



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**April 30, 2008**

**Ordinance 16077**

**Proposed No.** 2008-0185.3

**Sponsors** Ferguson

1 AN ORDINANCE establishing a new King County mental  
2 illness and drug dependency oversight committee;  
3 amending the King County Code to be consistent with  
4 Chapter 157, Laws of Washington 2008; amending  
5 Ordinance 15949, Section 4, and K.C.C. 4.33.020 and  
6 Ordinance 15949, Section 5, and 4.33.030 and adding a  
7 new chapter to K.C.C. Title 2.

8  
9 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

10 SECTION 1. Findings:

11 A. In 2005, the state Legislature authorized counties to implement a one-tenth of  
12 one percent sales and use tax to support new or expanded chemical dependency or mental  
13 health treatment programs and services and for the operation of new or expanded  
14 therapeutic court programs and services. In November 2007, the council approved  
15 Ordinance 15949 authorizing the levy collection of and legislative policies for the  
16 expenditure of revenues from an additional sales and use tax of one-tenth of one percent  
17 for the delivery of mental health and chemical dependency services and therapeutic

18 courts. The ordinance also established a policy framework for measuring the  
19 effectiveness of the public's investment, requiring the King County executive to submit  
20 oversight, implementation and evaluation plans for the programs funded with the tax  
21 revenue.

22 B. Ordinance 15949 directed the development of an oversight plan by  
23 representatives from the King County office of management and budget, the King County  
24 departments of community and human services, public health, adult and juvenile  
25 detention, judicial administration as well as from superior court, district court, sheriff's  
26 office, office of the prosecuting attorney, office of the public defender and staff of the  
27 King County council. This oversight planning group worked together to develop the  
28 oversight plan, which is Attachment A to this ordinance.

29 C. The consensus oversight plan developed by the oversight planning group  
30 proposes the committee responsible for the ongoing oversight of the mental illness and  
31 drug dependency services and programs funded with sales tax revenue and the role of the  
32 oversight committee. It also specifies how the committee will coordinate with other  
33 existing county groups and endeavors.

34 D. The oversight committee will act as an advisory body to the county executive  
35 and the council. It is the oversight committee's purpose to ensure that the implementation  
36 and evaluation of the strategies and programs funded by the tax revenue are transparent,  
37 accountable and collaborative.

38 E. To achieve its purpose, the oversight committee will conduct several tasks. It  
39 will review, make recommendations and provide comments to the executive and council  
40 on the implementation and effectiveness of the county's sales tax funded programs in

41 meeting the goals established in Ordinance 15949. It will review and comment on the  
42 required quarterly, annual and evaluation reports as specified in Ordinance 15949. It will  
43 review and comment on emerging and evolving priorities for the use of the mental illness  
44 and drug dependency sales tax revenue. The oversight committee should: promote  
45 coordination and collaboration between entities involved with sales tax programs;  
46 educate the public, policymakers and stakeholders on sales tax funded programs; and  
47 coordinate and share information with other related efforts and groups.

48 F. Recognizing that King County is the countywide provider of mental health and  
49 substance abuse services, the committee should work to ensure that access to mental  
50 health and chemical dependency services is available to those who are most in need  
51 throughout the county, regardless of jurisdiction.

52 G. The oversight planning group desired to construct a committee composed of  
53 representatives who would bring the knowledge, expertise and perspective necessary to  
54 successfully review and provide input on the development, implementation and  
55 evaluation of the tax funded programs and services. The oversight committee is  
56 consistent with the requirements of Ordinance 15949, and includes members representing  
57 a broad range of county and community agencies and entities involved in the mental  
58 health, substance abuse, domestic violence, sexual assault, homeless, justice, public  
59 health and hospital systems. In addition to the membership specified in Ordinance  
60 15549, the oversight committee will include a representative from the council, a  
61 representative from a public defender agency that the county contracts with to provide  
62 public services, a representative from a bona fide labor organization, and a representative  
63 from the national alliance on mental illness. In order to balance the need to be inclusive

64 of many potential mental illness and drug dependency action partners with the need to  
65 have a committee that is both workable and manageable in size, membership of the  
66 oversight committee is limited to twenty-nine members.

67 H. The council and executive recognize the need for consumer voices to be  
68 represented on the oversight committee and provide for their involvement by including  
69 the representatives of the King County mental health advisory board and the King County  
70 alcoholism and substance abuse administrative board on the oversight committee.

