

March 27, 2019
Striker with tech changes

Sponsor: Balducci/Dembowski/Kohl-Welles

[wsh]

Proposed No.: 2019-0084

1 **STRIKING AMENDMENT TO PROPOSED ORDINANCE 2019-0084, VERSION**

2 **1**

3 On page 2, beginning on line 21, strike everything through page 14, line 297, and insert:

4 "STATEMENT OF FACTS:

5 1. King County owns and operates a system of regional and local parks
6 and trails that consists of twenty-eight thousand acres of parklands and
7 more than one hundred seventy-five miles of regional trails. The county
8 provides regional trails, regional recreational facilities, regional natural
9 areas, regional parks and local parks in unincorporated areas. Examples of
10 regional county parks and trails include Marymoor park, Cougar Mountain
11 Regional Wildland park, the Weyerhaeuser King County Aquatic Center
12 and the Sammamish River trail.

13 2. Parks, natural areas and trails contribute to a high quality of life. A
14 robust system of parks and trails provides physical, social and mental
15 health benefits to individuals; economic opportunity through recreation
16 and tourism; economic growth for private businesses that must attract and
17 retain skilled workers; and environmental benefits and cultural resource
18 protection through open space conservation. King County's open space

19 system provides all these benefits to King County residents and
20 businesses.

21 3. The 2002 Parks Business Transition Plan, adopted by the King County
22 council and enacted by Ordinance 14509, became the blueprint for
23 establishing the regional open space system we have today. Building on
24 that blueprint, the county has adopted open space plans, which have
25 provided the framework guiding King County in the acquisition, planning,
26 development, stewardship, maintenance and management of its complex
27 system of parks, regional trails and acres of open space. The latest open
28 space plan was updated in 2016 and adopted by Ordinance 18309.

29 4. In implementing the open space plan, the parks and recreation division
30 of the department of natural resources and parks has successfully focused
31 its lines of business on regional parks and trails, backcountry trails, natural
32 lands and local parks in unincorporated King County and has implemented
33 business practices that generate revenue from park system assets by
34 implementing or increasing user fees and establishing corporate and
35 community partnerships that enhance park amenities and leverage public
36 and private dollars to improve parks and increase access to parks.

37 5. Consistent with the recommendations of past parks-related task forces,
38 the county has sought voter-approved levies on three prior occasions: in
39 2003, enacted by Ordinance 14586, to provide maintenance and operating
40 funding for the parks and recreation division for 2004 through 2007; in
41 2007, enacted by Ordinance 15759, to provide funding for maintenance

42 and operations as well as funding for open space acquisition, regional trail
43 development, the Woodland Park Zoo and for King County towns and
44 cities for use in their open space acquisition and trail projects for 2008
45 through 2013; and in 2013, enacted by Ordinance 17568, to provide
46 funding for maintenance and operations as well as for open space
47 acquisition, asset maintenance and improvement, parks and trails projects,
48 the Woodland Park Zoo and for King County towns and cities to use for
49 their parks and recreation for 2014 through 2019. Voters approved the
50 funding measures on all three occasions that they were on the ballot. The
51 voter-approved levies have helped keep the open space system clean, safe
52 and open.

53 6. The 2014 through 2019 voter-approved parks, trails and open space
54 replacement levy provides approximately eighty percent of the operating
55 budget of the parks and recreation division, with approximately thirteen
56 percent generated through business activities and entrepreneurial efforts.
57 King County general fund support to the parks and recreation division was
58 eliminated as of 2011.

59 7. The community partnerships and grants program enacted by Ordinance
60 14509 enhances parks amenities by partnering with parks and recreation
61 organizations. Since the inception of the community partnership and grant
62 program in 2003, more than sixty projects representing more than sixty
63 million dollars' worth of new, enhanced, or preserved public recreation
64 facilities have been completed, with only eighteen million dollars of King

65 County capital investment.

66 8. The Woodland Park Zoo received distributions from the past two voter-
67 approved levies to supplement zoo operating revenue for education and
68 conservation programs, horticulture and maintenance and capital
69 improvements. Levy proceeds distributed to the zoo provided
70 environmental education, programming and transportation focusing on
71 accessibility for underserved areas, supported thousands of students
72 annually and benefitted residents throughout King County. Levy proceeds
73 also provided conservation and animal care for threatened Pacific
74 Northwest species.

