

**Intergovernmental Agreement
Coordinated Office on Houselessness**

This Agreement is entered into by and between Coos County, a political subdivision of the State of Oregon (“County”), the City of Coos Bay, an Oregon Municipal Corporation (“Coos Bay”), and the City of North Bend, an Oregon Municipal Corporation (“North Bend”).

RECITALS

- A. ORS 190.010 authorizes units of local government to enter into Intergovernmental Agreements (“IGA”) for the performance of any or all functions which a Party to the IGA has the authority to perform.
- B. County has signed a grant agreement with the State of Oregon awarding County \$1,000,000 to establish a coordinated homeless response system consisting of County, Coos Bay, and North Bend. The grant agreement is entered pursuant to the terms of HB 4123.
- C. The Parties to this IGA wish to implement HB 4123 and establish a coordinated homeless response system consisting of the County, Coos Bay, and North Bend (the “System”). The System shall, at a minimum, consist of a homeless response office (the “Office”) and a Homeless Response Advisory Board (the “Advisory Board”). The Parties wish to create a System that will fulfill all requirements set forth in Exhibit A, attached hereto and incorporated by this reference herein.

NOW, THEREFORE, County, Coos Bay, and North Bend, on the terms and conditions set forth herein, and for consideration of which the existence and sufficiency is mutually acknowledged, enter into the following Agreement:

AGREEMENT

- 1. **Effective Date/Duration.** This IGA shall be effective when signed by all three Parties hereto. Unless extended or earlier terminated in a writing signed by a majority of the Parties, this IGA automatically terminates on June 30, 2027.
- 2. **Homeless Response Office.** The Parties agree that the Office shall be organized as follows and shall perform the following functions:
 - a. The Office will operate under the general policy guidance of the Homeless Response Advisory Board (“Advisory Board”).
 - b. The Office will primarily consist of a person (the “Director”) selected by the Coos County Board of Commissioners and approved by the Advisory Board. The County may contract for the services provided by the Director. The Director may be any individual or entity duly qualified and willing to serve in the role.
 - c. The Office will coordinate with and develop partnerships with local and regional stakeholders as specified in House Bill 4123, including plans for coordination with any local continuum of care receiving funding under 24 C.F.R. part 578.
 - d. The Office will be managed by the Director who will report to the Board of Commissioners or designee. The Director will be charged with the general

operation of the Office, and shall work to coordinate with the Advisory Board and all Parties to this IGA to develop a five-year strategic plan and otherwise ensure that the coordinated homeless response system meets the project goals set forth in Exhibit A.

- e. For the first two fiscal years, the Office will be funded with pilot funding of \$1,000,000 provided through a grant by the State of Oregon.
- f. The Office shall also include an Advisory Panel (“Panel”) comprised of houselessness experts drawn from the community, to include representatives with knowledge and experience in the areas of youth services, lives experiences, accessibility, housing, houselessness, land use, public education, public health, education, and philanthropy.

3. Homeless Advisory Board. The Parties agree that the Advisory Board shall be organized as follows and shall perform the following functions:

- a. An Advisory Board, consisting of two representatives from each party to this IGA, shall be formed for the purposes of providing general guidance to the Office.
- b. Initial Advisory Board members shall have the opportunity to make important decisions at the inception of the coordinated homeless response system, including the following:
 - i. The Advisory Board shall provide input to County staff and the Board of Commissioners on the hiring of the Executive Director (“Director”) for the program.
 - ii. The Board shall approve the Strategic Plan developed by the Office and will provide policy direction to the Office.
- c. By May 24, 2023, the Advisory Board shall review, approve, and adopt a strategic plan that identifies and sets goals as set forth in HB 4123.
- d. Advisory Board members shall serve as a liaison between their elected body and the Office.
- e. As an entity authorized by statute and governed by this IGA with the authority to make formal advice and recommendations on public policy and administration, the Advisory Board is considered a public body for the purposes of Oregon Public Meetings law, will hold noticed meetings open to the public, and otherwise act in accordance with Oregon Public Meetings Law.
- f. The Advisory Board shall adopt formal Bylaws sufficient to ensure compliance with Oregon Public Meetings Law and the orderly functioning of the Advisory Board. The Bylaws must establish a regular meeting schedule to be observed by the Advisory Board.

