Seattle-King County Continuum of Care Convening Minutes

Date/Time
Friday, December19th, 2023; 10:00 AM – 3:00 PM

CoC 101 Overview Refresher Training – Tashmia Bryant

- **History of the Continuum of Care (CoC) and King County Regional Homelessness Authority (KCRHA)**
  - **1994**
    - The CoC process was developed by HUD in 1994 to coordinate the distribution of several competitive homeless assistance programs.
  - **May 20th, 2009**
    - 'HEARTH' Act signed into law by President Barack Obama on May 20th, 2009, initiating Congressional authorization of the COC process in 2012.
  - **December 2018**
    - In December 2018, the City of Seattle and King County committed to moving forward with the actions and strategies outlined in a report by The National Innovation Service.
  - **September 4th, 2019**
    - On September 4th, 2019, Executive Dow Constantine and (then) City of Seattle Mayor Jenny Durkan transmitted a proposed ILA to define the role, scope, and governance of the King County Regional Homelessness Authority (KCHRA).
- **Roles**
  - **KCRHA Implementation Board & Governing Committee**
    - **Implementation Board:** Operations and management of all Authority affairs shall reside in an Implementation Board
    - **Governing Committee:** Elected officials serving ex officio and individuals representing those with Lived Experience – act as the administrator for the Authority and for the purposes of performing the duties set out in the ILA.
- **Roles: Continuum of Care (CoC) - WA – 500**
  - **Established by representatives from relevant organizations within a geographic area.**
    - " including nonprofit homeless providers, victim service providers, faith-based organizations, governments, businesses, advocates, public housing

agencies, school districts, social service providers, mental health agencies, hospitals, universities, affordable housing developers, law enforcement, organizations that serve homeless and formerly homeless veterans, and homeless and formerly homeless persons to the extent these groups are represented within the geographic area and are available to participate." (24 CFR 578.3 "Continuum of Care and Continuum")

- The CoC 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."
- **Roles include** voting on charter and new or existing board members and holding a convening twice annually
  - Invite new members to join publicly annually.

- **Responsibilities: Continuum of Care**
  - **Required Duties of the Continuum of Care**
    - Serve a specific geographic area.
    - Establish a Board to act on its behalf
    - Designate and/or Operate the Continuum of Care
    - Designate and Operate an HMIS
    - Designate and/or conduct Continuum of Care Planning
    - Maintains responsibility of final approval of the CoC application/NOFA
- **CoC Governance: Governing Charter**
  - **CoC Values-**
    - Recommendations and decisions will reflect the diversity of people experiencing homelessness.
    - The CoC will promote equity for communities of color disproportionally 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.
  - **Theory of Change-**
    - "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 inequalities, in order to end homelessness for all."
  - **The Charter also includes...**
    - Coc Membership
    - Decision-making Authority

- **Meetings**
  - **CoC Board**
    - Planning meetings with CoC Board Co-Chairs and KCRHA
    - CoC Board Retreats
    - Monthly and Special Board meetings
    - Advisory Committee meetings
  - **Committees and Workgroups**
    - System Performance Committee (SPC)
    - Coordinated Entry Committee
    - CoC Application Workgroup
    - Cross-cutting Policy Workgroup
    - Convening Committee
  - **CoC Membership**
    - Minimum Bi-annual Convenings
    - CoC-sponsored Trainings
- **KCRHA as the CoC Collaborative Applicant and HMIS Lead**
  - **CoC Collaborative Applicant**
    - Eligible to apply to HUD for Continuum of Care planning funds on behalf of the Continuum of Care
    - Submits COC Consolidated application as part of the NOFO competition on behalf of the Continuum of Care
  - **HMIS Lead**
    - Single HMIS designee for entire COC geographic area
    - Must be established by CoC to act on its behalf.
    - Must be a legal entity.
    - Must be an eligible applicant.
    - Must participate on the systems performance committee (as designated in the charter)
- **Roles: KCRHA**
  - **King County Regional Homelessness Authority is a...**
    - "Governmental Administrative Agency"
    - "A regional, government agency" ILA – Article IV. Section 1.a)
    - HUD CoC Lead applicant
    - HUD CoC Collaborative applicant
    - HMIS Administrator
    - HUD Grant Recipient
      - **Roles Include:**
        - Provide leadership and guidance on regional homelessness issues

