

INTERLOCAL AGREEMENT
Between
THE CITY OF OLYMPIA AND THURSTON COUNTY
For Producing the
THURSTON COUNTY 2011 POINT IN TIME HOMELESS CENSUS REPORT

Whereas, RCW 39.34.010 permits local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities; and

Whereas, pursuant to RCW 39.34.080, each party is authorized to contract with any one or more other public agencies to perform any governmental service, activity, or undertaking which each public agency entering into the contract is authorized by law to perform; provided, that such contract shall be authorized by the governing body of each party to the contract and shall set forth its purposes, powers, rights, objectives and responsibilities of the contracting parties;

NOW, THEREFORE, in consideration of the mutual promises contained herein, the City of Olympia (**OLYMPIA**) and Thurston County (**THURSTON**) agree as follows:

I. Purpose/Objective

The purpose of this Agreement is to allow **OLYMPIA** to enter into a technical services contract with Public Health and Social Services, Housing and Community Renewal of **THURSTON** for the following purposes:

Coordinate the 2011 Thurston County Point in Time Homeless Census and to compile the results into the "2011 Point-in-Time Homeless Census Report for Thurston County" and further clarified by State Department of Commerce's "State Guidelines Point in Time Homeless Census" (**EXHIBIT B**).

II. Definitions

In this Agreement, the following words shall have the meanings set forth below:

"Point in Time Count of Homeless Persons" will mean the annual Thurston County census of homeless people, and will also be referred to as "the Homeless Census" and "the Point in Time Census."

"Homeless people" will mean those individuals who reside in emergency shelters, transitional housing, in vehicles or out of doors at the time of the Point in Time Census. Please note that other individuals without a secure place of residence may also be included in designated section of the final report.

“**Community Partners**” will mean all local non-profit organizations and representatives thereof, local faith based organizations and representatives thereof, government officials and other individuals who are involved directly or indirectly with service, shelter or transitional housing provision for homeless individuals.

“**2011 Point in Time Count of Homeless Persons**” will mean the count that occurs on or about January 27, 2011. If the count is held on a different date, **THURSTON** will need to be notified to request prior approval from the Department of Commerce and/or U.S. Housing and Urban Development.

III. Scope of Agreement/Work

The full scope of agreement/work is attached as **EXHIBIT A**. A summary of key responsibilities for **OLYMPIA** and **THURSTON** follows:

A. Responsibilities of **THURSTON** shall be as follows:

- Provide programmatic knowledge and availability of staff from various County departments;
- Provide data from the Department of Commerce Homeless Management Information Systems;
- Provide a prompt review of all **OLYMPIA** work products to stay on project timeline;
- General project management and oversight; and,
- Make monthly payment to **OLYMPIA** for services provided.

B. Responsibilities of **OLYMPIA** shall be as follows:

- Provide overall Homeless Census administrative coordination;
- Mobilize broad based participation through conducting Community Partner meetings and transmit community partner communications in a timely fashion;
- Directly coordinate the participation of all homeless service, shelter and transitional housing providers; all local jurisdictions, and other organizational participants;
- Provide training for all Homeless Census participants;
- Provide a signed “confidentiality statement form” from all persons involved in the Point in Time Count to **THURSTON**. All personal information collected in the census is confidential, and anyone that receives this information shall take all necessary steps to protect the identity and confidentiality of each person counted as provided by law;

- Provide the original Point in Time Surveys to the County by February 7, 2011, and provide subsequent written analysis and table production;
- Produce and present the preliminary results from the 2011 Point in Time Census to the HOME Consortium by March 1, 2011;
- Produce and present the final report of the 2011 Point in Time Census to the Thurston County Board of Commissioners by June 30, 2011; and,
- Submit invoices to **THURSTON** for work performed.

IV. Payment (or Funding/Costs/etc.)

A. **THURSTON** agrees to pay **OLYMPIA** for services rendered through the execution of this contract in an amount not exceed \$25,000. Monthly billings will itemize services rendered and costs incurred to be paid.

