



CITY OF KIRKLAND
City Manager's Office
123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Lorrie McKay, Intergovernmental Relations Manager

Date: June 18, 2012

Subject: KING COUNTY PROPOSITION 1: CHILDREN AND FAMILY SERVICES CENTER CAPITAL LEVY

RECOMMENDATION:

City Council holds a public hearing and considers adopting a resolution expressing support of King County Proposition No. 1, the Children and Family Services Center Capital Levy.

BACKGROUND:

On April 16, 2012 the King County Council unanimously approved Ordinance #17304 (**Attachment A**), authorizing a nine-year property tax levy lid lift proposal (Proposition No. 1) to go before the voters in an August 2012 Special Election to raise revenue for the construction of a new Youth Services Center (Juvenile Court). Under the proposal, the facility would be renamed the Children and Family Justice Center.

In 2010, King County placed a criminal justice sales tax measure on the November ballot that included money to rebuild this facility as well as funding other criminal justice programs. The Kirkland City Council voted to support that ballot measure by adopting Resolution R-4838 (**Attachment B**) on October 5, 2010. The 2010 ballot measure was not passed by the voters. King County's new measure is focused only on the replacement of the Youth Services Center.

The Youth Services Center is the County's central facility which includes courtrooms, offices, classrooms and a detention center. This facility serves all of King County residents, including those in the City of Kirkland. The facility serves cases involving children from, such as juvenile offender cases, child abandonment, abuse and neglect cases, truancy, foster care transition and cases involving runaways. At the facility, court officers decide whether a child should be removed from their home or whether a minor should be detained for committing an offense. The Center provides support for families navigating the juvenile justice system. The current facility is overcrowded, rundown and suffers from increasing maintenance issues. Five judges and two commissioners at the juvenile court handle 3,700 cases a year in the facility. The annual average daily population in the facility is approximately 70 individuals. Levy revenue would not pay for operational costs.

King County's Proposition No. 1 will be placed on the August 7, 2012 primary ballot and asks voters to approve or reject a nine-year property tax levy lid lift of seven cents per \$1,000 of assessed value, which would raise approximately \$210 million for construction of the Children and Family Justice Center. The measure needs a simple majority to pass.

The levy would cost the owner of a home in King County, valued at \$350,000, about \$25 per year collected from this property tax beginning in 2013. Increases in the following eight years would be subject to the limitations in chapter 84.55 RCW. Based on the City's 2012 assessed valuation, Kirkland residents would contribute approximately \$1 million in property taxes in the first year of this levy.

If passed, the revenue would be used to replace the three buildings on site — the Alder Tower, Alder Wing, and Youth Detention Facility — and parking facilities located at 12th and Alder in Seattle's Central District. The County's plan includes selling three acres of the 9.5-acre campus to developers and using an estimated \$16 million in proceeds to offset construction costs. County officials hope for 425 residential units and a zoning change that would allow buildings up to 85 feet tall.

PROPOSITION 1, AUGUST 2012 SPECIAL ELECTION BALLOT LANGUAGE:

The ballot title is as follows:

The King County council passed Ordinance No. 17304 concerning a replacement facility for juvenile justice and family law services. This proposition would authorize King County to levy an additional property tax for nine years to fund 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. Increases in the following eight years would be subject to the limitations in chapter 84.55 RCW, all as provided in Ordinance No. 17304. Should this proposition be:

Approved

Rejected

COUNCIL ACTION:

Under RCW 42.17.130, the Council may vote on a resolution to support or oppose a ballot proposition "so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body or members of the public are afforded an approximately equal opportunity for the expression of any opposing view;..."

The Council requested that staff bring a resolution of support for the facility measure back to the Council for consideration (**Attachment C**). Therefore there is no draft resolution opposing the ballot measure. At the conclusion of the public hearing, the Council may choose to pass the resolution as it is, amend it and pass it, or take no action.

Attachment A – King County Ordinance #17304

Attachment B – Resolution R-4838

Attachment C – Resolution supporting King County's Proposition 1.



KING COUNTY
Signature Report

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104
ATTACHMENT A

April 16, 2012

Ordinance 17304

Proposed No. 2012-0094.2

**Sponsors Ferguson, Lambert, Gossett,
McDermott and Phillips**

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

11 **SECTION 1. Findings:**

- 12 A. Public safety is a fundamental purpose of government.
- 13 B. A strong criminal justice system is necessary to maintain safe and livable
14 communities.
- 15 C. Under Washington state law, counties provide many regional and local
16 criminal justice functions, including police protection, the incarceration of offenders,
17 court services, and the prosecution and defense services of defendants.