- o Subgrants to Subrecipients (KCRHA provides contract management of federal and local homelessness funds)
  - o Collaborative Applicant, HMIS Lead, CE administration & oversight
  - o Performance monitoring and evaluation
  - o Point-in-Time count coordination
  - o Full Membership coordination
- **Roles: CoC Board & Advisory Committee**
  - o **Definition:** A group of representatives acting on behalf of the Continuum
  - o **Roles:**
    - Aligning strategy
    - Approving policies
    - Tracking of homeless system progress
    - NOFO Values and Priorities
      - ""Advisory Committee" means the committee recognized by the Implementation Board serving as the Continuum of Care Board created by the Continuum of Care pursuant to 24 CFR Part 578 or its successor regulation to serve in an advisory capacity to the Implementation Board as set forth herein" (ILA – Article I Definitions)
- **Working Together**
  - o KCRHA – CoC – CoC Board
    - The CoC designates KCRHA as the lead agency/lead applicant.
    - KCRHA carries out daily administrative and operational functions of the CoC.
    - The Lead Agency works in collaboration with the CoC Board and CoC (membership)
      - Re: Power and Authority – governance (charter, MOUs, annual NOFA approval, other written agreements, laws, and regulations) influence decision-making

Training #1 – Seattle/King County CoC Governance Charter Overview – Alan Guttirez

- **What is a CoC Governance Charter?**
  - o Document that formally documents how responsibilities are assigned within the Continuum of Care, and the expectations associated with how the work will be conducted.
    - Should allow all members of the CoC to understand how the CoC is operated and how decisions are made.

- - Should make the CoC's operating procedures and decision-making processes transparent to anybody who is interested in reviewing them
- **CoC Governance: Governance Charter**
  - **CoC Values:**
    - Recommendations and decisions will reflect the diversity of people experiencing homelessness.
    - The CoC will promote equity for communities of color disproportionally affected by homelessness.
    - Decisions and recommendations made by the CoC will reflect a cross-sector and regional approach.
    - The CoC will promote shared responsibility and accountability.
    - CoC leadership will establish clearly defined roles and responsibilities and communicate decisions clearly and widely.
  - **Theory of Change:**
    - "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 inequalities, in order to end homelessness for all."
  - **The Charter also includes...**
    - Coc Membership
    - Decision-making Authority
    - CoC Board Membership and Responsibilities (and role as AC)
    - CoC Workgroup and Committees
- **Membership**
  - CoC membership will have two levels: individual and organization.
  - Individuals will have one vote. Organizations will have one vote with an individual representative.
  - No organization may have staff of board members make a majority of a vote.
- **Decision-Making Authority**
  - **CoC Board/ Advisory Committee**
    - It will function as the CoC Board for actions required under the HUD regulations at 24 CFR 578.7 and 578.9, including approval of committee recommendations that do not have appropriation/political components.
    - 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.
  - **Continuum of Care (CoC)**
    - In the CoC Program interim rule, the CoC has been given responsibility for all the system-level duties, all of which are critical to the CoC's long-term success. However, it's unlikely that the CoC will do everything itself

and therefore the CoC will need to decide who should take on the day-to-day responsibility for each duty.

- Including Operating the CoC, Designating and operating an HMIS, CoC Planning, and preparing an application to HUD for funds.

- **CoC Designations to KCRHA**
    1) **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.
    2) **Collaborative Applicant –** The Collaborative Applicant on behalf of the CoC will be the Regional Authority
    3) **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.

- **Seats (19)**
    o Lived Experience of Homelessness
    o Homeless Service Providers and Partners
    o Subpopulation Representation
    o Faith Based Organization/Community Partner
    o Youth Action Board appointed seat
    o Public/Private Funder seat
    o Black/African American Community representative
    o American Indian/Alaska Native Community representative

- **Terms (1-3 Years)**
    o Term begins at the first regular CoC Board meeting after being confirmed by CoC membership.
    o Terms for Board members are staggered.
    o Co-Chairs term is one year from the date of nomination. With the option of serving one additional year
    o Board members vote on co-chairs.

