

SKHHP Executive Board
January 22, 2021, 1:00 – 3:00 PM
Virtual – Zoom Meeting

Video conference:

<https://zoom.us/j/99036017551?pwd=RUFXWFFGZIBvTXh4K0h1TDZlZkZUQT09>

OR by phone: 253-215-8782

Meeting ID: 990 3601 7551 | Password: 728996

- I. Call to Order
 - a. Roll Call
 - b. Introductions
- II. Review Agenda/Agenda Modifications
- III. Approval of November 20, 2020 Minutes – *Attachment A (action item)*
- IV. Educational Item
 - a. 501(c)(3) Informational Overview – Pacific Law Group *(20 minutes)*
- V. Election of Chair and Vice-Chair positions *(10 minutes) (action item)*
- VI. Old Business
 - a. Draft SHB 1406 Interlocal Agreement *(15 minutes) Attachment B (action item)*
 - b. SKHHP Advisory Board *(40 minutes) Attachment C*
- VII. New Business
 - a. Federal Legislative Priorities – discussion *(15 minutes) Attachment D (possible action item)*
- VIII. May meeting schedule
- IX. Updates/Announcements *(as time allows)*
- X. Next Meeting – February 26, 2020 - TBD
- XI. Adjourn

DRAFT**Interlocal Agreement For the Purpose of Pooling Sales Tax Receipts with South King Housing and Homelessness Partners (“SKHHP”) Cities to Administer Funds Under RCW 82.14.540**

This Interlocal Agreement (“Agreement”) is entered into by and between the Cities of Auburn, Burien, Des Moines, Federal Way, Kent, Normandy Park, and Tukwila each municipal corporations and political subdivisions of the State of Washington (individually, a “Party” and collectively, “the Parties”).

WHEREAS, this Agreement is made pursuant to the Interlocal Cooperation Act, chapter 39.34 RCW, and has been authorized by the legislative body of each jurisdiction to address the use of pooled tax receipts for affordable and supportive housing sales and use tax in accordance with RCW 82.14.540(10).

WHEREAS, SKHHP was formed on January 1, 2019 by Interlocal Agreement among the jurisdictions of Auburn, Burien, Covington, Des Moines, Federal Way, Kent, Normandy Park, Renton, Tukwila, and King County (the “SKHHP Interlocal Agreement”); and

WHEREAS, after SKHHP was formed, the Washington State Legislature passed Substitute House Bill (SHB) 1406, which was signed into law by the Governor, and is now codified at RCW 82.14.540; and

WHEREAS, RCW 82.14.540 authorizes the legislative authority of a county or city to impose a local sales and use tax for affordable and supportive housing to income-eligible persons; and

WHEREAS, RCW 82.14.540 stipulates the moneys collected or bonds issued through this sales tax credit may only be provided to persons whose income is at or below 60 percent of the median income of the county or city imposing the tax and may only be used for the following purposes: (i) acquiring, rehabilitating, or constructing affordable housing, which may include new units of affordable housing within an existing structure or facilities providing supportive housing services under RCW 71.24.385; or (ii) funding the operations and maintenance costs of new units of affordable or supportive housing; and

WHEREAS, funding to support the acquisition, rehabilitation, and new construction of affordable housing, and operation and maintenance costs of new affordable housing is critical to providing an array of housing opportunities for residents; and

WHEREAS, RCW 82.14.540 allows cities with a population of one hundred thousand or less to use moneys collected for providing rental assistance to tenants in addition to the affordable housing purposes listed above. As of the date of this Agreement, although at least some of the Parties have a population of one hundred thousand or less, all such Parties intend

that the funds they contribute pursuant to this Agreement shall not be used for providing rental assistance; and

WHEREAS, within six months of the effective date of RCW 82.14.540, each of the Parties adopted a resolution of intent to authorize the maximum capacity of the tax, and within 12 months, each of the Parties adopted legislation authorizing the maximum capacity of the tax; and

WHEREAS, on November 22, 2019, the SKHHP Executive Board took unanimous action to adopt SKHHP Resolution 2019-06 urging each of the nine member jurisdictions to pool 100 percent of the tax receipts collected under the provisions of RCW 82.14.540 which expressly anticipates pooling of tax receipts received under RCW 82.14.540 if done pursuant to this Agreement; and

