



Legislation Text

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Clerk 07/13/2009

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, 2009, of a proposition to provide health and human services to residents of King County by authorizing a property tax levy in excess of the levy limitation contained in chapter 84.55 RCW, for a consecutive six year period at a rate of not more than \$_____ per one thousand dollars of assessed valuation, for the purpose of providing funding to enable the provision of health and human services such as housing, mental health counseling, substance abuse prevention and treatment, employment assistance and other essential health and human services for residents of King County and contingent on voter approval of the ballot proposition revoking the additional regular property tax levy authorized in 2005 by County Proposition No. 1 and Ordinance 15279 for any levy after voter approval.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. Chapter 73.08 RCW is titled "Veterans' Relief" and assigns responsibility for veterans' aid to counties. This provision was originally made in 1888 following the Civil War. RCW 73.08.080 establishes a specific property tax for counties to provide veterans' assistance for eligible veterans and their dependents. This statute requires counties to levy a property tax of between 1.125 cents and 27 cents per one thousand

dollars of assessed value for veterans' assistance. This portion of the county's regular property tax levy amount is dedicated to veterans' relief.

B. The veterans levy was established by King County and first levied at a rate of \$0.025 per one thousand dollars of assessed value but subsequent changes in state law limiting property tax increases in chapter 84.55 RCW and a recent initiative, Initiative 747, have reduced the effective rate.

C. Approximately 180,900 veterans live in King County representing twenty-seven percent of the state's veterans. The population of veterans in the state is growing and Washington ranks twelfth nationwide for the total number of veterans in the state.

D. The Puget Sound region has a growing homeless population, estimated to be as many as 8,400 on any given night. The Department of Veterans' Affairs (DVA) estimates that there are as many as 2,800 homeless veterans in the Puget Sound region. Many factors contribute to the problem of homelessness among veterans. Unemployment, chemical and substance abuse and mental illness are prominent among them.

E. The National Center for Post Traumatic Stress Disorder ("PTSD") estimates that thirty percent of men of women who have served in the military during conflict will suffer from mental illness. PTSD can cause problems such as memory and cognitive disorders, inability to function in social or family life, severe depression and occupational instability. Substance abuse is an extremely common form of self-medication in those suffering from PTSD, according to the center's studies.

F. According to the DVA, about forty-eight percent of homeless veterans suffer from mental illness and slightly more than sixty-eight percent have suffered from drug or alcohol or drug abuse problems. Thirty-five percent have both psychiatric and substance abuse disorders. As the largest and most complex medical center in the VISN 20 network, VA Puget Sound Health Care system reported the highest percentage of homeless veterans in its acute mental health programs.

G. According to the DVA, across the nation one-third of adult homeless men and nearly one-quarter of all homeless adults have served in the armed forces. More than 299,000 veterans may be homeless on any

given night and as many as 500,000 may experience homelessness during a year. Many other veterans are considered at risk because of poverty, lack of support from family and friends and precarious living conditions in overcrowded or substandard housing.

H. According to the National Coalition for Homeless Veterans, despite statutory requirements and annual increases in the Veterans Health Administration (VA) budget each year, the VA's mental health and addiction treatment capacity has deteriorated. Closures or curtailment of inpatient psychiatric and residential substance abuse rehabilitation facilities have not been counteracted by complementary increases in outpatient treatment capacity. According to the VA Committee on the Care of Veterans with Serious Mental Illness, VA spending on mental health and addiction services has declined by eight percent over the past seven years, and by twenty-five percent when adjusted for inflation.

I. King County's veteran services include:

1. Financial aid and emergency assistance for rent, food, utilities, medical needs and burial;
2. Employment services such as job placement, career counseling, job training; transportation and employment support services, such as clothing and tools;
3. Mental health counseling, including crisis and PTSD counseling and intervention services; and
4. Case management services, which provide assistance for those needing transitional or permanent housing, claims or help getting into treatment programs.

