

1 September 11, 1978

Introduced by: Bernice Stern

2
3 ORDINANCE NO. 3871

4 AN ORDINANCE relating to the acquisition of
5 interests in farm and open space land in the
6 county; providing for the submission to the
7 qualified electors of King County at the
8 general election to be held on November 7, 1978,
9 of a proposition authorizing the county to issue
its general obligation bonds in the principal
amount of not to exceed \$35,000,000 for the
purpose of providing funds for such acquisition.

10 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

11 SECTION 1. Findings and Declaration of Purpose.

12 The Council finds that:

13 (1) Agricultural land is a unique, irreplaceable resource
14 which provides to the citizens of King County, food, savings in
15 energy and governmental expenditures, economic, open space,
16 educational and aesthetic benefits and the opportunity to pursue
17 livelihoods in the farming industry.

18 (2) The amount of land in active agricultural use in
19 King County has declined by an average of three thousand five-
20 hundred acres per year since 1945.

21 (3) It is the policy of King County to protect, preserve
22 and enhance agricultural land in King County as evidenced by the
23 provisions of Ordinance 1096, KCC Chapter 20.12, containing open
24 space policies for protecting agricultural land, Ordinance 2537,
25 KCC Chapter 20.36 permitting current use taxation of agricultural
26 land, and Ordinance 3064, KCC Chapter 20.54 establishing King
27 County's agricultural lands policy.

28 (4) The acquisition by King County of a fee simple or
29 some lesser interest in eligible agricultural land is authorized
30 by the State Constitution and statutes and the King County Charter
31 and ordinances.

1 (5) King County has prepared a Plan for the acquisition
2 by King County of a fee simple or some lesser interest in eligible
3 agricultural land.

4 (6) The acquisition Plan provides that the interests
5 in eligible agricultural land acquired by King County are to be
6 held for the benefit of the citizens of King County.

7 (7) To provide funds for such purpose it is necessary
8 and advisable that the County issue its general obligation bonds
9 in the principal amount of not to exceed \$35,000,000.

10 (8) It is necessary for the public welfare and benefit
11 of the residents of the County that it carry out the Plan as
12 provided herein.

13 SECTION 2. Definitions.

14 As used in this ordinance the words hereinafter
15 defined shall have the meanings set forth in this section:

16 (a) "County" means King County, Washington.

17 (b) "Eligible agricultural land" means land designated
18 in section 6 of Ordinance 3064, KCC 20.54.060, or as it may be
19 hereafter amended, as agricultural lands of county significance
20 and which also constitute "open space land," "farm and agricultural
21 land", or both, as defined in RCW 84.34.020(1) and (2).

22 (c) "Council" means the King County Council.

23 (d) "Plan" means the plan for acquisition of a
24 fee simple or some lesser interest in eligible agricultural
25 land set forth generally in Substitute Ordinance No. 78-601,
26 the regulations adopted pursuant thereto, and any future amendments
27 to such ordinance or regulations.

28 (e) "Bond" or "bonds" mean any or all of the general
29 obligation bonds of the County issued pursuant to this ordinance
30 or any series of such bonds.

1 (f) "Executive" means the King County Executive or the
2 Director of the Office of Agriculture for functions delegated
3 to the Director by regulation.

4 (g) "Food-producing horticultural land" means land
5 used for the commercial, soil-dependent cultivation of plants
6 for food, including vegetables, small fruits, large fruits,
7 cereal grains and silage corn.

8 (h) "Food-producing livestock land" means open land
9 used for the growing, keeping and feeding of animals for the
10 commercial production of food for human consumption, and
11 includes the cultivation of pasture, grass and other field
12 crops for consumption by such animals.

13 SECTION 3. Acquisition.

14 The County shall acquire interests in eligible agricultural
15 lands pursuant to the Plan, which acquisition shall, to the extent
16 permitted by law and this ordinance, be accomplished by the
17 Executive subject to the approval of the Council. As hereinafter
18 provided, it is contemplated that general obligation bonds of the
19 County shall be issued in one or more series to carry out the
20 Plan.

21 SECTION 4. Priorities for Acquisition.

22 Priorities for acquisition of eligible agricultural lands
23 pursuant to this ordinance shall be as follows:

24 First Priority - food-producing horticultural lands threat-
25 ened by urban development;

26 Second Priority - food producing livestock lands threatened
27 by urban development;

28 Third Priority - all other food-producing horticultural
29 lands;

30 Fourth Priority - Lands capable of horticultural food
31 production and threatened by urban development;

1 Fifth Priority - Then, if bond funds remain available after
2 the Council determines that 60% of the lands eligible for acquisition
3 by priorities 1, 2, 3 and 4 have been acquired or found impractical
4 to acquire, all other food producing livestock land and other
5 eligible lands.

