



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

April 30, 2013

Ordinance 17568

Proposed No. 2013-0112.3

Sponsors Phillips and McDermott

1 AN ORDINANCE providing for the submission to the
2 qualified electors of King County at a special election to be
3 held in King County on August 6, 2013, of a proposition
4 authorizing a property tax levy in excess of the levy
5 limitation contained in chapter 84.55 RCW for a period of
6 six consecutive years, at a total rate of not more than
7 \$0.1877 per one thousand dollars of assessed valuation in
8 the first year with annual increases by the percentage
9 increase in the consumer price index or the limitation in
10 84.55 RCW, whichever is greater in years two through six,
11 for the purpose of maintaining and operating King County's
12 parks system; improving parks, recreation and mobility by
13 acquiring open space and continuing to develop regional
14 trails; repairing, replacing, and improving local parks and
15 trails in King County's cities; funding environmental
16 education, maintenance, conservation and capital programs
17 at the Woodland Park Zoo.

18 STATEMENT OF FACTS:

19 1. King County owns and operates a system of regional and local parks
20 and trails that consists of twenty six thousand acres of parklands and more
21 than one hundred seventy five miles of regional trails. The county
22 provides regional trails, regional recreational facilities, regional natural
23 area parks, and local rural parks, and is the transitional provider of local
24 parks in the urban unincorporated areas. Examples of regional county
25 parks and trails include Marymoor Park, Cougar Mountain Regional
26 Wildland Park, the Weyerhaeuser King County Aquatic Center and the
27 Sammamish River Trail.

28 2. Public parks, natural areas, and trails contribute to a high quality of life.
29 A robust system of parks and trails provides: physical, social and mental
30 health benefits to individuals; economic opportunity through recreation
31 and tourism; economic growth for private businesses that must attract and
32 retain skilled workers; and environmental benefits and cultural resource
33 protection through open space conservation. King County's parks system
34 provides all these benefits to King County residents and businesses.

35 3. The 2002 Parks Business Transition Plan, which was adopted by the
36 King County council, became the blueprint for establishing the regional
37 parks system we have today. The parks and recreation division of the
38 department of natural resources and parks has successfully focused its
39 lines of business on regional parks and trails, backcountry trails, natural
40 lands, and local parks in unincorporated King County and has been
41 implementing business practices that generate revenue from park system

42 assets by implementing or increasing user fees and establishing corporate
43 and community partnerships that enhance park amenities and leverage
44 public and private dollars to improve parks and increase access to parks.

45 4. Consistent with the recommendations of past parks-related task forces,
46 the county has sought voter-approved levies on two prior occasions: in
47 2003, to provide maintenance and operating funding for the parks and
48 recreation division for the period of 2004-2007; and in 2007, to provide
49 funding for maintenance and operating, as well as funding for open space
50 acquisition and asset maintenance and improvement, for the period of
51 2008-2013. Voters approved the levies on both occasions that they were
52 on the ballot. The voter-approved levies have helped keep the parks
53 system open, clean and safe.

54 5. Approximately seventy percent of the operating budget of the parks
55 and recreation division is provided by the 2008-2013 voter-approved
56 operations and maintenance levy, with approximately seventeen percent
57 generated through business activities and entrepreneurial efforts. King
58 County general fund support to the parks and recreation division was
59 eliminated as of 2011.

60 6. In 2013, the 2008-2013 voter-approved Open Space and Trails Levy
61 will fund approximately seventy-seven percent of the parks and recreation
62 division's asset management budget. Historically, the real estate excise
63 tax funded nearly all of the parks and recreation division's asset

64 management program; however, the real estate excise tax has declined 83
65 percent from 2006 to 2012.

66 7. The effective rate of the combined levies in 2013 is \$0.1331 per one
67 thousand dollars of assessed value. A comparable effective levy rate
68 beginning in 2014 would need to be \$0.1478 per one thousand dollars of
69 assessed value. Due to the loss of general funds and real estate excise tax,
70 a higher levy rate is necessary in the future to achieve the
71 recommendations of all the past parks task forces and the council-
72 approved parks business transition plan.