WHEREAS, the Parties wish to act cooperatively to pool tax receipts received in individual cities to allow the use of funds to leverage other funds and make a more meaningful and significant impact on affordable housing challenges in south King County consistent with this Agreement and RCW 82.14.540; and

WHEREAS, pooling RCW 82.14.540 sales tax receipts with SKHHP will establish a regional funding source that will help to establish regional-decision making and shared housing solutions and increased investment in affordable and supportive housing in south King County.

NOW, THEREFORE, in consideration of the mutual promises, benefits, and covenants contained in this Agreement, the Parties incorporate by reference and agree to the above recitals and the following terms and conditions:

- A. Purpose. The purpose of this Agreement is to allow each of the Parties to pool all or a portion of its tax receipts received under RCW 82.14.540 for use by SKHHP in funding affordable and supportive housing projects and/or programs as permissible under RCW 82.14.540.
- B. Responsibilities and Authority. For the purposes of RCW 39.34.030(4)(a), the SKHHP Administering Agency is designated as the administrator responsible for overseeing and administering the joint or cooperative undertaking contemplated by this Agreement. No property shall be acquired by the Parties to this Agreement by reason of this joint or cooperative undertaking.
- C. Pooled Funds. The legislative body of each Party shall consider whether it will pool with SKHHP all or a portion of its RCW 82.14.540 tax receipts. Each Party that determines that it will pool all or a portion of its RCW 82.14.540 tax receipts shall transfer the funds to be pooled into the SKHHP Housing Capital Fund.

- D. Uses of Pooled Funds. Consistent with the permissible uses of funds set forth in RCW 82.14.540, SKHHP will distribute funds pooled under this Agreement only for the following purposes that serve persons whose income is at or below 60 percent of the median income:
- a. Acquiring, rehabilitating, or constructing affordable housing, which may include new units of affordable housing within an existing structure or facilities providing supportive housing services under RCW 71.24.385; and/or
 - b. Funding the operations and maintenance costs of new units of affordable or supportive housing.
- E. Selection of Funding Awards involving Pooled Funds. SKHHP intends to periodically invite applications for funding for projects and/or programs eligible for funding under the SKHHP Interlocal Agreement. For each round of funding applications for which SKHHP intends to use funds pooled under this Agreement, the following shall apply:
- a. The SKHHP Executive Board will identify funding guidelines that will include, but not be limited to: the amount of available funding, household income targets, funding priorities, eligible activities and geographic areas, regulatory terms, other award terms/reporting requirements, application contents, review process, evaluation criteria, and the schedule for funding allocation.
 - b. The SKHHP Advisory Board, to be established by the SKHHP Executive Board as outlined in the SKHHP Interlocal Agreement, will provide recommendations to the SKHHP Executive Board on the strategic funding priorities and the allocation of tax receipts collected through this Agreement. These recommendations will consider south King County housing needs, other funding sources that support affordable housing and supportive housing, local housing needs, and equitable geographic distribution of funds.
 - c. The SKHHP Executive Board shall consider the recommendations of the SKHHP Advisory Board to decide both the recommended funding awards for selected projects and/or programs and the specific funding from each participating Party consistent with the SKHHP Executive Board Powers.
 - d. Funding will be limited to projects or programs that are within the SKHHP sphere of influence as identified in the SKHHP Interlocal Agreement and meet the eligibility criteria of RCW 82.14.540.
- F. Expenditure of Pooled Funds; Legislative Authority of Each Party.
- a. As provided in the SKHHP Interlocal Agreement, the SKHHP Executive Board will recommend to the individual legislative bodies various terms to accompany their authorizations. Terms shall be consistent with RCW 82.14.540 and may include but will not be limited to: the amount of funds allocated, project description, minimum

affordability requirements, nature of funding commitment (loan, grant, or other), and general repayment terms for loans, if applicable.

