



Legislation Text

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Clerk 5/8/2007

AN ORDINANCE providing for the submission to the qualified electors of King County at a special election to be held in King County on August 21, 2007, of a proposition authorizing a property tax levy in excess of the levy limitation contained in chapter 84.55 RCW, for a period of six consecutive years, at a total rate of not more than \$0.05 per one thousand dollars of assessed valuation in the first year with annual increases in the levy amount by the percentage change in the consumer price index in years two through six, for the purpose of providing funds to King County, Seattle and suburban cities for trail and open space acquisitions and capital programs, with recognition of the health benefits associated with the accessibility of quality community parks, trails and open space, and for the purpose of providing funds to the Woodland Park Zoo for environmental education, conservation programs, green space acquisitions and capital improvement projects, excluding parking facilities, at the Woodland Park Zoo; and providing for other related matters.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Finding.

A. King County owns and operates a park system with over twenty-five thousand acres of regional parks and open spaces and over one hundred seventy-five miles of regional trails. In addition, the county is the provider of local parks in the rural area and is the transitional provider of local parks in the urban

unincorporated areas. County parks and open spaces include Marymoor park, Cougar Mountain Regional Wildland park, the King County Aquatic Center and portions of the Burke-Gilman trail.

B. Public parks, open space and recreation contribute to a high quality of life. Through this levy, the residents of King County will continue to reap the physical, social and mental health benefits associated with having access to these public resources.

C. Since 2003, on recommendation of the Metropolitan Parks Task Force and direction from the county executive and county council, the parks and recreation division has focused on managing a system of regional parks, open spaces and trails and a limited set of regional active recreation assets.

D. Consistent with its role as a regional and local rural service provider under Countywide Planning Policies and the state growth management act, the county has divested itself of local parks and facilities in urban unincorporated areas as these areas incorporate or annex to cities.

E. Since 2003, the county has emphasized generating revenue from park system assets. Over twenty percent of annual parks and recreation operating revenue is now generated from user fees and entrepreneurial efforts.

F. Nearly sixty percent of the operating budget for parks and recreation is directly provided by a voter-approved levy.

G. The current parks levy was recommended by the Metropolitan Parks Task Force before being referred to voters by the metropolitan King County council. The levy was approved by fifty-seven percent of the voters at a special election in May 2003.

H. The current parks levy was initially authorized at a maximum rate of \$0.049 per one thousand dollars of assessed value. Collection began in 2004, and will be completed at the end of 2007. Levy proceeds may only be applied to the operating costs of regional parks, local rural parks, the community partnership grants program, and costs associated with these purposes.

I. As specified under Ordinance 14586, a citizen oversight committee was established. The July 2006

report of the citizen oversight committee concluded that the county complied with all levy requirements in 2004 and 2005.

J. The King County executive created the parks futures task force in November 2006 to recommend a funding plan for the current park system, and to examine what steps should be taken, if any, regarding future park system acquisitions. The task force is comprised of nineteen individuals representing business, nonprofit and environmental groups. It began meeting in November 2006 and concluded its work in March 2007, receiving information from the county, various cities and stakeholders.

K. The task force issued a report in March 2007 recommending that the county place two companion ballots before the voters at the August primary election. The first recommendation was to renew the parks levy with a \$0.07, six-year, inflation-adjusted property tax lid lift. The second recommendation was for a new \$0.05, six-year, inflation-adjusted property tax lid lift to expand park and recreation opportunities through the acquisition of open space and regional trails, and increased environmental education and conservation programs and capital improvements at Woodland Park Zoo. The consumer price index would be used to determine annual inflation.

L. Under state law, an inflation adjusted levy lid lift may be for a maximum term of six years, and levy funds may not supplant other funds.

M. The task force recommended that the \$0.07 renewal levy be used to sustain and enhance current levels of operations and maintenance of county regional and rural parks, to provide up to \$300,000 annually for the recreation grant programs, and to restore capital funding for the parks division anticipated to decline due to a reduction in real estate excise tax revenues over the next six years.

N. King County has identified an acquisition and development strategy to complete the three-hundred-mile regional trails system, which includes the Burke-Gilman, Sammamish River, Green River and East Lake Sammamish trails. The strategy identifies priority acquisitions and development based on criteria such as key connectors or missing links, proximity to urban populations, pursuit of acquisitions which could be lost to

development and partnerships with other agencies. Criteria including impacts on health and effects on health inequities/health disparities must also be considered in prioritizing parks levy funded projects.

O. King County has a goal of improving water quality in the region by acquiring and preserving open space and natural areas within watersheds.

P. Almost half of King County residents are physically inactive. Physical inactivity and a sedentary lifestyle are known contributors to higher rates of obesity, diabetes and other chronic diseases. These negative and life-shortening health conditions disproportionately affect low-income people and people of color.

