

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON**

**RESOLUTION
NO. 2010-_____**

**A Resolution Amending the Kittitas County Homelessness and Affordable Housing
Committee's Grant Application, Guidelines and Instructions for Distribution of ESSHB
2163 Homeless Housing and Assistance Funds Pursuant to RCW 36.22.179**

WHEREAS, the Washington State Legislature enacted RCW 36.22.179 which became effective July 24, 2005, as later amended ("ESSHB 2163 homeless surcharge funds"); and

WHEREAS, in 2002, RCW 36.22.178 authorized a Ten Dollar surcharge on certain documents recorded with the County Auditor's office for the purpose of providing funds to operate and maintain low-income housing projects ("SHB 2060 surcharge funds"); and

WHEREAS, thereafter, in addition to the surcharge authorized in RCW 36.22.178 (surcharge to provide affordable housing) the homeless surcharge funding bill under RCW 36.22.179 authorized a further Ten (10) Dollar surcharge on documents recorded through the County Auditor's office for the purpose of providing funds for homeless housing programs, with an increase to Thirty (30) Dollars by HB 2331 effective July 26, 2009, such increase incorporated by reference herein without further resolution by the Board of County Commissioners; and

WHEREAS, by Resolution No. 2005-96, on July 19, 2005, the Board of Kittitas County Commissioners established a separate Homelessness Housing and Assistance Fund for deposit and accounting of the Ten Dollar homeless surcharge funds, (and increased to Thirty Dollars under HB 2331 on July 26, 2009), required to be collected by the County Auditor pursuant to ESSHB 2163, and

WHEREAS, the portion of the ESSHB 2163 surcharge funds retained by the County must be allocated to eligible homeless activities that serve households in the County and its Cities and Towns according to an Interlocal Agreement consistent with countywide and local housing needs and policies; and

WHEREAS, by Resolution No. 2005-98 on August 2, 2005, and Resolution No. 2005-154 on November 15, 2005, the Board of Kittitas County Commissioners created an ad hoc committee to assist the County in creating a plan for use of the ESSHB 2163 Homeless Housing and Assistance Funds; and

WHEREAS, by Resolution No. 2006-151 on November 7, 2006, after recommendation by the County's Homelessness Assistance Act Planning Committee, the Board of Kittitas County Commissioners adopted a plan to guide programs created to reduce homelessness in

Kittitas County and forwarded its plan to the Washington State Department of Community Trade and Economic Development as required by law; and

WHEREAS, by Resolution 2008-174 on December 16, 2008, the Board of Kittitas County Commissioners combined the former Affordable Housing with the former Homelessness Committee, to address comprehensively the issues of homelessness and affordable housing; and

WHEREAS, said Committee, was named the Kittitas County Homelessness and Affordable Housing Committee,
and

WHEREAS, by Resolution No. 2009-12 on February 3, 2009 and after public comment and hearing, the Board of County Commissioners adopted a Plan presented by the Kittitas County Homelessness and Affordable Housing Committee, which plan was consistent with direction by the Board of County Commissioners;

WHEREAS, after approval by the Board of County Commissioners of the Committee's Plan and funding framework, the Homelessness and Affordable Housing Committee prepared a set of Guiding Principles, together with a Grant Application and Instructions, subject to the Board's approval, to serve as a framework for allocating the homeless surcharge monies to the various homeless housing projects permitted under ESSHB 2163, RCW 36.22.179; and

WHEREAS, after review of the Homelessness and Affordable Housing Committee's recommended Guiding Principles and its proposed Grant Application and Instructions, the Board of Kittitas County Commissioners adopted Resolution 2009-72 on May 19, 2009, __approving the same for use in the application process pursuant to applicable Interlocal Agreements,

WHEREAS, after using the adopted guidelines in 2009, the Committee recommends the following changes to these guidelines for use in 2010:

- a. Consistent language changes to Section 2 Local Plan Guiding Principles allowing up to 12% of funding to be used for administrative costs of the grant.
- b. Changes in Section 2-G to allow for two grant periods per year, starting February 1, 2010.
- c. Changes to Section 4 requiring specified goal statements for the project.
- d. Changes to Section 5 clarifying the signature of the Certifying Official of the Local Jurisdiction

NOW, THEREFORE, BE IT RESOLVED: After review of the Homelessness and Affordable Housing Committee's recommended amended Grant Application, Guidelines and Instructions, the Board of Kittitas County Commissioners adopts the same for use in the application and grant process according to law.

