



Legislation Text

File #: 2019-0378, **Version:** 1

AN ORDINANCE establishing the King County regional homelessness authority; approving a charter therefor; and adding a new chapter to K.C.C. Title 2.

STATEMENT OF FACTS:

1. The federal and state government, King County and jurisdictions across the county, including the city of Seattle, currently fund programs to provide services to homeless individuals and families, but homelessness and housing insecurity remain a chronic and serious problem.
2. King County and the city of Seattle signed a memorandum of understanding on May 3, 2018, proposing a partnership to more effectively and consistently coordinate their provision of homeless services, and have received a consultant's report providing guidance on how such a joint effort could be structured.
3. King County and the city of Seattle have determined that a public corporation chartered to coordinate services within an equitable operational framework centering on people with lived experience will enable and facilitate joint planning, program funding and the establishment of standards for and accountability of programs thereby improving the delivery of services and enhancing outcomes for those receiving such services.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Sections 2 through 14 of this ordinance shall constitute a new chapter in K.C.C. Title 2.

NEW SECTION. SECTION 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

A. "Additional party" means any municipal corporation, governmental agency or public entity located within King County, other than Seattle and the county, that has executed the interlocal agreement or an amendment to the interlocal agreement, or has otherwise accepted and assumed the terms of the interlocal agreement.

B. "Authority" means the King County Regional Homelessness Authority chartered by the county under this chapter and the authority's charter.

C. "Bylaws" mean the bylaws of the authority.

D. "Charter" means the charter of the authority.

E. "Five-year plan" means the five-year implementation plan developed by the authority, approved by the governing board, and confirmed by the steering committee in accordance with the interlocal agreement and the charter. The five-year plan shall incorporate requirements of the service agreements from funders and align with the regional action plan, if any, to guide the authority's operations.

F. "Governing board" means the board of directors of the authority, as the same shall be duly and regularly constituted under the terms of the charter.

G. "Homeless services" means shelter, day centers, hygiene facilities, housing and related services to assist individuals and families experiencing homelessness or who are at imminent risk of experiencing homelessness.

H. "Interlocal agreement" means the Interlocal Agreement for the Joint Establishment of the King County Regional Homelessness Authority, as it may be amended, that is authorized under Ordinance XXXX (Proposed Ordinance 2019- _____).

I. "Regional action plan" means the plan created to identify regional resource needs and guide decision making goals.

J. "Seattle" means the city of Seattle.

NEW SECTION. SECTION 3. A public development authority is hereby created in accordance with

RCW 35.21.730 through 35.21.755, with powers and limitations set forth in its charter and this chapter, to receive revenues from the county, Seattle and other public and private sources and to provide consolidated, aligned services for individuals and families who are experiencing homelessness or challenged by housing insecurity in the jurisdictional boundaries of King County.

NEW SECTION. SECTION 4. The name of the public development authority shall be the King County Regional Homelessness Authority.

NEW SECTION. SECTION 5. The charter of the authority as set forth in Attachment A to this ordinance, is hereby approved. The clerk of the council shall, within ten days following the effective date of this section, issue the charter in duplicate originals, each bearing the county seal attested by the clerk of the council. The clerk of the council shall file and record one original charter with the records and licensing services division and provide one copy of the charter to the county executive on behalf of the authority.

NEW SECTION. SECTION 6.

A. The charter may be amended by the county council by ordinance to comply with changes in state law or to make the charter consistent with this chapter. Notice of the amendments shall be provided in accordance with the charter.

B. The charter may also be amended by resolution of the governing board, and upon the affirming vote of the county council and Seattle City Council, with the concurrence of any additional parties as outlined in the charter. An amendment adopted by resolution of the governing board must also be consistent with this chapter and shall require an affirmative vote of two-thirds of the members of the governing board.

C. All amendments shall be issued in duplicate originals, each signed by the county executive, at which time the charter amendment shall be effective. One original amendment shall be filed by the clerk of the council as a public record. One original amendment shall be delivered to the authority by the clerk of the council.

NEW SECTION. SECTION 7. Except as limited by this chapter or the charter, the authority may

exercise all lawful powers necessary or convenient to effect the purposes for which it is organized and to perform authorized corporate functions, as provided in its charter and bylaws.

