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July 22, 1996
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Introduced By:

Gossett, Derdowski
Sims, Miller,
Nickels, Phillips

Proposed No.:

96-583

ORDINANCE NO. **12393**

AN ORDINANCE of the county relating to the funding of county-wide recreation and conservation programs, providing for the submission to the qualified electors of the county, at a special election to be held on September 17, 1996, of a proposition authorizing the county to levy an excess tax of \$30,500,000 in 1996 for collection in 1997, for the purpose of funding a program of maintenance and stewardship for projects of the Recreation and Conservation Legacy Program financed by voter-approved general obligation bonds of the county.

PREAMBLE:

The county council, by Ordinance No. 12393, has submitted to the voters of the county a proposition authorizing the county, in cooperation with cities within the county, to undertake a Recreation and Conservation Legacy Program to acquire, develop and renovate park and open space property throughout King County to preserve critical salmon habitat, renovate existing recreational facilities, provide safe parks, greenbelts and playfields, enhance water quality, and protect greenways, natural resource lands, streams and rivers, and to issue general obligation bonds of the county in an amount not to exceed \$215,750,000 to finance the Recreation and Conservation Legacy Program.

The council wishes also to provide for maintenance and stewardship of all the projects included in such program by creating an endowment fund for this purpose. To fund such an endowment, the council wishes to submit to the voters a proposition that the county levy a tax for one year upon all of the taxable property within the county in excess of the maximum annual tax levy permitted by law to be levied for the county without a vote of the electors, said levy to be at approximately the rate of \$0.25 per thousand dollars of assessed valuation to provide \$30,500,000 and said levy to be made in 1996 for collection in 1997. Private donations to such fund will be accepted.

The Constitution and laws of the State of Washington require that the question of whether or not such an excess tax may be levied be submitted to the qualified electors of the county for their ratification or rejection.

1 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

2 Section 1. Findings. The county council hereby
3 finds that the best interests of the inhabitants of the
4 county require the county to provide funding for the
5 maintenance and stewardship of Recreation and Conservation
6 Legacy Projects (the "Recreation and Conservation Legacy
7 Projects") that may be undertaken pursuant to Ordinance No.
8 12393 of the county, passed on July 22, 1996, and financed by
9 one or more series of general obligation bonds, as described
10 in such ordinance (the "Recreation and Conservation Legacy
11 Bonds"). The county council hereby finds further that the
12 funding of such maintenance and stewardship may best be
13 provided for by levying a tax for one year upon all of the
14 taxable property within the county in excess of the maximum
15 annual tax levy permitted by law to be levied within the
16 county without a vote of the electors, in the amount and at
17 the time as provided herein, and creating an endowment fund
18 from the proceeds of such tax and distributing the money in
19 such fund to the county and to cities within King County, as
20 further provided herein.

21 Section 2. Tax Levy. For the purpose of providing
22 the funds necessary to pay the costs of maintenance and
23 stewardship of the Recreation and Conservation Legacy
24 Projects, the county shall submit to the qualified electors
25 of the county a proposition that the county levy a tax for
26 one year upon all of the taxable property within the county,
27 in excess of the maximum annual tax levy permitted by law to
28 be levied for the county without a vote of the electors, said
29 levy to be at approximately the rate of \$0.25 per thousand
30 dollars of assessed valuation to provide \$30,500,000 and said
31 levy to be made in 1996 for collection in 1997.

32 Section 3. Use of Tax Proceeds.

33 A. The taxes authorized to be collected pursuant
34 to this ordinance shall be held by the county in a special
35 fund to be designated the Recreation and Conservation Legacy

1 Maintenance Fund (the "Maintenance Fund"). Earnings on such
2 fund shall be retained by such fund.

3 B. If the Recreation and Conservation Legacy
4 Bonds are authorized by the voters prior to December 1, 2001,
5 money in the Maintenance Fund shall be distributed to cities
6 within the county and to the appropriate county operating
7 fund in ten approximately equal annual payments, beginning in
8 2002 and ending in 2011, and in amounts proportional to the
9 allocation formulae set forth on Exhibit A attached hereto.
10 To the extent that additional amounts are deposited in the
11 Maintenance Fund from private contributions or otherwise,
12 such amounts and earnings thereon shall be distributed in
13 accordance with the allocation formulae set forth in
14 Exhibit A attached hereto over a term determined by the
15 Council unless specified under the terms of the gift,
16 bequest, grant or deposit. Such funds shall be used only to
17 pay the cost of stewardship and maintenance of the Recreation
18 and Conservation Legacy Projects. Agencies accepting such
19 funds may not use such funds to supplant funds otherwise
20 available to pay such cost.

21 C. If the Recreation and Conservation Legacy
22 Bonds are not authorized by the voters prior to December 1,
23 2001, the taxes, and associated accrued interest earnings,
24 that have been deposited in the Recreation and Conservation
25 Legacy Maintenance Fund shall be transferred to the county's
26 current expense fund and shall be used to reduce the county's
27 regular property tax levy to be collected in 2002. Any
28 private contributions, and associated accrued interest
29 earnings, shall be returned to the original donor.

