

NO. _____

DRAFT RESOLUTION FOR BOARD CONSIDERATION

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

IN THE MATTER OF A PROPOSITION TO IMPOSE A TWO-TENTHS OF ONE PERCENT (0.2%) SALES AND USE TAX EQUAL THROUGHOUT SPOKANE COUNTY, AS AUTHORIZED BY RCW 82.14.450, THE PROCEEDS TO BE USED BY THE COUNTY, CITIES AND TOWNS WITHIN SPOKANE COUNTY FOR CRIMINAL JUSTICE, PUBLIC SAFETY, AND BEHAVIORAL HEALTH PURPOSES: DEFERRING THE VOTE ON SUCH PROPOSITION FROM NOVEMBER 7, 2023 TO AUGUST 6, 2024; AMENDING AND RESTATING RESOLUTION 22-0824; AND PROVIDING FOR OTHER MATTERS RELATED THERETO.

RESOLUTION

WHEREAS, pursuant to the Constitution and laws of the State of Washington, Spokane County, Washington is a class A county duly organized and existing (“Spokane County” or “County”); and

WHEREAS, pursuant to the provisions of RCW 36.01.030, the powers of the County can only be exercised through the Board of County Commissioners of Spokane County, Washington (“Board” or “Board of County Commissioners”); and

WHEREAS, pursuant to the provisions of RCW 36.32.120(6), the Board has the care of the County property and management of county funds and business; and

WHEREAS, pursuant to the provisions of RCW 82.14.450, a county legislative authority may submit an authorizing proposition to county voters at a primary or general election, and if the proposition is approved by a majority of persons voting, fix and impose a sales and use tax in accordance with the terms of chapter 82.14 RCW, in an amount up to three-tenths of one percent (0.3%) of the selling price in the case of a sales tax, or value of the article used, in the case of a use tax. In 2004, Spokane County voters approved a one-tenths of one percent (0.1%) sales and use tax increase under this statute and subsequently voted to renew the same in 2009 and 2019; and

WHEREAS, Spokane County’s detention facility and criminal justice system needs have been ongoing topics of discussion in the community over recent decades; these conversations have also involved community efforts to enact criminal justice system reforms. Efforts such as the successful creation of the Spokane Regional Crisis Stabilization Center demonstrate the ability of our community and local governments to come together for collaborative and effective investments to improve public safety and health. On December 13, 2022, the Board of Spokane County Commissioners adopted Resolution 22-0824, which directed the submission of Measure No. 1 attached thereto as Attachment “A” to the Spokane County Auditor, Supervisor of Elections, to be placed on the November 7, 2023 General Election ballot in Spokane County; and

WHEREAS, Measure No. 1, if approved by a majority of qualified voters in Spokane County, would increase sales and use tax in Spokane County by an additional two-tenths of one percent (0.2%), proceeds of which would be used as authorized by RCW 82.14.450 to design and construct two new detention facilities (including a community corrections center) and replace the aging Geiger Corrections Center, as well as for other criminal justice, public safety and behavioral health purposes, and

WHEREAS, if approved, Measure No. 1 is projected to raise approximately \$1.75 billion in new sales and use tax revenues over thirty years. By state law, proceeds from the new tax would be divided among local governments, with the County retaining sixty percent (60%) and the cities and towns within Spokane County retaining the remaining forty percent (40%), which would be distributed among cities and towns on a per capita basis. Based on preliminary estimates, Spokane County would retain approximately \$1.04 billion over thirty years, with the cities and towns retaining approximately \$699.45 million (including approximately \$416 million for the City of Spokane). If approved, Measure No. 1 would utilize the remainder of Spokane County's public safety sales tax capacity under RCW 82.14.450; and

WHEREAS, there is a clear need in Spokane County to address overcrowding in the downtown jail, conditions of confinement, staffing shortages, worker safety in aging facilities, to reduce recidivism, enact criminal justice reforms, and invest in behavioral health programs and public safety interventions to reduce and prevent crime, improve our court systems, safely reduce the jail population, and support a healthy, safe, and equitable Spokane County for all County residents; and