V. Method of Payment

A. **OLYMPIA** will invoice **THURSTON** monthly, with invoices clearly itemizing contract activities and work products delivered.

B. Upon completion of the work set forth in the invoice, payment will be made by **THURSTON** within thirty (30) days of receipt of a final invoice from **OLYMPIA** upon completion of work.

VI. Indemnification & Insurance

A. **THURSTON** agrees to defend, indemnify and hold **OLYMPIA**, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including reasonable attorney fees, arising out of or in connection with **THURSTON**'s performance of the Agreement, except to the extent such injuries and damages are caused by the negligence of **OLYMPIA**.

B. **OLYMPIA** agrees to defend, indemnify and hold the **THURSTON**, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including reasonable attorney fees, arising out of or in connection with **OLYMPIA**'s performance of this Agreement, except to the extent such injuries and damages are caused by the negligence of **THURSTON**.

VII. Joint Board

This Agreement creates no Joint Board and no separate legal entity.

VIII. Duration of Agreement

This Agreement shall be effective from the date of last authorizing signature hereto until June 30, 2011 unless otherwise terminated in the manner described under the termination section of this Agreement.

IX. Termination of Agreement

This Agreement may be terminated upon sixty (60) days notice to the other party using the method of notice provided for in this Agreement. Payment shall be made for all services rendered up until the effective date of termination.

X. Entire Agreement

This Agreement sets forth all terms and conditions agreed upon by **OLYMPIA** and **THURSTON** and supersedes any and all prior agreements oral or otherwise with respect to the subject matter addressed herein.

XI. Recording

Prior to its entry into force, this Agreement shall be filed with the Thurston County Auditor's Office or posted upon the websites or other electronically retrievable public source as required by RCW 39.34.040.

XII. Notice

Any notice required under this Agreement shall be to the party at the address listed below and shall become effective three days following the date of deposit in the United States Postal Service.

CITY OF OLYMPIA

Attn: Steve Friddle, Community Services Manager, City of Olympia
Re: Interlocal Agreement – Point in Time Count of Homeless Persons
P.O. Box 1967
Olympia, WA 98507-1967

Thurston County- Public Health and Social Services

Attn: Connie Rivera
Re: Interlocal Agreement – Point in Time Count of Homeless Persons
412 Lilly Road NE
Olympia, WA 98506

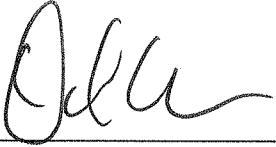
XIII. Interpretation and Venue

This Agreement shall be governed by the laws of the State of Washington as to interpretation and performance. The parties hereby agree that venue for enforcement of this agreement shall be the Superior Court of Thurston County.

XIV. Effective Date

This Agreement shall take effect on the date of the last authorizing signature affixed hereto.

CITY OF OLYMPIA



Mayor

Date: 5-10-11

Approved as to form:



Tom Morrill, City Attorney

THURSTON COUNTY



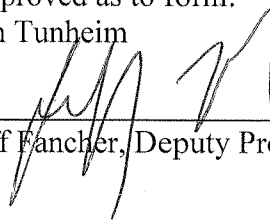
Sherri McDonald, Director
Public Health and Social Services

Date: 6-1-11

Approved as to form:

Jon Tunheim

By



Jeff Fancher, Deputy Prosecutor

EXHIBIT B

**State Guidelines
Point in Time Count of Homeless Persons**

January 2011



Department of Commerce
Innovation is in our nature.

Contact Information

For more information concerning these Guidelines, and the Homelessness Housing and Assistance Act, please contact:

Department of Commerce
Community Services & Housing Division
PO Box 42525
Olympia, Washington 98504-2525

(360) 725-3028 nick.mondau@commerce.wa.gov

<http://www.commerce.wa.gov/PIT>

Introduction

The Homelessness Housing and Assistance Act requires an annual count of homeless persons in Washington State. The purpose of these guidelines is to define the common elements required of all local counts, to ensure that data is comparable between counties, and to ensure that confidentiality is protected.

Communities are encouraged to adapt this basic framework to the specific conditions and count infrastructure of their community.

