



Signature Report

Ordinance

Proposed No. 2019-0084.2

Sponsors Balducci, von Reichbauer, Kohl-
Welles 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, 2019, 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 \$0.1832 per one thousand dollars of assessed valuation in
8 the first year and limiting annual levy increases by the King
9 County inflation plus population index published by the
10 King County office of economic and financial analysis, or
11 the chapter 84.55 RCW limitation, whichever is greater in
12 years two through six for the purpose of maintaining and
13 operating King County's open space system; improving
14 parks, recreation, access and mobility in the King County
15 open space system by acquiring lands and continuing to
16 develop regional trails; improving parks and trails in and
17 acquiring lands by metropolitan parks districts, towns and
18 cities in King County; funding environmental education,
19 maintenance and conservation programs at the Woodland

20 Park Zoo; funding capital construction at the Seattle
21 Aquarium; and funding for capital improvements at
22 publicly owned pools, for all King County residents.

23 STATEMENT OF FACTS:

24 1. King County owns and operates a system of regional and local parks
25 and trails that consists of twenty-eight thousand acres of parklands and
26 more than one hundred seventy-five miles of regional trails. The county
27 provides regional trails, regional recreational facilities, regional natural
28 areas, regional parks and local parks in unincorporated areas. Examples of
29 regional county parks and trails include Marymoor park, Cougar Mountain
30 Regional Wildland park, the Weyerhaeuser King County Aquatic Center
31 and the Sammamish River trail.

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

40 3. The 2002 Parks Business Transition Plan, adopted by the King County
41 council and enacted by Ordinance 14509, became the blueprint for
42 establishing the regional open space system we have today. Building on

43 that blueprint, the county has adopted open space plans, which have
44 provided the framework guiding King County in the acquisition, planning,
45 development, stewardship, maintenance and management of its complex
46 system of parks, regional trails and acres of open space. The latest open
47 space plan was updated in 2016 and adopted by Ordinance 18309.

48 4. In implementing the open space plan, the parks and recreation division
49 of the department of natural resources and parks has successfully focused
50 its lines of business on regional parks and trails, backcountry trails, natural
51 lands and local parks in unincorporated King County and has implemented
52 business practices that generate revenue from park system assets by
53 implementing or increasing user fees and establishing corporate and
54 community partnerships that enhance park amenities and leverage public
55 and private dollars to improve parks and increase access to parks.

56 5. Consistent with the recommendations of past parks-related task forces,
57 the county has sought voter-approved levies on three prior occasions: in
58 2003, enacted by Ordinance 14586, to provide maintenance and operating
59 funding for the parks and recreation division for 2004 through 2007; in
60 2007, enacted by Ordinance 15759, to provide funding for maintenance
61 and operations as well as funding for open space acquisition, regional trail
62 development, the Woodland Park Zoo and for King County towns and
63 cities for use in their open space acquisition and trail projects for 2008
64 through 2013; and in 2013, enacted by Ordinance 17568, to provide
65 funding for maintenance and operations as well as for open space

66 acquisition, asset maintenance and improvement, parks and trails projects,
67 the Woodland Park Zoo and for King County towns and cities to use for
68 their parks and recreation for 2014 through 2019. Voters approved the
69 funding measures on all three occasions that they were on the ballot. The
70 voter-approved levies have helped keep the open space system clean, safe
71 and open.

72 6. The 2014 through 2019 voter-approved parks, trails and open space
73 replacement levy provides approximately eighty percent of the operating
74 budget of the parks and recreation division, with approximately thirteen
75 percent generated through business activities and entrepreneurial efforts.
76 King County general fund support to the parks and recreation division was
77 eliminated as of 2011.

78 7. The community partnerships and grants program enacted by Ordinance
79 14509 enhances parks amenities by partnering with parks and recreation
80 organizations. Since the inception of the community partnership and grant
81 program in 2003, more than sixty projects representing more than sixty
82 million dollars' worth of new, enhanced, or preserved public recreation
83 facilities have been completed, with only eighteen million dollars of King
84 County capital investment.

85 8. The Woodland Park Zoo received distributions from the past two voter-
86 approved levies to supplement zoo operating revenue for education and
87 conservation programs, horticulture and maintenance and capital
88 improvements. Levy proceeds distributed to the zoo provided

89 environmental education, programming and transportation focusing on
90 accessibility for underserved areas, supported thousands of students
91 annually and benefitted residents throughout King County. Levy proceeds
92 also provided conservation and animal care for threatened Pacific
93 Northwest species.