- b. Before any Party's pooled funds are awarded or distributed for funding of a project or program selected pursuant to Section 4 "Selection of Funding Awards involving Pooled Funds" of this Agreement, the legislative body of such Party shall authorize the application of a specified amount of its 82.14.540 tax receipts in its Individual Account, as provided in Section 14 of the SKHHP Interlocal Agreement.
 - c. SKHHP may only award and distribute a Party's pooled funds after a Party's legislative body has approved participation in this Agreement.
- G. Administration. Funds collected through this Agreement shall be administered through the SKHHP Housing Capital Fund as outlined in the SKHHP Interlocal Agreement and administered by the SKHHP Administering Agency. The SKHHP Administering Agency will maintain records sufficient to separately track the deposits and withdrawals within each Individual Account and each project account.
- H. Reporting. In addition to reporting requirements under the SKHHP Interlocal Agreement, SKHHP will submit an annual report to the Parties of work plan progress that includes, but is not limited to, housing priorities, strategies, capital funding investments, use of pooled RCW 82.14.540 tax receipts, and other SKHHP accomplishments.
- I. Audit. The Parties acknowledge that the expenditure of all funds will be subject to audit by the state auditor or other authorized entity. The SKHHP Administering Agency reserves the right to review, monitor, or audit the use of these funds as deemed necessary. Such activities may occur with or without notice.
- J. Termination or Withdrawal. This Agreement may be terminated at any time by an affirmative vote of a majority of the legislative bodies of the Parties to this Agreement. If a Party wishes to withdraw from participation in this Agreement, it may do so with written notice to the SKHHP Executive Board of its intention to withdraw, due on or before July 1 of a year and become effective as of 11:59 p.m. on December 31 of that year. Upon termination of this Agreement or Party withdrawal from this Agreement, all uncommitted pooled RCW 82.14.540 tax receipt moneys in the SKHHP Housing Capital Fund will be distributed to the Parties in case of termination of the Agreement, or individually to any Party withdrawing from the Agreement, by remitting the total uncommitted amounts remaining in the Party's Individual Account to that Party, unless otherwise authorized by the legislative authority of that Party.
- K. Additional municipalities. This Agreement may be expanded to include additional SKHHP municipalities through the execution of a companion agreement that is consistent with this Agreement and the SKHHP Interlocal Agreement, and upon an affirmative vote of a two-thirds majority of the membership of the SKHHP Executive Board.

- L. Amendments. Any amendments to this Agreement must be in writing. This Agreement may be amended upon approval of at least two-thirds of the legislative bodies of all Parties to this Agreement, evidenced by authorized signatures of those Parties as of the effective date of this Agreement, however, any amendment to this Agreement affecting the terms and conditions of membership, provisions regarding duration, termination or withdrawal, or the conditions of this Section will require consent of the legislative authorities of all Parties. This Section shall not be construed to require amendment of this Agreement for the addition of a new Party contemplated under Section 11.
- M. Effective date. This Agreement will become effective _____, subject to its approval by the legislative bodies of all participating jurisdictions, and pursuant to RCW 39.34.040. Although this Agreement may be approved and signed by a Party after the Agreement's effective date, all acts consistent with the authority of this Agreement that occur on or after _____, are hereby ratified and affirmed, and the other terms of this Agreement will be deemed to have applied.
- N. Agreement Duration. This agreement will be in full force and effect for a period commencing on the Effective Date and ending []. This agreement will automatically renew for successive two-year terms, unless sooner terminated under provisions of this agreement.

TO BE FOLLOWED BY SIGNATURE PAGES FOR EACH PARTICIPATING JURISDICTION

To: SKHHP Executive Board
From: Trish Abbate and Angela San Filippo
Date: January 22, 2020
RE: SKHHP Advisory Board outreach summary

BACKGROUND

The SKHHP Interlocal Agreement calls for the creation of a SKHHP Advisory Board to provide guidance and recommendations to the Executive Board. The Interlocal Agreement includes a broad outline of the Advisory Board but additional detail is needed to define the function, representation, and operating procedures of the Advisory Board.

