

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE relating to regular property taxes; providing for the submission to the qualified electors of the City at an election to be held on August 6, 2019, a proposition to lift the limit on regular property taxes under chapter 84.55 RCW and authorize the City to levy additional taxes for up to seven years for the purpose of sustaining investments in Library operating hours, collections, technology, and maintenance while expanding access to opportunity through additional hours, Library materials, and technology and undertaking seismic retrofits of three Library facilities; authorizing creation of a new fund; and ratifying and confirming certain prior acts.

..body

WHEREAS, The Seattle Public Library (Library) was established in 1890 and since that time has served as a free source of information and a community gathering place for residents of Seattle and the region; and

WHEREAS, the Library has relied, in part, on voter-approved funding to maintain and expand its facilities and services for more than two decades; and

WHEREAS, in 1998 Seattle voters overwhelmingly supported the Libraries for All bond measure, which made Library services more accessible throughout the City by adding four branch libraries in communities without Library service, replacing and renovating 22 existing branches, and developing the new downtown Central Library; and

WHEREAS, during the Great Recession, the Library sustained significant cuts in Library operating hours, collection budgets and other Library services while still serving as a safety net for the community; and

WHEREAS, in 2012, the Mayor and the City Council, in conjunction with the Library Board of Trustees, identified a property tax levy lid lift as the revenue source that could most feasibly be used in combination with the City's General Fund and Real Estate Excise Tax (REET) to restore and sustain Library operations at desired service levels; and

1 WHEREAS, in April 2012, the City Council passed Ordinance 123851 to place a \$123 million,
2 seven-year property tax levy to support Library core services on the primary ballot and
3 this measure was decisively approved by voters in August 2012; and

4 WHEREAS, the 2012 Library Levy identified four levy components: Open Hours and Access;
5 Collections; Technology and Online Services; and Maintenance for levy investments; and

6 WHEREAS, through Open Hours and Access, the Library seeks to provide Library services to
7 Seattle residents when they need them through operating hours and outreach efforts; and

8 WHEREAS, through Collections, the Library seeks to provide a robust collection of physical and
9 digital materials to Seattle residents in the formats they prefer and languages that they
10 speak; and

11 WHEREAS, through Technology and Online Services, the Library seeks to make its offerings
12 available to all Seattle residents through its website and online catalogue and bridge the
13 digital divide by providing internet access and technology equipment for the public at its
14 physical locations and by supporting the circulation of mobile devices that allow Seattle
15 residents to access the internet outside of Library facilities; and

16 WHEREAS, through Maintenance, the Library seeks to ensure its facilities are safe, welcoming,
17 and in good repair and makes major maintenance investments to preserve facilities for the
18 next generation; and

19 WHEREAS, the Library currently provides equal and free access to over 2.3 million books and
20 materials, over 2,000 desktop computers, laptops, tablets, and Wi-Fi hotspots, and over
21 10,000 educational and cultural programs annually, and Library staff provide assistance
22 to residents in finding, evaluating, and using information; and

1 WHEREAS, the Library is heavily used by the community, with over five million visits to its 27
2 physical locations in 2018, nearly 12 million visits to its website and catalogue, 2.5
3 million internet sessions through Library public computer equipment or patrons' devices,
4 circulation of nearly 12 million physical and digital items, and attendance of over
5 300,000 at Library programs and events held both at the Library and in the community;
6 and

7 WHEREAS, Library access and assistance is particularly important to job seekers, families with
8 small children, students, immigrants, seniors, people with disabilities, and those who are
9 economically disenfranchised; and

10 WHEREAS, through the 2012 Library Levy, the Library has been able to fulfill its promises to
11 voters to keep libraries open, to provide a robust collection of books and materials,
12 improve its technology and online services and maintain its buildings for future
13 generations; and

14 WHEREAS, the 2012 Library Levy, which expires on December 31, 2019, now provides almost
15 25 percent of the total Library budget, and the loss of this funding source would have a
16 major impact on core Library services and programs and the Library's ability to maintain
17 its investment in its facilities; and

18 WHEREAS, on October 26, 2016 the Library Board of Trustees passed a resolution that
19 authorized the City Librarian to begin an initial planning process in preparation for a
20 Library levy renewal proposal in 2019 and committed to a collaborative process with the
21 Mayor and City Council to identify the level of funding and renewal package at the
22 appropriate time; and

1 WHEREAS, in April 2018, the Library undertook a Programs and Services Assessment survey,
2 which was available in eight languages, to help understand residents' priorities for their
3 Library system and received more than 26,000 responses, including a statistically
4 significant subset of responses from over 700 Library users and non-users who matched
5 the City's demographic profile as reflected in the 2016 American Community Survey;
6 and