94 9. King County towns and cities received funding from the past two
95 voter-approved levies. In 2008 through 2013, towns and cities could use
96 levy proceeds for open space and natural lands acquisition and
97 development of town or city trail projects that supported connections to
98 the regional trail system with distributions being contingent upon an equal
99 or greater contribution of matching moneys from the recipient town or city
100 for the same project. In the 2014 through 2019 levy, types of uses for the
101 distribution to King County towns and cities were broadened to provide
102 flexibility and better meet the parks and recreation needs of cities.

103 10. Parks levy oversight committees were established to monitor the
104 expenditures of the proceeds from the 2004 through 2007, 2008 through
105 2013 and 2014 through 2019 levies. Annual committee review has
106 concluded that the county has complied with all levy requirements.

107 11. King County is growing rapidly as a region. In 2017, King County's
108 population increased by close to fifty thousand people; and over the next
109 ten years, the region is expected to grow by another one hundred eighty
110 thousand people. Recent surveys have indicated that since 2008, the
111 number of people who hike in natural area parks has doubled. More and

112 more people are using the King County parks and trails, which puts
113 greater pressure on an aging system. As development increases to
114 accommodate population growth, the risk of losing natural lands and green
115 spaces throughout the county grows. Those valuable lands contribute to
116 King County residents' high quality of life. The cost of land to
117 accommodate this growth and preserve open spaces is also increasing.
118 Today is the opportune time to address future needs of residents by
119 investing in our parks and trails and accelerating conservation of open
120 space.

121 12. In King County, many communities have experienced a history of
122 inequitable and limited regional investments in parks, recreation and open
123 space, limiting the ability of residents to lead healthy lives. Five hundred
124 thousand King County residents live without ready access to, parks,
125 recreation and open spaces. There is a need to address disparities in
126 access to parks, recreation and open space for underserved areas and
127 communities, including people with disabilities. This proposal provides
128 an opportunity to address parks and recreation needs of these underserved
129 areas and communities.

130 13. Recognizing growth in population, increased use of parks and trails
131 and the need to address disparities in preparation for the 2020 through
132 2025 levy, the parks and recreation division conducted outreach to obtain
133 feedback on the current park system and future parks and recreation needs
134 for all King County residents. From August through November 2018,

135 parks and recreation division staff conducted fifty-four in-person
136 engagement meetings with groups representing all geographic areas of the
137 county including towns and cities, business, recreation, community and
138 environmental interests. An online survey was also conducted from
139 November to December 2018, and received one thousand nine hundred
140 thirty-four responses from the public, representing all geographic areas of
141 the county.

142 14. The feedback from the engagement meetings and online survey
143 showed support for the King County open space system. Engagement
144 findings showed support for maintenance and operations of the open space
145 system, as well as critical infrastructure repair and replacement, and the
146 acquisition, conservation and stewardship of open space, as such lands can
147 provide for passive or active recreation opportunities and protection of
148 habitat and water quality, and the development of and improvements on
149 regional trail corridors. Feedback supported funding for King County
150 towns' and cities' parks and recreation programs; the Woodland Park
151 Zoological Society education and conservation programs and horticulture,
152 maintenance and capital improvements; and recognized the Seattle
153 Aquarium as a regional asset.

154 15. The King County executive took into consideration information
155 obtained from this outreach, the region's growing population, increased
156 use of parks and trails across King County, and the lack of parks,
157 recreation and open space in some communities, and has put forth this

158 proposal which acknowledges the changing landscape and the need to
159 grow the open space system to keep up with demand from the region.

160 This proposal is also consistent with the goals and priorities of past levy
161 task forces.

162 16. This proposal would exempt low-income senior citizens, disabled
163 veterans and other people with disabilities from the regular property tax
164 increase on their residences resulting from a levy authorized by this
165 ordinance, if they have been approved for an exemption under RCW
166 84.36.381.

167 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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

170 A. "Community partnerships and grants program" means the program through
171 which King County provides moneys to recreation-oriented groups, sports associations
172 and community-based organizations to undertake any combination of developing,
173 operating or maintaining a recreation facility or public park in unincorporated King
174 County and King County towns and cities for public benefit.

175 B. "Integrated floodplain management" means habitat restoration, open space
176 acquisition or recreational opportunities that are integrated with preventive and corrective
177 measures to reduce the risk of flooding.

178 C. "Levy" means the levy of regular property taxes, for the specific purposes and
179 term provided in this ordinance and authorized by the electorate in accordance with state
180 law.

181 D. "Levy proceeds" means the principal amount of moneys raised by the levy,
182 any interest earnings on the moneys and the proceeds of any interim financing following
183 authorization of the levy.