- **Selection Process**
    o Application Open to CoC Membership
    o Ad-Hoc Committee (with at least 3 current Board members) reviews apps and makes recommendation.
    o CoC Membership votes on nominees during CoC Convening

- **CoC Workgroups and Committees**
    o System Performance Committee (SPC)
    o Coordinated Entry Committee
    o CoC Application Workgroup
    o Cross-cutting Policy Workgroup
    o Convening Committee

Training #2 – Decriminalization of Homelessness Training – Ruby Romero

- **Coc Role in Decriminalization -**
  - NOFO Section 1d: **Coordination and Engagement Cont.**
    1d-4: Strategies to Prevent Criminalization of Homelessness:
    - '…strategies your CoC implemented to ensure homelessness is not criminalized and to reverse existing criminalization policies…'
  - **CoC Local Values (FY2023 NOFO Application):**
    - "Promote human-centered well-being and partnerships with a Housing First and Harm Reduction approach instead of further displacement or the criminalization of our unhoused neighbors."
- **How are People Currently Experiencing Homelessness Targeted Through Policy?**
  - 'Acts of Living' Laws
    - 48 states have at least one law restricting behaviors that prohibit or restrict conduct of people experiencing homelessness.
    - **Sleeping:** Camping bans/specific restrictions in order to comply, sweeps
    - **Sitting:** Anti homeless architecture, no loitering, parks closed after specific time
    - **Panhandling:** Statewide bans, no soliciting signs
    - **Eating:** Groups must pay for a permit to feed the homeless
  - **'Acts of Living' Human Rights Violations (Nationally)**
    - 6 states have laws **restricting panhandling in public state-wide,** 4 states **restrict panhandling in particular public places, and** 7 states have laws **restricting panhandling in particular ways.**
    - 36 states have laws **restricting pedestrians from standing in roadways.**
    - 4 states have laws **restricting camping in public state-wide,** 15 states **restrict camping in particular public places.**
    - 1 state has a law **restricting sleeping in public state-wide**, 3 states **restrict sleeping in particular public places** and 4 states **restrict lodging, living, or sleeping in vehicles.**
    - 6 states **restrict sitting and lying down in particular public places.**
    - 16 states have laws **restricting loitering, loafing, and vagrancy state-wide** and nearly half of the US, there are 24 states **restricting loitering, loafing, and vagrancy in particular public places**
  - **King County's Landscape:**
    - **Camping Bans:**
      - Mercer Island imposed a camping ban in 2021. Burien used the language from Mercer Island as the model for their camping ban.
      - Burien approved a camping ban while delaying decisions on a location to build a tiny home village.
      - City of Kent passed a camping ban.

- **Zoning & Location Restrictions:**
  - Des Moines City Council passed a zoning code restricting where shelters can be.
  - Federal Way denied an application for an overnight shelter.
  - Finding a location for new shelter and housing is consistently difficult.
- **City of Seattle's Landscape:**
  - **12A.08.030 - Reckless burning**
  - **11.72.440 - Parking Enforcement; Seventy-two (72) hours.**
    - No person shall park a vehicle on any street or other municipal property for a period of time longer than seventy-two (72) hours, unless an official posted sign provides a shorter period of time, or unless otherwise provided by law.
  - **2A.12.015 - Pedestrian interference**
    - A person is guilty of pedestrian interference if, in a public place, he or she intentionally:
      1) Obstructs pedestrian or vehicular traffic; or
      2) Aggressively begs.
  - **12A.12.020 - Failure to disperse**
    - A person is guilty of failure to disperse if:
      - He congregates with a group of four or more other persons and there are acts of conduct within that group which create a substantial risk of causing injury to any person or substantial harm to property; and
      - He refuses or intentionally fails to obey a public safety order to move, disperse or refrain from specified activities in the immediate vicinity.
  - **15.48.040 - Sitting or lying down on public sidewalks in downtown and neighborhood commercial zones.**
  - **18.12.255 - Liquor offenses**
    - It is unlawful in a park to consume, or to possess an open container holding, or to open a container holding liquor as defined in Section 12A.24.010 except pursuant to permits respectively issued by the Superintendent and the Washington State Liquor and Cannabis Board or its successor. Conduct made unlawful by this Section 18.12.255 shall constitute a class 3 infraction punishable under chapter 7.80 RCW.
  - **18.12.245 - General park operating hours—Four a.m. through Eleven-thirty p.m.**
    - General park operating hours shall be between four (4:00) a.m. and eleven-thirty (11:30) p.m. Individual parks, unless provided

otherwise pursuant to this section, shall not be open to the public between eleven-thirty (11:30) p.m. and four (4:00) a.m.

