SEATTLE CITY COUNCIL

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Seattle, WA 98104

Legislation Details (With Text)

File #:	CB 119491	**Version:**	2	**Name:**	CB 119491
Type:	Ordinance (Ord)			**Status:**	Passed
				In control:	City Clerk
On agenda:	4/22/2019				
Final Action:	4/26/2019			**Ord. No.**	Ord 125809

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.

Sponsors: Debora Juarez

Indexes:

Attachments: 1. Summary and Fiscal Note, 2. Summary Att 1 – Average Account Balance Map, 3. Summary Att 2 - Number of Blocked Accounts Map, 4. Summary Att 3 - Computer/Wi-Fi Usage Map, 5. Mayor's Letter, 6. CF 321185 - 2019 Libraries for All Levy Renewal Proposal, 7. Central Staff Memo - Issue ID i. (4/8/19), 8. Central Staff Memo - Issue ID ii. (4/11/19), 9. Central Staff Memo - Issue ID iii. (4/17/19), 10. Proposed Amendment (added; 4/18/19), 11. Signed Ordinance 125809, 12. Affidavit of Publication

Date	Ver.	Action By	Action	Result
4/26/2019	2	City Clerk	attested by City Clerk	
4/26/2019	2	Mayor	returned	
4/26/2019	2	Mayor	Signed	
4/24/2019	2	City Clerk	submitted for Mayor's signature	
4/22/2019	2	City Council	passed	Pass
4/17/2019	1	Select Committee on the Library Levy	pass as amended	Pass
4/11/2019	1	Select Committee on the Library Levy	discussed	
4/8/2019	1	Select Committee on the Library Levy	discussed	
4/1/2019	1	City Council	referred	
3/28/2019	1	Council President's Office	sent for review	
3/26/2019	1	City Clerk	sent for review	
3/26/2019	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

WHEREAS, Seattle residents identified providing a robust collection as the primary role of the Library and the

next highest priority service enhancement after additional Library hours; and

WHEREAS, the Levy sustains collections funding added through the 2012 Library Levy, including buying more copies of popular materials; expanding collection breadth, depth, and access; incorporating more underrepresented voices; and preserving local history; while proposing additional funding to support patrons' shift to use of higher-cost digital materials; and

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

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

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

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

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

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

WHEREAS, the Levy sustains technology and online services funding added through the 2012 Library - including replacing and upgrading technology equipment and internet access within Library buildings as well as maintaining the SPL.org website and Library catalogue - while proposing additional funding to upgrade aging technology infrastructure for high-speed public internet access at all Library locations; replace or upgrade the Library's main business platform for procuring, processing and tracking Library

materials; and sustain the Library's investments in technology and digital equity, including Wi-Fi hotspots available for checkout, currently funded by cable franchise fee revenues; and

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

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

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

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

WHEREAS, Council intends that by increasing the amount of the levy by $2,512,000 over the $213.3 million as transmitted, funding will be allocated to support open hours and access by: (1) opening the 26 Library branches for one additional hour Monday through Thursday with appropriate custodial staffing; and

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

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

budgets; and

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

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

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

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

A. "City" means The City of Seattle.

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

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

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

Section 2. Levy of Regular Property Taxes - Submittal. The City submits to the qualified electors of the City a proposition as authorized by RCW 84.55.050 to exceed the levy limitation ("lid") on regular property taxes contained in chapter 84.55 RCW, as it now exists or may hereafter be amended, for property taxes levied in 2019 through 2025 for collection in 2020 through 2026. The proposition shall be limited so that in the first year the City shall not levy an additional tax rate of more than $0.122 cents per thousand dollars of assessed

value, in addition to the maximum amount of regular property taxes allowed by RCW 84.55.010 in the absence of voter approval under this ordinance, plus other authorized lid lifts. Subsequent years of the Levy will use the amount of dollars raised by this increased rate to calculate the appropriate limit under chapter 84.55 RCW for the remainder of the Levy. To this new limit there will be added no more than a one percent increase in dollars levied for the purposes of this Levy each year.

Proceeds shall be used to provide Library Services identified in Section 4 of this ordinance. In accordance with RCW 84.36.381 and RCW 84.55.050, the City exempts the proposed increased regular property taxes for qualifying seniors, disabled retirees, disabled veterans, or other qualifying persons. Pursuant to RCW 84.55.050(4), the maximum regular property taxes that may be levied in 2026 for collection in 2027 and in later years shall be computed as if the levy lid in RCW 84.55.010 had not been lifted under this ordinance.

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

Section 4. Library Services. Levy investments will be made in six categories of Library Services. Program elements, in subsections 4.A through 4.F of this ordinance, are illustrative examples. In accordance with the annual City budget process, each year the Library Board shall adopt an annual operations plan and capital budget. The Chief Librarian and the Library Board shall submit to the Mayor and the City Council an annual levy expenditure plan that will support, maintain, and improve the core Library Services identified in this section. Levy Proceeds will be used, in combination with the annual budget appropriation of City General

Fund, Real Estate Excise Tax (REET), and other City funds as available to the Library, for Library Services.

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

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

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

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

E. Administration. Administration program elements include supporting implementation and

accountability measures for Levy programs and annual reporting to the public on Levy outcomes.

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

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

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

THE CITY OF SEATTLE

PROPOSITION NUMBER 1

Property Tax Levy Renewal for The Seattle Public Library

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

If approved, this proposition would sustain investments and increase spending on Library operating hours, collections, technology, and maintenance, including seismic retrofits, as provided in Ordinance

XXXXXX. Consistent with chapter 84.55 RCW, it would increase regular property taxes for seven years. The 2020 tax increase, up to $0.122/$1,000 of assessed value, would be used to compute limitations for subsequent levies, with up to 1% annual increases. Seniors, veterans, and others who qualify under RCW 84.36.381 would be exempt.

Should this levy be approved?

Yes

No

Those in favor shall vote "Yes"; those opposed shall mark their ballots "No".

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

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

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

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

_____

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President _____ of the City Council

Approved by me this _____ day of _____, 2019.

_____

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2019.

_____

Monica Martinez Simmons, City Clerk

(Seal)