DATED this _____ day of _____, 2010, at Ellensburg, Washington.

**BOARD OF COUNTY COMMISSIONERS
KITITAS COUNTY, WASHINGTON**

ATTEST:

Mark McClain, Chair

CLERK OF THE BOARD

Paul Jewell, Vice Chair

APPROVED AS TO FORM:

Alan Crankovich, Commissioner

Deputy Prosecuting Attorney

Homelessness Prevention and Reduction Funds

Grant Application, Guidelines, and Instructions (Amended January 19, 2010)

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(For BOCC and Committee Use Only)

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Section 1 – The Homeless Assistance Act Program

The Washington State Legislature passed ESSHB 2163, the Homeless Housing and Assistance Act ("the Act"), into law in April 2005. The law requires each county in Washington State to have a Homeless Housing Task Force to prepare and recommend to its local government legislative authority a ten-year homeless housing plan for its jurisdictional area which shall be not inconsistent with the Washington State Department of Community Trade and Economic Development's ("department" or "CTED") statewide temporary guidelines, for the December 31, 2005, plan, and thereafter the department's ten-year homeless housing strategic plan and which shall be aimed at eliminating homelessness, with a minimum goal of reducing homelessness by fifty percent by July 1, 2015. The local government may amend the proposed local plan, to be adopted by December 31, 2005. Performance in meeting the goals of this local plan shall be assessed annually in terms of the performance measures published by the department. Local plans may include specific local performance measures adopted by the local government legislative authority, and may include recommendations for any state legislation needed to meet the state or local plan goals.

Section 9 of the Act establishes a fund at the County level, with one dollar of every instrument filing with the County Auditor to be collected by the County and used only for uses defined under the law and referenced herein.

Permissible Uses Under the Law

- (a) Rental and furnishing of dwelling units for the use of homeless persons;
- (b) Costs of developing affordable housing for homeless persons, and services for formerly homeless individuals and families residing in transitional housing or permanent housing and still at risk of homelessness;
- (c) Operating subsidies for transitional housing or permanent housing serving formerly homeless families or individuals;
- (d) Services to prevent homelessness, such as emergency eviction prevention programs including temporary rental subsidies to prevent homelessness;
- (e) Temporary services to assist persons leaving state institutions and other state programs to prevent them from becoming or remaining homeless;
- (f) Outreach services for homeless individuals and families;
- (g) Development and management of local homeless plans including homeless census data collection; identification of goals, performance measures, strategies, and costs and evaluation of progress towards established goals;
- (h) Rental vouchers payable to landlords for persons who are homeless or below thirty percent of the median income or in immediate danger of becoming homeless; and
- (i) Other activities to reduce and prevent homelessness as identified for funding in the local plan (e.g. discharge planning, case management, etc.).

Definition of "Homeless"

"Homeless person" means an individual living outside or in a building not meant for human habitation or for which there is no legal right of occupancy, in an emergency shelter, or in a temporary housing program which may include a transitional and supportive housing program if habitation time limits exist. This definition includes substance abusers, mentally ill people, and other disenfranchised persons who are homeless.

Section 2 -- Local Plan Guiding Principles

The following Guiding Principles are recommended to the Kittitas County Board of Commissioners (BOCC) for the implementation of ESSHB 2163, RCW 36.22.179.

A. Administration

The Kittitas County Board of Commissioners has primary responsibility for administration of the program, which funds are maintained by the County Auditor's office pursuant to RCW 36.22.179 until disposition is approved and made by the BOCC, after recommendation by the Kittitas County Homeless and Affordable Housing Committee.

B. Review Committee

The Kittitas County Homeless and Affordable Housing Committee ("The Committee") shall receive and make recommendations on grant applications and provide accountability for use of homeless assistance funds. The Committee members will be required to follow established conflict of interest policies, at a minimum those requirements outlined in statute at Title 42 RCW. The Kittitas County Board of Commissioners shall make the final determinations of awards.