184 E. "Limit factor" means the most recent published King County office of
185 economic and financial analysis King County inflation plus population index, or the
186 limitation contained in chapter 84.55 RCW, whichever is greater.

187 F. "Open space system" means the system that includes parks, trails, natural
188 areas, resource lands and structures or buildings owned or otherwise under the
189 jurisdiction of the parks and recreation division of the department of natural resources
190 and parks. For the purposes of this ordinance, with reference to King County, the term
191 "open space lands" shall collectively refer to natural areas and resource lands.

192 G. "Targeted equity grant program" means the program through which King
193 County provides moneys in order to achieve equitable opportunities and access to parks
194 and recreation for underserved areas and communities, including people with disabilities,
195 located in unincorporated King County and King County towns and cities.

196 H. "Town or city parks system" means any building or other structure related to
197 parks or recreation, parks, trails, open space such as natural areas and resource or
198 ecological lands and other parks or recreation property owned or otherwise under the
199 jurisdiction of a town or city within King County.

200 **SECTION 2. Levy submittal to voters.** To provide necessary moneys for the
201 purposes identified in section 4 of this ordinance, the King County council shall submit to
202 the qualified electors of the county a proposition authorizing a regular property tax levy
203 in excess of the levy limitation contained in chapter 84.55 RCW for six consecutive

204 years, with collection commencing in 2020, at a rate not to exceed \$0.1832 per one
205 thousand dollars of assessed value in the first year of the levy period. The dollar amount
206 of the levy in the first year shall be the base upon which the levy amounts in year two
207 through six shall be calculated. In accordance with RCW 84.55.050, this levy shall be a
208 regular property tax levy subject to the limit factor.

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

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

213 A. Costs incurred by the county that are attributable to the special election called
214 for in section 5 of this ordinance.

215 B. Up to eight million dollars to the Seattle Aquarium from the first four years of
216 the levy. Levy proceeds for the Seattle Aquarium shall solely be for capital costs for the
217 Ocean Pavilion project, except as provided in subsection E.5. of this section.

218 C. Up to forty-four million dollars to publicly owned pools for: capital
219 improvement projects, including planning, feasibility studies, preconstruction and design,
220 construction; and major maintenance repair or replacement projects.

221 D. Up to twenty-two million dollars to habitat restoration, open space acquisition
222 or recreational opportunities, or any combination thereof, associated with integrated
223 floodplain management capital improvement projects and to outreach and education
224 related to the benefits of integrated floodplain management projects.

225 E. The remainder of levy proceeds shall be used for the following purposes:

226 1. Forty percent of levy proceeds for maintenance and operations of King

227 County's open space system and the targeted equity grant program, but no more than ten
228 million dollars may be used for the targeted equity grant program;

229 2. Forty-seven percent of levy proceeds for:

230 a. acquisition, conservation and stewardship of additional open space lands,
231 natural areas, resource or ecological lands, rights of way for regional trails and urban
232 green spaces;

233 b. acquisition of rights of way for and development of regional and other
234 public trails;

235 c. capital improvement projects and major maintenance repair or replacement
236 of open space system infrastructure;

237 d. community partnerships and grants program; and

238 e. capital improvement projects and major maintenance repair or replacement
239 of parks or recreation infrastructure in metropolitan park districts, towns or cities;

240 3. Eight percent of levy proceeds for distribution to towns and cities in King
241 County for their town or city parks system operations and capital improvement projects,
242 of which amount:

243 a. twenty-five thousand dollars shall be distributed annually to each town and
244 city;

245 b. an additional seventy-five thousand dollars shall be distributed annually to
246 cities with a population greater than four thousand;

247 c. of the remainder, fifty percent shall be distributed in proportion to each town
248 or city's population and fifty percent shall be distributed in proportion to the assessed
249 value of parcels within each town or city;

250 4. Five percent of levy proceeds for distribution to the Woodland Park
251 Zoological Society shall be used solely for: environmental education with an emphasis on
252 accessibility to traditionally underserved populations throughout the county; horticulture
253 and maintenance of buildings and grounds; conservation of threatened species; and
254 development of conservation and education strategies to mitigate impacts to animals and
255 habitats from climate change; and

256 5. Of the levy proceeds in subsections B., C., D., E.2.e., E.3. and E.4. of this
257 section, a portion shall be retained by the county to be used for expenditures related to
258 administration of the distribution of levy proceeds. Eligible administrative expenditures
259 shall include all costs and charges to the parks and recreation division or the county
260 associated with or attributable to the purposes listed in subsections B., C., D., E.2.e., E.3.
261 and E.4. of this section as well as sections 6 and 7 of this ordinance. Consistent with
262 RCW 84.55.050, as it may be amended, levy proceeds may not supplant existing funding.