6 Criteria for selection of lands to be acquired within each
7 priority level may include but not be limited to current use, pres-
8 sure for development to non-agricultural uses, parcel size,
9 topography, soil classification, type of agricultural products for
10 which the property is suitable, current zoning classification,
11 availability of urban services, proximity to other eligible
12 agricultural lands, and such other criteria as the Council shall
13 approve.

14 SECTION 5. Related Costs

15 The costs of appraisal, engineering, surveying, planning,
16 financial, legal and other services lawfully incurred incident to
17 the acquisition of interests in eligible agricultural lands by the
18 County, and to the issuance and sale of the Bonds, may be paid
19 from the proceeds of the Bonds.

20 SECTION 6. Supplemental Funds.

21 Supplemental or matching funds from federal, state,
22 King County or other local public or private sources may
23 become available to pay a portion of the cost of acquiring
24 a fee simple or some lesser interest in eligible agricultural
25 land or to supplement or enlarge such acquisition. The
26 Executive is hereby authorized to utilize such funds to purchase
27 interests in additional eligible agricultural lands or to other-
28 wise supplement the funds made available to implement the Plan
29 through the proceeds of the Bonds issued pursuant to this
30 ordinance.

1 SECTION 7. County Purpose.

2 The Council finds and declares that the use of County
3 funds for the purpose of paying in whole or in part the cost
4 of acquisition of interests in eligible agricultural lands
5 as set forth herein and in the Plan, including any costs
6 necessarily incidental thereto and to the issuance and sale of
7 the bonds, or to participate with the United States or any agency
8 thereof or any other governmental agency for such purposes
9 pursuant to this ordinance will promote the health, welfare,
10 benefit and safety of the people of King County and is a strictly
11 County purpose.

12 SECTION 8. Terms of the Bonds.

13 For the purpose of providing funds necessary to .
14 pay the cost of carrying out the Plan, which constitutes a
15 capital purpose other than the replacement of equipment, general
16 obligation bonds of King County in the principal amount of not
17 to exceed \$35,000,000 shall be issued. The Bonds shall bear
18 interest payable at such times, shall be issued in such series
19 from time to time out of such authorization over a period of
20 up to twelve years, and shall mature serially commencing
21 in from 2 to 5 years from the date of issue of each series and
22 maturing in a period which may be less than but shall not exceed
23 20 years, all as hereafter authorized by the Council and as
24 provided by law. Both the principal of and interest on the Bonds
25 shall be payable out of annual tax levies to be made upon all
26 of the taxable property within the County without limitation
27 as to rate or amount and from any other money which may become
28 legally available and used for such purposes. The exact date,
29 form, terms, options or redemption and maturities of each series
30 of the Bonds shall be as hereafter fixed by ordinance of the
31 Council.

1 SECTION 12. Calling Elections.

2 It is hereby found and declared that an emergency
3 exists requiring the submission to the qualified electors
4 of the county at a special election to be held therein on
5 November 7, 1978, in conjunction with the s tate general
6 election to be conducted on the same date, of a proposition
7 authorizing the issuance of the Bonds.

8 The Manager of the King County Records and Elections
9 Division, as ex officio supervisor of all elections held within
10 King County, is hereby requested also to find the existence of
11 such emergency and to assume jurisdiction of and to call and
12 conduct such special election to be held within the County on
13 that date and to submit to the qualified electors of the
14 County at such special election the proposition hereinafter
15 set forth.

16 The Clerk of the Council is hereby authorized and
17 directed to certify that proposition to the Manager of the
18 King County Records and Elections Division in the following form:
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KING COUNTY, WASHINGTON

PROPOSITION NO. _____

FARM AND OPEN SPACE BONDS

Shall King County, for the purpose of retaining the County's farm and open space land by acquiring interests in such land, issue its general obligation bonds in a total principal amount of not to exceed \$35,000,000 to be issued in one or more series over a period of up to twelve years to mature serially commencing in from two to five years and maturing in a period which may be less than but shall not exceed twenty years from date of issue of each series, to be paid out of annual tax levies to be made upon all the taxable property within the county without limitation as to rate or amount, and other money, all as more specifically provided in King County Ordinance No. 3871.

BONDS, YES.

BONDS, NO.

INTRODUCED AND READ for the first time this 26th day of June, 1978.

PASSED this 11th day of September, 1978.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Bernice Stern
Chairman

ATTEST:

Dorothy M. Stevens
Deputy Clerk of the Council

APPROVED this 12th day of September, 1978.

[Signature]
King County Executive