C. Fund Availability

Annually, the BOCC shall publish a Request for Proposal (RFP) through its established methods during the first week of February and the first week of August. This notice will set forth the purpose; amount of funds available; term of funds to be awarded; deadline for submission of funding applications; where to obtain an application; and other information related to the application process.

In addition to the RFP Process, the Review Committee may, upon application, recommend disbursement of funds outside the annual RFP process to meet emergent needs.

D. Eligible Recipients

Eligible recipients of the homelessness funds shall be those agencies and individuals who demonstrate to the satisfaction of the Committee and the BOCC that they are qualified to utilize the homelessness funds in accord with law.

E. Preferences

Projects will be selected based on meeting the greatest County homeless assistance need which will be determined annually by assessing local census and homeless housing data. Projects will also be given preference based on their ability to meet one or more of the following criteria:

- Strength of the proposal to comprehensively address homelessness and affordable housing.
- The applicant's contribution toward total project costs, including in-kind.
- The project's increased housing options available for single persons and disenfranchised populations, as described in the "Gaps In Service" section of the Plan.
- The project's ability to leverage other funds.
- Support of the "housing first" principle as well as the priorities outlined in the 2009 Kittitas County Homeless Prevention Plan.
- The project's ability to sustain or strengthen existing resources.

F. Eligible Activities

Special consideration will be given to individuals or agencies that address the 2009 Priorities as outlined in Appendix 8 of the Kittitas County Homeless Prevention and Reduction Plan

- Increase emergency housing capacity in Kittitas County.
- Improve and/or develop new emergency, transitional or permanent affordable housing facilities in Kittitas County.
- Increase the number of housing opportunities available for single persons and disenfranchised populations.
- Connect homeless populations to services.
- Strengthen linkages between agencies providing services to homeless individuals/families.
- Provide additional case management to homeless populations.
- Funding help with rent payments when households lose their primary source of income.

G. Timeline for Applications

Applications Available:	February 1 and August 1
Applications Due:	March 1 and September 1
Decisions Announced by:	April 1 and October 1
Funds Available**:	

**After contracts/agreements signed

H. Terms and Conditions of Funding

- Projects must have measurable goals.
- Projects (e.g. housing projects, maintenance projects, rental assistance projects, etc.) must ensure they remain affordable to homeless and extremely low-income households and meet commitment guidelines, under RCW 43.185C.070(3)(d), for serving the target population for a period of at least twenty-five years.
- Projects must be consistent with local housing plans and policies.
- Project applicants must adhere to HUD's Fair Housing Act standards and State laws that govern the landlord-tenant relationship as set forth at RCW 59.18. Recipients governed by RCW 59.18 must enter into lease agreements with tenants and leases may not be terminated by the landlord unless the tenant fails to substantially comply with the lease.
- Funds that are provided for operation and maintenance projects shall be distributed in the form of reimbursable grants.
- Projects may use up to 12% of the award toward administrative costs; however, administrative costs must be specifically identified and reduction in administrative costs will be considered in the ultimate determination of the award.
- The Review Committee and BOCC reserve the right to negotiate additional terms and conditions of the award.

I. Reporting Requirements

Successful applicants will provide quarterly reports to the Committee and a final report detailing their use of funds in a format determined by the Review Committee.

J. Geographic Equity

The intent of this program is to ensure all areas of Kittitas County receive appropriate levels of funding based on local homeless assistance needs.

K. Annual Review

These Guidelines will be reviewed at least annually by the Review Committee.

L. Recipient Default

If it is discovered or believed that a recipient of funding has misappropriated or misused funds, this matter will be forwarded to the Kittitas County Prosecutor's Office for investigation and action.

M. Grievance Process

An applicant who feels aggrieved in the grant application and award process may ask the Homeless and Affordable Housing Committee to review the matter for a further or revised decision. The Committee may hear the grievance by allowing the applicant to present both written and oral testimony to the Committee. After review and decision by the Committee, the applicant may appeal to the Board of Kittitas County Commissioners under procedures established in the Administrative Procedure Act, chapter 34.05 RCW.