WHEREAS, since adoption of the Board's resolution on December 13, 2022, cities and towns within Spokane County have yet to make public proposals regarding how those local governments would seek to invest approximately \$700 million in new tax revenues which would be generated by Measure No. 1 for their use, consistent with the purposes of RCW 82.14.450.; and

WHEREAS, County staff have worked diligently to prepare proposals, but additional time to allow for planning and collaboration between the jurisdictions in Spokane County would present an opportunity to develop collaborative agreements, shared priorities, reduce costs to taxpayers, and present coordinated, affordable, and effective investments to improve public safety, criminal justice, and behavioral health throughout our entire County using revenues from Measure No. 1, building upon ongoing conversations regarding regional strategies to reduce homelessness; and

WHEREAS, if Measure No. 1 is approved, Spokane County's current proposal is to invest roughly half of its \$1 billion in new revenues to design and construct two new detention facilities (including a community corrections center), to be located on the Spokane County campus while maintaining the current downtown jail tower, as well as to retire the aging Geiger Corrections Center, and to relocate the Spokane County Emergency Management Department and Spokane County Sheriff's Office Garage. The remainder of the County's new revenues would be invested in maintenance and operation costs for detention facilities, and in other criminal justice, public safety and behavioral health-related programs and services, which are being developed, but would benefit from further definition, refinement, and prioritization, with applicable cost estimates; and

WHEREAS, the County's most current estimate is that the cost of these detention facility improvements is approximately \$540 million. These cost estimates are based on a preliminary design methodology, and are thus subject to potential revision. At this time, estimates regarding the future costs of necessary staffing and the maintenance and operation of the new detention facilities are in the process of being developed and reviewed; and

WHEREAS, Spokane County’s current proposal is to add between 538 and 666 new inmate beds to its detention facility capacity. Spokane County’s detention facilities would expand to 1,468 beds, potentially increasing to 1,614 in total, depending on future needs. Additional time will allow for more analysis, including further review of past projections by the JFA institute, which in 2020 forecasted a lower need for beds in Spokane County using its own methodology. Furthermore, review by a trusted outside organization would provide an opportunity for stakeholders and the public to have confidence that proposed detention facility improvements are constructed to an accurate and affordable size, based on widely accepted jail forecasting methods. Additional time would also allow for further discussion and understanding of how staffing shortages currently limit detention capacity and how Measure No. 1 funding may be used to address such challenges, and

WHEREAS, the “Blueprint For Reform” and 2020 Status Update identified more than forty proposals for positive reform of the Spokane County criminal justice system. Furthermore, in 2020, the Justice Task Force identified over a dozen recommendations for improving the justice system. While some efforts have shown success, there is a clear need to make further progress on many of these recommendations, which require collaboration and buy-in by multiple government agencies across a complex system. With additional planning efforts, Measure No. 1 presents an opportunity to identify what specific reforms would be funded, how much such reforms would cost, and how such reforms would be implemented. The Spokane Regional Law and Justice Council (“SRLJC”) recently formed four focus groups, comprised of officials throughout the justice system, to study and make recommendations regarding potential justice system improvements to be funded by Measure No. 1. However, additional time would allow for such proposals to be clearly defined, analyzed, and prioritized with community and stakeholder engagement, and for financial models to be developed to estimate the cost of such investments, programs, services, or system improvements; and

WHEREAS, it is important for the public and voters to understand community needs and to provide input into funding priorities, financial projections, and expected public safety and health outcomes for Measure No. 1 – to gain confidence and support for a well-formed plan with expected outcomes. Additional time would allow for wide engagement and consultation with members of the community, whose feedback could be utilized to shape and enhance the contents of the Measure No. 1 proposal; and

WHEREAS, there is a current movement to develop and consider creation of a Regional Authority to reduce homelessness and the opportunity to coordinate and leverage behavioral health and housing investments with public safety investments could result in greater, faster impact on overall community health and safety; and

WHEREAS, deferring Measure No. 1 until the August 6, 2024 Primary Election will allow time for our community and regional elected leaders to build upon past successes, as well as current planning efforts by County staff to develop an affordable, financially strong, community-informed Measure No. 1 for voters to consider, which appropriately balances the need to improve facilities with the need to reform and improve systems, and

