Board. These reports will include guidance and advice from the CoC Board in its advisory capacity, and will also include updates on the CoC Board, Subcommittee, and other related CoC work, as well as current advice and guidance from the CoC. The CoC Board shall meet with the Governing Committee and Implementation Board on an annual basis at minimum to provide guidance alongside strategic planning.

e. Designations

i. HMIS Lead

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.

ii. Collaborative Applicant

The Collaborative Applicant on behalf of the CoC will be the Regional Authority.

iii. Coordinated Entry Operator

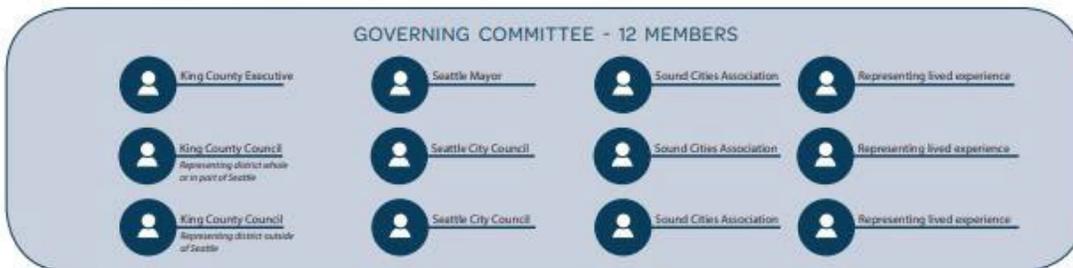
The Coordinated Entry Operator on behalf of the CoC will be the Regional Authority. The Coordinated Entry Board will oversee Coordinated Entry work, and report to the CoC Board.

DRAFT Seattle-King County Continuum of Care Governance Charter

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



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

DRAFT Seattle-King County Continuum of Care Governance Charter

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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