73 8. Parks levy citizen oversight committees were established to monitor the
74 expenditures of the proceeds from the 2004-2007 and 2008-2013 levies.
75 In every year of its review, the committee has concluded that the county
76 has complied with all levy requirements.

77 9. As specified under Motion 12809, the King County executive
78 developed and implemented an annual process to review and recommend
79 for council approval open space projects funded by the Open Space and
80 Trails Levy through coordination with the conservation futures tax
81 program.

82 10. The King County executive convened the King County parks levy
83 task force in June 2012 to recommend a funding plan for the current park
84 system and how to address the parks and recreation needs of King County
85 residents in the future. The task force, which met from June to October,
86 was comprised of twenty-two individuals representing all geographic areas

87 of the county, as well as business, recreation, community, and
88 environmental interests.

89 11. The task force issued a report in October 2012, recommending that
90 the county replace the expiring levies and put a ballot measure before the
91 voters in 2013 that requests a six-year inflation-adjusted property tax levy
92 lid lift at a total rate of \$0.1901 per one thousand dollars of assessed value.

93 The task force recommended continuing to fund maintenance and
94 operations of King County's parks system, as well as funding critical
95 infrastructure repair and replacement, acquisition and stewardship of open
96 space, as such lands can provide for passive or active recreation
97 opportunities and/or protection of habitat and water quality, and the
98 continued development of regional trail corridors, including strategic
99 connections between trails and transportation hubs to improve mobility.

100 The task force also recommended providing support to King County's
101 cities for local parks and recreation capital purposes and to the Woodland
102 Park Zoological Society for education and conservation programs,
103 horticulture and maintenance, and capital improvements.

104 12. The King County executive supports the findings and
105 recommendations of the task force and has put forth a funding proposal
106 that is consistent with the goals and priorities of the task force, decreasing
107 the rate recommended by the task force by utilizing updated forecasts for
108 real estate excise tax, which enabled adjustments to be made to the overall
109 funding assumptions.

110 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

111 SECTION 1. Definitions. The definitions in this section apply throughout this
112 ordinance unless the context clearly requires otherwise.

113 A. "Conservation futures tax program" means the program defined in K.C.C.
114 chapter 26.12.

115 B. "Levy" means the levy of regular property taxes, for the specific purpose and
116 term provided in this ordinance and authorized by the electorate in accordance with state
117 law.

118 C. "Levy proceeds" means the principal amount of funds raised by the levy, any
119 interest earnings on the funds and the proceeds of any interim financing following
120 authorization of the levy.

121 D. "Limit factor" means the ratio of the most recent June Consumer Price Index
122 to the immediately previous June Consumer Price Index, which is the final published
123 CPI-W Seattle-Tacoma-Bremerton, as calculated by the United States Bureau of Labor
124 Statistics, or its successor, expressed as a multiple of one hundred percent to achieve the
125 result of one hundred percent plus inflation, or the limitation contained in chapter 84.55
126 RCW, whichever is greater.

127 E. "Parks system" means any building or other structure, park, open space,
128 natural area, resource or ecological land, trail, or other property owned or otherwise
129 under the jurisdiction of the parks and recreation division of the department of natural
130 resources and parks.

131 F. "Recreation grant program" means the community partnerships and grants
132 program through which King County provides funds to recreation-oriented groups, sports

133 associations and community-based organizations to undertake any combination of
134 developing, operating or maintaining a public park or recreation facility or program in
135 King County for public benefit.

136 SECTION 2. Levy submittal to voters. To provide necessary funds for the
137 purposes identified in section 4 of this ordinance, the King County council shall submit to
138 the qualified electors of the county a proposition authorizing a regular property tax levy
139 in excess of the levy limitation contained in chapter 84.55 RCW for six consecutive
140 years, with collection commencing in 2014, at a rate not to exceed \$0.1877 per one
141 thousand dollars of assessed value in the first year of the levy period. In accordance with
142 RCW 84.55.050, this levy shall be a regular property tax levy subject to the limit factor.