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Board of County Commissioners of Spokane County, Washington, that the Board does hereby:

- (1) Request a ballot proposition substantially in the form set forth in Attachment "B", attached hereto and incorporated herein by reference, be submitted to the qualified electorate of

Spokane County at the primary election to be held August 6, 2024, and that the Clerk of the Board of County Commissioners of Spokane County be and is accordingly instructed to file this Resolution and notify the Spokane County Auditor, Supervisor of Elections, of such fact, and to request said Auditor and Supervisor to call and conduct said Election in the manner provided by law, and to submit that ballot proposition as set forth in Attachment "B" hereto in the form of a ballot title substantially as set forth in said Attachment.

The proper County officials are authorized to perform such duties as are necessary or required by law to the end that the ballot proposition described in this resolution shall be submitted to the voters of the County at the August 6, 2024 primary election.

- (2) Amends and restates in its entirety Resolution 22-0824 adopted by the Board of County Commissioners on December 13, 2022 in order to withdraw the ballot proposition submitted pursuant to that resolution, and to accomplish the purposes set forth herein.

PASSED AND ADOPTED this _____ day of _____, 2023.

BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

MARY L. KUNEY, CHAIR

ATTEST:

JOSH KERNS, VICE-CHAIR

Ginna Vasquez
Clerk of the Board

AL FRENCH, COMMISSIONER

AMBER WALDREF, COMMISSIONER

CHRIS JORDAN, COMMISSIONER

ATTACHMENT "A"

MEASURE NO. 1

SPOKANE COUNTY

**TWO-TENTHS OF ONE PERCENT SALES AND USE TAX
FOR CRIMINAL JUSTICE, PUBLIC SAFETY, AND BEHAVIORAL HEALTH PURPOSES**

**THE BOARD OF COUNTY COMMISSIONERS OF SPOKANE COUNTY, WASHINGTON,
ADOPTED RESOLUTION NO. 22-0824 CONCERNING A SALES AND USE TAX INCREASE
PURSUANT TO RCW 82.14.450.**

**IF APPROVED, THIS PROPOSITION WOULD AUTHORIZE THE COUNTY TO IMPOSE AN
ADDITIONAL 0.2% COUNTY-WIDE SALES AND USE TAX, COMMENCING April 1, 2024, AND
TERMINATING DECEMBER 31, 2054, THE PROCEEDS TO BE USED BY THE COUNTY,
CITIES AND TOWNS WITHIN SPOKANE COUNTY FOR CRIMINAL JUSTICE, PUBLIC
SAFETY, AND BEHAVIORAL HEALTH PURPOSES, AS PROVIDED IN RESOLUTION NO. 22-
0824 ____.**

SHOULD THIS PROPOSITION BE APPROVED?

YES..... []
NO..... []

ATTACHMENT "B"

MEASURE NO. ____

SPOKANE COUNTY

**TWO-TENTHS OF ONE PERCENT SALES AND USE TAX
FOR CRIMINAL JUSTICE, PUBLIC SAFETY, AND BEHAVIORAL HEALTH PURPOSES**

**THE BOARD OF COUNTY COMMISSIONERS OF SPOKANE COUNTY, WASHINGTON,
ADOPTED RESOLUTION NO. 23-__ CONCERNING A SALES AND USE TAX INCREASE
PURSUANT TO RCW 82.14.450.**

**IF APPROVED, THIS PROPOSITION WOULD AUTHORIZE THE COUNTY TO IMPOSE AN
ADDITIONAL 0.2% COUNTY-WIDE SALES AND USE TAX, COMMENCING JANUARY 1,
2025, AND TERMINATING DECEMBER 31, 2055, THE PROCEEDS TO BE USED BY THE
COUNTY, CITIES AND TOWNS WITHIN SPOKANE COUNTY FOR CRIMINAL JUSTICE,
PUBLIC SAFETY, DETENTION FACILITY IMPROVEMENTS, AND BEHAVIORAL HEALTH
PURPOSES, AS PROVIDED IN RESOLUTION NO. 23-_____.**

SHOULD THIS PROPOSITION BE APPROVED?

YES..... []
NO.....[]