



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

November 19, 2002

Ordinance 14512

Proposed No. 2002-0548.1

Sponsors Edmonds

1 AN ORDINANCE relating to the transfer of King County
2 parks to cities; permitting the imposition of differential fees
3 for nonresidents.
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6 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

7 **SECTION 1. Findings.**

- 8 A. The county faces a fiscal crisis that is forcing major cuts in all nonmandated
9 government services funded by the county current expense fund in 2003.
- 10 B. The provision of park and recreation services is not mandated by state law.
- 11 C. Consistent with the directives of the growth management act and the adopted
12 countywide planning policies, the county has for many years been engaged in transferring
13 to cities the ownership of the county parks and pools located within cities.
- 14 D. Over one hundred such transfers have been accomplished in the last ten years.
- 15 E. Transfer negotiations are ongoing with nearly two dozen cities in an effort to
16 convey to cities the remaining local county parks and pools that are located within city
17 boundaries.

18 F. Negotiations are also ongoing with some cities to convey to cities the county
19 parks located in city potential annexation areas, to promote the future annexation of these
20 areas and to reduce non-mandated county expenditures.

21 G. The county expects to save over six million dollars in operating costs in 2003
22 if it is successful in transferring the remaining in-city parks and pools to cities.

23 H. The cost of operating, maintaining and improving city parks and pools is
24 borne by city taxpayers except to the extent such costs may be offset by user fees charged
25 at the facilities or other nontax revenues.

26 I. Some county park acreage was purchased as open space with funds from
27 sources such as the 1989 open space bond and the conservation futures program, and
28 were intended to be used for open space purposes, which purposes allow passive
29 recreation but prohibit active recreation.

30 J. Interlocal agreements and the associated deeds providing for the transfer of
31 county parks and pools to cities have historically, as a matter of county policy, prohibited
32 or limited cities from charging higher fees to noncity residents.

33 K. Based on input from cities considering assuming ownership of remaining
34 county parks and pools, it appears that transfer of these facilities will be significantly
35 facilitated if cities are not prohibited or limited by the terms of the transfer agreements
36 and deeds from charging reasonable differential fees based on residency.

37 L. Cities have expressed a concern that to the extent their taxpayers are
38 subsidizing the operation of a park facility or program at which user fees may be charged,
39 it is equitable for those residents to receive some benefit through reduced user fees as
40 compared to fees charged to noncity residents.

41 M. The executive concurs that except for parks purchased for open space
42 purposes, it is reasonable to enable cities to recognize their taxpayer support for park
43 facilities or programs through a differential fee schedule so long as such differential fees
44 are reasonably related to the cost borne by city taxpayers to maintain, improve or operate
45 the facility for parks and recreation purposes.

46 N. Parks purchased for open space purposes are not intended to support programs
47 or activities for which fees would be charged, and thus it is not appropriate to allow
48 differential fees to be charged at such parks.

49 O. The county has previously approved the transfer of Juanita Beach park with a
50 condition allowing the city of Kirkland to impose differential fees at the park so long as
51 such fees are reasonably related to the cost borne by city taxpayers to maintain, improve
52 or operate the property for parks and recreation purposes.

53 P. The interlocal agreement providing for the transfer of Juanita Beach park also
54 included a provision stating that to the extent the city of Kirkland provides scholarships,
55 reduced fees or other means of assuring access to parks and recreational programming for
56 city residents, the city has a goal of ensuring that such scholarships or other needs-based
57 rates and programs are available to all persons desiring to use the park and recreational
58 programs at Juanita Beach Park regardless of residency.

59 Q. The executive has directed that similar provisions to those in the Juanita
60 Beach park agreement be included in the agreements and deeds for transfer of other
61 county parks and pools to cities in the future.

62 R. Several cities that own parks or pools previously transferred from the county
63 have requested that the county extend these same provisions retroactively to these
64 facilities.

65 S. Accommodation of this request will provide cities with an enhanced ability to
66 provide recreational services to all residents of King County, and will also facilitate the
67 transfer of parks and pools that face potential mothball if not transferred.

68 T. It is not practicable to revise the substantial number of existing interlocal
69 agreements and deeds to accommodate this request, but the council desires to indicate its
70 support for this policy change despite terms to the contrary in previous interlocal
71 agreements.

72 SECTION 2. A. It shall be the policy of King County that interlocal agreements
73 and deeds transferring parks and pools to cities shall permit the imposition by the
74 transferee of differential fees for nonresidents at the facilities to the extent the fees are
75 reasonably related to the cost borne by city taxpayers to maintain, improve or operate the
76 transferred facilities for parks and recreation purposes.

77 B. It shall further be the policy of King County to waive, release and not enforce
78 provisions in existing interlocal agreements and deeds with cities prohibiting or limiting
79 the imposition of differential fees to the extent that any such differential fee charged by a
80 city is consistent with section 2 of this ordinance.

81 C. It shall further be the policy of King County that interlocal agreements to
82 transfer parks and pools to cities shall include a provision whereby the transferee states
83 its willingness to extend any recreational scholarships, reduced fees or other needs-based

84 rates and programs to all persons desiring to use the park and recreational programs at a
85 transferred park or pool regardless of residency.

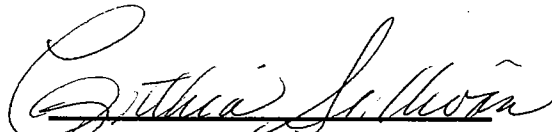
86 D. This ordinance shall not apply to parks purchased for open space purposes.

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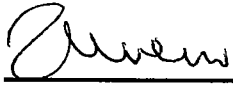
Ordinance 14512 was introduced on 11/12/2002 and passed by the Metropolitan King
County Council on 11/18/2002, by the following vote:

Yes: 12 - Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr. Phillips, Mr.
Pelz, Mr. McKenna, Mr. Constantine, Mr. Pullen, Mr. Gossett, Ms. Hague,
Mr. Irons and Ms. Patterson
No: 0
Excused: 1 - Ms. Sullivan

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Cynthia Sullivan, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 25 day of November, 2002.



Ron Sims, County Executive

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KING COUNTY COUNCIL
CLERK

Attachments None