7 WHEREAS, according to the statistically significant subset, respondents expressed strong
8 support for the Library, with two out of three respondents indicating they had used
9 Library services over the last six months; and

10 WHEREAS, Library survey respondents re-affirmed that the Library should continue focusing
11 its investments on Access, Collections, Technology, and Facilities as well as identified
12 service enhancements that would lead to more Library usage; and

13 WHEREAS, Seattle residents identified additional Library hours as the highest priority service
14 enhancement; and

15 WHEREAS, the Levy sustains hours added through the 2012 Library Levy and proposes adding
16 Sunday hours system-wide and additional Friday hours at four branches and extended
17 morning/evening hours at three additional branches; and

18 WHEREAS, Seattle residents identified providing a robust collection as the primary role of the
19 Library and the next highest priority service enhancement after additional Library hours;
20 and

21 WHEREAS, the Levy sustains collections funding added through the 2012 Library Levy,
22 including buying more copies of popular materials; expanding collection breadth, depth,
23 and access; incorporating more underrepresented voices; and preserving local history;

1 while proposing additional funding to support patrons’ shift to use of higher-cost digital
2 materials; and

3 WHEREAS, Seattle residents identified serving high-needs communities as a critical role for the
4 Library; and

5 WHEREAS, recent research shows overdue fines have little impact on borrowers’ timeliness in
6 returning materials and have a disproportionate impact on low-income families,
7 discouraging library use; and

8 WHEREAS, many library systems that have eliminated fines experience higher usage; and

9 WHEREAS, the Library Board adopted a Race and Social Justice policy in January 2018, and
10 since the Library wants to ensure equitable access to Library resources for all Seattle
11 residents by removing barriers that disproportionately impact low-income residents, the
12 proposed Levy includes fine-free access to Library materials so that more Seattle
13 residents will be able to access Library resources and benefit from Library services; and

14 WHEREAS, Seattle residents identified providing computer and internet access as a critical role
15 for the Library; and

16 WHEREAS, Library data from the 2018 Library Programs and Services Assessment show that
17 residents in historically underserved neighborhoods were more likely to say they visited
18 the Library to access computers and Wi-Fi; and

19 WHEREAS, the Levy sustains technology and online services funding added through the 2012
20 Library – including replacing and upgrading technology equipment and internet access
21 within Library buildings as well as maintaining the SPL.org website and Library
22 catalogue – while proposing additional funding to upgrade aging technology
23 infrastructure for high-speed public internet access at all Library locations; replace or

1 upgrade the Library’s main business platform for procuring, processing and tracking
2 Library materials; and sustain the Library’s investments in technology and digital equity,
3 including Wi-Fi hotspots available for checkout, currently funded by cable franchise fee
4 revenues; and

5 WHEREAS, the Levy sustains Maintenance funding added through the 2012 Library, including
6 enhanced daily maintenance, preventive maintenance, and major maintenance; and

7 WHEREAS, in 2016, the Seattle Department of Construction and Inspections (SDCI) did a
8 survey of unreinforced masonry buildings in Seattle and identified three Carnegie era
9 Library branches – Columbia, Green Lake, and University – as high-risk during an
10 earthquake. To reduce the risk of injury and loss of life, as well as preserve cherished
11 community assets, the Levy proposes seismic retrofits of these three branches during the
12 next seven years; and

13 WHEREAS, on March 19, 2019, the Library Board of Trustees, in collaboration with Mayor
14 Jenny Durkan, passed a resolution recommending the Seattle City Council approve a
15 \$213.3 million Levy renewal and enhancement for the August 2019 primary election
16 ballot; and

17 WHEREAS, Council intends that by increasing the amount of the levy by \$2,120,760 over the
18 \$213.3 million as transmitted, funding will be allocated to support a new levy category
19 for supporting children, including: (1) expanding Play and Learn programming for
20 children; and

21 WHEREAS, Council intends that by increasing the amount of the levy by \$2,512,000 over the
22 \$213.3 million as transmitted, funding will be allocated to support open hours and access

1 by: (1) opening the 26 Library branches for one additional hour Monday through
2 Thursday with appropriate custodial staffing; and

3 WHEREAS, Council intends that by increasing the amount of the levy by \$1,149,992 over the
4 \$213.3 million as transmitted, funding will be allocated to support open hours and access
5 by: (1) expanding the Community Resource Specialist program with support for youth;
6 and

7 WHEREAS, the Revised Code of Washington grants exclusive control of the finances of the
8 Library to the Board of Trustees and authorize the Library Board to oversee the Library's
9 annual operating and capital budgets; and

