

December 9, 2019

MEMORANDUM

To: Select Committee on Homelessness and Housing Affordability
From: Jeff Simms and Traci Ratzliff, Analysts
Subject: Proposed Changes to Interlocal Agreement Establishing King County Regional Homelessness Authority

On Thursday, December 5, 2019, the King County Council Regional Policy Committee (RPC) voted to approve the proposed Interlocal Agreement (ILA) that would establish a King County Regional Homelessness Authority. Later that day, the Seattle City Council's Select Committee on Homelessness and Housing Affordability (Select Committee) met and discussed the proposal approved by the RPC. At that meeting, Councilmembers discussed several potential amendments to the proposal.

This memo describes the amendments and, at the direction of Councilmember Bagshaw, the amendments are incorporated into a substitute Attachment A to the proposed legislation ([Council Bill 119724](#)) that will be introduced at Full Council on Monday, December 9. The Select Committee will discuss and may vote on the proposal at the December 12 Select Committee meeting.

Proposed Amendments:

- 1. Evidence-based requirements for sub-regional plans:** A requirement is added that sub-regional plans will "align with the guiding principles" of the regional authority and clarifies that the guiding principles include "evidence-based" approaches explicitly. In addition, the definition of the five-year plan is modified for further consistency.
- 2. Funds spent on evidence-based approaches:** This amendment adds language to require that authority spending is in alignment with the regional authority's guiding principles.
- 3. Higher threshold for Governing Committee Changes and CEO Removal:** This amendment makes changes to the ILA to require an affirmative vote of a majority of the Governing Committee when approving budgets, plans, etc. Amending those plans or removing the CEO would require an absolute minimum of eight votes. The intent is to establish a high standard should the Governing Committee desire to make changes to the work of the Implementation Board and to ensure that the work proceeds in a timely manner. Because one of the King County Councilmembers on the Governing Committee must represent a district outside of Seattle, we interpret this threshold as ensuring that at least one elected official focused on suburban concerns must be in support to proceed.

4. **Ombuds reporting:** This amendment adds language requiring that the Office of Ombuds provides a report to the Governing Board at least once per year. Currently, the office is required to provide a report only to the Implementation Board.
5. **Annual Performance Report:** Language is added requiring that the Authority provide an annual performance report to the Seattle City Council and the King County Council. Existing language requires that the Authority provides this report only to the Governing Committee, which would continue to receive the report.
6. **Technical fix to Implementation Board Requirements:** The proposal as approved by the RPC would require that appointees to the Governing Committee and Implementation Board reflect the racial and ethnic composition of the county. We believe that the new language for the Governing Committee is not problematic as the language used regarding such appointments is permissive. However, the language used related to the appointments to the Implementation Board is mandatory. The City Attorney's Office identified potential risk with the mandatory requirement. Furthermore, the intention of the RPC amendment is to ensure representation of racial and ethnic groups that reflects the racial and ethnic composition of people residing in King County, however, that may not reflect the composition of people experiencing homelessness. This amendment requires that the appointing agencies "strive to" appoint members to the Implementation Board that reflect the racial and ethnic make-up of King County; this change should address this issue raised by the City Attorney's Office.
7. **Technical fix to Implementation Board proposing amendments:** This amendment clarifies that the Implementation Board may propose amendments to the ILA to the City and County if two-thirds of the Implementation Board supports the proposal. Without the amendment, a potential interpretation is that the Implementation Board must approve any change to the ILA.

A chart comparing the proposed amendments to the version of the ILA approved by the RPC is provided in Attachment 1 to this memo.

Attachments:

1. Chart Comparing King County Council Regional Policy Committee Approved Changes versus City Council Proposed Changes to Interlocal Agreement

cc: Kirstan Arestad, Executive Director
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