



KING COUNTY
Signature Report

ATTACHMENT 1
1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Ordinance

Proposed No. 2020-0338.1

Sponsors McDermott, Upthegrove and Kohl-Welles

1 AN ORDINANCE relating to the health through housing
2 implementation plan.

3 STATEMENT OF FACTS:

4 1. In December 2018, The King County regional affordable housing task
5 force found that the region needs an additional 44,000 homes affordable
6 for very low- and extremely low-income households over the next five
7 years.

8 2. Additional funding is required to address the urgent need for affordable
9 housing in King County.

10 3. In November 2015, King County declared a state of emergency to
11 address the homelessness crisis.

12 4. Approximately 4,500 households receiving homeless services in King
13 County are experiencing chronic homelessness.

14 5. Studies show that people experiencing chronic homelessness
15 experience more negative physical health, lower behavioral health
16 outcomes, and victimization.

17 6. Studies show the costs of permanent supportive housing for these
18 households is far less than the crisis system costs from these households
19 experiencing homelessness.

20 7. One-room settings, in particular permanent affordable housing with
21 supportive services, are proven to improve health outcomes and housing
22 stability and reduce crisis system use.

23 8. As of September 14, 2020, nearly 200,000 Americans had died from
24 COVID-19.

25 9. Persons living in congregate shelters are particularly vulnerable to
26 rapid spread of airborne disease like COVID-19 because persons living in
27 congregate shelters are disproportionately persons of color, older than
28 average, and experience higher rates of underlying health conditions, and
29 are by definition without a safe place in which to observe social distancing
30 and best practices of hygiene.

31 10. The Regional Action Framework identified a need for 6,500
32 additional units of supportive housing for people experiencing chronic
33 homelessness.

34 11. In 2019, only 38 percent of adult Medicaid enrollees with an
35 identified need for substance use disorder treatment in King County and
36 statewide received treatment, and only half of those needing mental health
37 treatment received treatment.

38 12. To combat the intersecting crises of COVID-19, chronic
39 homelessness, housing affordability, and behavioral health disorder, there
40 is need for a robust approach that provides more stable affordable housing
41 for those experiencing chronic homelessness, and at risk of chronic
42 homelessness, and increases access to behavioral health treatment and

43 housing-stability services for those households.

44 13. In the 2020 Regular Session, the Washington state Legislature
45 approved, and the Governor signed, Substitute House Bill 1590, which
46 became Chapter 222, Laws of Washington 2020 ("the Act").

47 14. The Act authorizes the governing body of a county to impose a local
48 sales and use tax for affordable housing, housing-related services, the
49 operations and maintenance costs of affordable housing and facilities
50 where housing-related programs are provided, behavioral health-related
51 facilities, newly constructed evaluation and treatment centers, and the
52 operation, delivery or evaluation of behavioral health treatment programs
53 and services.

54 15. The metropolitan King County council has determined that imposing
55 the sales and use tax to improve the region's health outcomes and address
56 the housing affordability crisis will benefit the county's residents.

57 **BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:**

58 SECTION 1. The definitions in this section apply throughout this chapter unless
59 the context clearly require otherwise.

60 A. "Affordable housing" means residential housing that requires payment of
61 monthly housing costs of no more than thirty percent of an eligible household's income.
62 For the purposes of this chapter, monthly housing costs may include rent and costs for
63 those utilities that provide for water, wastewater, electricity, gas, solid waste and
64 recycling services, but not those utilities that provide for telephone, internet services or
65 cable services.

66 B. "Affordable housing committee" means the committee of the growth
67 management planning council developed to implement the work of the regional
68 affordable housing task force developed to implement Motion 14754.