NEW SECTION. SECTION 8. To the maximum extent permitted by law, the authority is an independent legal entity. All debts, obligations and liabilities incurred by the authority shall be satisfied exclusively from the assets and properties of the authority and no creditor or other person shall have any recourse or right of action against the county, Seattle or any other public or private entity or agency on account of any debts, obligations or liabilities of the authority unless explicitly agreed to in writing by the entity or agency.

NEW SECTION. SECTION 9.

A. A steering committee is hereby established, composed of the following members:

1. The county executive;
2. One member of the county council;
3. The Seattle mayor;
4. One member of the Seattle city council;
5. Up to two elected officials from cities other than Seattle, as specified in the charter; and
6. Two members representing stakeholders who have experienced homelessness, as specified in the

charter.

B. The sole duties of the steering committee are:

1. Confirming and removing governing board members for cause as provided in the charter;
2. Confirming without amendment the five-year plan;
3. Receiving an annual performance report from the governing board, and
4. Confirming without amendment the annual budget presented by presented by the governing board

that is consistent with the five-year plan.

5. If the steering committee does not make any of confirmations described above, it shall

communicate the reasons for that decision to the governing board.

C. All action of the steering committee shall require an affirmative vote of a simple majority of its members voting on the issue.

D. At all meetings of the steering committee, a quorum of the members must be in attendance in order to do business on any issue. A quorum consists of a majority of the members in number, excluding any steering committee member who has given notice of withdrawal or has been terminated as a member by vote of the steering committee.

NEW SECTION. SECTION 10.

A. A governing board composed of eleven members is hereby created to manage the authority and provide strategic vision, community accountability and robust oversight for the authority. The management of all authority affairs shall reside in a governing board. The governing board shall exercise its duties in accordance with the requirements and limitations specified in the charter. Appointments to the governing board and removal of governing board directors shall be in accordance with the charter.

B. At all meetings of the governing board, a quorum of the governing board must be in attendance in order to do business on any issue. A quorum consists of a majority of the governing board members in number, excluding any governing board member who has given notice of withdrawal or has been terminated as a member by vote of the governing board.

NEW SECTION. SECTION 11. The authority may adopt and amend bylaws that are consistent with the charter to provide rules for governing the authority and its activities. The adoption and amendment of bylaws shall require an affirmative vote of a two-thirds of the then-current members of the governing board.

NEW SECTION. SECTION 12. The governing board may appoint, designate, employ and remove an executive director of the authority. The executive director shall be responsible for hiring other personnel as determined to be needed to carry out the authority duties. The executive director shall be responsible to the governing board for the administration of the affairs of the authority as may be authorized by resolution of the

governing board, including, but not limited to:

- A. Supervision and management of the authority's administrative affairs;
- B. Signing documents and contracts on behalf of the authority; and
- C. Performing such other duties as delegated or assigned by the governing board.

NEW SECTION. SECTION 13. The governing board shall empower a continuum of care board created in accordance with 24 C.F.R. Part 578, or its successor regulation, to act as an advisory committee or establish an advisory committee to serve in an advisory capacity to the governing board and to provide a broad array of perspectives, which members of the advisory committee shall be appointed by the governing board. The advisory committee shall be comprised of individuals with experience related to preventing and ending homelessness, as specified in the charter.

NEW SECTION. SECTION 14.

A. Proceedings for dissolution of the authority may be initiated by the county council on its own motion, by request of the Seattle city council or the council of an additional party or, if the governing board makes an affirmative finding that dissolution is necessary or appropriate, by the governing board adopting a resolution requesting that the county dissolve the authority. In all cases, dissolution requires an affirmative finding of the county council and Seattle city council that dissolution is warranted, with the concurrence of any additional parties. Notice of any intended dissolution shall be provided in accordance with the charter. Dissolution shall not take effect until proper provision has been made for disposition of all the authority assets and liabilities.

B. Upon adoption of resolutions for dissolution of the authority, the governing board shall, by resolution, approve a dissolution statement that includes such matters as are specified in the charter.

C. Upon satisfactory completion of dissolution proceedings, the county shall indicate the dissolution by inscription of "charter cancelled" on the charter, and file the cancelled charter with the clerk of the council, with a duplicate original to the authority. At that point, the existence of the authority ceases. The county shall

give notice of the dissolution in accordance with Washington state law and to other persons requested by the authority in its dissolution statement.

D. The county, trustee or court may provide for the transfer of any of the authority rights, assets or property to a qualified entity or entities to fulfill the purposes for which the authority was chartered.