10 WHEREAS, library investment is a reflection of a community's values; and

11 WHEREAS, by renewing the Library Levy, Seattle expands access to education and opportunity,
12 promotes equity, lifts up the places where communities come together, and invests in
13 libraries of the future; NOW, THEREFORE,

14 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

15 Section 1. Definitions. The following terms, when used and capitalized in this
16 ordinance, shall have definitions stated below:

17 A. "City" means The City of Seattle.

18 B. "Library Board" means the board of trustees of the Library, a five-member
19 body appointed by the Mayor and confirmed by the City Council, with exclusive control of the
20 finances of the Library under RCW 27.12.210 and sole authority to expend the Library Fund
21 under Article XII of the Seattle City Charter, consistent with the annual appropriation of funds
22 by the City Council.

1 C. “Library Services” means the programs, services, capital improvements, and
2 administration referred to in Section 4 of this ordinance, with such modifications as the City
3 Council may from time to time authorize by ordinance.

4 D. “Proceeds” means that portion of regular property taxes levied and collected
5 as authorized by voter approval pursuant to this ordinance that are above the limits on levies
6 provided for in RCW 84.55.010, and all interest and other earnings derived from that portion of
7 the levy.

8 Section 2. Levy of Regular Property Taxes – Submittal. The City submits to the
9 qualified electors of the City a proposition as authorized by RCW 84.55.050 to exceed the levy
10 limitation (“lid”) on regular property taxes contained in chapter 84.55 RCW, as it now exists or
11 may hereafter be amended, for property taxes levied in 2019 through 2025 for collection in 2020
12 through 2026. The proposition shall be limited so that in the first year the City shall not levy an
13 additional tax rate of more than ~~\$0.119~~\$0.122 cents per thousand dollars of assessed value, in
14 addition to the maximum amount of regular property taxes allowed by RCW 84.55.010 in the
15 absence of voter approval under this ordinance, plus other authorized lid lifts. Subsequent years
16 of the Levy will use the amount of dollars raised by this increased rate to calculate the
17 appropriate limit under chapter 84.55 RCW for the remainder of the Levy. To this new limit
18 there will be added no more than a one percent increase in dollars levied for the purposes of this
19 Levy each year.

20 Proceeds shall be used to provide Library Services identified in Section 4 of this
21 ordinance. In accordance with RCW 84.36.381 and RCW 84.55.050, the City exempts the
22 proposed increased regular property taxes for qualifying seniors, disabled retirees, disabled
23 veterans, or other qualifying persons. Pursuant to RCW 84.55.050(4), the maximum regular

1 property taxes that may be levied in 2026 for collection in 2027 and in later years shall be
2 computed as if the levy lid in RCW 84.55.010 had not been lifted under this ordinance.

3 Section 3. Application of Levy Proceeds. There is created in the City Treasury the 2019
4 Library Levy Fund. Unless otherwise directed by ordinance, Levy Proceeds shall be deposited in
5 the 2019 Library Levy Fund. The Director of Finance and Administrative Services, or the
6 Director’s designee, is authorized to create accounts within the 2019 Library Levy Fund as may
7 be needed or appropriate to implement the purposes of this ordinance. Proceeds may be
8 temporarily deposited or invested in such manner as may be lawful for the investment of City
9 money, and interest and other earnings shall be used for the same purposes as the Proceeds. The
10 Fund shall receive earnings on its positive balances and pay interest on its negative balances.

11 Section 4. Library Services. Levy investments will be made in ~~five~~six categories of
12 Library Services. Program elements, in subsections 4.A through 4.~~E~~F of this ordinance, are
13 illustrative examples. In accordance with the annual City budget process, each year the Library
14 Board shall adopt an annual operations plan and capital budget. The Chief Librarian and the
15 Library Board shall submit to the Mayor and the City Council an annual levy expenditure plan
16 that will support, maintain, and improve the core Library Services identified in this section. Levy
17 Proceeds will be used, in combination with the annual budget appropriation of City General
18 Fund, Real Estate Excise Tax (REET), and other City funds as available to the Library, for
19 Library Services.

20 A. Hours and Access. Major program elements include: supporting Library operating
21 hours in neighborhood branches and the Central Library; providing access to Library programs
22 and services in the community; and outreach and engagement services throughout the city.

1 B. Collections. Major program elements include: increasing the variety, depth, and
2 accessibility of collections with new titles and additional copies in various physical and digital
3 formats; providing additional online resources as new platforms and services emerge; curating a
4 local history collection and making those resources more widely available through digitization;
5 providing fine-free access to the Library’s collections; and continuing innovative approaches to
6 collection distribution and to fulfilling patron material requests.

