



Legislation Text

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AN ORDINANCE providing for the submission to the qualified electors of King County at a special election to be held in King County on November 3, 2015, a proposition authorizing a property tax levy in excess of the levy limitations contained in chapter 84.55 RCW for a consecutive six-year period at a first year rate of not more than 14 cents per one thousand dollars of assessed valuation, and limiting annual levy increases to three percent in the five succeeding years, all for the purpose of funding prevention and early intervention strategies to improve the health and well-being of children, youth and their communities.

STATEMENT OF FACTS:

1. Approximately twenty-five thousand children are born in King County every year. County residents under age eighteen comprise twenty-one percent of the county's population. Nearly half of people under age eighteen in King County are people of color.
2. Eighty-five percent of the human brain is developed by age three. According to early childhood development experts, basic skills necessary to be ready to learn in school and be successful as an adult, such as self-esteem, motivation, coordination, prioritization, management of incoming information, attention and distraction control, are developed by age five before children go to school.
3. A second significant time of brain development is adolescence. According to the National Institute of Mental Health, the parts of the brain responsible for controlling impulses and planning ahead, which are the hallmarks of successful adult behavior, mature during

adolescence. Adolescence is also the critical period when young people learn to form safe and healthy relationships, and when many patterns of health-promoting or potentially health-damaging behaviors are established.

4. Although King County as a whole is a thriving, prosperous region, there is evidence that some of our children and youth are in danger of being left behind. The percentage of children five and under living in poverty is as low as four and seven-tenths percent in some regions of the county and as high as twenty-six percent in other regions. Infant mortality is four times higher in some areas of King County than others. Approximately one-third of pregnant women do not receive the recommended levels of prenatal care. One in five adolescents is overweight or obese and only twenty-four percent of adolescents receive the recommended levels of physical activity. Twenty-six percent of adolescents report having depressive feelings and twenty-nine percent report using alcohol or other illicit drugs. Over six thousand King County students are homeless; in some school districts as many as one in ten are homeless.

5. Studies have shown that adverse childhood experiences, such as domestic violence and sexual assault, increase the odds of experiencing homelessness as an adult, as well as mental health and physical health problems. The significance of the impact of those experiences on the development of children and youth emphasizes the necessity of the provision of robust social services and shelter programs for at-risk children and youth in domestic violence and sexual assault situations to prevent homelessness and physical and mental health problems later in life.

6. All too often the children and youth who are being left behind and are not receiving services before a crisis occurs are children and youth of color. Young people of color make up at least fifty to sixty percent of youth and young adults experiencing homelessness despite only twenty-nine percent of King County's general population being people of color.

7. One of the areas where the disparities in those who do not receive appropriate services before

a crisis occurs is the juvenile justice system. African-American youth make up approximately fifty percent of those in detention in King County, or five times their rate of representation in the general population. According to a report from the National Conference of State Legislatures as many as seventy percent of children and youth in the juvenile justice system nationally are affected with a mental disorder, and one in five suffer from a mental illness so severe as to impair their ability to function as a young person and grow into a responsible adult. King County is committed to preventing crises before they occur and ending disproportionality in the juvenile justice system.

8. The county actively engages in equity and social justice efforts to eliminate racial disparities in the juvenile justice system and the council will consider this goal when deliberating on future policies and plans related to the voter-approved best starts for kids levy.

9. Investment in prevention and early intervention can prevent long-term harm of children as they grow up. According to the National Scientific Council on the Developing Child, extensive research on the biology of stress now shows that healthy development can be derailed by excessive or prolonged activation of stress response systems in the body and the brain, with damaging effects on learning, behavior and health across the lifespan.

10. Prevention and early intervention are also the most effective and least expensive ways to address serious future problems such as chronic disease, mental illness, substance abuse and incarceration. Science tells us that lifelong problems can be prevented: by investing heavily in children before age five; by making strategic investments at critical points in a young person's development before age twenty-four; and by taking actions to ensure that all children and youth have opportunities to live in safe, thriving, health-promoting home, school and community environments.