18 D. The children and family justice center ("CFJC") facility at 12th Avenue and
19 East Alder Street in downtown Seattle serves the justice needs of King County youth and
20 families.

21 E. The CFJC is in a state of disrepair and has reached the end of its useful life.
22 The costs of maintaining the buildings have become untenable with over twenty million
23 dollars in needed maintenance costs alone. The facility is in need of replacement to
24 ensure the continuing justice services for King County children and families and to meet
25 the demands of population growth in future years.

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

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

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

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

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

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

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

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

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

62 residents of the county require the county to undertake a replacement project for the
63 facility.

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

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

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

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

82 **SECTION 3. Levy submittal.** To provide necessary funds for the capital costs
83 for design, remodeling, construction and equipping of the children and family justice
84 center replacement project, the county council shall submit to the qualified electors of the

85 county a proposition authorizing a regular property tax levy in excess of the levy
86 limitation contained in chapter 84.55 RCW for nine consecutive years, commencing in
87 2012, with collection beginning in 2013, at a rate in the first year not to \$0.07 per one
88 thousand dollars of assessed value. In accordance with RCW 84.55.050, this levy shall
89 be a regular property tax levy, subject to the statutory rate limit of RCW 84.52.043

90 **SECTION 4. Project description.**

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

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

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

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

105 **SECTION 7. Call for special election.** In accordance with RCW 29A.04.321,
106 the King County council hereby calls for a special election to be held in conjunction with
107 the general election on August 7, 2012. The director of elections shall cause notice to be

108 given of this ordinance in accordance with the state constitution and general law and to
109 submit to the qualified electors of the county, at the said special county election, the
110 proposition hereinafter set forth. The clerk of the council shall certify that proposition to
111 the director of elections, in substantially the following form, with such additions,
112 deletions or modifications as may be required for the proposition listed below by the
113 prosecuting attorney:

114 PROPOSITION ___: The King County council has passed Ordinance
115 _____ concerning funding for a replacement facility for the Children
116 and Family Justice Center. This proposition would authorize King County
117 to levy an additional property tax to provide funding for capital costs to
118 replace the Children and Family Justice Center, which serves the justice
119 needs of children and families. It would authorize King County to levy an
120 additional regular property tax of \$0.07 per \$1,000 of assessed valuation
121 for collection in 2013. The 2013 levy amount would become the base
122 upon which levy increases would be computed for each of the eight
123 succeeding years, all as provided in Ordinance _____. Should this
124 proposition be:

125 Approved? _____

126 Rejected? _____

127 SECTION 8. Energy efficiency.

128 A. If the proposition in section 6 of this ordinance is approved by the voters,
129 then, before requesting construction funds, the executive will submit to the council a

130 report on alternatives for heating and cooling the new facility. The report shall contain,
131 at a minimum:

- 132 1. Options for heating and cooling the building;
- 133 2. A discussion of the operating, maintenance and equipment replacement costs
134 for the various options;
- 135 3. A discussion of the greenhouse gas contributions of the various options;
- 136 4. A discussion of how each option achieves the goals established by the Seattle
137 2030 district, of which king county is a participating member;
- 138 5. A discussion of any approved city of Seattle district energy project that might
139 encompass the children and family justice center.

140 B. The executive must transmit the report required to be submitted by this section
141 in the form of a paper original and an electronic copy with the clerk of the council, who
142 shall retain the original and provide an electronic copy to all councilmembers, the council
143 chief of staff and the lead staff for the budget and fiscal management committee or its
144 successor.

145 **SECTION 9. Severability.** If any one or more of the provisions of this ordinance
146 shall be declared unconstitutional or invalid for any reason, such decision shall not affect
147 the validity of the remaining provisions of this ordinance, the bonds or any short-term
148 obligations issued in anticipation thereof, and this ordinance, the bonds and any short-

149 term obligations issued in anticipation thereof shall be construed and enforced as if such
150 unconstitutional or invalid provisions had not been contained herein.
151

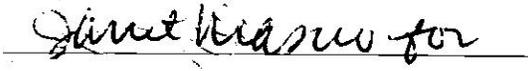
Ordinance 17304 was introduced on 3/5/2012 and passed by the Metropolitan King
County Council on 4/16/2012, by the following vote:

Yes: 8 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague,
Ms. Patterson, Mr. Ferguson, Mr. Dunn and Mr. McDermott
No: 0
Excused: 1 - Ms. Lambert

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Larry Gossett, Chair

ATTEST:


Anne Norris, Clerk of the Council

RECEIVED
2012 APR 26 PM 4: 02
KING COUNTY COUNCIL
CLERK

APPROVED this 26 day of APRIL, 2012.