143 SECTION 3. Deposit of levy proceeds. The levy proceeds shall be deposited
144 into a dedicated subfund of the parks and recreation fund, or its successor.

145 SECTION 4. Eligible expenditures. If approved by the qualified electors of the
146 county, levy proceeds shall be used for the following purposes:

147 A. Forty-seven percent for maintenance and operations of King County's parks
148 system, of which no more than one and three tenths percent of total levy proceeds is for
149 the recreation grant program;

150 B. Thirty-nine percent for:

151 1. Acquisition, conservation and stewardship of additional open space lands,
152 natural areas, resource or ecological lands;

153 2. Acquisition and development of rights of ways for regional trails;

154 3. Major maintenance repair, replacement and improvement of parks system
155 infrastructure; and

156 4. Development of trailhead facilities to increase access to parks and trails;

157 C. If the county council, in its sole discretion, finds that annual revenues from the
158 real estate excise tax 1 and real estate excise tax 2 from the real estate excise taxes
159 imposed under K.C.C. 4A.51.100 and 4A.510.120 have increased sufficiently that the
160 levy amount needed for the purposes identified in subsection B. of this section should be
161 reduced, it may reduce the annual dollar amount levied for the parks levy based on this
162 finding and the entire dollar amount of the reduction in the levy proceeds for that year
163 shall be allocated solely to the distribution of levy proceeds for the purposes set forth in
164 subsection B. of this section. Such annual reduction shall not limit the authority of the
165 council to levy in any future year without such reduction or to modify the distribution of
166 levy proceeds levied in any future year;

167 D. Seven percent for distribution to cities in King County for their local parks
168 system projects, of which amount fifty percent shall be distributed based on city
169 population and fifty percent shall be distributed based on the assessed value of parcels
170 within a city;

171 E. Seven percent for distribution to the Woodland Park Zoological Society for:
172 environmental education with emphasis on accessibility to traditionally underserved
173 populations throughout the county; horticulture and maintenance of buildings and
174 grounds; conservation and animal care for rare, threatened or endangered Pacific
175 Northwest species; and board-approved capital projects/campaigns in existence as of
176 December 31, 2012; and

177 F. Of the proceeds designated for distribution to King County cities and the
178 Woodland Park Zoological Society, a portion shall be retained by the county to be used

179 for expenditures related to administration of the distribution of levy proceeds. Eligible
180 administrative expenditures shall include all costs and charges to the parks and recreation
181 division or the county associated with or attributable to the purposes listed in subsections
182 D. and E. of this section of this ordinance. Consistent with RCW 84.55.050, as it may be
183 amended, levy proceeds may not supplant existing funding.

184 SECTION 5. Call for special election. In accordance with RCW 29A.04.321,
185 the King County council hereby calls for a special election to be held in conjunction with
186 the primary election on August 6, 2013, to consider a proposition authorizing a regular
187 property tax levy for the purposes described in this ordinance. The King County director
188 of elections shall cause notice to be given of this ordinance in accordance with the state
189 constitution and general law and to submit to the qualified electors of the county, at the
190 said special county election, the proposition hereinafter set forth. The clerk of the council
191 shall certify that proposition to the King County director of elections in substantially the
192 following form:

193 The King County council has passed Ordinance ____ concerning funding for
194 parks, trails, recreational facilities and open space. This proposition would replace two
195 expiring levies and fund maintenance and operations of the King County parks system;
196 trails and open space for recreation, habitat and water quality; city parks; and zoo
197 programs, all subject to citizen oversight. This proposition authorizes an additional
198 property tax of \$0.1877 per \$1,000 of assessed value for collection in 2014 and
199 authorizes increases by the annual percentage change in the CPI or the limitation in 84.55
200 RCW, whichever is greater, for five succeeding years. Should this proposition be:
201 Approved? __

202 Rejected? __

203 SECTION 6. Distributions. Each distribution of levy proceeds to a King County
204 city or to the Woodland Park Zoological Society, or its successor, for the eligible
205 purposes identified in section 4 of this ordinance shall be subject to the execution of a
206 contract between the county and each entity for the same project. Distribution of levy
207 proceeds to King County for open space acquisition purposes shall be in accordance with
208 the annual conservation futures tax process for the development, review and
209 recommendation to the King County council as set forth in the open space and natural
210 lands acquisition process, which is included as Attachment A to this ordinance.