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

84 10. Parks levy oversight committees were established to monitor the
85 expenditures of the proceeds from the 2004 through 2007, 2008 through
86 2013 and 2014 through 2019 levies. Annual committee review has
87 concluded that the county has complied with all levy requirements.

88 11. King County is growing rapidly as a region. In 2017, King County's
89 population increased by close to fifty thousand people; and over the next
90 ten years, the region is expected to grow by another one hundred eighty
91 thousand people. Recent surveys have indicated that since 2008, the
92 number of people who hike in natural area parks has doubled. More and
93 more people are using the King County parks and trails, which puts
94 greater pressure on an aging system. As development increases to
95 accommodate population growth, the risk of losing natural lands and green
96 spaces throughout the county grows. Those valuable lands contribute to
97 King County residents' high quality of life. The cost of land to
98 accommodate this growth and preserve open spaces is also increasing.
99 Today is the opportune time to address future needs of residents by
100 investing in our parks and trails and accelerating conservation of open
101 space.

102 12. In King County, many communities have experienced a history of
103 inequitable and limited regional investments in parks, recreation and open
104 space, limiting the ability of residents to lead healthy lives. Five hundred
105 thousand King County residents live without ready access to, parks,
106 recreation and open spaces. There is a need to address disparities in
107 access to parks, recreation and open space for underserved areas and
108 communities, including people with disabilities. This proposal provides
109 an opportunity to address parks and recreation needs of these underserved
110 areas and communities.

111 13. Recognizing growth in population, increased use of parks and trails
112 and the need to address disparities in preparation for the 2020 through
113 2025 levy, the parks and recreation division conducted outreach to obtain
114 feedback on the current park system and future parks and recreation needs
115 for all King County residents. From August through November 2018,
116 parks and recreation division staff conducted fifty-four in-person
117 engagement meetings with groups representing all geographic areas of the
118 county including towns and cities, business, recreation, community and
119 environmental interests. An online survey was also conducted from
120 November to December 2018, and received one thousand nine hundred
121 thirty-four responses from the public, representing all geographic areas of
122 the county.

123 14. The feedback from the engagement meetings and online survey
124 showed support for the King County open space system. Engagement
125 findings showed support for maintenance and operations of the open space
126 system, as well as critical infrastructure repair and replacement, and the
127 acquisition, conservation and stewardship of open space, as such lands can
128 provide for passive or active recreation opportunities and protection of
129 habitat and water quality, and the development of and improvements on
130 regional trail corridors. Feedback supported funding for King County
131 towns' and cities' parks and recreation programs; the Woodland Park
132 Zoological Society education and conservation programs and horticulture,
133 maintenance and capital improvements; and recognized the Seattle

134 Aquarium as a regional asset.

135 15. The King County executive took into consideration information
136 obtained from this outreach, the region's growing population, increased
137 use of parks and trails across King County, and the lack of parks,
138 recreation and open space in some communities, and has put forth this
139 proposal which acknowledges the changing landscape and the need to
140 grow the open space system to keep up with demand from the region.

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

143 16. This proposal would exempt low-income senior citizens, disabled
144 veterans and other people with disabilities from the regular property tax
145 increase on their residences resulting from a levy authorized by this
146 ordinance, if they have been approved for an exemption under RCW
147 84.36.381.

148 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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

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

156 B. "Integrated floodplain management" means preventive and corrective

157 measures to integrate the reduction of the risk of flooding of lands in the open space
158 system or other open space, such as natural areas and resource or ecological lands, and
159 other parks or recreation property with habitat restoration, open space acquisition or
160 recreational opportunities, or any combination thereof.

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

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

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

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

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

179 H. "Town or city parks system" means any building or other structure related to

180 parks or recreation, parks, trails, open space such as natural areas and resource or
181 ecological lands and other parks or recreation property owned or otherwise under the
182 jurisdiction of a town or city within King County.

183 **SECTION 2. Levy submittal to voters.** To provide necessary moneys for the
184 purposes identified in section 4 of this ordinance, the King County council shall submit to
185 the qualified electors of the county a proposition authorizing a regular property tax levy
186 in excess of the levy limitation contained in chapter 84.55 RCW for six consecutive
187 years, with collection commencing in 2020, at a rate not to exceed \$0.1832 per one
188 thousand dollars of assessed value in the first year of the levy period. The dollar amount
189 of the levy in the first year shall be the base upon which the levy amounts in year two
190 through six shall be calculated. In accordance with RCW 84.55.050, this levy shall be a
191 regular property tax levy subject to the limit factor.