N. Sale and Change of Use

Similar to terms found at RCW 43.83D.120, Kittitas County has adopted an ordinance in Kittitas County Code (KCC) Chapter 2.81 concerning management of county property that may be applied in circumstances addressing sale and change of use of projects financed in whole or in part with County ESSHB 2163 homeless assistance surcharge funds. Ordinance 2.81.090(15) provides that where County property has been conveyed without auction to a bona fide nonprofit organization, such conveyance shall be for the purpose of improvement and utilization in perpetuity to further a recognized county purpose, in exchange for the promise to continually operate services benefiting the public on the site, with appropriate restrictions and covenants relating to timing of improvements, disposition of revenue, accessibility by the general public, nondiscrimination, compliance with laws, removal of liens, and reversion of title.

Consistent the intent of this provision to protect the interests of the County and its people, and in furtherance of the health, safety and welfare of the community, it is the policy of Kittitas County that any projects funded with ESSHB 2163 homeless assistance surcharge funds must, pursuant to RCW 43.185C.070(3)(d), serve the homeless individuals or families target group for a period of at least twenty-five (25) years.

If the recipient of ESSHB 2163 homeless assistance surcharge funds fails to meet the objectives and requirements of the homeless assistance housing law and fails to serve the homeless community in accord with the intent and requirements of RCW 36.22.179 and RCW 43.185C.070 for at least a period of twenty-five years, then any new real property acquisition acquired with such funds shall revert to the County, along with all facilities constructed thereon. Upon application to the Review Committee, and upon approval by the Board of Kittitas County Commissioners, new housing projects shall have this restriction placed on the deed. At the end of twenty-five years, the restriction may be removed.

Any deviation from this procedure may be addressed only with the specific approval of the Board of Kittitas County Commissioners in a process similar to that outlined in KCC 2.81.090(15) upon sale approval by the Board of Kittitas County Commissioners.

O. Project Monitoring

The Board of County Commissioners, assisted by the Committee, shall monitor all projects for compliance with the funding terms and conditions in the contracts(s). Project monitoring shall be concluded no less than annually.

Section 3 -- Instructions for Completing A Funding Application

Grant applicants shall follow the instructions below in preparing their proposal.

- Complete the supplied application forms using a computer. No hand written forms.
- Do not use graphics or formatting embellishments beyond those within the application.
- Be sure to read Kittitas County Homeless Assistance Act Program Guiding Principles.
- Answer each question and sub-question individually in each section of the application.
- Leave in the question and directions. This way we will be sure of the question you are answering, and it will also facilitate easy review for the review committee.
- Use the 1-inch margins through the entire application except as formatted otherwise.
- Use single spaced 12-point Times New Roman or similar font.
- Make certain you are answering the questions. If the question asks "How" answer how, not whether or when.

Please include the following:

- ___ Current Month Statement of Income & Expenses
- ___ Recent Fiscal Year-end Agency Audit or Financial Statement (completed by CPA)
- ___ Agency Budget for Current Fiscal Year
- ___ Copy of IRS Determination Letter
- ___ Board of Directors Roster

Applications are due by 4:30 pm, _____, at the Kittitas County Board of Commissioner's Office. You will be notified that your application has been received and accepted by the Committee.

Homeless Assistance Grant Program
205 W 5th AVE Suite 108
Ellensburg WA 98926

Please submit one original and 10 copies of the entire application.

NOTE: Incomplete applications may be rejected.

Section 4 -- Project Application: 2009 Funding Cycle

Applicants must submit completed proposals according to the instructions. Failure to do so may render your application ineligible. Applications must be typed in the format on the application provided.

Project Title:

Project Site Name:

Project Site Address:

Total Project Costs:

Grant Amount Requested:

City, Town or Unincorporated Area to be served:

Name of Applicant/Agency:

Federal Tax ID#

Address of Applicant/Agency:

Name of Contact Persons:

Title:

Email address: _____ **Phone:** _____ **Fax:** _____

Name and Title of Authorized Representative:

Acceptance of this application may be subject to subsequent compliance reviews, including a review of the latest audit of financial statement. Preparation of an application does not guarantee that applicants will receive funds. By signing this grant application form the undersigned certifies that all information is accurate to the best of his/her knowledge.