The Act specifically states:

RCW 43.185C.030

The department shall annually conduct a Washington homeless census or count consistent with the requirements of RCW 43.63A.655. The census shall make every effort to count all homeless individuals living outdoors, in shelters, and in transitional housing, coordinated, when reasonably feasible, with already existing homeless census projects including those funded in part by the United States Department of Housing and Urban Development (HUD) under the McKinney-Vento homeless assistance program. The department shall determine, in consultation with local governments, the data to be collected.

All personal information collected in the census is confidential, and the department and each local government shall take all necessary steps to protect the identity and confidentiality of each person counted.

The department and each local government are prohibited from disclosing any personally identifying information about any homeless individual when there is reason to believe or evidence indicating that the homeless individual is an adult or minor victim of domestic violence, dating violence, sexual assault, or stalking or is the parent or guardian of a child victim of domestic violence, dating violence, sexual assault, or stalking; or revealing other confidential information regarding HIV/AIDS status, as found in RCW 70.24.105. The department and each local government shall not ask any homeless housing provider to disclose personally identifying information about any homeless individuals when the providers implementing those programs have reason to believe or evidence indicating that those clients are adult or minor victims of domestic violence, dating violence, sexual assault, or stalking or are the parents or guardians of child victims of domestic violence, dating violence, sexual assault, or stalking. Summary data for the provider's facility or program may be substituted.

The Washington homeless census shall be conducted annually on a schedule created by the department. The department shall make summary data by county available to the public each year. This data, and its analysis, shall be included in the department's annual updated homeless housing program strategic plan....

Date of Count

Because the U.S. Department of Housing and Urban Development (HUD) directs McKinney grant recipients to perform a point in time count of homeless persons during the last ten days of January, to avoid duplication the state mandated count will be done primarily on Thursday, January 27, 2011

This date is unlikely to be ideal for every community. Communities are free to conduct additional counts on other dates.

Communities should strive to perform their counts on this date. However, if a particular facility/program that serves homeless persons is not able to collect data on that day, or counting on that day would significantly undercount unique individuals frequenting that location, the count for that specific facility can be done on any day during the last ten days of January, provided efforts are made to ensure that the count is unduplicated.

Example: a food bank that is not open on Thursdays could do a count on Wednesday if they explicitly ask that the form only be filled-out once by respondents, and/or identifiers were collected that could be unduplicated during tabulation.

In special circumstances (such as very rural areas) the count can be performed over the course of the several days at particular facilities, provided efforts are made to un-duplicate count data.

Report Due Dates

There will be two different due dates for the 2011 point in time count data. The unsheltered data and initial observations report is due to Commerce no later than February 10, 2011. Complete count results must be submitted to Commerce no later than March 16, 2011. Report forms can be found on our count website www.commerce.wa.gov/PIT.

Changes to this Year's Count

Counties should collect the number of chronically homeless families according to the following definition (from the 2010 NOFA for CoC Homeless Assistance Programs): An unaccompanied homeless individual (18 or older) with a disabling condition or a family with at least one adult member (18 or older) who has a disabling condition who has either been continuously homeless for a year or more OR has had at least four (4) episodes of homelessness in the past three (3) years.

Number of unsheltered veterans is now required. In the past, veterans subpopulation data was only required for sheltered adults. In 2011, HUD is requiring communities to collect veterans' information for both sheltered and unsheltered adults (18 and older).

Counties will use their own databases or HMIS to enter and report on their count data. The old online count database provided by Commerce has been deactivated. Commerce will provide training and TA for counties using HMIS.

Protecting Identities of Persons Counted

As per 43.185C.180, personally identifying information (such as names, birthdays, addresses, etc.) cannot be collected unless written consent is obtained from the persons providing the information.