Dow Constantine, County Executive

Attachments: None

RESOLUTION R-4838

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND STATING THE CITY COUNCIL'S SUPPORT FOR PROPOSITION NO. 1, SALES AND USE TAX FOR CRIMINAL JUSTICE, FIRE PROTECTION, AND OTHER GOVERNMENT PURPOSES.

WHEREAS, on November 2, 2010, voters in King County will decide whether to approve a sales and use tax for criminal justice, fire protection, and other government services; and

WHEREAS, this proposition would authorize King County to impose an additional sales and use tax of 0.2%, split between the County (60%) and cities (40%); and

WHEREAS, at least one-third of all tax proceeds shall be used for criminal justice, fire protection purposes or both; and

WHEREAS, Proposition No. 1 is needed to preserve a strong County-wide criminal justice system; and

WHEREAS, the City of Kirkland would receive a share of the tax proceeds which could be used for criminal justice purposes, fire protection purpose, or other general City purposes; and

WHEREAS, a safe community is an important part of the quality of life enjoyed by Kirkland residents; and

WHEREAS pursuant to State law, RCW 42.17.130, the City Council of Kirkland desires to show its support for Proposition No. 1;

NOW, THEREFORE, be it resolved by the City Council of the City of Kirkland as follows:

Section 1: The City Council supports Proposition No. 1, Sales and Use Tax for Criminal Justice, Fire Protection, and Other Government Purposes.

Section 2: The City Council urges Kirkland voters to vote yes on Proposition No. 1.

Passed by majority vote of the Kirkland City Council in open meeting this 5th day of October, 2010.

Signed in authentication thereof this 5th day of October, 2010.


MAYOR

Attest:


City Clerk

RESOLUTION R-4928

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND STATING THE CITY COUNCIL'S SUPPORT FOR KING COUNTY PROPOSITION NO. 1, THE CHILDREN AND FAMILY SERVICES CENTER CAPITAL LEVY.

WHEREAS, on August 7, 2012, voters in the City of Kirkland will decide, in a Special Election, whether to approve Proposition No. 1, the King County Children and Family Services Center Capital Levy; and

WHEREAS, King County provides many regional juvenile justice functions for Kirkland and all cities within the County, including the care and custody of youth who are detained in the juvenile detention facility, the provision of prosecution and indigent defense services for juvenile offenders, and court services for juvenile offender cases, as well as child abandonment, abuse and neglect cases, truancy, and cases involving runaways, and At Risk Youth; and

WHEREAS, the existing King County Youth Service Center in downtown Seattle is in a state of disrepair and is in need of replacement to ensure the provision of continuing balanced and restorative justice services for King County children and families including those in the City of Kirkland; and

WHEREAS, in order to provide funding for construction of a new Children and Family Justice Center the Metropolitan King County Council unanimously adopted Ordinance No. 17304, authorizing a nine-year property levy lid lift proposal of seven cents per \$1,000 of assessed value to raise approximately \$210 million for construction; and

WHEREAS, if approved, the property tax levy would raise approximately \$210 million for construction of the Children and Family Justice Center on the current site of the Youth Service Center; and

WHEREAS, the investment in a top-quality regional facility that provides support for families navigating the juvenile justice system is important to public safety services and the needs of all of the residents of King County, including the City of Kirkland; and

WHEREAS pursuant to State law, RCW 42.17.130, the City Council of Kirkland desires to show its support for King County Proposition No. 1, the Children and Family Services Center Capital Levy;

NOW, THEREFORE, be it resolved by the City Council of the City of Kirkland as follows:

Section 1: The City Council hereby supports King County Proposition No. 1, the Children and Family Services Capital Levy.

Section 2: The City Council hereby urges Kirkland voters to support the Children and Family Services Center Capital Levy measure to ensure continued quality family and juvenile justice services to the benefit of the region and community.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2012.

Signed in authentication thereof this ____ day of _____, 2012.

MAYOR

Attest:

City Clerk