4. Obligations of the Parties.

- a. **Commitment of Support.** The Parties to this IGA commit to support the Office for a total of not less than five (5) fiscal years. The Parties understand that this IGA will need to be amended as the funding and commitments for years 3-5 are

further defined and clarified by the Parties. The Parties further agree to work together and use best efforts to seek out and obtain grant funding to further this objective.

- b. All Parties to this IGA agree to cooperate in good faith to ensure that the goals of the System are achieved. The Parties shall work in good faith to amend this IGA when necessary to achieve the System goals set forth in Exhibit A.
- c. County shall serve as the fiscal agent responsible for funding the operations of the Office created under this IGA. County will select a Director to manage the Office created under this IGA. County shall be responsible for all contracting, procurement, or other activities necessary to select a Director and create the Office. The County will retain fiscal and managerial oversight of the Office and the Director, and shall retain the authority to terminate the contractual and/or employment relationship with the Director as necessary. In such an event, the County shall select a new Director with the approval and input of the Advisory Board. This IGA does not create any employment or contractual relationship between the Parties to this IGA or the Office/Director.
- d. The Coos County Office of Legal Counsel may be called upon to provide legal advice to the Advisory Committee and the Office as necessary. Such advice may include, but is not limited to, advice on public meetings law, the requirements of HB 4123, and the formulation of necessary bylaws.

5. General Terms.

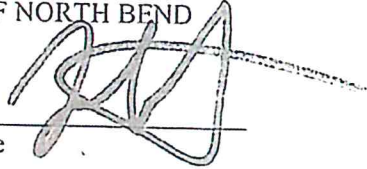
- a. Notice. The designated representatives of the Parties for the administration of this IGA are as follows:
 - i. Coos Bay: Roger Craddock, City Manager.
Phone: 541-269-8912
Email: rcraddock@coosbay.org
 - ii. North Bend: David Milliron, City Manager.
Phone: 541-756-8536.
Email: dmilliron@northbendcity.org.
 - iii. Coos County: Megan Simms, Treasurer.
Phone: 541-396-7730.
Email: msimms@co.coos.or.us
- b. Entire Agreement. This IGA constitutes the entire agreement between the Parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written not specified herein regarding this IGA. No waiver, consent modification or change of terms of this IGA shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given.

- c. Severability. If any portion of this IGA is illegal, void, or otherwise found by a Court to be unenforceable, the offending provision shall be severed from the contract and the remaining provisions shall remain enforceable and in full effect.
- d. Counterparts. This IGA may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.
- e. Access to Records/Record Retention. All parties to the IGA shall maintain fiscal records and all other records pertinent to this IGA.
 - i. All fiscal records shall be maintained pursuant to generally accepted accounting standards, and other records shall be maintained to the extent necessary to clearly reflect actions taken.
 - ii. All records shall be retained and kept accessible for at least three years, or as otherwise required to be retained by Oregon law.
 - iii. If an audit, litigation or other action involving this IGA is started before the end of the three-year period, the records shall be retained until all issues arising out of the action are resolved or until the end of the three-year period, whichever is later.
 - iv. All Parties to this IGA and their authorized representatives shall have the right to direct access to all of associated books, documents, papers and records related to this IGA for the purpose of conducting audits and examinations and making copies, excerpts and transcripts.
- f. Indemnification. Subject to the limits of the Oregon Tort Claims Act and the Oregon Constitution, each Party shall defend, indemnify, and hold each other Party, and its officers, agents, employees and volunteers, harmless against all liability, claims, losses, demands, suits, fees and judgments (collectively referred to as “claims”) that may be based on, or arise out of, damage or injury (including death) to persons or property caused by or resulting from any act or omission of the Party in connection with the performance of this IGA or by conditions created thereby or based upon violation of any statute, ordinance or regulation. This indemnification shall not apply to claims caused by the sole negligence or willful misconduct of the other Party, its officers, agents, employees and volunteers. The Parties agree that they are not agents of each other and are not entitled to indemnification and defense under ORS 30.285 and ORS 30.287.