71 I. The council and the executive acknowledge that there is interest by many other  
72 groups, entities and individuals in participating in the work of the oversight committee.  
73 To that end, the oversight committee is encouraged to establish standing and ad hoc work  
74 groups focusing on specific strategies related to the tax funded programs and services. In  
75 addition, the oversight committee will ensure that there is formalized coordination and  
76 integration between the multiple partners and systems involved in the delivery of mental  
77 health, substance abuse services countywide. Entities whose work is closely related to  
78 mental illness and drug dependency programs may also be invited to participate in  
79 committee meetings as nonvoting members. At each meeting of the oversight committee,  
80 the oversight committee should provide an open comment period.

81 J. The oversight committee will continue to operate until all revenue from the tax  
82 has been expended and a final evaluation report is submitted to the council by the  
83 executive. At the end of the committee's third year of operation, the executive, in  
84 collaboration with the oversight committee, shall assess the structure, membership and  
85 responsibilities of the oversight committee.

86 K. Ordinance 15949 calls for the collaboration of the oversight group on the  
87 development of both the implementation and evaluation plans, which are due to the  
88 council on June 1, 2008, and August 1, 2008, respectively.

89 L. In March 2008, the Washington state Legislature amended RCW 82.14.055 in  
90 Chapter 157, Laws of Washington 2008, effective June 12, 2008. The statute amends the  
91 definition of "programs and services" that are authorized for funding by the sales tax,  
92 adding housing to the list of authorized programs and services that are a component of a  
93 coordinated mental health or chemical dependency treatment program or service. The  
94 statute also amended the nonsupplanting provision to allow funds.

95 SECTION 2. The oversight plan for the mental illness and drug dependency  
96 action plan, revised April 23, 2008, Attachment A to this ordinance, is hereby approved.

97 SECTION 3. Section 4 of this ordinance should constitute a new chapter in  
98 K.C.C. Title 2.

99 NEW SECTION. SECTION 4. A. There is hereby established a King County  
100 mental illness and drug dependency oversight committee.

101 B.1. The oversight committee shall act as an advisory body to the county  
102 executive and council. The oversight committee is responsible for oversight of the mental  
103 illness and drug dependency tax-funded strategies, programs and goals outlined in  
104 Ordinance 15949 and consistent with the mental illness and drug dependency action plan.  
105 The oversight committee shall provide ongoing oversight of mental illness and drug  
106 dependency tax-funded programs until all revenues have been expended and the final  
107 evaluation of the mental illness and drug dependency programs and services has been  
108 submitted to the council.

- 109           2. The oversight committee shall:
- 110           a. review and provide written recommendations to the executive and the
- 111 council on the implementation and effectiveness of the county's sales tax funded
- 112 programs in meeting the goals established in Ordinance 15949;
- 113           b. review and report to the executive and the council on the quarterly, annual
- 114 and evaluation reports as required by Ordinance 15949;
- 115           c. review and make comment on emerging and evolving priorities for the use
- 116 of the mental illness and drug dependency sales tax revenue;
- 117           d. serve as a forum to promote coordination and collaboration between entities
- 118 involved with sales tax programs;
- 119           e. educate the public, policymakers and stakeholders on sales tax funded
- 120 programs; and
- 121           f. coordinate and share information with other related efforts and groups.
- 122           C. The oversight committee shall be composed of one representative from each of
- 123 the following:
- 124           1. The council;
- 125           2. The executive;
- 126           3. The superior court;
- 127           4. The district court;
- 128           5. The prosecuting attorney's office;
- 129           6. The sheriff's office;
- 130           7. The department of public health;
- 131           8. The department of judicial administration;

- 132 9. The department of adult and juvenile detention;
- 133 10. The department of community and human services;
- 134 11. The King County mental health advisory board;
- 135 12. The King County alcoholism and substance abuse administrative board;
- 136 13. A provider of both mental health and chemical dependency services in King
- 137 County;
- 138 14. A provider of culturally specific mental health services in King County;
- 139 15. A provider of culturally specific chemical dependency services in King
- 140 County;
- 141 16. A provider of domestic violence prevention services in King County;
- 142 17. A provider of sexual assault victim services in King County;
- 143 18. An agency providing mental health and chemical dependency services to
- 144 youth;
- 145 19. Harborview Medical Center;
- 146 20. The Committee to End Homelessness in King County;
- 147 21. King County systems integration initiative, which is an ongoing work group
- 148 established by the executive for addressing juvenile justice matters;
- 149 22. The Community Health Council;
- 150 23. The Washington State Hospital Association, representing King County
- 151 hospitals;
- 152 24. The Suburban Cities Association;
- 153 25. The city of Seattle;
- 154 26. The city of Bellevue;

- 155           27. Labor representing a bona fide labor organization;  
156           28. The office of the public defender;  
157           29. The national alliance on mental illness; and  
158           30. A representative from a public defender agency that the county contracts  
159 with to provide services.