69 C. "At risk of experiencing chronic homelessness" describes a household that:

70 1. Includes an adult with a developmental, physical or behavioral health
71 disability;

72 2.a. Is currently experiencing homelessness for only ten to twelve months in the
73 previous three years; or

74 b. has experienced homelessness for a cumulative total of twelve months
75 within the last five years; and

76 3.a. Includes one adult that has been incarcerated within the previous five years
77 in a jail or prison;

78 b. includes one adult that has been detained or involuntarily committed under
79 chapter 71.05 RCW as now existing, as hereafter amended or as superseded; or

80 c. identifies as a member of a population that is demographically
81 overrepresented among persons experiencing homelessness in King County.

82 C. "Behavioral health treatment programs and services" means a program or
83 service designed to improve or treat the health of persons with one or more behavioral
84 health condition, including either a mental health condition or a substance use disorder,
85 or both.

86 D. "Eligible household" means a person, cohabitating persons and the
87 cohabitating dependents of persons within population groups described in RCW
88 82.14.530 as now existing, as hereafter amended or as superseded, and including any

89 amendments thereto expanding such allowable purposes, as eligible for provision of
90 affordable housing and use of facilities providing housing-related programs and whose
91 income at the time they receive services or placement within affordable housing is at or
92 below thirty percent of the median income in King County.

93 E. "Experiencing chronic homelessness" refers to a household that includes an
94 adult with a disability, that either is currently experiencing homelessness for at least
95 twelve consecutive months or has experienced homelessness for a cumulative twelve
96 months within the previous three years.

97 F. "Housing-related services" means services that are provided to eligible
98 households that are either living in affordable housing or experiencing housing
99 instability, which services have the purpose of helping the household gain, maintain or
100 increase housing stability. "Housing-related services" may include but are not limited to:
101 case management; tenant education and supports; financial assistance for essential costs
102 of housing; or assessment and referral to other human services. For the purposes of this
103 definition, housing instability means a household's inability to gain and maintain safe,
104 habitable housing in a community of the household's choice for less than approximately
105 forty percent of the household's income.

106 G. "Proceeds" means the principal amount of moneys received from the
107 Washington state Department of Revenue from the collection of the additional sales and
108 use tax authorized by K.C.C. chapter XX (Ordinance XXXXX (Proposed Ordinance
109 2020-0337)),and RCW 82.14.530 as now existing, as hereafter amended or as
110 superseded, and any interest earnings on the moneys.

111 SECTION 2.

112 A. No later than June 30, 2021, the executive shall transmit for council review a
113 proposed initial health through housing implementation plan. The implementation plan
114 shall describe the goals, strategies, performance measures, reporting requirements and
115 annual expenditure plan to direct use of the proceeds from 2022 through 2028. The
116 executive shall consult with the affordable housing committee and the chief executive
117 officer of the King County Regional Homelessness Authority in the development of the
118 implementation plan.

119 B. The executive shall file the implementation plan required in subsection A. of
120 this section in the form of a paper original and an electronic copy with the clerk of the
121 council, who shall retain the original and provide an electronic copy to all
122 councilmembers, the council chief of staff, the policy staff director and the lead staff for
123 the committee of the whole and the regional policy committee, or their successors. The
124 implementation plan shall be accompanied by a proposed ordinance that should adopt the
125 implementation plan and form the health through housing advisory committee.

126 SECTION 3. A.1. Beginning January 1, 2022, if an implementation plan has
127 been adopted by the council in accordance with section 3 of this ordinance, then
128 expenditure of proceeds from the health through housing fund shall be consistent with
129 that adopted implementation plan. The implementation plan shall describe the goals,
130 strategies, performance measures, reporting requirements and annual expenditure plan to
131 direct use of the proceeds. Among the goals and corresponding performance measures of
132 the implementation plan shall be the annual reduction of racial and ethnic demographic
133 disproportionality among persons experiencing chronic homelessness in King County.
134 The implementation plan shall also describe responsibilities of a health through housing

135 advisory committee, which is to provide advice to the executive and council and to report
136 annually to the council and the community on the accomplishments and effectiveness of
137 the expenditure of proceeds and name the persons to the committee.