J. King County also contracts for veteran services to provide long-term housing, short-term housing, and treatment for trauma, homeless prevention, veterans' incarcerated prevention and other programs.

K. In King County several public and private not-for-profit organizations comprise a health safety net providing medical care and other health services to low-income populations who are uninsured, underinsured, or insured through publicly-funded programs. The estimated total number of adults and children in King County who are uninsured, underinsured or who are enrolled in publicly-funded insurance programs is 635,000, or about one-third of the population.

L. Public Health Centers in King County provide services supporting low-income families and young children such as women, infants & children (WIC) nutrition programs, family & maternal support services, and family planning and sexually transmitted disease services. In addition, some centers provide access to primary care and dental services for certain low-income populations, such as people who are homeless. The county operates ten public health centers that provided services to over 160,000 clients in 2008. Non-profit community health centers provide comprehensive primary care services, dental services, and other health services to uninsured people and people enrolled in government-funded insurance programs, serving well over 100,000 clients. Other non-profit organizations offer a wide range of health-related services to populations in need and without other access.

M. Investments in the services offered through the health safety net are proven to reduce costs to society. Maternal support services and WIC nutrition programs are proven to improve the health, development and social outcomes for families and children. These services prevent low-birth weight and preterm births which are many times more costly than full-term births and often result in higher future health care and special education needs. They also contribute to a reduction in infant deaths. Investments in family planning services save \$4 for every \$1 spent by reducing unintended pregnancy. Women, and especially teens, who experience intended pregnancy are more likely to have healthy babies, less likely to have abortions, more likely to stay in school and more likely to be fully employed. Primary care and dental services are cost effective ways to improve health. People with access to these services are more likely to receive preventive health services, have lower rates of illness and death, and access can reduce more expensive interventions such as emergency care.

N. A set of intensive family support services offered through the public health centers are proven to reduce families' and children's involvement in the criminal justice system. Some of these services have rates of return to society as high as \$17 for every \$1 invested through a number of positive health and social outcomes, including increased rates of financial self-sufficiency and lower rates of child abuse and neglect, and reduced involvement by offspring in the criminal justice system.

O. King County and other local public health jurisdictions are facing a structural funding challenge in Public Health. The funding challenge is related to several factors on the international, national, and State level that are converging on the local level. These The 2006 report of the State Legislature's Joint Select Committee on Public Health Financing documents the statewide funding challenge for local public health jurisdictions arising from these factors, including the reemergence of infectious diseases and the increasing lack of access for individuals to health care services.

P. In addition, the loss of statewide, stable, dedicated funding for public health has led to reductions in public health services and other significant funding challenges. Prior to 1994, both cities and counties shared financial responsibility for the provision of public health services. When the State legislature eliminated cities from this responsibility, they also authorized a motor vehicle excise tax (MVET) with part of the revenues from that tax dedicated to public health services. In 1999, the voters of the State passed Initiative 695, which resulted in the elimination of the MVET by the State Legislature. Since then, the State has partially backfilled the loss of MVET revenue for local public health with contributions from the State's General Fund. However, this State flexible funding has not grown since 2003 and, with the significant shortfalls facing the State's budget, is increasingly at risk from year to year.

Q. Prior to 2009, the County was able to avoid deep cuts in public health through the use of reserves and additional contributions from the County's General Fund to sustain roughly the same level of services. The County's General Fund contribution for public health services has doubled from \$15 million in 2003 to over \$30 million in 2009 in order to compensate for the loss of other funding sources.

R. In 2009, the County's General Fund faced a substantial shortfall and thus the General Fund contribution to Public Health did not grow to cover the Public Health structural imbalance. As a result, the Public Health Fund faced significant reductions in order to balance to its structural imbalance. On top of this, the shortfall in the County's General Fund resulted in an absolute reduction in the General Fund contribution to Public Health in 2009, necessitating even deeper cuts in public health services. As the County's General Fund

continues to face challenges in 2010 and beyond, we can expect the Public Health Fund to continue to face reductions in future years as well.

