

April 17, 1990
clt/ORD.CFF

Introduced by: GREG NICKELS

Proposed No.: 90-327

ORDINANCE NO. 9430

1
2 AN ORDINANCE relating to Conservation Future
3 Fund, amending Ordinance 8867, Sections 1 and 2
4 and K.C.C. 26.12.010 and K.C.C. 26.12.020, and
5 adding a new section.

6 PREAMBLE:

7 In November 1989, the voters of King County provided
8 overwhelming support to the acquisition of open space
9 properties and trails designated in Ordinance 9071. King
10 County and all participating city jurisdictions are
11 pursuing the preservation of these properties with
12 deliberate speed. Land prices are in a state of rapid
13 change in King County and some of the scheduled
14 acquisitions consequently may be threatened. In order to
15 maximize the opportunity of all participating jurisdictions
16 to preserve the properties set forth in Ordinance 9071, the
17 King County council wishes to reserve the use of
18 conservation futures funds to supplement bond funds where
19 there is demonstrable and certain need in order to acquire
20 the projects set forth in Ordinance No. 9071.

21 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

22 SECTION 1. Ordinance 8867, Section 1 and K.C.C. 26.12.010
23 are hereby amended to read as follows:

24 A process is hereby established for the biennial allocation
25 commencing (~~in 1990~~) January 1, 1994 of the Conservation
26 Futures fund to acquire green spaces, greenbelts, and trail
27 rights-of-ways proposed for preservation for public use by
28 either the county or the cities within the county. King County
29 government, incorporated city governments within King County,
30 citizen groups and citizens may make application for funds in
31 this allocation process.

32 A. At least one month prior to a submission date determined
33 by the county council, all cities within the county shall be
34 provided notice of the opportunity to apply to the county for a
35 share of the biennial allocation of the Conservation futures
36 funds. Notice also shall be provided in a daily newspaper of
37 general county circulation.

38 B. By a date certain established by the county council
39 during a biennial allocation, the executive shall report to the
40 council on the compliance of all applications submitted for

0 funding with the county open space selection criteria,
1 Ordinance No. 8657, and any additional relevant criteria of the
2 jurisdiction in which the potential acquisition is located.
3 The report also shall be accompanied by a proposed
4 appropriation ordinance setting forth the applications
5 recommended for funding by the Citizen ((~~Selection~~)) Oversight
6 Committee identified in Section 1.C., infra.

7 C. The citizen ((~~selection~~)) oversight committee shall
8 include an individual from each King County council district.
9 It shall be composed of nine members appointed by the executive
10 and confirmed by the council. The committee shall elect a
11 chair from its members. The executive shall solicit
12 nominations from the City of Seattle and nominations from the
13 Suburban Cities Association. Once established, the terms of
14 the members and chair shall be rotated such that three of the
15 seats become available for appointment every year.

16 D. Prior to final council action on the biennial allocation
17 of the Conservation Futures fund, a public hearing will be held
18 on the applications submitted by the county and the cities.

19 E. Any application funded by this process shall be
20 supported by the jurisdiction in which the project is located
21 with a matching contribution no less than the amount of
22 Conservation Futures funds awarded to the project. This
23 contribution may consist of cash, land trades with a valuation
24 verified by an appraisal by a MAI certified appraiser, or
25 credits for other qualifying open space acquired on or after
26 January 1, 1989. When a project nominated by a citizen or
27 citizen group is located within a city jurisdiction and is
28 recommended for acquisition by the citizen ((~~selection~~))
29 oversight committee, the subject city shall be required to
30 demonstrate a commitment to contribute within two years of
31 application the required share for the project prior to said
32 application's final consideration by the King County council.
33 Otherwise, the conservation funding will be available for
34 reallocation to other current applications. In such instances

0 the subject city shall have 60 days to demonstrate its
1 commitment to contribute to the project.

2 F. For the purpose of this ordinance, all cities in excess
3 of 20,000 population shall have promulgated a open space plan
4 or its equivalent prior to submitting applications to this
5 process.

6 G. A \$500,000 balance will be reserved at the beginning of
7 each biennium of this process to be used at the discretion of
8 the council to fund options on parcels sponsored by either the
9 county or a city that would otherwise satisfy Section 1(D)
10 through (F), supra, but have become threatened prior to the
11 next biennial allocation by conversion to uses incompatible
12 with their open space characteristics. Prior to approving the
13 purchase of an option, the council must find that the subject
14 parcel satisfies both the county open space selection criteria
15 and any additional relevant criteria promulgated by the
16 jurisdiction in which the parcel is located.

17 SECTION 2. Ordinance 8867, Section 2 and K.C.C. 26.12.020
18 are hereby amended to read as follows:

19 It shall be the goal of the council and the Citizen
20 ((~~Selection~~)) Oversight Committee to achieve an equitable
21 geographical allocation of funds from conservation futures over
22 the long term.

23 NEW SECTION. SECTION 3. For the purposes as provided in
24 state law, all conservation future funds collected by the
25 county after the enactment of this ordinance and prior to the
26 commencement of the allocation process provided in K.C.C.
27 26.12, as amended herein, shall be available for the completion
28 of projects as set forth in Ordinance 9071, according to the
29 following procedure:

30 A. A jurisdiction requiring open space funds to complete a
31 project as described in Ordinance 9071 shall present a request
32 to the citizen oversight committee established by Ordinance
33 9071.

0 B. Within 30 days of a receipt of a request for
1 conservation futures funding, the citizen oversight committee
2 shall consider and make recommendations on such requests to the
3 King County executive. The executive shall transmit to the
4 King County council the committee's recommendation in
5 conjunction with his recommendation on the request, and the
6 appropriate legislation.

7 C. The committee shall develop its recommendations based
8 on the open space criteria set forth in ordinance 9071 and
9 Motion 7886.

10 D. It shall be a goal of the council and the citizen
11 selection committee identified in K.C.C. 26.12.010.C. to
12 achieve an equitable geographical allocation of funds from
13 conservation futures through this process.

14 PROVIDED THAT:

15 The executive notify Seattle and suburban jurisdictions of
16 the requirement to submit bond project financing plans before
17 additional conservation futures revenues will be allocated.
18 These financing plans should include the basis for updated
19 project cost estimates, the level of bond proceeds and other
20 revenues available for these projects, and the conservation
21 futures revenue necessary to complete a project.

22 INTRODUCED AND READ for the first time this 23rd day
23 of April, 1990.

24 PASSED this 30th day of April, 1990.

25 KING COUNTY COUNCIL
26 KING COUNTY, WASHINGTON

27 Lois North
28 Chair

29 ATTEST:

30 Gerald G. Peterson
31 Clerk of the Council

32 APPROVED this 10th day of May, 1990.

33 Jim Hill
34 King County Executive