30 Section 4. Levy Election. It is hereby found and
31 declared that an emergency exists requiring the submission to
32 the qualified electors of the county of a proposition
33 authorizing the excess tax levy as described in this
34 ordinance for the purposes described in this ordinance at a
35 special election to be held on the 17th day of September,
36 1996. The King County Department of Records and Elections,

1 as ex officio supervisor of elections, is hereby requested to
2 find the existence of such emergency and to assume
3 jurisdiction of and to call and conduct said special election
4 to be held within the county and to submit to the qualified
5 electors of the county the proposition hereinafter set forth.

6 The clerk of the council is hereby authorized and
7 directed, not less than 45 days prior to September 17, 1996,
8 to certify the following proposition to the King County
9 Department of Records and Elections in the following form:

10 KING COUNTY

11 PROPOSITION NO. 2

12 ONE YEAR MAINTENANCE ENDOWMENT LEVY

13 To establish an endowment to maintain
14 Recreation and Conservation Projects financed by
15 voter-approved bonds of the County, shall the
16 County levy for one year the following tax, in
17 excess of regular tax levies, upon all taxable
18 property within the county: approximately \$0.25 per
19 \$1,000 assessed valuation to provide \$30,500,000,
20 to be levied in 1996 for collection in 1997, all as
21 provided in Ordinance 12393

22 The polls for such special election shall be open from
23 7:00 a.m. to 8:00 p.m.

24 The clerk of the council is hereby authorized and
25 directed to deliver a certified copy of this ordinance to the
26 King County Department of Records and Elections.

27 Section 5. Severability. In the event any one or more
28 of the provisions of this ordinance shall for any reason be
29 held to be invalid, such invalidity shall not affect or
30 invalidate any other provision of this ordinance or the
31 bonds, but this ordinance and the bonds shall be construed

1 and enforced as if such invalid provision had not been
2 contained herein; provided, that any provision which shall
3 for any reason be held to be invalid shall be deemed to be in
4 effect to the extent permitted by law.

5 INTRODUCED AND READ for the first time this 1st day of
6 July, 1996.

7 PASSED by a vote of 10 to 3
8 this 22nd day of July, 1996.

9 KING COUNTY COUNCIL
10 KING COUNTY, WASHINGTON

11 Jane Hague
12 Chair

13 ATTEST:

14 Gerald A. Peterson

15 Clerk of the Council

16 APPROVED this 23rd day of July 1996.
17 Ray Locke

18 King County Executive

19 Attachments: Exhibit A: Allocation Formulae
20 Exhibit B: Allocation Formulae

Exhibit A

**SHARE DISTRIBUTION FOR THE MAINTENANCE AND STEWARDSHIP LEVY
UPON PASSAGE OF RECREATION AND CONSERVATION LEGACY BONDS**

Jurisdiction	Share of Levy Proceeds	Jurisdiction	Share of Levy Proceeds
SEATTLE	21.21%		
UNINCORPORATED KING CO.	14.72%		
SUBURBAN CITIES		SUBURBAN CITIES	
Algona	0.09%	Lake Forest Park	0.43%
Auburn	1.38%	Medina	0.28%
Beaux Arts Village	0.02%	Mercer Island	1.16%
Bellevue	4.80%	Milton	0.02%
Black Diamond	0.06%	Newcastle	0.29%
Bothell	0.55%	Normandy Park	0.27%
Burien	0.95%	North Bend	0.13%
Carnation	0.05%	Pacific	0.15%
Clyde Hill	0.18%	Redmond	1.86%
Des Moines	0.85%	Renton	1.78%
Duvall	0.12%	SeaTac	1.01%
Enumclaw	0.32%	Shoreline	1.67%
Federal Way	2.44%	Skykomish	0.01%
Hunts Point	0.08%	Snoqualmie	0.06%
Issaquah	0.41%	Tukwila	0.90%
Kent	2.38%	Woodinville	0.41%
Kirkland	1.75%	Yarrow Point	0.08%
		SUBURBAN TOTAL	26.96%
Distribution for Partnership Projects	6.96%		
Distribution for Urban Waterways Projects	5.80%		
Distribution for Critical Resources	24.37%		
TOTAL	100.00%		

7/19/96

**SHARE DISTRIBUTION FOR THE MAINTENANCE AND STEWARDSHIP LEVY
IF RECREATION AND CONSERVATION LEGACY BONDS
FAIL TO PASS**

12393

Jurisdiction	Percentage of Whole	Jurisdiction	Percentage of Whole
SEATTLE	33.73%		
UNINCORPORATED KING CO.	23.42%		
SUBURBAN CITIES		SUBURBAN CITIES	
Algona	0.14%	Lake Forest Park	0.68%
Auburn	2.20%	Medina	0.44%
Beaux Arts Village	0.02%	Mercer Island	1.85%
Bellevue	7.63%	Milton	0.04%
Black Diamond	0.09%	Newcastle	0.46%
Bothell	0.87%	Normandy Park	0.44%
Burien	1.52%	North Bend	0.20%
Carnation	0.08%	Pacific	0.23%
Clyde Hill	0.29%	Redmond	2.96%
Des Moines	1.35%	Renton	2.83%
Duvall	0.19%	SeaTac	1.61%
Enumclaw	0.51%	Shoreline	2.65%
Federal Way	3.89%	Skykomish	0.01%
Hunts Point	0.13%	Snoqualmie	0.09%
Issaquah	0.65%	Tukwila	1.44%
Kent	3.79%	Woodinville	0.65%
Kirkland	2.79%	Yarrow Point	0.13%
		SUBURBAN TOTAL	42.85%
TOTAL	100.00%		

7/11/96