S. King County contracts with local agencies, using county discretionary funds, to provide adult day health and senior services, child care referral, domestic violence and sexual assault victim's assistance, homeless and shelter services, housing assistance, youth and family services, youth shelters, youth prevention and juvenile justice services, adult justice diversion and transition services, health services for low-income, uninsured persons and other supportive services for the community. The county also manages several human service systems mandated by state and federal governments, including services for seriously mentally ill people, drug and alcohol services, veteran's services, services for people with developmental disabilities and regional public health services.

T. King County provides human services for two reasons: due to contractual obligations with the State of Washington for the planning and provision of publically funded services, such as mental health, substance abuse, veterans, and developmental disabilities; or to enable mandated criminal justice and public health programs operate more effectively and efficiently.

U. King County funded human services that were provided to over 583,000 families and individuals in 2007.

V. The County's general fund contribution to human services has been in a steady decline since 2006. Between 2006 and 2009, nearly fifty percent of the County's general fund contribution was reduced from human services.

W. Because the majority of the County's human services are not mandated by state or federal laws, general fund support for human services beyond 2009 is at risk of complete elimination as County resources shrink.

X. Since 1999, King County has redefined criminal justice and human services priorities and populations to reduce recidivism and improve services. The Juvenile Justice Operational Master Plan and the

Adult Justice Operational Master Plans focused on developing alternatives to detention and incarceration for youth and adults as a means of stabilizing lives and reducing census and costs. These alternatives include human service programs including assessment, treatment in jail and upon discharge, housing, employment and job training and other cost-effective prevention and intervention services for individuals and their families. The Framework Policies for Human Services clarified the County's role in human services and established priorities for the County's financial investment in human services. The Ten-Year Plan to End Homelessness in King County prioritizes investments in preventing or reducing homelessness, moving people quickly to stable housing, and improving linkages to treatment and other supportive services to create stability and increase self-sufficiency.

Y. The county's current expense fund faces continuing challenges in future years. To balance the 2009 budget, the County was forced to cut ninety-three million dollars. For 2010, the deficit is project to approach fifty million dollars with another sixty million in cuts necessary for 2011.

Z. To balance the 2009 budget the County reduced its general fund contribution to human services by seven million. While the overall amount from the general fund contributed to public health in 2009 was virtually the same as 2008, this amount still reflects significant service cuts due to cost growth and increased demand for services.

AA. If additional revenues are not added to the health and human service programs for the county, the results will likely be the dramatic reduction of services and closure of public health centers or reduction of support for the health safety net.

SECTION 2. Definitions. The definitions in this section apply throughout this ordinance unless the context clearly require otherwise.

A. "Family" means a veteran's or military personnel's spouse, domestic partner or child or the child of the spouse or domestic partner or other dependent relatives if living in the household of a veteran or military personnel.

B. "Human services for veterans" means services and projects of the King County veterans' program specifically developed to meet the needs of veterans, military personnel and their families in King County.

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

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

E. "Military personnel" means those persons currently serving in a branch of the military, including the National Guard and reservists for any branch of the military.

F. "Public health and human services" means a range of services and related capital facilities, including housing, that meet basic human needs and promote safe and healthy communities including but not limited to:

1. Prevention and early intervention services that reduce or prevent adverse human behaviors and social conditions that lead to crises, serious dysfunction or disability;
2. Criminal justice linked services that assist individuals and their families avoid or mitigate their involvement with the justice system;
3. Crisis intervention services that address life threatening situations and other crises;
4. Rehabilitation and support services that provide treatment for individual and family problems or provides support to maintain or enhance their present level of independence.
5. Regional public health services supporting individual, community, and population health.

G. "Veterans" mean those persons who have served in any branch of the military, including the National Guard and reservists for any branch of the military.

SECTION 3. Levy submittal to voters. To provide necessary funds for the provision of veterans, health and human services to residents of King County, 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 2009, with collection beginning in 2010, at a rate

not to exceed _____ cents per one thousand dollars of assessed value. 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.

