



Legislation Text

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Clerk 04/10/2012

AN ORDINANCE providing for the submission to the qualified electors of King County at a special election to be held in King County on August 7, 2012, of a proposition authorizing a property tax levy in excess of the levy limitation contained in chapter 84.55 RCW for a consecutive nine year period at first year rate of not more than \$0.07 per one thousand dollars of assessed valuation, to fund capital costs of replacing the children and family justice center located at 12th Avenue and East Alder Street in Seattle.

SECTION 1. Findings:

- A. Public safety is a fundamental purpose of government.
- B. A strong criminal justice system is necessary to maintain safe and livable communities.
- C. Under Washington state law, counties provide many regional and local criminal justice functions, including police protection, the incarceration of offenders, court services, and the prosecution and defense services of defendants.
- D. The children and family justice center ("CFJC") facility at 12th Avenue and East Alder Street in downtown Seattle serves the justice needs of King County youth and families.
- E. The CFJC is in a state of disrepair and has reached the end of its useful life. The costs of maintaining the buildings have become untenable with over twenty million dollars in needed maintenance costs alone. The facility is in need of replacement to ensure the continuing justice services for King County children and families and to meet the demands of population growth in future years.

F. The superior court has undertaken long range planning efforts for the provision of juvenile and family justice services and has completed both a Targeted Operational Master Plan ("TOMP") and a Targeted Facilities Master Plan ("TFMP") which recommended replacement of the CFJC and improvements to the facilities to meet future demand.

G. Planning efforts have also determined that replacement of the detention facilities with a modern design will allow the county to optimize operations to reduce operational costs and avoid necessary major maintenance expenses on the existing facilities. Additionally, relocating the placement of detention facilities on the site will maximize the residual value of the remaining land.

H. Current funding for criminal justice is limited and insufficient to provide King County residents with the level of services needed to build and maintain safe and strong communities and to all make the necessary updates to criminal justice capital facilities, including the CFJC.

I. To counter this shortfall and a general lack of funding for county government, King County has aggressively worked to reduce expenditures by consolidating departments and functions, reducing labor costs and eliminating positions and programs.

J. To save taxpayer dollars and have the greatest possible impact on those in need, King County makes substantial investments in prevention and intervention efforts that reduce criminal justice involvement and costs, including job readiness, employment services and ending homelessness, in conjunction with funding traditional criminal justice services.

K. To contain costs and bring growth in revenues and expenditures into equilibrium, King County has continued to find efficiencies and capitalize on productivity gains through the better use of technology, better program management and performance measurement.

L. King County has also worked to obtain additional revenue tools from the state Legislature to offset the structural funding problem facing King and all other Washington state counties. However, these changes have not been sufficient to solve the county's projected revenue shortfalls.

M. The county's projected future deficits threaten important criminal justice and other essential government functions.

N. The county council hereby finds that essential public health and safety services provided by the CFJC are of general benefit to all of the residents of King County. To maintain King County's ability to continue to provide services at a facility on the current site of the CJFC, the county council finds that the best interests of all of the residents of the county require the county to undertake a replacement project for the facility.

O. The county council further finds that it is appropriate to ask the voters to fund the replacement of this essential criminal justice facility through a nine-year \$0.07 property tax levy.

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

A. "Children and family justice center replacement project" means a capital project or series of capital projects to design, remodel, construct and equip facilities for juvenile justice and family law services, including but not limited to replacement of the Alder wing, tower, detention facilities, and associated parking facilities located at the children and family justice center necessary to replace and expand the existing county facilities located at 12th and Alder in Seattle.

B. "Capital costs" includes the costs of architectural, engineering, legal and other consulting services, inspection and testing, administrative and relocation expenses, site improvement, demolition, on and off-site utilities, related improvements and other costs incurred incident to the design, remodeling, construction and equipping of the children and family justice center replacement project and its financing, including the incidental costs and costs related to the sale, issuance and delivery of the bonds. However, "capital costs" shall not include the costs of maintenance or operations.

SECTION 3. Levy submittal. To provide necessary funds for the capital costs for design, remodeling, construction and equipping of the children and family justice center replacement project, 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 nine consecutive years, commencing in 2012, with collection beginning in 2013, at a rate in the first year not to \$0.07 per one thousand dollars of assessed value. In accordance with RCW 84.55.050, this levy shall be a regular property tax levy, subject to the statutory rate limit of RCW 84.52.043

SECTION 4. Project description.

A. The children and family justice center replacement project will replace and expand of the Alder Tower, Alder Wing, detention facilities and associated parking facilities of the existing facility located at 12th and Alder in Seattle. The exact project specifications shall be determined by the county council.

B. The council estimates that the capital costs of design, remodeling, construction and equipping of the children and family justice center replacement project will be in the range of two hundred to two hundred ten million dollars.

SECTION 5. Deposit of levy proceeds. If approved by the voters, the levy proceeds shall be deposited in a first tier fund that shall be established by the council upon voter approval of the ballot measure. Proceeds from the fund shall be used solely for any eligible purpose identified in section 6 of this ordinance.

SECTION 6. Eligible expenditures. If approved by the qualified electors of the county, the levy proceeds shall be used only for capital costs for the children and family justice center replacement project.

SECTION 7. Call for special election. In accordance with RCW 29A.04.321, the King County council hereby calls for a special election to be held in conjunction with the general election on August 7, 2012. The director of elections 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 director of 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 a replacement facility for the Children and Family Justice Center. This proposition would authorize King County to levy an additional property tax to provide funding for capital costs to replace the Children and Family Justice Center, which serves the justice needs of children and families. It would authorize King County to levy an additional regular property tax of \$0.07 per \$1,000 of assessed valuation for collection in 2013. The 2013 levy amount would become the base upon which levy increases would be computed for each of the eight succeeding years, all as provided in Ordinance _____. Should this proposition be:

Approved? _____

Rejected? _____

SECTION 8. Energy efficiency.

A. If the proposition in section 6 of this ordinance is approved by the voters, then, before requesting construction funds, the executive will submit to the council a report on alternatives for heating and cooling the new facility. The report shall contain, at a minimum:

1. Options for heating and cooling the building;
2. A discussion of the operating, maintenance and equipment replacement costs for the various options;
3. A discussion of the greenhouse gas contributions of the various options;
4. A discussion of how each option achieves the goals established by the Seattle 2030 district, of which king county is a participating member;
5. A discussion of any approved city of Seattle district energy project that might encompass the children and family justice center.

B. The executive must transmit the report required to be submitted by this section in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an

electronic copy to all councilmembers, the council chief of staff and the lead staff for the budget and fiscal management committee or its successor.

SECTION 9. Severability. If any one or more of the provisions of this ordinance shall be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining provisions of this ordinance, the bonds or any short-term obligations issued in anticipation thereof, and this ordinance, the bonds and any short-term obligations issued in anticipation thereof shall be construed and enforced as if such unconstitutional or invalid provisions had not been contained herein.