160           D.1. Separately elected officials and King County agency directors or their  
161 designees are not required to be appointed or confirmed.

162           2. A member of the oversight committee who has been confirmed to serve on  
163 another county board or commission is not required to be confirmed to serve on the  
164 oversight committee.

165           3. All other members of the oversight committee are subject to appointment by  
166 the county executive and confirmation by the county council.

167           4. Until all members of the oversight committee are appointed, the executive  
168 shall utilize the oversight planning group to begin collaboration on the development of  
169 the implementation plan. For this purpose, the executive shall expand membership of the  
170 planning group to include representatives of all of the entities that will be included in the  
171 oversight committee. This planning group shall expire on June 1, 2008. It is the  
172 expectation of the county that executive appointments shall be completed on or before  
173 this date.

174           5. The executive shall appoint oversight committee members to staggered terms  
175 in accordance with K.C.C. 2.28.010.C.

176           E. The oversight committee shall adopt rules governing its operations at its first  
177 meeting.

178 1. The committee shall elect a chair or cochair.

179 2. Subcommittees and workgroups may be formed at the discretion of the  
180 oversight committee.

181 3. At each meeting of the oversight committee, the oversight committee shall  
182 provide an open comment period.

183 F. The oversight committee shall coordinate with other county groups including,  
184 but not limited to, the Committee to End Homelessness in King County, the regional  
185 human services levy citizen oversight board, the veterans levy citizen oversight board and  
186 the adult and juvenile justice operational master plan advisory groups to ensure that  
187 information is shared and, when appropriate, efforts are linked and not duplicated.

188 G. The office of management and budget and the mental health, chemical abuse  
189 and dependency services division of the department of community and human services  
190 shall provide staffing of the oversight committee.

191 H. Members of the oversight committee who are not full-time county employees  
192 may be reimbursed for parking expenses in the King County parking garage when  
193 attending meetings of the committee.

194 SECTION 5. The executive, in collaboration with the oversight committee, shall  
195 assess the structure, membership and responsibilities of the oversight committee. By  
196 June 1, 2011, the executive shall report to the council on the assessment, the need for and  
197 benefits of modifying the structure, membership and responsibilities of the oversight  
198 committee. The report shall contain the major accomplishments of the oversight  
199 committee, as well as the executive's recommendations for ensuring a transparent,  
200 accountable and collaborative oversight process of the programs, strategies and services

201 funded by the tax revenue. Eleven copies of the report shall be filed with the clerk of the  
202 council for distribution to all councilmembers. .

203           SECTION 6. Ordinance 15949, Section 4, and K.C.C. 4.33.020 are each hereby  
204 amended to read as follows:

205           A. For the purpose of providing funding for the operation or delivery of new or  
206 expanded mental health and chemical dependency programs and services, and new or  
207 expanded therapeutic courts programs and services, an additional sales and use tax of  
208 one-tenth of one percent is hereby levied, fixed and imposed on all taxable events within  
209 King County as defined in chapter 82.08, 82.12 or 82.14 RCW, except as provided in  
210 subsection B. of this section. For the purposes of this section, "programs and services"  
211 includes, but is not limited to, treatment services, case management, and housing that are  
212 a component of a coordinated chemical dependency or mental health treatment program  
213 or service. The tax shall be imposed upon and collected from those persons from whom  
214 sales tax or use tax is collected in accordance with chapter 82.08 or 82.14 RCW, and  
215 shall be so collected at the rate of one-tenth of one percent of the selling price, in the case  
216 of a sales tax, or value of the article used, in the case of a use tax. This additional sales  
217 and use tax shall be in addition to all other existing sales and use taxes currently imposed  
218 by the county.

219           B. If, as a result of the imposition of the additional sales and use tax authorized in  
220 subsection A. of this section, the county imposes an additional sales and use tax upon  
221 sales of lodging in excess of the limits contained in RCW 82.14.410, the sales shall be  
222 exempt from the imposition of that additional sales and use tax.

223            SECTION 7. Ordinance 15949, Section 5, and K.C.C. 4.33.030 are each hereby  
224 amended to read as follows:

225            A. The moneys collected under K.C.C. 4.33.020 shall be used solely for the  
226 purpose of providing for the operation or delivery of new or expanded chemical  
227 dependency or mental health treatment programs and services and for the operation or  
228 delivery of new or expanded therapeutic court programs and services. For the purposes  
229 of this section, "programs and services" includes, but is not limited to, treatment services,  
230 case management, and housing that are a component of a coordinated chemical  
231 dependency or mental health treatment program or service.

