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

Sponsors: Bob Ferguson

Indexes: Committees, Drugs, Mental Health, MIDD (Mental Illness and Drug Dependency)

Code sections: 2 -, 4.33.020 -, 4.33.030 -

Attachments: 1. 16077.pdf, 2. 2008-0185 Transmittal Letter.doc, 3. 2008-0185 MIDD OC Fiscal Note.xls, 4. A. Oversight Plan for the Mental Illness and Drug Dependency Action Plan, March 27, 2008, 5. 2008-0185 Staff Report for 04-09-08 OBFMSI.doc, 6. 2008-0185 Attachment #4 for 04-09-08 OBFMSI ~ Comments recieved by Council staff.doc, 7. 2008-0185 Staff Report for 04-23-08 OBFMSI.doc, 8. 2008-0185 REVISED Staff Report from 04-23-08 OBFMSI.doc, 9. A. Oversight Plan for the Mental Illness and Drug Dependency Action Plan, Revised April 23, 2008, 10. A. Oversight Plan for the Mental Illness and Drug Dependency Action Plan, Revised April 23, 2008

Date	Ver.	Action By	Action	Result
4/28/2008	2	Metropolitan King County Council	Hearing Held	
4/28/2008	2	Metropolitan King County Council	Passed as Amended	Pass
4/23/2008	2	Operating Budget, Fiscal Management and Select Issues Committee	Recommended Do Pass Substitute	Pass
4/9/2008	1	Operating Budget, Fiscal Management and Select Issues Committee	Deferred	
4/7/2008	1	Metropolitan King County Council	Introduced and Referred	

Clerk 04/30/2008

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

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. 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 programs and services and for the operation of new or expanded therapeutic court programs and services. In November 2007, the council approved Ordinance 15949 authorizing the levy collection of and legislative policies for the expenditure of revenues from 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.

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

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

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

E. To achieve its purpose, the oversight committee will conduct several tasks. It will review, make

recommendations and provide comments to the executive and council on the implementation and effectiveness of the county's sales tax funded programs in meeting the goals established in Ordinance 15949. It will review and comment on the required quarterly, annual and evaluation reports as specified in Ordinance 15949. It will review and comment on emerging and evolving priorities for the use of the mental illness and drug dependency sales tax revenue. The oversight committee should: promote coordination and collaboration between entities involved with sales tax programs; educate the public, policymakers and stakeholders on sales tax funded programs; and coordinate and share information with other related efforts and groups.

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

G. The oversight planning group desired to construct a committee composed of representatives who would bring the knowledge, expertise and perspective necessary to successfully review and provide input on the development, implementation and evaluation of the tax funded programs and services. The oversight committee is consistent with the requirements of Ordinance 15949, and includes members representing a broad range of county and community agencies and entities involved in the mental health, substance abuse, domestic violence, sexual assault, homeless, justice, public health and hospital systems. In addition to the membership specified in Ordinance 15549, the oversight committee will include a representative from the council, a representative from a public defender agency that the county contracts with to provide public services, a representative from a bona fide labor organization, and a representative from the national alliance on mental illness. In order to balance the need to be inclusive of many potential mental illness and drug dependency action partners with the need to have a committee that is both workable and manageable in size, membership of the oversight committee is limited to twenty-nine members.

H. The council and executive recognize the need for consumer voices to be represented on the oversight committee and provide for their involvement by including the representatives of the King County

mental health advisory board and the King County alcoholism and substance abuse administrative board on the oversight committee.

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

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

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

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

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

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

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

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

2. The oversight committee shall:

a. review and provide written recommendations to the executive and the council on the implementation and effectiveness of the county's sales tax funded programs in meeting the goals established in Ordinance 15949;

b. review and report to the executive and the council on the quarterly, annual and evaluation reports as required by Ordinance 15949;

c. review and make comment on emerging and evolving priorities for the use of the mental illness and drug dependency sales tax revenue;

d. serve as a forum to promote coordination and collaboration between entities involved with sales tax programs;

e. educate the public, policymakers and stakeholders on sales tax funded programs; and

f. coordinate and share information with other related efforts and groups.

C. The oversight committee shall be composed of one representative from each of the following:

1. The council;

2. The executive;

3. The superior court;
4. The district court;
5. The prosecuting attorney's office;
6. The sheriff's office;
7. The department of public health;
8. The department of judicial administration;
9. The department of adult and juvenile detention;
10. The department of community and human services;
11. The King County mental health advisory board;
12. The King County alcoholism and substance abuse administrative board;
13. A provider of both mental health and chemical dependency services in King County;
14. A provider of culturally specific mental health services in King County;
15. A provider of culturally specific chemical dependency services in King County;
16. A provider of domestic violence prevention services in King County;
17. A provider of sexual assault victim services in King County;
18. An agency providing mental health and chemical dependency services to youth;
19. Harborview Medical Center;
20. The Committee to End Homelessness in King County;
21. King County systems integration initiative, which is an ongoing work group established by the executive for addressing juvenile justice matters;
22. The Community Health Council;
23. The Washington State Hospital Association, representing King County hospitals;
24. The Suburban Cities Association;
25. The city of Seattle;

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

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

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

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

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

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

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

1. The committee shall elect a chair or cochairs.
2. Subcommittees and workgroups may be formed at the discretion of the oversight committee.
3. At each meeting of the oversight committee, the oversight committee shall provide an open comment period.

F. The oversight committee shall coordinate with other county groups including, but not limited to, the

Committee to End Homelessness in King County, the regional human services levy citizen oversight board, the veterans levy citizen oversight board and the adult and juvenile justice operational master plan advisory groups to ensure that information is shared and, when appropriate, efforts are linked and not duplicated.

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

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

SECTION 5. The executive, in collaboration with the oversight committee, shall assess the structure, membership and responsibilities of the oversight committee. By June 1, 2011, the executive shall report to the council on the assessment, the need for and benefits of modifying the structure, membership and responsibilities of the oversight committee. The report shall contain the major accomplishments of the oversight committee, as well as the executive's recommendations for ensuring a transparent, accountable and collaborative oversight process of the programs, strategies and services funded by the tax revenue. Eleven copies of the report shall be filed with the clerk of the council for distribution to all councilmembers.

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

A. For the purpose of providing funding for the operation or delivery of new or expanded mental health and chemical dependency programs and services, and new or expanded therapeutic courts programs and services, an additional sales and use tax of one-tenth of one percent is hereby levied, fixed and imposed on all taxable events within King County as defined in chapter 82.08, 82.12 or 82.14 RCW, except as provided in subsection B. of this section. For the purposes of this section, "programs and services" includes, but is not limited to, treatment services, case management, and housing that are a component of a coordinated chemical dependency or mental health treatment program or service. The tax shall be imposed upon and collected from

those persons from whom sales tax or use tax is collected in accordance with chapter 82.08 or 82.14 RCW, and shall be so collected at the rate of one-tenth of one percent of the selling price, in the case of a sales tax, or value of the article used, in the case of a use tax. This additional sales and use tax shall be in addition to all other existing sales and use taxes currently imposed by the county.

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

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

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

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

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

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

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

none