263 SECTION 5. Call for special election. In accordance with RCW 29A.04.321,
264 the King County council hereby calls for a special election to be held in conjunction with
265 the primary election on August 6, 2019, to consider a proposition authorizing a regular
266 property tax levy for the purposes described in this ordinance. The King County director
267 of elections shall cause notice to be given of this ordinance in accordance with the state
268 constitution and general law and to submit to the qualified electors of the county, at the
269 said special county election, the proposition hereinafter set forth. The clerk of the council
270 shall certify that proposition to the King County director of elections in substantially the
271 following form, with such additions, deletions or modifications as may be required for
272 the proposition listed below by the prosecuting attorney:

273 The King County council passed Ordinance ____ concerning replacement
274 of an expiring parks levy. If approved, this proposition would provide
275 funding for county, town, city and park district parks, and for open space,
276 trails, recreation, public pools, zoo operations and an aquarium capital
277 project. It would authorize an additional six-year property tax beginning
278 in 2020 at \$0.1832 per \$1,000 of assessed valuation with the 2020 levy
279 amount being the base for calculating annual increases in 2021 - 2025 by
280 the King County inflation plus population index or the 84.55 RCW
281 limitation, whichever is greater. Should this proposition be:

282 Approved? __

283 Rejected? __

284 **SECTION 6. Distributions.** Each distribution of levy proceeds to a King County
285 town or city, the Woodland Park Zoological Society or its successor, or the Seattle
286 Aquarium or its successor, for the eligible purposes identified in section 4 of this
287 ordinance shall be subject to the execution of a contract between the county and each
288 entity for the same purposes. Distribution of levy proceeds shall be subject to the
289 execution of a contract for: the targeted equity grant program; publicly owned pool
290 capital improvement projects and major maintenance repair or replacement projects;
291 integrated floodplain management capital improvement projects and outreach and
292 education; capital improvement projects and major maintenance repair or replacement
293 projects to parks or recreation infrastructure in metropolitan park districts, towns or
294 cities; and acquisition, conservation and stewardship of additional natural areas, resource
295 or ecological lands, rights of way for regional trails and urban green spaces.

296 **SECTION 7. Parks levy oversight board established.**

297 A. If the proposition in section 5 of this ordinance is approved by the qualified
298 electors of King County, a parks levy oversight board shall be appointed by the
299 executive. The board shall consist of nine members. Each councilmember shall
300 nominate a candidate for the board who resides in the councilmember's district no later
301 than March 31, 2020. If the executive does not appoint by May 31, 2020, the person
302 nominated by a councilmember, the executive must request that the councilmember
303 should by June 30, 2020, nominate another candidate for appointment. Members shall be
304 confirmed by the council. Members may not be elected or appointed officials of any unit
305 of government, except that individuals serving in a civic capacity on a local board or
306 commission would be eligible to serve on the parks levy oversight board.

307 B. The board shall review the allocation of levy proceeds and progress on
308 achieving the purposes of this proposition. On or before December 31, 2021, the board
309 shall review and report to the King County executive, the King County council and the
310 regional policy committee on the expenditure of levy proceeds for 2020. Thereafter, the
311 board shall review and report to the King County executive, the King County council and
312 the regional policy committee annually. Any report to the King County council under
313 this section shall be made in the form of a paper original and an electronic copy with the
314 clerk of the council, who shall retain the original and provide an electronic copy to all
315 councilmembers. The board expires December 31, 2026.

316 **SECTION 8. Exemption.** The additional regular property taxes authorized by
317 this ordinance shall be included in any real property tax exemption authorized by RCW
318 84.36.381.

319 **SECTION 9. Ratification.** Certification of the proposition by the clerk of the
320 King County council to the director of elections in accordance with law before the
321 election on August 6, 2019, and any other acts consistent with the authority and before
322 the effective date of this ordinance are hereby ratified and confirmed.

323 **SECTION 10. Severability.** If any provision of this ordinance or its application
324 to any person or circumstance is held invalid, the remainder of the ordinance or the
325 application of the provision to other persons or circumstances is not affected.
326

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Rod Dembowski, Chair

ATTEST:

Melani Pedroza, Clerk of the Council

APPROVED this ____ day of _____, _____.

Dow Constantine, County Executive

Attachments: None