138 2. The executive's selection of persons to serve on the health through housing
139 advisory committee shall provide for the meaningful inclusion on the committee of
140 persons who have experienced homelessness, meaningful inclusion on the committee of
141 persons representative of racial and ethnic communities that are demographically
142 disproportionately represented among persons experiencing chronic homelessness in
143 King County and meaningful inclusion of residents of cities with populations greater than
144 sixty thousand persons and of unincorporated areas. The committee shall include
145 representatives from other county, city, and subregional boards, commissions or
146 committees to promote regional coordination and coordination across King County
147 human services investments.

148 3. The paramount goal of the implementation plan shall be the creation and
149 ongoing operation of two thousand units of affordable housing with housing-related
150 services for eligible households in King County that are experiencing chronic
151 homelessness or that are at risk of experiencing chronic homelessness. Affordable
152 housing units for persons experiencing chronic homelessness created in 2021 using
153 proceeds authorized by K.C.C. chapter XX (Ordinance XXXXX (Proposed Ordinance
154 2020-0337)), may be included in the implementation plan's goals, strategies, satisfaction
155 of performance measures and reporting.

156 4. The implementation plan shall also include as a goal the creation and
157 operations of a mobile behavioral health intervention program with access for its clients

158 to housing created, operated, or otherwise funded by proceeds. The purpose of the
159 mobile behavioral health intervention program required by this subsection shall be to
160 provide an alternative to the use of law enforcement to respond to behavioral health
161 crises. The goal required by this subsection A.4. may be satisfied by creating a new
162 program or by supplementing and adapting an existing program.

163 5. The implementation plan shall describe the process to site affordable housing
164 and behavioral health facilities funded by proceeds. The siting process shall be in
165 accordance with RCW 82.14.530 as now existing, as hereafter amended or as superseded,
166 including the consultation process if a facility is proposed to be located within a city.
167 The implementation plan shall describe and require use of an equity and social justice
168 impact review process when siting affordable housing and behavioral health facilities.

169 6. The implementation plan shall describe how allocation of the proceeds will
170 satisfy the requirements of RCW 82.14.530 as now existing, as hereafter amended or as
171 superseded.

172 7. Included in the implementation plan shall be an expenditure plan for the first
173 eight years the sales and use tax authorized by K.C.C. chapter XX (Ordinance XXXXX
174 (Proposed Ordinance 2020-0337)), and RCW 82.14.530 as now existing, as hereafter
175 amended or as superseded, are collected. For each year, the expenditure plan shall
176 include:

177 a. the forecast of annual debt service associated with bonds issued as authorized
178 by K.C.C. chapter XX (Ordinance XXXXX (Proposed Ordinance 2020-0337)) and
179 allocation of proceeds to fully cover the annual debt service;

180 b. an allocation of at least nine percent and no more than thirteen percent of

181 each year's proceeds for the provision, delivery and administration of behavioral health
182 treatment programs and services that are not part of the supportive services provided
183 within affordable housing or behavioral health facilities supported by proceeds; and

184 c. from the annual remaining proceeds after costs associated with bonding
185 described in subsection B.7.a. of this section and allocations for behavioral health
186 described in subsection B.7.b. of this section, an allocation of no more than five percent
187 for administration, no more than one and one-half percent for evaluation and at least one
188 percent for use in supporting and building the capacity of community-based organizations
189 to deliver eligible uses of proceeds for persons and communities that are
190 disproportionately demographically represented among persons experiencing chronic
191 homelessness in King County.

192 C. No later than June 30, 2027, and every eight years thereafter, the executive
193 shall transmit for council review and adoption by ordinance a proposed update to the
194 implementation plan, which proposed update shall describe for an additional eight years
195 beyond the term of the then-adopted implementation plan the goals, strategies,

196 performance measures, reporting requirements and expenditure plan to direct use of the
197 proceeds for the respective eight-year period.
198

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Claudia Balducci, Chair

ATTEST:

Melani Pedroza, Clerk of the Council

APPROVED this ____ day of _____, _____.

Dow Constantine, County Executive

Attachments: None