7 C. Technology. Major program elements include: replacing and upgrading the Library's
8 technology infrastructure, including its Integrated Library System, the Library’s main business
9 platform for procuring, processing, and tracking Library materials; its enterprise network that
10 provides high-speed internet and Wi-Fi access to the Central Library and all 26 branches; and its
11 technology equipment such as switches, routers, servers, cabling, computers, tablets, printers,
12 copiers, scanners and widescreen monitors, and other audiovisual equipment for newly emerging
13 technologies such as virtual and augmented reality. Further, this category maintains and
14 enhances the SPL.org website and catalog, with a focus on language accessibility as well as
15 device compatibility and compliance with the Americans with Disabilities Act. The technology
16 program also supports the Library’s digital equity efforts, including digital literacy instruction
17 and provision and support of internet access devices for use within Library buildings and for
18 check-out.

19 D. Maintenance. Major program elements include enhanced resources to provide
20 routine, preventive, and major maintenance for the Library’s heavily-used buildings as they age,
21 to prolong their useful life. Maintenance also includes funding to seismically retrofit three
22 landmarked branches identified as high-vulnerability in the City’s Unreinforced Masonry
23 Building Study.

1 E. Administration. Administration program elements include supporting implementation
2 and accountability measures for Levy programs and annual reporting to the public on Levy
3 outcomes.

4 F. Supporting children. Program elements include support for programming targeted
5 towards children ages zero through 5.

6 Section 5. Reporting. The Chief Librarian and the Library Board will submit to the City
7 Council, the Mayor, and the residents of Seattle annual progress reports on the implementation of
8 the Levy and how Levy Proceeds were used to restore, maintain, and improve the Library
9 Services identified in Section 4 of this ordinance. The report shall be due to the City Council
10 and the Mayor by no later than April 15 of 2021 through 2027.

11 Section 6. Election – Ballot Title. The City Council directs the City Clerk to file this
12 ordinance with the Director of Elections of King County, Washington, as ex officio supervisor of
13 elections, requesting the Director of Elections to call and conduct a special election in the City in
14 conjunction with the state primary election to be held on August 6, 2019, for the purpose of
15 submitting to the qualified electors of the City the proposition set forth in this ordinance. The
16 City Clerk is directed to certify to the King County Director of Elections the ballot title approved
17 by the City Attorney in accordance with the City Attorney’s responsibilities under RCW
18 29A.36.071. The following ballot title is submitted to the City Attorney for consideration.

19 THE CITY OF SEATTLE

20 PROPOSITION NUMBER 1

21 Property Tax Levy Renewal for The Seattle Public Library
22

1 The City of Seattle's Proposition 1 concerns supporting, maintaining and improving
2 core Library Services.

3
4 If approved, this proposition would sustain investments and increase spending on Library
5 operating hours, collections, technology, and maintenance, including seismic retrofits, as
6 provided in Ordinance XXXXXX. Consistent with chapter 84.55 RCW, it would increase regular
7 property taxes for seven years. The 2020 tax increase, up to ~~\$0.1190.122~~/\$1,000 of assessed
8 value, would be used to compute limitations for subsequent levies, with up to 1% annual
9 increases. Seniors, veterans, and others who qualify under RCW 84.36.381 would be exempt.

10 Should this levy be approved?

11 Yes

12 No

13 Those in favor shall vote “Yes”; those opposed shall mark their ballots “No”.

14 Section 7. Ratification. Certification of such proposition by the City Clerk to the King
15 County Director of Elections for placement on the ballot for the August 6, 2019 election, and any
16 other act consistent with the authority and prior to the effective date of this ordinance, are ratified
17 and confirmed.

18 Section 8. Severability. In the event any one or more of the provisions of this ordinance
19 shall for any reason be held to be invalid, such invalidity shall not affect any other provision of
20 this ordinance or the levy of the taxes authorized herein, but this ordinance and the authority to
21 levy those taxes shall be construed and enforced as if such invalid provisions had not been
22 contained herein; and any provision which shall for any reason be held invalid shall be deemed
23 to be in effect to the extent permitted by law.

1 Section 9. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the _____ day of _____, 2019,
5 and signed by me in open session in authentication of its passage this _____ day of
6 _____, 2019.

7 _____
8 President _____ of the City Council

9 Approved by me this _____ day of _____, 2019.

10 _____
11 Jenny A. Durkan, Mayor

12 Filed by me this _____ day of _____, 2019.

13 _____
14 Monica Martinez Simmons, City Clerk

15 (Seal)