



Legislation Text

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File #: CB 119823, Version: 1

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**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to the 2018 Families, Education, Preschool, and Promise Levy; amending the levy implementation and evaluation plan adopted by Ordinance 125807; and ratifying and confirming certain prior acts.

WHEREAS, the World Health Organization (WHO) has declared that COVID-19 disease is a global pandemic, which is particularly severe in high risk populations such as people with underlying medical conditions and the elderly, and the WHO has raised the health emergency to the highest level requiring dramatic interventions to disrupt the spread of this disease; and

WHEREAS, on February 29, 2020, Governor Jay Inslee declared a statewide state of emergency in response to new cases of the COVID-19 disease in Washington; and

WHEREAS, on March 3, 2020, Mayor Jenny Durkan issued a proclamation of civil emergency, in response to new cases of the COVID-19 disease, authorizing the Mayor to exercise the emergency powers necessary for the protection of the public peace, safety, and welfare; and

WHEREAS, on March 12, 2020, the Governor issued an order closing schools in King, Snohomish, and Pierce counties, and the next day he expanded the order to require the statewide closure of K-12 public and private schools until April 24, 2020; and

WHEREAS, by Ordinance 125604, The City of Seattle (City) placed before voters 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 providing education support services designed to improve access to early learning and high-quality preschool, K-12 school and community-based investments, K-12 school

health, and post-secondary and job readiness opportunities for Seattle students; and

WHEREAS, on November 6, 2018, the City's voters approved the proposition and the property tax levy, also known as the Families, Education, Preschool, and Promise (FEPP) Levy; and

WHEREAS, Ordinance 125604 provides that FEPP Levy proceeds will be used for education-support services spent in accordance with an implementation and evaluation plan (the "Plan") approved by City Council; and

WHEREAS, the City Council approved the current Plan under Ordinance 125807; and

WHEREAS, the City Council modified the current Plan under Ordinance 126067 to allow FEPP Levy proceeds to be used for Emergency Child Care for essential workers for the duration of Mayor Durkan's Proclaimed COVID-19 pandemic Civil Emergency; and

WHEREAS, the educational support services contemplated in the FEPP Levy include early learning support, childcare subsidies, and out-of-school-time programs; and

WHEREAS, providing training, coaching, and other support to childcare providers to ensure that their childcare programs include developmentally appropriate activities and opportunities for learning is consistent with the purpose of the FEPP Levy to provide services across a continuum, beginning with high quality early learning services that prepare children for success in kindergarten and beyond; and

WHEREAS, the City is anticipating a revenue shortfall of \$200 million in 2020 due to the impacts of COVID-19 that requires rebalancing the 2020 Adopted Budget; and

WHEREAS, Department of Education & Early Learning General Fund resources are no longer able to meet the obligations assigned to them in the 2020 Adopted Budget and now require support from FEPP Levy funds; and

WHEREAS, Section 7 of Ordinance 125604 provides that the Plan may be amended by ordinance; and

WHEREAS, the Executive has sought the review and recommendation of the levy Oversight Committee created under Ordinance 125604 with respect to amending the Plan; NOW, THEREFORE,

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

Section 1. The City Council (“Council”) finds and declares:

A. In the exercise of The City of Seattle’s (“City”) police powers, the City may pass regulations designed to protect and promote public peace, health, safety, and welfare.

B. On January 24, 2020, the Seattle Office of Emergency Management announced that the first reported case in Washington and in the United States of novel coronavirus (COVID-19) occurred in Snohomish County.

C. On February 28, 2020, Public Health - Seattle and King County announced the first King County and United States death due to COVID-19 at Evergreen Hospital in Kirkland, Washington.

D. On February 29, 2020, Washington Governor Jay Inslee declared a state of emergency in response to new cases of COVID-19, directing state agencies to use all resources necessary to prepare for and respond to the outbreak.

E. On March 3, 2020, Mayor Jenny Durkan issued a proclamation of civil emergency in response to new cases of COVID-19, authorizing the Mayor to exercise the emergency powers necessary for the protection of the public peace, safety, and welfare.

F. On March 11, 2020, Washington Governor Jay Inslee amended his emergency order to prohibit gatherings of 250 people or more for social, spiritual and recreational activities including, but not limited to, community, civic, public, leisure, faith-based, or sporting events; parades; concerts; festivals; conventions; fundraisers; and similar activities.

G. On March 13, 2020, Washington Governor Jay Inslee amended his emergency order closing all schools in King, Snohomish, and Pierce Counties through April 24, 2020 to apply statewide.

H. On March 13, 2020, the U.S. President declared that the COVID-19 outbreak constituted a national emergency.

I. On March 16, 2020, Washington Governor Jay Inslee mandated the immediate two-week closure of all restaurants, bars, and entertainment and recreational facilities and amended his emergency order to prohibit

gatherings of 50 people or more.

J. On March 23, 2020, Washington Governor Jay Inslee announced a “Stay-Home Stay Healthy” order that required that all non-essential businesses be closed and banned all gatherings for two weeks, and on April 2, extended the order until May 4. On May 1, 2020, Governor Inslee extended that order until May 31.

K. The City of Seattle’s 2020 Budget was adopted in late 2019, before the impacts of COVID-19 could be anticipated.

L. The impacts of the COVID-19 emergency include a severe local, state, national, and global economic recession, all of which impact the City’s revenue streams. As a result, it is necessary for the City to revisit and adjust the 2020 Budget to reflect the new economic reality.

M. Because of the long-lasting financial impacts of the COVID-19 public health emergency and the City’s response to it, the City will not have resources to fully fund City operations without adjusting the current year budget. This legislation frees up flexible General Fund dollars to mitigate the financial shortfall.

N. Early care and high-quality preschool support child development and early learning.

O. Access to high-quality early education is an evidence-based strategy to advance racial equity and close opportunity gaps in kindergarten readiness.

P. There are fewer than 2,000 days from the time a child is born until they enter kindergarten.

Q. The Department of Education and Early Learning’s Child Care Assistance Program provides out-of-home development-enhancing care, protection, and related services for a child from birth to 12 years of age.

R. The City personnel who are assigned the Department of Education and Early Learning’s “birth-to-12” programs provide services that are consistent with and further the purpose of the FEPP Levy by providing comprehensive support for quality teaching and for early learning infrastructure development to early education providers and childcare providers alike.

S. The expenditure of FEPP Levy proceeds, as redirected by this legislation, will continue to be used to support the Levy’s stated goals including increasing children’s kindergarten readiness and increasing student

achievement via community-based investments.

Section 2. The Families, Education, Preschool, and Promise Levy Implementation and Evaluation Plan previously approved by Ordinance 125807 and attached to this ordinance as Attachment 1 is amended as provided in Addendum No. 2 to the Families, Education, Preschool, and Promise Levy Implementation and Evaluation Plan, attached to this ordinance as Attachment 2.

Section 3. Any act consistent with the authority of this ordinance taken after its passage and prior to its effective date is ratified and confirmed.

Section 4. 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 \_\_\_\_\_, 2020, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Jenny A. Durkan, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 - The Families, Education, Preschool, and Promise Levy Implementation and Evaluation Plan

Attachment 2 -Addendum No. 2 to the Families, Education, Preschool, and Promise Levy Implementation and Evaluation Plan