[signatures on following page]

CITY OF NORTH BEND

Signature



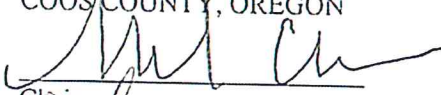
David Milliron
Name (Printed)

City Administrator
Title

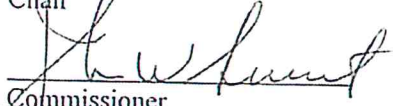
June 29, 2022
Date

BOARD OF COMMISSIONERS OF
COOS COUNTY, OREGON

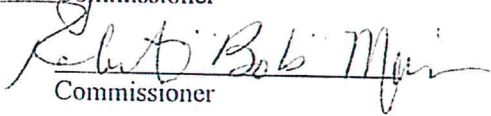
Chair



Commissioner



Commissioner



7/5/22
Date

CITY OF COOS BAY

Signature



Rodger Craddock
Name (Printed)

City Manager
Title

July 5, 2022
Date

EXHIBIT A

EXHIBIT A PROJECT DESCRIPTION

Pursuant to the Authorization, Recipient shall use Grant funds for the Project as follows:

- (1) Within 90 days of receiving the Grant funds, Recipient shall enter into an agreement among Recipient, the City of Coos Bay, the City of North Bend and any other parties to the agreement to create a coordinated homeless response system (the "System") that consists of, at a minimum:
 - (a) The establishment of a coordinated homeless response office;
 - (b) An advisory board with representation from the governing body of each member government;
 - (c) Specific roles of each member to support the advisory board and office;
 - (d) Plans for coordination with any local continuum of care receiving funding under 24 C.F.R. part 578; and
 - (e) The establishment of a centralized point of contact for the office.
- (2) The System, with Recipient's oversight, shall use the Grant funds to:
 - (a) Hire necessary staff for the office;
 - (b) Support coordinated communications and public engagement;
 - (c) Support community outreach and policy development, including stipends for people with current or recent lived experience of homelessness;
 - (d) Acquire technical assistance and capacity building, including contracting with consultants; and
 - (e) Pay for other expenses reasonably necessary to meet the requirements in this Exhibit A.
- (3) Within one year of receiving the Grant funds, the System, through the advisory board or each member government to the agreement, shall adopt a five-year strategic plan that will identify and set goals for addressing:
 - (a) Funding to support the ongoing operations of the System;
 - (b) Increasing or streamlining resources and services to people at risk of or experiencing homelessness within the participating cities and counties;
 - (c) Incorporating national best practices for ending homelessness;
 - (d) Eliminating racial disparities within homeless services within the service area; and
 - (e) Creating pathways to permanent and supportive housing that is affordable to local populations experiencing or at risk of homelessness.
- (4) No later than November 15, 2023, and September 15, 2024, the System shall provide a report to the Housing and Community Services Department, Oregon Housing Stability Council and one or more appropriate interim committees of the Legislative Assembly in the manner provided in ORS 192.245 on:
 - (a) The goals adopted in the five-year strategic plan and the progress made in implementing the plan;
 - (b) Other changes in homelessness services, ordinances of member governments relating to homelessness and partnerships or programs established that are specifically related to member government actions arising out of the agreement; and

EXHIBIT A

(c) Identified challenges and opportunities relating to:

- (A) Regional coordination of homelessness services and planning;
- (B) Needs for technical assistance regarding program development or other programs from the Housing and Community Services Department; and
- (C) Addressing racial disparities through partnerships with culturally specific and responsive organizations serving populations overrepresented in experiencing homelessness, including Black, Indigenous, People of Color, federally recognized tribes and tribal members and outreach and engagement with these populations.