11. Studies have shown that the return on investment in early childhood development, ensuring

that children have a strong start in life, is from three to seventeen dollars for every dollar invested. Similarly, the Institute of Medicine and National Research Council's Preventing Mental, Emotional, and Behavioral Disorders Among Young People report released in 2009 notes that cost-benefit ratios for early treatment and prevention programs for addictions and mental illness programs range from 1:2 to 1:10. This means a one-dollar investment yields two to ten dollars savings in health costs, criminal and juvenile justice costs, educational costs and lost productivity.

12. Studies show that prevention has positive economic impacts for business. For example, a healthier workforce can reduce the extent to which health insurance costs and employee absenteeism affects a company's competitive edge. In the United States, full-time employees with chronic disease miss an estimated four hundred fifty million additional work days per year, compared to healthy employees, contributing to a cost of one hundred fifty-three billion dollars in lost productivity every year.

13. Many of the county's current funding sources, as well as other public budgets, are dedicated to responding to crises and negative outcomes, particularly negative outcomes for adults, such as severe mental illness, homelessness and chronic illness, and for children and youth who have already dropped out of school or who have been involved in the juvenile justice system. While these are required or necessary expenditures, little funding is available to invest in prevention. For example, seventy-five percent of the county's general fund supports the law and justice system. The veterans and human services levy, because it is focused on services for people who are in crisis, provides for services primarily for adults. Only sixteen percent of its total funding is available to support people under age twenty-four and only eleven percent of the total levy provides for prevention-oriented services.

14. In 2014, the shortfall of funding for public health - Seattle & King County reached a critical

point, threatening the loss of proven prevention and early intervention programs for mothers and families, such as the Nurse Family Partnership home visiting program and maternity support services.

15. While the voter-approved best starts for kids levy would allow public health - Seattle & King County to continue providing parent-child health services, such as the nurse family partnership home visiting program and maternity support services, the levy would not stabilize King County's broader public health services. The public health fund remains at risk, as long-term public health funding sources have not been identified.

16. The majority of levy proceeds from the voter-approved best starts for kids levy is intended to go to community partners to provide services in the community. As the levy is being implemented, the county's goal is to ensure that diverse communities and small organizations, including those that are using emerging and innovative approaches to provide services, are able to access moneys in order to provide culturally appropriate services in King County. The county intends to collaborate with these organizations and help evaluate innovative new programs or services so that promising practices become proven practices.

17. Services for children and youth will improve as agencies and organizations working with children and youth have opportunities for training, building organizational and system capacity and sufficient resources to administer programs and services.

18. In 2010, the county enacted Ordinance 16857, establishing the King County Strategic Plan. The Strategic Plan includes as one of its goals Health and Human Potential: Provide opportunities for all communities and individuals to realize their full potential.

19. In 2010, the county enacted Ordinance 16948, transforming its work on equity and social justice from an initiative to an integrated effort that applies the King County Strategic Plan's principle of "fair and just" intentionally in all the county does in order to achieve equitable

opportunities for all people and communities.

20. In 2012, the council adopted Motion 13768, establishing the Health & Human Services Transformation Plan. The Transformation Plan establishes as its vision that, by 2020, the people of King County will experience significant gains in health and well-being because our community worked collectively to make the shift from a costly, crisis-oriented response to health and social problems, to one that focuses on prevention, embraces recovery and eliminates disparities.

21. In 2014, the county enacted Ordinance 17738, establishing the youth action plan task force and providing policy direction regarding the development of a youth action plan. The youth action plan task force members helped shape the best starts for kids levy.

22. In 2014, as part of the implementation of the King County Strategic Plan, the equity and social justice ordinance, the health and human services transformation plan and as part of the development of the youth action plan, King County staff began examining how the county could balance its investment portfolio towards more preventive approaches that lead to improved outcomes that allow individuals and communities to achieve their full potential. This resulting best starts for kids levy ordinance is guided by and represents a further implementation of the county's adopted policy direction.