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

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

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

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

201 C. Up to forty-four million dollars to publicly owned pools for: capital
202 improvement projects, including planning, feasibility studies, preconstruction and design,

203 construction; and major maintenance repair or replacement projects.

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

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

209 1. Forty percent of levy proceeds for maintenance and operations of King
210 County's open space system and the targeted equity grant program, but no more than ten
211 million dollars may be used for the targeted equity grant program;

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

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

216 b. acquisition of rights of way for and development of regional and other
217 public trails;

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

220 d. community partnerships and grants program; and

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

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

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

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

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

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

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

246 **SECTION 5. Call for special election.** In accordance with RCW 29A.04.321,
247 the King County council hereby calls for a special election to be held in conjunction with
248 the primary election on August 6, 2019, to consider a proposition authorizing a regular

249 property tax levy for the purposes described in this ordinance. The King County director
250 of elections shall cause notice to be given of this ordinance in accordance with the state
251 constitution and general law and to submit to the qualified electors of the county, at the
252 said special county election, the proposition hereinafter set forth. The clerk of the council
253 shall certify that proposition to the King County director of elections in substantially the
254 following form, with such additions, deletions or modifications as may be required for
255 the proposition listed below by the prosecuting attorney:

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

266 Approved? __

267 Rejected? __

268 SECTION 6. Distributions. Each distribution of levy proceeds to a King County
269 town or city, the Woodland Park Zoological Society or its successor, or the Seattle
270 Aquarium or its successor, for the eligible purposes identified in section 4 of this
271 ordinance shall be subject to the execution of a contract between the county and each

272 entity for the same purposes. Distribution of levy proceeds shall be subject to the
273 execution of a contract for: the targeted equity grant program; publicly owned pool
274 capital improvement projects and major maintenance repair or replacement projects;
275 integrated floodplain management capital improvement projects and outreach and
276 education; capital improvement projects and major maintenance repair or replacement
277 projects to parks or recreation infrastructure in metropolitan park districts, towns or
278 cities; and acquisition, conservation and stewardship of additional natural areas, resource
279 or ecological lands, rights of way for regional trails and urban green spaces.

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

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

291 B. The board shall review the allocation of levy proceeds and progress on
292 achieving the purposes of this proposition. On or before December 31, 2021, the board
293 shall review and report to the King County executive, the King County council and the
294 regional policy committee on the expenditure of levy proceeds for 2020. Thereafter, the

295 board shall review and report to the King County executive, the King County council and
296 the regional policy committee annually. Any report to the King County council under
297 this section shall be made in the form of a paper original and an electronic copy with the
298 clerk of the council, who shall retain the original and provide an electronic copy to all
299 councilmembers. The board expires December 31, 2026.

300 SECTION 8. Exemption. The additional regular property taxes authorized by
301 this ordinance shall be included in any real property tax exemption authorized by RCW
302 84.36.381.

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

307 SECTION 10. Severability. If any provision of this ordinance or its application
308 to any person or circumstance is held invalid, the remainder of the ordinance or the
309 application of the provision to other persons or circumstances is not affected."
310 Strike Attachment A, Open Space, Natural Lands and Urban Green Space Acquisition
311 Guidelines, and Attachment B, Targeted Equity Grant Program Guidelines.

312 **EFFECT: Striking Amendment S2 would:**

- 313 **1. Increase the levy rate to 18.32 cents per \$1,000 AV;**
- 314 **2. Create a new \$44M allocation for publicly owned pool capital improvement**
315 **projects;**
- 316 **3. Create a new \$22M allocation for integrated floodplain management projects**
317 **and outreach;**

- 318 **4. Increase targeted equity grants from no more than \$6M to no more than \$10M;**
- 319 **5. Remove Attachment A (acquisition guidelines) and Attachment B (targeted**
- 320 **equity grant guidelines);**
- 321 **6. Allow for acquisition dollars to be spent by towns, cities and metropolitan park**
- 322 **districts for broad range of capital;**
- 323 **7. Allow for levy proceeds to be used for acquisition and development of all public**
- 324 **trails (not limited to regional trails); and**
- 325 **8. Technical changes and clarifications.**