Signature of Authorized Representative

Date

Section I. Project Questions

Please respond to the questions in this section about the specific project to be funded.

1. **Project Title:**
2. **Project Summary and Goals:** (Provide one to two paragraphs summarizing your project and how it will strengthen or enhance housing and/or services to prevent or reduce homeless in Kittitas County. Specifically list the goals of the project.)
3. **Priorities:** (How does this project respond to the Homeless Assistance Grant Program Priorities for 2009? Describe how this project fills an unmet need)
4. **Preferences:** (Briefly describe how your project meets one or more of the criteria listed under Section E of the Homeless Assistance Program Guiding Principles)
5. **Creativity/Innovation:** (Describe any creative or innovative aspects of this project. How is it different or unique? Include information about project partners/collaborations)

Section II. Funding Questions

Please respond to the questions in this section about the specific project to be funded.

1. **Homeless Assistance Funds:** (Specify how you will use the Homeless Assistance funds. (Do not describe the project again; rather specify where you will use the funds received from this grant application))
2. **Other Funds:** (What funding for this project have you already secured? What in-kind donations have been received? What other grants are you applying for?)
3. **Sustainability:** (Discuss how this project will be sustained after the Homeless Assistance funds are exhausted.)
4. **Timeline:** (Provide a very specific calendar for the expenditure of the Homeless Assistance funds, including important project milestones)
5. **Partial Funding:** (If this project were to receive only partial funding from the Homeless Assistance Grant Program, how would the funds be used? How would the project be impacted?)
6. **Other:** (Is there anything else that would be helpful for the committee to know in evaluating this application?)

Section III. Agency Questions

Please respond to the questions in this section about the specific project to be funded.

1. **Background/History:** (Please give a brief background and/or history of the applicant organization)
2. **Qualifications:** (Describe your organization's ability and qualifications to complete the project you are requesting to be funded, including any experience you have in managing public funds)

Section IV. Financial Information

Please respond to the questions in this section about the specific project to be funded.

1. What percent of your total agency budget does this request represent?
2. What percent of the total project budget does this request represent?
3. Please provide project budget with line items for expenses and income. Be as specific as possible, itemizing where appropriate.
4. How much administrative cost is included in this application?

Section 5 -- Certification of Consistency with Local Plans

I certify that the proposed activities/projects in the application are consistent with the jurisdiction's local plans and policies.

Project Title:

Applicant/Agency Name:

Address of Project:

Name of Certifying Jurisdiction (Kittitas County or incorporated city/town in Kittitas County):

Certifying Official of the Local Jurisdiction

If the application involves a housing project, it is the applicant's responsibility to ensure that the project is consistent with all building and zoning codes and the comprehensive plan of the relevant local jurisdiction (either an incorporated city/town, or Kittitas County for projects in the unincorporated county). The applicant must have the relevant City Manager or Community Development Director complete the following section and sign below as the Certifying Official.

Name: _____

Title: _____

Signature: _____

Date: _____

Section 6 – RFP Announcement

Date:

To: Applicants for Use of Homeless Assistance Funds within Kittitas County

From: Kittitas County Board of Commissioners

Re: Application for Homeless Assistance Act Grant Funds

The Kittitas County Board of Commissioners seeks applicants that will address local homeless priorities as delineated in the Kittitas County Homelessness Prevention and Reduction Plan, 2009. Approximately \$100,000 in revenues generated through document recording surcharge fees, is being made available.

The Committee has established the following priorities for 2009.

1. Increase emergency housing capacity in Kittitas County.
2. Provide financial opportunities for agencies to improve and/or develop new emergency, transitional or permanent affordable housing facilities in Kittitas County.
3. Prevent homelessness through financial assistance to property owners to offset maintenance and repair costs to low income housing to preserve these properties for extremely low income persons.
4. Increase the number of housing opportunities available for single persons and disenfranchised populations at risk of being homeless.
5. Connect homeless population to services.