23. In addition to building on adopted county policy, in developing this best starts for kids levy ordinance, King County staff consulted with experts at the University of Washington Institute for Learning & Brain Sciences and with several groups and coalitions, including the Best Starts for Kids Advisory Group, the Youth Action Plan Task Force, the Transformation Plan Advising Partners Group, the King County Alliance for Human Services, the Youth Development Executive Directors Coalition and several early learning coalitions. County staff also reviewed and consulted with jurisdictions and organizations from around the United States and the world

regarding best and promising practices.

24. It is the intent of the council and the executive that the strategies supported by the voter-approved best starts for kids levy will achieve a variety of individual and community outcomes. Individual outcomes will include the following: increasing the percentage of pregnant women who receive early and adequate prenatal care; increasing technical assistance to child care providers; reducing psychiatric hospitalizations for children and youth; decreasing the percentage of children and youth using alcohol or drugs; increasing the percentage of children and youth who feel they have an adult in their community they feel they can talk to; and decreasing the percentage of school-aged children and youth in south King County who are at an unhealthy weight. Community outcomes will include the following: decreasing inequities in outcomes for children and youth in King County; decreasing suspensions and expulsions, from child care through high school; decreasing disparities in health and well-being outcomes between different areas within King County; decreasing domestic violence; decreasing moneys spent on crisis services, such as incarceration and involuntary commitment; increasing the number of families and children and youth who are prevented from entering homelessness; and improved quality of life index in Communities of Opportunity.

25. It is the intent of the council and the executive that funding for the youth and family homelessness prevention initiative will allow the initiative to be flexible, client-centered and outcomes-focused and will provide financial support for community agencies to assist clients.

26. It is the intent of the council and the executive that levy proceeds described in section 5.C. of this ordinance shall be distributed in a geographically equitable manner, in furtherance of the King County Strategic Plan, the equity and social justice ordinance and other adopted county policies.

27. The council and the executive recognize the concerns of senior citizens, low-income

households, and other vulnerable populations regarding housing costs and affordability. While the county would be authorized to implement a maximum increase of three percent annually from 2017 through 2021 if the best starts for kids levy is approved by voters, it is the intent of the council and the executive to consider economic conditions that affect those senior citizens, low-income households and other vulnerable populations, such as the year-over-year change in the national consumer price index for urban wage earners and clerical workers (CPI-W), as calculated by the United States Bureau of Labor Statistics, in determining the percentage by which to increase the levy each year.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Definitions. The definitions in this section apply throughout this ordinance unless the context clearly require otherwise.

A. "Children and youth" means a person through twenty-four years old.

B. "Communities of opportunity" means the program launched by The Seattle Foundation and King County in 2014 and memorialized in Contract #5692351, including any successor contract, to support communities in improving the health, social and economic outcomes of the residents of those communities, and to do so by partnering with those communities to shape and own solutions. In the event the formal relationship described in this subsection B. between The Seattle Foundation and King County ceases to be in effect at any point during the life of the levy, "communities of opportunity" means a strategy that is designed to improve the health, social and economic outcomes of specific communities that is administered by the county and developed in partnership with those communities.

C. "Communities of opportunity interim governance group" means the group and any successor group charged with advising on strategic direction and operations for communities of opportunity. The communities of opportunity interim governance group shall include one appointee of the executive and one appointee of the council, respectively, who shall be confirmed by ordinance. Interim governance group members as of the date

of enactment of this ordinance include community partners and representatives from local government, from The Seattle Foundation and from King County. If the proposed levy passes, the group will be reconstituted in accordance with section 7.B. of this ordinance.

D. "Levy" means the levy of regular property taxes for the specific purposes and term provided in this ordinance and authorized by the electorate in accordance with state law.