... (2) Information about homeless individuals for the Washington homeless client management information system shall come from the Washington homeless census and from state agencies and community organizations providing services to homeless individuals and families. Personally identifying information about homeless individuals for the Washington homeless client management system may only be collected after having obtained informed, reasonably time limited written consent from the homeless individual to whom the information relates. Data collection shall be done in a manner consistent with federally informed consent guidelines regarding human research which, at a minimum, require that individuals be informed about the expected duration of their participation, an explanation of whom to contact for answers to pertinent questions about the data collection and their rights regarding their personal identifying information, an explanation regarding whom to contact in the event of injury to the individual related to the homeless client survey, a description of any reasonably foreseeable risks to the homeless individual, and a statement describing the extent to which confidentiality of records identifying the individual will be maintained....

As per the HEARTH ACT, the term ‘personally identifying information’ means individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, including: (A) a first and last name; (B) a home or other physical address; (C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number); (D) a social security number; and (E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that, in combination with any other non-personally identifying information, would serve to identify any individual.

Any personally identifying information collected by the count must be protected from release to persons not directly involved in the count process. Steps should be taken to ensure that only persons that must view personally identifying information as part of the counting process have access to that information. Persons collecting and handling personally identifying information must be explicitly instructed that the information must remain confidential, and steps must be taken to ensure that personally identifying information contained on paper forms and databases is secured from unauthorized access.

Written consent forms authorizing the collection of personally identifying information must explicitly state: how the information will be used, that persons being surveyed are under no obligation to provide personally identifying information, and the potential risks of providing information.

Important Note: No personally identifying information should be collected as part of the count from persons who are 1) in a DV agency; 2) currently fleeing or in danger from a domestic violence, dating violence, sexual assault or stalking situation or 3) has HIV/AIDS.

Information Collected in Count

Each community must be able to derive counts of each of the following data elements from their count. Communities are free to collect additional information. Specific required wording is provided for questions where subtle differences in how the question is asked and/or defined could lead to results that are not comparable between communities.

It is understood and expected that specific details about some unsheltered persons will be difficult or impossible to collect (i.e., substance use problems, disabilities). The most important information regarding unsheltered persons is the total count. The importance of accurate information collection descends by the order listed below.

	<i>Information</i>	<i>Notes</i>
1	Persons (all household types)	
2	Persons by gender	
3	Single persons	
4	Households (all household types)	
5	Households with minor children accompanied by an adult(s)	
6	Minor children in households, accompanied by an adult(s)	
7	Persons under age 18 unaccompanied by an adult	
8	Households with no minor children	
9	Senior citizens (aged 65 or older)	
10	1-9 above Unsheltered. (In places not meant for human habitation, such as cars, parks, sidewalks, abandoned buildings, on the street)	
11	1-9 above in Emergency Shelter (1-90 day time limits)	
12	1-9 above in Transitional Housing (91 days to 2 years time limit)	

13	Chronically homeless individuals (Homeless more than one year OR more than three times in last three years; with disability)	
14	Chronically homeless families	Families with at least one chronically homeless individual
15	Veterans	A veteran is someone who has served on active duty in the Armed Forces of the United States. This does not include inactive military reserves or the National Guard unless the person was called up to active duty.
16	Mentally disabled	Includes persons with self-reported mental health problems
17	Persons with alcohol and/or other drug problems	Includes persons with formally diagnosed alcohol or other drug abuse problems, and persons who self identify a substance use problem.
18	Physically disabled	Should only include persons with chronic physical problems, as opposed to time-limited physical injuries.
19	Persons with both substance use and mental health problems (formally diagnosed or self identified)	Can be derived via substance use and mental health questions (13 and 14 above)
20	Domestic violence victims	Asked prior to any collection of personal identifiers. If answer is "yes" personally identifying information may not be collected. Only includes individuals and family members of individuals who are in DV shelter or are <u>currently fleeing</u> or <u>in danger</u> from a domestic violence, dating violence, sexual assault or stalking situation.
21	Persons with HIV/AIDS	If answer is "yes" personally identifying information may not be collected.
22	Seasonal agricultural workers	Includes both traditional "farm workers," and others who seasonally derive income from agricultural activities such as collecting decorative forest products.

Who is counted in the annual homeless count?