A. The levy proceeds shall be deposited in three special revenue funds which shall be created by ordinance. The levy proceeds shall be divided to place the first three cents of the levy proceeds in one fund designated for the provision of health and human services for veterans, military personnel and their families. Of the proceeds remaining, _____ percent shall be placed in another fund designated for the provision of human services to a wide range of low-income people in need of such services, and _____ percent of the levy proceeds shall be placed in a fund designated for the provision of public health services to a wide-range of people in need of such services.

B. Each fund shall be a first tier fund and any levy proceeds deposited in the fund shall be limited to the uses identified in Section 5 of this ordinance.

SECTION 5. Eligible expenditures. If approved by the qualified electors of the county, the levy proceeds shall be used for the purposes described in this section.

A. The levy proceeds derived from the three of the levy shall be used solely for the provision of health and human services for veterans, military personnel and their families,

B. _____ percent of the remaining levy proceeds shall be used solely for the provision of human services to a wide range of low-income people in need of such services, to pay the costs associated with provision of health and human services to a wide range of low-income people in need of such services, including, but not limited to, services for veterans, military personnel and their families, services for children and youth, the elderly, the unemployed and underemployed and for services specific to veterans' needs such as treatment for posttraumatic stress disorder and specialized employment assistance. The health and human services will also include a range of regional health and human services and related capital facilities including, but not limited to, operation of public health centers, public health services, housing assistance, homelessness

prevention, mental health counseling substance abuse prevention and treatment and employment assistance, and

C. _____ percent of the remaining levy proceeds shall be used solely for the provision of public health services to a wide-range of people in need of such services, to pay the costs associated with provision of health and human services to a wide range of low-income people in need of such services, including, but not limited to, services for veterans, military personnel and their families, services for children and youth, the elderly, the unemployed and underemployed and for services specific to veterans' needs such as treatment for posttraumatic stress disorder and specialized employment assistance. The health and human services will also include a range of regional health and human services and related capital facilities including, but not limited to, operation of public health centers, public health services, housing assistance, homelessness prevention, mental health counseling substance abuse prevention and treatment and employment assistance.

Eligible expenditures shall also include payment of costs to strengthen and improve the public health and human services system and infrastructure to provide greater access to services and engender better coordination and integration of regional public health and human services addressing the needs of low-income populations and veterans, military personnel and their families.

SECTION 6. Call for special election. In accordance with RCW 29A.04.321, it is hereby deemed that an emergency exists requiring the submission to the qualified electors of the county at a special election to be held on November 3, 2009, a proposition authorizing a regular property tax levy for the purposes described in this ordinance. The manager of the elections division 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 manager of the elections, in substantially the following form, with such additions, deletions or modifications as may be required for the proposition listed below by the prosecuting attorney:

PROPOSITION ____: The King County council has passed Ordinance _____ concerning funding for health and human services. This proposition would fund health and human services such as housing

assistance, mental health counseling, substance abuse prevention and treatment and employment assistance. It would also fund capital facilities and improved access to and coordination of services for veterans, military personnel and their families. It would authorize King County to exceed RCW 84.55 regular property tax limitations and levy an additional property tax of _ cents per \$1,000 of assessed valuation for six consecutive years with collection beginning in 2010, and rescind 2005 King County Proposition No. 1 levy authority for regular property tax levies after voter approval. Should this proposition be:

Approved? _____

Rejected? _____

SECTION 7. Ratification. Certification of the proposition by the clerk of the county council to the manager of the elections division in accordance with law before the election on November 3, 2009, and any other act consistent with the authority and before the effective date of this ordinance are hereby ratified and confirmed.

SECTION 8. If the voters approve the proposition contained within Section 6 of this ordinance, then the additional regular property tax levy authorized by 2005 King County Proposition No. 1 and ordinance 15279 is hereby revoked for any levy made after the proposition authorized by section 6 of this ordinance is approved.

SECTION 9. 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.