Q. People with access to recreational facilities are two times more likely to reach recommended levels of physical activity than those without access. The closer facilities and parks are to people's homes, the higher the likelihood that they will use parks and recreation facilities, thereby maintaining and improving their health.

R. Achieving parity in access to recreational opportunities is an important factor in reversing health inequities/health disparities among the afflicted populations and communities in King County.

S. Access to and availability of safe, quality parks, trails, open space, and recreation are necessary to maintain and improve social and mental health for King County residents, especially those suffering from chronic disease. Among the attributes of parks, trails open space and recreation that lead to positive health impacts are exposure to low noise levels, clean air, clean water, increased social interactions, tranquil places, aesthetic views and space for physical exercise.

T. The task force recommended expanding the recreational opportunities of underserved populations by increasing access to trails, parks and open space in these communities.

U. The Health of King County 2006 report recognizes that underserved populations are at risk for greater health disparities/health inequities.

V. The task force recommended that three cents of the five-cent acquisition levy be allocated to King County for protecting and acquiring key open space and natural lands as well as acquiring and developing critical trail connections as identified in the division's Regional Trail System Plan.

W. The task force recommended that open space and natural lands acquisitions be made that will protect additional lands, shorelines, lakes, streams and water quality within watersheds, and called on the county to ensure appropriate public access as part of any such acquisitions. The task force noted that both the purchase of development rights and fee title may be appropriate.

X. Regional trail expenditures recommended by the task force include acquisition of remaining planned regional trail corridors and development of key urban regional trail connections including the East Lake Sammamish trail, the Sammamish River trail connection to East Lake Sammamish trail and the Soos Creek trail.

Y. The task force recommended that one cent of the five-cent acquisition levy proceeds be distributed to cities for acquisition and development of open space and natural lands and city trail projects that support connections to the regional trail system, defined to include both county regional trails and city trails that are regional in nature, and may specifically include local trails in underserved areas linking to city or county trails that connect to regional trails. Any such distributions would be contingent upon an equal or greater contribution of matching funds from the recipient city for the same project.

Z. The task force recommended that city funding requests be made through the Conservation Futures Tax Citizen Oversight Committee, whose mission should be expanded to review applications for this purpose.

AA. The task force recommended that one cent of the five-cent acquisition levy be used for a one-time investment in environmental education and conservation programs and capital improvements at Woodland Park Zoo.

AB. The Woodland Park Zoo, in a letter dated April 12, 2007, offered to take the necessary steps to modify the bylaws of the Woodland Park Zoological Society to provide for a board member appointed by the King County council to monitor the expenditure of county moneys.

SECTION 2. Definitions. The definitions in this section apply throughout this ordinance unless the context clearly requires otherwise.

A. "Levy" means the portion of the regular property tax levy, for the specific purpose and term provided in this ordinance and authorized by the electorate in accordance with state law.

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

C. "Limit factor" means the ratio of the most recent September Consumer Price Index to the immediately previous September Consumer Price Index (final published CPI-W All City Average, as calculated by the United States Bureau of Labor Statistics, or its successor) expressed as a multiple of one hundred percent to achieve the result of one hundred percent plus inflation.

D. "City projects" means the acquisition of open space and natural lands and the acquisition and development of county regional trails or city trails that are regional in nature, and may specifically include local trails in underserved areas linking to city or county trails that connect to regional trails.

E. "Woodland Park Zoo projects" means environmental education, conservation programs, green space acquisitions and capital improvement projects, excluding parking facilities, at the Woodland Park Zoo.

F. "Health disparities/health inequities" means the disproportionate burden of disease, disability and death among a particular population or group when compared to the proportion of the population as a whole.

SECTION 3. Levy submittal to voters. To provide necessary funds for the park and recreation purposes identified in section 5 of this ordinance, the county council shall submit to the qualified electors of the county a proposition authorizing a regular property tax levy in excess of the levy limitation contained in chapter 84.55 RCW for six consecutive years, with collection commencing in 2008, at a rate not to exceed \$0.05 per one thousand dollars of assessed value. In accordance with RCW 84.55.050, this Levy shall be a regular property tax levy subject to the limit factor.

SECTION 4. Deposit of levy proceeds. The levy proceeds shall be deposited in a dedicated subfund of the parks and recreation fund, or its successor.

SECTION 5. Eligible expenditures. If approved by the qualified electors of the county, all levy

proceeds shall be used as follows: sixty percent for King County's acquisition of open space and natural lands critical to the preservation of regional watersheds and streams, for acquisition and development of rights of way for regional trails, with primary consideration given to those projects that address health disparities/health inequities as recognized in the Health of King County 2006 report and are consistent with the Regional Trails Plan including acquisition of missing critical links and/or maximization of regional trail use, and for repayment of costs, including principal and interest, associated with interim financing following approval of the levy, and to provide up to \$500,00|10