



Legislation Text

File #: CB 119771, Version: 2

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 to provide for emergency childcare services; ratifying and confirming the Mayor's Civil Emergency Order - Emergency Childcare Services for Front-line Essential Workers; declaring an emergency; and establishing an immediate effective date; all by a 3/4 vote of the City Council.

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 outbreaks of the COVID-19 disease in Washington; and

WHEREAS, in response to outbreaks of the COVID-19 disease in Seattle, Mayor Jenny Durkan proclaimed a civil emergency exists in the City of Seattle in the Mayoral Proclamation of Civil Emergency dated March 3, 2020, modified by Resolution 31937; 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, the closure of schools increased the need for childcare for first responders, healthcare workers, and other essential front-line employees as they combat the COVID-19 emergency; and

WHEREAS, while Seattle Public Schools is working to provide remote learning instruction to students, remote instruction alone does not fill the need for childcare and for out of school developmentally appropriate activities that support student well-being and learning; 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, it is critical to combating the public health emergency created by the COVID-19 disease that medical, healthcare workers, first responders, pharmacy workers, grocery store workers, and other essential workers have access to childcare in order to continue to work provide essential services during this 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 childcare services that include developmentally appropriate activities and opportunities for learning support is consistent with the purpose of the FEPP Levy to provide education-support services and to mitigate impacts to Seattle students during school closures; and

WHEREAS, on March 27, 2020, the Mayor exercised the authority under Seattle Municipal Code (SMC)

Section 10.02.030 and issued an emergency order authorizing contracts for emergency childcare services that prioritize services for children of essential workers and amending the Plan to provide use of FEPP Levy funds to pay for the services (“Childcare Order”); and

WHEREAS, 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 to include emergency childcare services; and

WHEREAS, as provided under SMC 10.02.030, the Mayor has presented the Childcare Order to the City Council for review and ratification and for authorization of the amendment to the Plan as provided under Ordinance 125604, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Seattle City Council finds and declares that:

A. Childcare services with developmentally appropriate activities provided on an emergency basis during school closures are “education-support services” as defined in Section 6 of Ordinance 125604 authorizing the levy of taxes for the Families, Education, Preschool, and Promise Levy, which education-support services include but are not limited to financial support for childcare and out of school programs.

B. It is critical to combating the public health emergency created by the COVID-19 disease that medical, healthcare workers, first responders, pharmacy workers, grocery store workers, and other workers deemed essential by any state order (“Essential Workers”) have access to childcare during this civil emergency.

C. The closure of Seattle Public Schools and other childcare centers in Seattle has created an immediate need for childcare services for the children of Essential Workers in order to maintain critical public services and to facilitate the availability of Essential Workers to protect public health and safety.

Section 2. The Families, Education, Preschool, and Promise Levy Implementation and Evaluation Plan (“the Plan”) previously approved by Ordinance 125807 and attached to this ordinance as Attachment 1 is

amended as provided in the Emergency Addendum to the Families, Education, Preschool, and Promise Levy Implementation and Evaluation Plan (“Emergency Addendum”) attached to this ordinance as Attachment 2.

Section 3. The Seattle City Council ratifies and confirms the Mayor’s Civil Emergency Order - Emergency Childcare Services for Front-line Essential Workers attached to this ordinance as Attachment 3, provided that if there is a conflict between the Emergency Addendum and the Mayor’s order, the provisions of the Emergency Addendum shall govern.

Section 4. The Council requests that the Department of Education and Early Learning submit a monthly report to the Council, with the first report submitted by April 30, 2020, on the efforts to contract for emergency childcare services. At a minimum, the report should include:

- A. The number of emergency childcare sites currently operating and their locations;
- B. The number of staff at each site;
- C. The number of students at each site, including a disaggregation by the type of essential work that the parents perform;
- D. The amount of funds spent on emergency childcare services; and
- E. The financial impacts to other Families, Education, Preschool, and Promise Levy investments from redirecting resources to emergency childcare services.

Section 5. Based on the findings of fact set forth in Section 1 of this ordinance, the Council finds and declares that this ordinance is a public emergency ordinance, which shall take effect immediately and is necessary for the protection of the public health, safety, and welfare.

Section 6. By reason of the findings set out in this ordinance, and the emergency that is declared to exist, this ordinance shall become effective immediately upon a passage by a 3/4 vote of the Council, and its approval by the Mayor, as provided in Article IV, subsection 1.I of the Charter of the City.

Passed by a 3/4 vote of all the members of 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.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

- Attachment 1 - The Families, Education, Preschool, and Promise Levy Implementation and Evaluation Plan
- Attachment 2 - Emergency Addendum to the Families, Education, Preschool, and Promise Levy Implementation and Evaluation Plan
- Attachment 3 - Mayor's Civil Emergency Order - Emergency Childcare Services for Front-line Essential Workers