- **18.12.250 - Camping**
  - It is unlawful to camp in any park except at places set aside and posted for such purposes by the Superintendent.

- **Why is Criminalizing Homeless People the Wrong Decision?**
  - It doesn't solve anything
- **The Criminalization of People Currently Experiencing Homelessness is...**
  - **Unconstitutional**
    - Sweeps Violate the 4th, 8th, and 14th Amendments of the Constitution
      - Martin v. Boise, 920 F.3d 584 (9th Cir. 2018)
      - Levan v. City of Los Angeles, 693 F.3d 1022 (9th Cir. 2012)
      - Smith v. Corvallis, No. 6:14-cv-01382-MC, LEXIS 73205 (D. Or. June 6, 2016)
  - **Doesn't solve the root causes**
  - **Worsens homelessness**
  - **It is expensive**
- **Journey Through the 'Justice' System:**
  - Caught: committing an 'Act of Living' Law
  - Can't pay fine
  - Bench Warrant
  - Can't pay or be released without bail
  - Lengthy pre-trial detention
  - Accepts plea
  - No probation without address
  - Can't pay court fees
  - Additional incarceration
  - Loss of job, voting rights, access to benefits
- **What are the alternatives to criminalizing people experiencing homelessness?**
  - And what alternatives are we using within out CoC in King County?
- **Homeless 'Bill of Rights'**
  - **'Bill of Rights' advocates for People Currently Experiencing Homelessness to have Equal Rights to:**
    - Medical care
    - Free speech
    - Free movement
    - Voting
    - Opportunities for employment
    - Privacy
- **KCRHA's Housing First Approach**
  - **What is Housing First? = Housing + Services:**

- No matter who we are, where we come from, or what we look like every person deserves a safe and stable place to live. Housing First, which is actually "Housing + Services," is a proven, evidence-based best practice. Housing First recognizes that housing, and the security and stability it offers, is the necessary first step to addressing other medical, mental health, or substance use issues a person may be facing, and supports employment, education, and other efforts towards self-sufficiency.
  - **Housing First is not housing only.**
    - Voluntary supportive services are always available
  - **Real Solutions**
    - Housing, services, and protecting renters works better and is more cost-effective.
    - During the application of the Emergency Rental Assistance funds, studies found while stabilization (aka rental assistance or eviction prevention) typically costs about $2000 vs anywhere from shelters and housing costing $27,000 to $68,000 per person depending on what intervention is used.
    - EHV- Emergency Housing Vouchers.
      - HUD distributed more than 70,000 in 2022
  - **Right of Way (ROW) Initiative**
    - State initiative limited to individuals on State-owned rights of way:
      - "a targeted grant program to transition persons residing in encampments to safer housing opportunities, with an emphasis on ensuring individuals living unsheltered reach permanent housing solutions"
    - KCRHA award was $49.2 million in first year,
      - $19 million to acquire new construction housing
      - $12 million emergency housing (leased hotel)
      - $17 million for other permanent housing (master-leased units) and administration
    - $16.6 million ongoing funding to maintain permanent housing placements
    - 320+ people have moved inside from 10 encampments

Break for Lunch (1 hour)

Point in Time Count Volunteer Link – Alan Guttierez

- **Site link:** https://kcrha.org/data-overview/king-county-point-in-time-count/
  - **Direct link to volunteer signups for Point-In-Time Count:**
    https://app.smartsheet.com/b/form/f366330c638145dab4489368a368aa2a

- KCRHA is seeking volunteers to assist with survey collection for the upcoming Point in Time Count. Applications are due by January 5, 2024.

Workplan for FY24 – Alan Guttirez

- CoC Designations to KCRHA-
  - HMIS Lead
  - Collaborative Applicant
  - Coordinated Operator
  - Applying for HUD Funds
- **Operating Continuum of Care -**
  - Education and prevention focused work and to combat the perceptions of who people experiencing homelessness are. Combat stigma toward people experiencing homelessness. Change.
  - Robust capacity building and ensuring that we are not so reactive!
  - More collaboration among government partners and CoC members.
  - "Emphasis on individual and community level wellbeing." - Tamara Bauman in chat
  - How can we use culture and social media to help move change and make change in moving this work forward? Some of the changes that are being discussed may take an act of congress so the advocacy pieces and identification of the stakeholders who can show the advocacy pieces and identification of the stakeholders who can show up in these advocacy platforms is essential.
  - Ensuring that we have a robust set of training courses for CoC subrecipients and members that focus on Housing First, harm reduction and other frameworks.