(5) In performing the Project tasks identified in this Exhibit A, the System shall coordinate with and develop partnerships with local and regional stakeholders, including, but not limited to:

- (a) Advocates for people experiencing homelessness and for people with lived experience of homelessness;
- (b) Community action agencies;
- (c) Housing authorities;
- (d) Affordable housing providers;
- (e) Behavioral health providers;
- (f) Law enforcement;
- (g) Educational agency liaisons for homeless children as described in 42 U.S.C. 11432;
- (h) Local Department of Human Services offices;
- (i) Courts;
- (j) Legal aid;
- (k) Coordinated care organizations, as described in ORS 414.572;
- (l) Emergency shelter providers;
- (m) Homeless service providers;
- (n) Organizations serving and advocating for veterans, homeless youth, youth exiting the foster care system, individuals exiting the criminal justice system, people with disabilities and aging adults, health care systems, domestic violence and sexual assault survivors, members of lesbian, gay, bisexual, transgender, queer or questioning (LGBTQ) communities, people experiencing behavioral health and substance use disorders, faith communities and business communities; and
- (o) The Housing and Community Services Department.

(6) In performing its duties under this section, the System shall coordinate with law enforcement, service providers and governing bodies to implement safe and humane processes to maintain public and environmental health and safety, balancing important individual and community rights.

(7) The System may use Grant funds in excess of those funds needed by the System to accomplish the requirements of the System under sections (1) to (6) of this Exhibit A to support the delivery of homeless services and shelter consistent with the five-year strategic plan, including through contracts with service providers.

Enrolled

House Bill 4123

Sponsored by Representatives KROFF, WILLIAMS, Senator PATTERSON, Representatives EVANS, GOMBERG, HOY, SMITH G, ZIKA, Senators ANDERSON, ARMITAGE, GELSER BLOUIN, HANSELL, KNOPP, THOMSEN; Representatives ALONSO LEON, CAMPOS, DEXTER, FAHEY, GRAYBER, HIEB, LEVY, MARSH, MOORE-GREEN, NOBLE, NOSSE, REYNOLDS, SOSA, WEBER (Pre-session filed.)

CHAPTER

AN ACT

Relating to coordinated homeless response systems; and declaring an emergency.

Whereas the lack of available housing, high rents and high home prices are driving rapid increases in housing instability and homelessness in Oregon; and

Whereas Oregon has experienced a significant increase in the number of people experiencing homelessness and unsheltered homelessness; and

Whereas funding, resources and services to address homelessness in Oregon are not scaled to meet this need; and

Whereas the lack of housing affordability and availability in Oregon cannot be addressed without cross-jurisdictional collaboration; and

Whereas communities require coordinated leadership and governance to identify local needs and centralize communication, policy and services to end homelessness; now, therefore,

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) The Oregon Department of Administrative Services shall provide grants to local governments and nonprofit corporations that agree to within 90 days of receipt of grant funding, enter into an agreement among the member governments and nonprofit corporations, if any, to create a coordinated homeless response system that consists of, at a minimum:

- (a) The establishment of a coordinated homeless response office;
- (b) An advisory board with representation from the governing body of each member government;
- (c) Specific roles of each member to support the advisory board and office;
- (d) Plans for coordination with any local continuum of care receiving funding under 24 C.F.R. part 578; and
- (e) The establishment of a centralized point of contact for the office.

(2) Grants provided under this section shall be used by the coordinated homeless response system to:

- (a) Hire necessary staff for the office;
- (b) Support coordinated communications and public engagement;
- (c) Support community outreach and policy development, including stipends for people with current or recent lived experience of homelessness;

FUNDING

Per lobbyist:, funding is estimated to be dispersed 90 days [from effective date of March 23, 2022].