In July 2020, the SKHHP Executive Board approved the Advisory Board outreach plan as proposed by the SKHHP staff workgroup. The outreach plan provided a framework for conducting strategic community outreach for the purpose of seeking direct community input into the structure of the Advisory Board. Through both the SKHHP staff workgroup and Executive Board, each jurisdiction identified three to four individuals, organizations, or community groups strongly connected to housing needs/services in the community, and represent diverse community perspectives and populations that are the most disproportionately impacted by the housing crisis.

During the fall of 2020, SKHHP staff held 22 one-on-one conversations, and in some cases small group conversations, to collect input from the community members identified in the outreach plan. These conversations included community members engaged in housing and homelessness issues as residents of South King County; directors, employees, and volunteers with grass roots and community based organizations; and members of the faith based community. Individual experiences ranged from providing housing services, advocating for affordable housing and services for people experiencing homelessness, and people personally impacted by housing instability.

The conversations were structured to include an overview of SKHHP's overall mission and purpose, makeup of the SKHHP Executive Board, and current decision-making process. The conversations were facilitated by SKHHP staff to hear from community members on what housing issues facing their communities the SKHHP Advisory Board can have the most impact on, who should be represented on the Advisory Board, and how the Advisory Board should be structured.

A list of individuals and organizations that took part in the outreach conversations is included in the last section of this memo, Advisory Board Outreach Conversations.

NEXT STEPS

At the February Executive Board meeting SKHHP staff will provide an informational session and facilitated discussion focused on successful advisory board/committee work in the community. The goal is to create a shared foundation as SKHHP operationalized the Advisory Board.

SKHHP staff and the staff workgroup will combine input from the Executive Board, the Advisory Board community outreach feedback, and case study research into successful and impactful advisory boards/committees into a proposal for Executive Board consideration. The proposal will include the Advisory Board structure, qualifications for advisory board members, and a recruitment and selection process.

OUTREACH SUMMARY

The following is a summary of the common themes, and suggestions and concerns regarding the formation of the SKHHP Advisory Board expressed by participants in the outreach conversations.

1. Common themes

A. Housing Issues

- Importance of intergenerational housing
 - Example: Accessory Dwelling Units
- More housing for households earning below 70% of Area Median Income
- Diversify housing options
- Pursue zoning changes – too much land going to too few homes
- Opportunities to build intergenerational wealth
 - Support for low income earners to access home ownership
- Create inclusive communities
 - Provide sense of home/belonging for existing communities
 - Multicultural community centers with language access
- Displacement and actively losing affordability across South King County
- Barriers to accessing housing (i.e. evictions, criminal history)
- Housing production not keeping pace with need
- Acknowledge and address inequities of current and historic housing systems
 - Example: Black, Indigenous, and people of color (BIPOC) households may need higher homeownership subsidy than white household because of inequitable access to resources and financing

B. Homelessness

- Disproportionate impact on BIPOC communities
 - Example: 70% of Seattle homeless identify as BIPOC but very few represented in in tiny home sites

C. Funding

- Reparations for Indigenous communities
 - Example: Housing trust fund for native populations
- Funding for supportive housing and services
- Public/private partnerships are needed to respond to this crisis
 - Amazon focusing on Mary's Place in Seattle but smaller organizations throughout South King County doing essential work who don't have access to the same opportunities
 - Philanthropic and corporate investment needs to be part of solution

D. Tenant Concerns

- Discrimination toward immigrants and refugees
 - Refugees coming through resettlement agencies are provided with "affordable" housing that is not affordable – fear of landlord retaliation, unsafe/unhealthy conditions
- Families evicted after mom gives birth and exceed occupancy limit
- Need for legal help and other tenant resources
- Rental housing quality concerns

E. COVID related

- Need to address long-term goals while also addressing emergent needs
- Supply chain impacts of COVID increasing development cost and/or limiting development feasibility
- Critical to keep people housed
 - Costs less to help with rental assistance than cost of homelessness
- Inability to meet the explosion of need