232            B. The proceeds of the tax authorized and imposed K.C.C. 4.33.020 may not be  
233 used to supplant existing funding for these purposes, provided that nothing in this section  
234 shall be interpreted to prohibit the use of moneys collected under this section for the  
235 replacement of lapsed federal funding previously provided for the operation or delivery  
236 of services and programs as provided in this section.

237            C. For the purposes of this section, "proceeds" means the moneys raised by the  
238 additional sales and use tax authorized by this chapter and any interest thereon.

239            SECTION 8. Section 7 of this ordinance takes effect June 12, 2008.

240            SECTION 9. Sections 6 and 7 of this ordinance expire January 1, 2017.

241

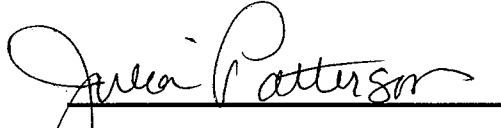
Ordinance 16077 was introduced on 4/7/2008 and passed as amended by the Metropolitan King County Council on 4/28/2008, by the following vote:

Yes: 8 - Ms. Patterson, Mr. Dunn, Ms. Lambert, Mr. von Reichbauer, Mr. Ferguson, Mr. Gossett, Mr. Phillips and Ms. Hague

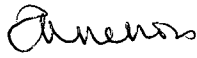
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Excused: 1 - Mr. Constantine

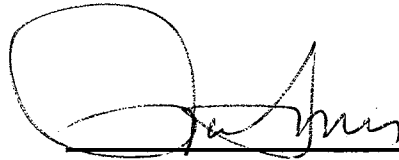
KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

  
Julia Patterson, Chair

ATTEST:

  
Anne Noris, Clerk of the Council

APPROVED this 6 day of May, 2008.

  
Ron Sims, County Executive

RECEIVED  
2008 MAY -7 PM 12:31  
KING COUNTY COUNCIL  
CLERK

**Attachments**      A. Oversight Plan for the Mental Illness and Drug Dependency Action Plan, Revised April 23, 2008

**Oversight Plan**  
**For the Mental Illness and Drug Dependency Action Plan**  
**REVISED April 23, 2008**

**A. Introduction**

In 2005, the state Legislature authorized counties to implement a one-tenth of one percent sales and use tax to support new or expanded chemical dependency or mental health treatment services and for the operation of new or expanded therapeutic court programs. In October 2007, the Metropolitan King County Council voted to accept the Mental Illness and Drug Dependency (MIDD) Action Plan. In November 2007, the council passed Ordinance 15949 authorizing the levy collection and legislative policies of an additional sales and use tax of one-tenth of one percent for the delivery of mental health and chemical dependency services and therapeutic courts. The ordinance also established a policy framework for measuring the effectiveness of the public's investment, requiring the King County Executive to submit oversight, implementation, and evaluation plans for the programs funded with the tax revenue.

The Oversight Planning Group met in January, February and March 2008 to develop and finalize content for the Oversight Plan. A subgroup of the Oversight Planning Group met during February 2008 to draft this plan. In mid-February, the county council communicated to the Oversight Planning Group support for a more formalized Oversight Committee to be established in code.

In accordance with Ordinance 15949, this Oversight Plan proposes a committee (referred to as the Oversight Committee) that will be responsible for ongoing oversight of MIDD sales tax-funded strategies and programs. This plan describes the proposed membership and purpose of the Oversight Committee, the initial and ongoing tasks of the committee, the election of chairs and length of their terms, and the coordination of the committee with other groups.

To develop the Oversight Plan, the King County Office of Management and Budget in partnership with the King County Department of Community and Human Services convened an Oversight Planning Group. This group was comprised of representatives from King County departments and agencies including the Office of Management and Budget, Community and Human Services, Public Health, Adult and Juvenile Detention, Superior Court, District Court, Sheriff's Office, Office of the Prosecuting Attorney, Office of the Public Defender, Judicial Administration, and staff of the County Council.

**B. Goals for MIDD Sales Tax Funded Programs and Strategies**

The goals identified in Ordinance 15949 will inform the work of the Oversight Committee. The primary goals, summarized below are:

1. A reduction of the number of people with mental illness and chemical dependency using costly interventions like jail, emergency rooms and hospitals.