Per AOC Legislative Director: "In terms of next steps, DAS will be working to get a grant agreement with each of the grantees receiving funds. As a result of the 2022 legislative session, DAS has a number of grant agreements it will be working through each of these in order to distribute funds to recipient. This process also involves DOJ legal sufficiency, which also adds to the timeline a bit. DAS will be in contact with each recipient as they work through these grants. Overall these grant agreements tend to be fairly straight forward and not overly burdensome."

MINIMUM REQUIREMENT

- Establish Office
- Form Board
- Adopt IGA
- Coordinate with HLC
- Hire Executive Director

CONTINUUM OF CARE

Homeless Leadership Coalition (HLC) : Partnership, alignment, and support all throughout in the Emergency Homelessness Task Force Strategic Plan

ELIGIBLE USE OF FUNDS

- Hire staff
- Communications & Public Engagement
- Community Outreach & Policy Development
- Stipends for People with Lived Experience
- Technical assistance & capacity building including consultants
- Other expenses necessary to meet requirements

(d) Acquire technical assistance and capacity building, including contracting with consultants; and
(e) Pay for other expenses reasonably necessary to meet the requirements under this section.

(3) Within one year of receiving a grant under this section, a coordinated homeless response system, through the advisory board or each member government to the agreement, shall adopt a five-year strategic plan that will identify and set goals for addressing:

- (a) Funding to support the ongoing operations of the coordinated homeless response system;
- (b) Increasing or streamlining resources and services to people at risk of or experiencing homelessness within the participating cities and counties;
- (c) Incorporating national best practices for ending homelessness;
- (d) Eliminating racial disparities within homeless services within the service area; and
- (e) Creating pathways to permanent and supportive housing that is affordable to local populations experiencing or at risk of homelessness.

(4) No later than November 15, 2023, and September 15, 2024, each coordinated homeless response system shall provide a report to the Housing and Community Services Department, Oregon Housing Stability Council and one or more appropriate interim committees of the Legislative Assembly in the manner provided in ORS 192.245 on:

- (a) The goals adopted in the five-year strategic plan and the progress made in implementing the plan;
- (b) Other changes in homelessness services, ordinances of member governments relating to homelessness and partnerships or programs established that are specifically related to member government actions arising out of the agreement; and
- (c) Identified challenges and opportunities relating to:
 - (A) Regional coordination of homelessness services and planning;
 - (B) Needs for technical assistance regarding program development or other programs from the Housing and Community Services Department; and
 - (C) Addressing racial disparities through partnerships with culturally specific and responsive organizations serving populations overrepresented in experiencing homelessness, including Black, Indigenous, People of Color, federally recognized tribes and tribal members and outreach and engagement with these populations.

(5) In performing tasks under this section, a coordinated homeless response system shall coordinate with and develop partnerships with local and regional stakeholders, including, but not limited to:

- (a) Advocates for people experiencing homelessness and for people with lived experience of homelessness;
- (b) Community action agencies;
- (c) Housing authorities;
- (d) Affordable housing providers;
- (e) Behavioral health providers;
- (f) Law enforcement;
- (g) Educational agency liaisons for homeless children as described in 42 U.S.C. 11432;
- (h) Local Department of Human Services offices;
- (i) Courts;
- (j) Legal aid;
- (k) Coordinated care organizations, as described in ORS 414.572;
- (L) Emergency shelter providers;
- (m) Homeless service providers;
- (n) Organizations serving and advocating for veterans, homeless youth, youth exiting the foster care system, individuals exiting the criminal justice system, people with disabilities and aging adults, health care systems, domestic violence and sexual assault survivors,

Adopt a 5-yr Strategic Plan within 1yr of grant receipt:

The Strategic Plan must address:

- 1. Funding for Office's ongoing operations
- 2. Increase/Streamline Resources & Services
- 3. Eliminate Racial Disparities
- 4. Create pathways to affordable permanent & supportive housing

Note: 2 & 4 are in the EHTF Strategic Plan; 1 & 3 might need to be further emphasized. It's in the Plan but not as prominent.

Reporting Requirement

Partnership with Regional Stakeholder Requirement