Grant projects may also address one of the following areas:

1. Rental and furnishing of dwelling units for the use of homeless persons;
2. Costs of developing affordable housing for homeless persons, and services for formerly homeless individuals and families residing in transitional housing or permanent housing and still at risk of homelessness;
3. Operating subsidies for transitional housing or permanent housing serving formerly homeless families or individuals;
4. Services to prevent homelessness, such as emergency eviction prevention programs including temporary rental subsidies to prevent homelessness;
5. Temporary services to assist persons leaving state institutions and other state programs to prevent them from becoming or remaining homeless;
6. Outreach services for homeless individuals and families;

7. Development and management of local homeless plans including homeless census data collection; identification of goals, performance measures, strategies, and costs and evaluation of progress towards established goals;
8. Rental vouchers payable to landlords for persons who are homeless or below thirty percent of the median income or in immediate danger of becoming homeless; and
9. Other activities to reduce and prevent homelessness as identified for funding in the local plan.

Preferences

Projects will be given preference if they address one or more of the following criteria:

- The applicants contribute toward total project costs, including in-kind.
- The project leverages other funds and the degree of that leverage.
- The project follows “housing first” guidelines for any component targeting the homeless population.
- The project serves populations with special needs.
- The project sustains or makes use of existing affordable housing stock.
- The project’s budget reflects an attempt to hold administrative cost at or below 12%.

Eligible Recipients

Eligible recipients of the Homeless Assistance funds shall be those agencies and individuals who demonstrate to the satisfaction of the Committee and the BOCC that they are qualified to utilize the homelessness funds in accord with law.

Terms and Conditions of Funding

- Projects must have measurable goals.
- Projects (e.g. housing projects, maintenance projects, rental assistance projects, etc.) must ensure they remain affordable to low-income households and must meet commitment guidelines, under RCW 43.185C.070(3)(d), or serving the target population for a period of at least twenty-five years.
- Projects must be consistent with local housing plans and policies.
- Project applicants must adhere to HUD’s Fair Housing Act standards and State laws that govern the landlord-tenant relationship as set forth at RCW 59.18. Recipients governed by RCW 59.18 must enter into lease agreements with tenants and leases may not be terminated by the landlord unless the tenant fails to substantially comply with the lease.
- Funds that are provided for operation and maintenance projects shall be distributed in the form of a grant.
- Applications for one year or multiple year projects will be accepted. However, grants shall be for not more than one year and shall be subject to annual renewal or non-renewal based on performance reviews and fund availability.

- Projects may use up to 12% of their award toward administrative costs; however, administrative costs must be specifically identified and reduction in administrative costs will be considered in the ultimate determination of the award.
- The Review Committee and the BOCC reserve the right to negotiate additional terms and conditions of the award.
- Funds unexpended at the end of the calendar year may be returned back into the pool of funds available for other project recipients, and there is no guarantee that grant recipients for a particular year will receive similar funding in future years.

Application Availability and Submittal Deadline

The Affordable Housing Grant Program Guidelines and Application will be available on Kittitas County web page: <http://www.co.kittitas.wa.us/boc/boards.asp#hah>

Hand delivered applications are due on MARCH 1 or SEPTEMBER 1 (depending on the grant period), by 5:00 p.m. in the office of the Kittitas County Board of Commissioners. If the due dates land on a holiday or weekend, the applications are due the first working day following the due date. Applications sent by mail must be postmarked by midnight on the due date (see above) and sent to the:

Homeless Assistance Grant Program
205 W. 5th Ave. Suite 108
Ellensburg, WA 98926

For more information contact Nancy Goodloe, Committee Chair: nrgoodloe@charter.net

Section 7 – Acknowledgement of Application Receipt

Enter the applicant's name and full address in the box below.

_____ Kittitas County Homeless Assistance Grant Program received your application by the deadline and will consider if for funding. No further information will be released concerning the relative standing of any applicant until funding announcements are made. However, you may be contacted after initial screening if more information is needed by the Review Committee.

_____ Kittitas County Homeless Assistance Grant Program did not receive your application by the deadline; therefore, your application will not receive further consideration. Your application is enclosed.

Processor's Name: _____

Date and Time of Receipt: _____