E. "Levy proceeds" means the principal amount of moneys raised by the levy and any interest earnings on the moneys.

F. "Limit factor," for purposes of calculating the levy limitations in RCW 84.55.010, means one hundred three percent.

G. "Strategy" means a program, service, activity, initiative or capital investment intended to achieve the goals of this ordinance.

H. "Youth and family homelessness prevention initiative" means an initiative intended to prevent and divert children and youth and their families from becoming homeless.

SECTION 3. Levy submittal. To provide necessary moneys for the purposes identified in section 5 of this ordinance, the county council shall submit to the qualified electors of the county a proposition authorizing a regular property tax levy in excess of the levy limitation contained in chapter 84.55 RCW for six consecutive years, commencing in 2016, at a rate not to exceed fourteen cents per thousand dollars of assessed value in the first year and authorizing a limit factor of one hundred three percent for each of the five succeeding years, which are 2017 through 2021. In accordance with RCW 84.55.050, this levy shall be a regular property tax levy, which is subject to the statutory rate limit of RCW 84.52.043.

SECTION 4. Deposit of levy proceeds. The levy proceeds shall be deposited in a special revenue fund, which fund shall be created by ordinance.

SECTION 5. Eligible expenditures.

A. Out of the first year's levy proceeds:

1. Nineteen million dollars shall be used to plan, provide and administer a youth and family homelessness prevention initiative; and

2. Such sums as are necessary to provide for the costs and charges incurred by the county that are attributable to the election.

B. The remaining levy proceeds shall be used to plan, provide and administer the provision of a wide range of strategies to:

1. Improve health and well-being outcomes of children and youth, as well as the families and the communities in which they live, including, but not limited to, by ensuring adequate services and supports for pregnant women and newborns; access to safe and healthy food; support for hospitals and other mental health providers in King County to provide children and youth with access to mental health services; and developmental screening for children and youth;

2. Prevent and intervene early on negative outcomes, including, but not limited to, chronic disease, mental illness, substance abuse, homelessness, domestic violence and incarceration;

3. Reduce inequities in outcomes for children and youth in the county; and

4. Strengthen, improve, better coordinate, integrate and encourage innovation in health and human services systems and the agencies, organizations and groups addressing the needs of children and youth, their families and their communities.

C. Of the eligible expenditures described in subsection B. of this section:

1. Fifty percent shall be used to plan, provide and administer strategies focused on children and youth under five years old and their caregivers, pregnant women and for individuals or families concerning pregnancy. Of these moneys, not less than \$42.8 million shall be used to provide health services, such as maternity support services and nurse family partnership home visiting program services;

2. Thirty-five percent shall be used to plan, provide and administer strategies focused on children and youth ages five through twenty-four years old;

3. Ten percent shall be used to plan, provide and administer communities of opportunity; and

4. Five percent shall be used to plan, fund and administer the following:

a. evaluation and data collection activities;

b. activities designed to improve the delivery of services and programs for children and youth and their communities;

c. services identified in subsection B. of this section provided by metropolitan park districts in King County. Of these moneys identified in this subsection C.4.c., an amount equal to the lost revenues to the metropolitan park districts resulting from prorationing as mandated by RCW 84.52.010, up to one million dollars, shall be provided to those metropolitan park districts if authorized by the county council by ordinance; and

d. services identified in subsection B. of this section provided by fire districts, in an amount equal to the lost revenues to the fire districts in King County resulting from prorationing, as mandated by RCW 84.52.010, for those services, to the extent the prorationing was caused solely by this levy and if authorized by the county council by ordinance.