211 SECTION 7. Parks levy citizen oversight board established.

212 A. If the proposition in section 5 of this ordinance is approved by the qualified
213 electors of King County, a parks levy citizen oversight board shall be appointed by the
214 executive. The board shall consist of nine members. Each councilmember shall
215 nominate a candidate for the board from the councilmember's district no later than ninety
216 days from the start of the first year of collections. If the executive does not appoint
217 within sixty days of the nominations a person who has been nominated by a
218 councilmember, the executive must request that the councilmember should within thirty
219 days of the request nominate another candidate for appointment. Members shall be
220 confirmed by the council. Members shall be residents of King County and may not be
221 elected or appointed officials of any unit of government, except that citizens serving in a
222 civic capacity on a local board or commission would be eligible to serve on the parks
223 levy citizen oversight board.

224 B. The board shall review the allocation of levy proceeds and progress on
225 achieving the purposes of this proposition. The report shall include information on the
226 status of addressing maintenance needs and controlling noxious weeds in King County's
227 parks system. On or before December 31, 2015, the board shall review and report to the
228 King County executive, the King County council and the regional policy committee on
229 the expenditure of levy proceeds for 2014. Thereafter, the board shall review and report
230 to the King County executive, the King County council and the regional policy
231 committee annually. Any report to the King County council under this section shall be
232 made in the form of a paper original and an electronic copy with the clerk of the council,
233 who shall retain the original and provide an electronic copy to all councilmembers. The
234 parks and recreation division shall provide the board with all reports on division activities
235 that the division transmits to the King County council in accordance with K.C.C.
236 7.08.090. The board expires December 31, 2020.

237 SECTION 8. Ratification. Certification of the proposition by the clerk of the
238 King County council to the director of elections in accordance with law before the
239 election on August 6, 2013, and any other acts consistent with the authority and before
240 the effective date of this ordinance are hereby ratified and confirmed.

241 SECTION 9. Severability. If any provision of this ordinance is held invalid, the

242 remainder of the ordinance or the application of the provision to other persons or
243 circumstances is not affected.

244

Ordinance 17568 was introduced on 2/25/2013 and passed as amended by the Metropolitan King County Council on 4/29/2013, by the following vote:

Yes: 7 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague, Ms. Patterson, Mr. McDermott and Mr. Dembowski
No: 2 - Ms. Lambert and Mr. Dunn
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON




Larry Gossett, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 1 day of May, 2013.



Dow Constantine, County Executive

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2013 MAY - 1 PM 2:09
KING COUNTY COUNCIL CLERK

Attachments: A. Open Space and Natural Lands Acquisition

OPEN SPACE AND NATURAL LANDS ACQUISITION

The overall approach for funding allocation and coordination with the Conservation Futures Tax (CFT) program for the acquisition of open space and natural lands through the countywide parks levy is proposed as follows:

1. Early each calendar year, the Department of Natural Resources and Parks (DNRP) will set a proposed allocation for open space from levy funds for the following fiscal year.
2. Staff will generate proposals for the use of these funds, taking into account opportunities to leverage resources with funding from Conservation Futures, as well as from other local, state, and federal funding sources.
3. An overall proposal allocating the open space funds to specific projects will be developed and discussed with the Citizens Oversight Committee (COC) that is responsible for developing CFT funding recommendations. These discussions are expected to occur in the spring, during the same time frame during which the COC annually reviews CFT project proposals. This will create an opportunity for the COC to provide an advisory recommendation regarding allocation of these parks levy funds.
4. Taking the COC's recommendations into account, DNRP will develop a proposed budget for these parks levy funds.
5. The DNRP proposed budget for parks levy funding will be reviewed by the County Executive, and ultimately County Council, as part of the overall budget process for the following year.