2. Advisory Board Suggestions

A. Representation – importance of diverse voices

- Diversity of race, gender, cultural, socioeconomic status, intergenerational

- Folks who are usually not at the table (marginalized groups are not monolithic)
 - Indigenous, East/Southeast Asians
 - Seniors
 - LBGTQ+
 - Domestic violence survivors
 - Veterans
 - People with criminal record
 - People with a disability
 - Youth
- Tenant rights advocates
- People with different housing experiences (renters, homeowners, landlords, developers)
- Representation based on those most impacted by rising housing costs and homelessness
 - Example: people who have/are experiencing homelessness
- Emergency responders (fire and police departments)

B. Structure and Decision-making

- Consensus/collaborative model vs rush to vote
- Set up like other city commissions where decisions have to be vetted through Advisory Board
 - All policy or funding decisions vetted by Advisory Board
 - Executive Board doesn't have to act on recommendation but have to have opportunity for decisions to be vetted through Advisory Board.
- Additional community engagement and outreach - get feedback from as many people as possible
 - Survey people throughout SKC to hear a broader perspective on what they need the most
 - Provide ways for Advisory Board and Executive Board to connect with communities they intend to serve
- Equitable access for participants
 - Provide language access, incentives, creative ways to transcend digital divide

- Robert’s Rules of Order and other types of bureaucracy and systems not understood by all; consider other ways to conduct meetings, enable decision-making, and give opportunities for expression
- Build level of trust around authentic relationships within the advisory board to facilitate honest conversations and transparency
- Consider rotating seats at the table to facilitate more diverse representation
- Strong connection/relationship between Advisory Board and Executive Board needed for true power-sharing
 - Example: liaison between boards
 - Example: peer-to-peer partnerships between Advisory Board members and between Advisory Board and Executive Board (i.e. lived experience with service providers)
- Incorporate educational component (i.e. understanding the face of homelessness, who benefits from affordable housing)
- Collaborate with existing groups
 - Lived Experience Coalition
 - Regional Homelessness Authority
- Strong staff support needed (meeting facilitation, minutes, etc.)
- Provide initial grounding in racial equity – bake in to the process
- Ensure accountability
 - Allow for Advisory Board to define success
 - Recorded meetings are available on website
- Set up for success by creating an introduction period focused on relationship building, education, training, and grounding in racial equity

3. Advisory Board Concerns

- King County forces solutions on jurisdiction without input (i.e. Red Lion in Renton)
- Impacts of immigration status on housing planning/acquisition of housing
- Need more details on process/timeline for advisory board formation
- Questions on the decision-making power of advisory board
 - Concern that committee will give feedback/recommendation to Executive Board that is not acted upon

- Looking through an equity lens, what we are trying to do has a lot to do with who makes the decisions
- Not interested in serving on a board with no power/impact
- Feedback gathering and being part of something to make SKHHP look good by saying we have an advisory board is problematic
- Very interested in being part of something that will impact community directly
- Ensure diverse representation of Advisory Board members by establishing expectation in charter
- Power balance within Advisory Board
 - Example: voices of lived experience on King County Regional Homelessness Authority can always be out voted
- Historic and current galvanization of power that does not represent communities they serve
 - Example: SKHHP leadership does not have necessary BIPOC and lived experience representation

ADVISORY BOARD OUTREACH CONVERSATIONS

King County (unincorporated areas)

- Maria Ramirez, Duwamish Affordable Housing Coalition
- Robin Corak & Amanda Santo, Multiservice Center
- Ryan Quiglar, Renton Innovation Zone Partnership (Unincorporated KC contact)

Auburn

- Judi Roland, State Rep for Auburn, Auburn City Council
- Madison Jamarillo, Arcadia Services Director / Nexus

Burien

- Alyson Moon, Mary's Place Director of Community Impact
- Irene Danysh, Community Visions
- Ravenna Candy, Navos
- Virginia Herrera-Paramo, Para Los Ninos

Covington

- Andrea Mendoza, St John the Baptist / Safe Parking Program

Des Moines

- Alena Rogers, Community Advocate

- Cynthia Ricks-Maccotan, CHI Franciscan Health – Youth Violence Prevention Coordinator

Federal Way

- Lydia Assefa-Dawson, KCHA / City of Federal Way Councilmember
- Lyn Idahosa, Federal Way Black Collective
- Robin O’Grady, FUSION