SECTION 6. Call for special election. In accordance with RCW 29A.04.321, the King County council hereby calls for a special election to be held in conjunction with the general election on November 3, 2015, to consider a proposition authorizing a regular property tax levy for the purposes described in this ordinance. The King County director of elections shall cause notice to be given of this ordinance in accordance with the state constitution and general law and to submit to the qualified electors of the county, at the said special county election, the proposition hereinafter set forth. The clerk of the council shall certify that proposition to the director of elections in substantially the following form:

PROPOSITION___; The King County Council has passed Ordinance _____ concerning funding to improve well-being of children, youth, families and communities. If approved, this proposition would provide funding for prevention and early intervention to achieve positive

outcomes related to: healthy pregnancy; parental and newborn support; healthy child and youth development; the health and well-being of communities; and crisis prevention and early intervention for children and youth, including for domestic violence and homelessness. The measure would authorize an additional regular property tax of \$0.14 per \$1,000 of assessed valuation for collection beginning in 2016 and authorize maximum annual increases of 3% in the succeeding 5 years.

SECTION 7. Governance.

A. If the levy is approved by the voters, an oversight and advisory board shall be established by ordinance to serve as the oversight and advisory board for the portion of the levy proceeds described in section 5.C.1., 2. and 4. of this ordinance. The executive shall transmit to the council by December 1, 2015, a plan relating to the oversight and advisory board and a proposed ordinance that identifies the duties and composition of the oversight and advisory board. The duties of the oversight and advisory board shall include making recommendations on and monitoring the distribution of levy proceeds. The oversight and advisory plan shall be consistent with the recommendations contained in the county's youth action plan, adopted by Motion 14378. The oversight and advisory board shall be comprised of a wide array of King County residents and stakeholders with geographically and culturally diverse perspectives.

B. The communities of opportunity interim governance group shall serve as the advisory board for levy proceeds described in section 5.C.3. of this ordinance. The executive shall transmit to the council by December 1, 2015, a plan relating to the communities of opportunity interim governance group and a proposed ordinance that identifies the composition and duties of the interim governance group with respect to the levy proceeds described in section 5.C.3. of this ordinance.

SECTION 8. Implementation plans.

A. The executive shall transmit to the council an implementation plan that identifies the strategies to be funded and outcomes to be achieved with the use of levy proceeds described in section 5.A.1. of this ordinance.

This implementation plan relating to the youth and family homelessness prevention initiative shall, to the maximum extent possible, be developed in collaboration with the oversight and advisory board and shall be transmitted to the council by March 1, 2016, for council review and approval by ordinance.

B. The executive shall transmit to the council an implementation plan that identifies the strategies to be funded and outcomes to be achieved with the use of levy proceeds described in section 5.C. of this ordinance. The implementation plan shall be developed in collaboration with the oversight and advisory board and the communities of opportunity interim governance group, as applicable. The implementation plan shall, to the maximum extent possible, take into consideration the county's youth action plan, adopted by Motion 14378, and any recommendations of the county's steering committee to address juvenile justice disproportionality that was formed in 2015 that are adopted into policy. Along with the implementation plan required by this subsection B., the executive shall transmit to the council for approval by motion a policy that identifies the economic indicators the council should consider each year in determining the percentage by which to increase the levy for the subsequent year. The motion shall also include the executive's recommendations for the percentage by which the levy should change based on changes in the identified economic indicators. The implementation plan shall be transmitted to the council by June 1, 2016, for council review and approval by ordinance.

C. Levy proceeds may not be expended for the purposes described in section 5.A. and C. of this ordinance until the date on which the applicable implementation plan is approved by ordinance, except for planning funds, which shall be approved by ordinance and not exceed two million dollars, the funds required for elections costs described in section 5.A.2. of this ordinance, and funds for public health services described in section 5.C.1. of this ordinance

D. The implementation plans described in subsections A. and B. of this section shall each include a proposal for an annual reporting process to the council, including the regional policy committee or a successor committee.

SECTION 9. **Ratification.** Certification of the proposition by the clerk of the county council to the director of elections in accordance with law before the election on November 3, 2015, and any other act consistent with the authority and before the effective date of this ordinance are hereby ratified and confirmed.

SECTION 10. **Severability.** If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.