- **Designating and Operating the HMIS -**
  - "Emphasis on individual and community level wellbeing." - Tamara Bauman
  - "Often referrals that are made to programs are often not eligible! Folks do not qualify and are seeing housing being left open." (Ineligible referrals negatively impacts HMIS data quality!) – John Chapman
  - How to separate capitalism from HMIS?
  - Explore a comparable database for survivors of violence to have their de-identified information included in HMIS in a highly protected platform that is accessible by Victim Service Providers (VSPs) only - Leeze Castro

- **Operating the Coordinated Entry System-**
  - More violence perception in all components of the homelessness response system.
  - "I would add just a couple of items that speak to the upstream work Tamara mentioned. At Mary's Place, we'd love to see more Investment in homelessness prevention as a core component of a crisis response system. We'd also love to

see a focus on families with children. When young children experience homelessness, it can impact their development and those impacts can be lifelong. People who experience homelessness as young people often experience it again as adults. We'd like to see a focus on breaking this cycle by keeping children housed or returned to housing rapidly." - Alyson Moon in chat

- o "Emphasis on individual and community level wellbeing." Tamara Bauman
- o "I'd always like to see the KCRHA have more acknowledgement and emphasis on the intersection of domestic violence and homelessness, that DV is one of the leading causes of family homelessness; making sure that the homelessness providers have the training and resources and partnerships needed to serve survivors well. And that DV providers are looped into the homelessness systems in a meaningful way." - Lea in the chat
- o "Often referrals that are made to programs are often not eligible! Folks do not qualify and are seeing housing being left open." Getting HUD to change the requirements (this is actually in the works!) – John Chapman
- o "Sounds like this could also fit into CES to improve assessment (understanding needs and eligibility) and referrals and matching. Perhaps housing inventory diversity, which likely lies in other categories." - Tashmia White in the chat
- o Need to make sure that referrals to programs are appropriate! I.E. Eligible NOT "appropriate" as in "housing ready."
- o Transparency in CE prioritization and communications
- o "I would like to see a direct referral portal available for school district McKinney-Vento liaisons." - Michele Starkey
  - ▪ https://ospi.k12.wa.us/student-success/access-opportunity-education/students-experiencing-homelessness/homeless-education-liaison-contact-list
    - • Melinda Dyer - McKinney-Vento Education of Homeless Children and Youth Assistant Director

- **Applying for HUD Funds -**
  - o Clarify and solicit CoC membership to help with annual CoC Notice of Funding Opportunity rating panel.
  - o "Emphasis on individual and community level wellbeing." - Tamara Bauman
  - o Often referrals that are made to programs are often not eligible! Folks do not qualify, and we see housing being left open. (Underspending affects CoC NOFO application!)
  - o I would like to see a direct referral portal available for school district McKinney-Vento liaisons.

- **Other Areas-**
  - o Never has a balance of how we navigate unsheltered homelessness. Our funding is skewed against people who are in vehicles.

- Hope and dream is that the RHA thinks about housing as a human right and that yes, we are all the same and we need to bring back the human rights components back into this work!
- I would prefer that the RHA does not have any part in sweeps.
- The interplay of severe weather and sweeps intensely impacts people who are unhoused as their gear gets taken away.
- Being intentional about language choices and content created to communicate honestly about the work being created to communicate honestly about the work that we do.

Vote for Youth Action Board (YAB) Seat – TreVon Fields

- Lacee Morgan was nominated by the YAB to be considered for the YAB Seat Representative.
  - Helped to recruit new members.
- Seattle/King County Continuum of Care Board Membership Vote - https://docs.google.com/forms/d/e/1FAIpQLSfxgklk4zQLKEPcNlHyhHEH3cHy5y8V534dh0Qc00UwfvFiRQ/viewform?usp=sf_link

- Motion: To approve Lacee Morgan as the YAB seat representative
- Vote:

Next Steps & Adjourn

- Next regular meeting January 3rd, 2024; 2:00 PM – 4:00 PM