For the point in time count, persons living in emergency shelters (including motel/hotel vouchers), transitional housing, or unsheltered (in places not meant for human habitation, such as cars, parks, sidewalks, abandoned buildings, on the street) should be counted. Persons living in a dwelling lacking any of the following should be considered homeless: drinking water, restroom, heat, ability to cook hot food, or ability to bathe.

Persons living temporarily with family or friends due to loss of housing, economic hardship, or a similar reason (often referred to as "doubled-up" or "couch surfing") do not meet the HUD definition of homeless. There is no requirement to count these individuals; however this data is useful in identifying the need for housing and services.

For the purposes of this count, transitional housing refers to housing with a 2 year stay limit where being homeless is a prerequisite for eligibility and case management services are required as part of the program. Persons in transitional housing programs that allow them to permanently continue living in housing after a transition period ("transition in place") are not considered homeless if participation in case management is not a condition of their residency.

Counts do not need to conduct rigorous screening of persons to determine whether they are homeless. Generally persons who self identify as homeless should be counted, unless they obviously do not fit the criteria. Instructions to surveyors and survey forms should include the definition of who is considered homeless, as appropriate.

Housing Inventory Count

HUD requires counties to collect information on the number of individuals in each homeless program included in the housing inventory chart. This includes all emergency shelter programs, homeless transitional housing programs and permanent supportive housing programs.

This information is collected during the same week as the point in time count. Counties will be responsible for providing accurate data on the number of individuals staying at each facility either using Commerce HMIS or their own approved methods.

Requirements to Minimize Count Duplication

Counts must strive to limit double-counting persons by employing the following strategies:

- Conduct the count during one day (minor exceptions allowed as described previously).
- Obtain written consent to collect personal identifiers that allow un-duplication during count tally.
- Explicitly ask person being surveyed whether they have been counted previously.

Locations of Persons Counted

- All homeless persons in emergency or transitional housing must be counted.
- Persons living outside, in cars, in tents, encampments and other "unsheltered" places should also be counted.

Under no circumstances should count surveyors risk collecting count information in ways that pose a significant safety risk. Persons such as experienced outreach workers and currently/formally homeless persons with relationships with existing homeless persons may be able to safely enter isolated homeless encampments to collect count information.

Count activities can be funded by revenue collected as part of the Homelessness Housing and Assistance Act. Local governments must spend enough Act funds to count people throughout the county.

Format of Report Due to Commerce by March 16, 2011

*Note: If your county uses Commerce HMIS for the PIT count we fill in the report table for you.

1. Briefly describe your efforts to count unsheltered persons.
2. Briefly describe how you minimized the duplication of those that were counted.
3. What quantitative data or qualitative impressions do you have on how complete the count was in your county? (i.e., "One-hundred percent of sheltered persons were counted, but we were not able to safely count about 10 percent of the unsheltered homeless population, that live in the southwestern forests and were not willing to come to our stand down.")

Part 1: Homeless Population	Sheltered		Unsheltered	Temporarily Living with Family or Friends
	Emergency	Transitional		
Number of Families with Children (Family Households):				*
Number of Households <u>without</u> Children:				*
Number of Households <u>without</u> Adults (nobody over 17 years old):				*
1. Number of Persons in Families with Children:				*
2. Number of Single Individuals and Persons in Households <u>without</u> Children:				*
3. Number of Persons in Households <u>without</u> Adults (nobody over 17 years old):				*
Total Persons: (Add Lines Numbered 1, 2 & 3)				*
Part 2: Homeless Subpopulations	Sheltered		Unsheltered	Temporarily Living with Family or Friends
	Emergency	Transitional		
a. Chronically Homeless		NA		*
b. Chronically Homeless Families		NA		*
c. Mentally Disabled			*	*
d. Persons with alcohol and/or other drug problems			*	*
e. Veterans				*
f. Persons with HIV/AIDS			*	*
g. Victims of Domestic Violence			*	*
h. Unaccompanied Youth (Under 18)			*	*
i. Children (Under 18) in Families			*	*
j. Physically Disabled			*	*
k. Seasonal Agricultural Workers			*	*
l. Persons with both substance use and mental health problems			*	*
m. Senior citizens (aged 65 or older)			*	*

*Optional