Kent

- Ginger Kwan, Open Doors for Multicultural Families Executive Director
- Navid Hamidi, Afghan Health
- Paul Tan, Kent Youth & Family Services Director of Programs
- Risho Sapano, Mother Africa

Renton

- Kim-Khanh Van, City of Renton Councilmember
- Linda Smith, SKY Urban Empowerment Center / Renton African American Pastors (RAAP)

Tukwila

- Jonathan Joseph, Tukwila Children’s Center Executive Director

DRAFT RESOLUTION NO. 2021-01

A RESOLUTION OF THE EXECUTIVE BOARD OF THE SOUTH KING HOUSING AND HOMELESSNESS PARTNERS (SKHHP), ADOPTING 2021 FEDERAL POLICY PRIORITIES

WHEREAS, the SKHHP Executive Board has agreed to advocate for certain federal policy issues for 2021; and

WHEREAS, the actions of federal legislation can have a profound effect on local, regional, and state issues, services, and funding which can impact SKHHP’s ability to pursue its mission and goals, and each participating jurisdiction’s ability to provide local services to its residents; and

WHEREAS, the SKHHP Executive Board recognizes these priorities are not all encompassing, in that certain additional items may arise during the year that require support or opposition; and

WHEREAS, the SKHHP Executive Board believes that it is appropriate to communicate its position regarding issues affecting the housing and homelessness issues to United States Legislators; and

WHEREAS, the SKHHP Executive Board agreed to these priorities at the Executive Board meeting on _____, 2021.

NOW, THEREFORE, THE EXECUTIVE BOARD RESOLVES as follows:

Section 1. The SKHHP Executive Board adopts the SKHHP 2021 Federal Policy Priorities as shown in Attachment 1.

Section 2. SKHHP staff shall distribute a copy of the 2021 Federal Policy Priorities to the appropriate Federal representatives and to other government entities and organizations.

Section 3. SKHHP staff shall work with other organizations and agencies with shared legislative priorities and advocate, testify, and/or otherwise promote legislative support for the SKHHP priorities.

Section 4. This Resolution will take effect and be in full force on passage and signature.

Dated and Signed this _____ day of _____, 2021.

SOUTH KING HOUSING AND HOMELESSNESS PARTNERS

NANCY BACKUS, CHAIR

South King Housing and Homelessness Partners (SKHHP) is a coalition of 10 jurisdictions working together and sharing resources in order to increase the available options for South King County, Washington State residents to access affordable housing and to preserve the existing affordable housing stock.

SKHHP supports the following federal legislative priorities for 2021:

UPHOLD FAIR HOUSING

Reinstate HUD's 2015 Affirmatively Furthering Fair Housing (AFFH) Rule and Assessment of Fair Housing process. Take steps to implement the Fair Housing Act's AFFH mandate for all housing and community development programs throughout the federal government, as envisioned in the Fair Housing Act and Executive Order 12892.

ENSURE FEDERAL RESPONSES TO THE COVID-19 PANDEMIC ARE FAIR AND EQUITABLE

Additional eviction protections, emergency rental assistance, resources to respond to and prevent outbreaks among people experiencing homelessness, and other funds and protections to ensure housing stability will be needed throughout 2021.

Work to ensure a complete and equitable housing recovery for the lowest income and most marginalized households, including people of color, people with disabilities, people experiencing homelessness, seniors, families with children, immigrants, and other individuals and their communities.

ENHANCE AND PROTECT REVENUE TOOLS FOR AFFORDABLE HOUSING AND HOMELESSNESS SERVICES

Expand the low income housing tax credit (LIHTC) program. The LIHTC program is the largest and most successful tool for financing housing production and preservation of affordable rental housing.

Expansion of this program is critical for addressing affordability across the region.

Protect and expand the National Housing Trust Fund housing resource targeted to help build and preserve housing affordable to people with the lowest incomes.

Preserve and increase HUD resources for federal affordable housing programs including: CDBG, HOME, Section 4, project-based and rental-based rental assistance.

Contact:

Angela San Filippo
Executive Manager
asanfilippo@skhhp.org

