



Legislation Text

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Clerk 03/07/2003

AN ORDINANCE providing for the submission to the qualified electors of King County at a special election to be held in King County on May 20, 2003, of a proposition to protect the public's investment in parks by authorizing a property tax levy in excess of the levy limitation contained in chapter 84.55 RCW, for a four-consecutive-year period, at a rate of not more than \$0.049 per one thousand dollars of assessed valuation, for the purpose of providing funding to enable the continued and increased operation and maintenance of King County's regional and rural parks, recreation facilities and community-based recreation programs and establishing a county parks citizens' oversight board to review and report on expenditures of levy proceeds, contingent on voter approval of the levy.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. King County owns and operates a parks system consisting of over twenty-five thousand acres of parks land, natural lands, open space, ballfields, local parks and recreation facilities. Although many of these parks and open space areas are located in rural areas, the King County parks system includes many parks that are used by residents throughout the region. King County parks and open space areas include Marymoor park, Cougar Mountain regional park, the King County aquatic center and portions of the Burke Gilman trail, all of which contribute to the high quality of life in our region.

B. In the last six months, the parks and recreation division of the King County department of natural

resources and parks has implemented a major transition in the way it does business. The county has transferred many park and recreation facilities to cities, cut parks and recreation division staff by thirty-five percent, reduced the parks and recreation division budget by thirty-five percent from 2002 levels, and initiated an array of entrepreneurial activities to raise nontax revenue to support county parks. These efforts have been designed to reduce the parks system's reliance on taxes, and to refine and refocus the King County parks system on regional assets and the county's ongoing local government role in the rural area. A list of the county's regional and rural park assets is included as Attachment A to this ordinance.

C. The countywide planning policies acknowledge the overall benefit provided by rural areas to all King County residents, and call for regional strategies to support rural area services.

D. Although parks system-generated revenues are expected to grow every year, the metropolitan parks task force found that King County parks cannot become completely self-sufficient. The continued operation of the parks system requires continued tax support.

E. In 2003, the tax- and fee-supported funding for parks, after deducting system generated revenues, is ten million dollars. This amount currently is provided by the current expense (CX) fund, as well as surface water management fees for natural lands and road fund dollars.

F. The King County office of management and budget estimates that in 2004, continued operation of the entire parks system will require twelve million dollars in tax support. The amount of tax support required to operate the entire park system, even with growth in system-generated revenues, is likely to increase over the next six years to an estimated sixteen million eight hundred thousand dollars in 2009.

G. The county's CX fund faces continuing challenges in future years, including anticipated shortfalls in 2004 and 2005 in excess of twenty million dollars each year. As a discretionary service under state law, parks will face significant additional cuts if they remain reliant primarily on CX funding.

H. The parks and recreation division continues to work to implement the recommendations described in the King County parks and recreation division business plan, dated August 28, 2002, that call for continued and

expanded efforts to raise nontax revenue to support parks through entrepreneurial public-private ventures. K.C.C. 7.06.090 requires the parks and recreation division to report to the county council on its progress in implementing the recommendations.

I. The metropolitan parks task force was created in February 2002 and tasked to recommend to the county council and the executive ways to keep King County parks and recreation facilities open to the public and eliminate the reliance of these parks and facilities on county current expense revenues. The task force's phase I report, issued on June 12, 2002, recommended the aggressive implementation of a broad array of new, entrepreneurial strategies, the transfer of local in-city facilities to cities and the reallocation of certain existing county revenues.

J. The metropolitan parks task force issued a phase II report in February 2003, ("report"). The report concluded that "remarkable progress has been made in a few short months to transform the county parks system operations, to implement innovative business practices and efficiencies, to undertake entrepreneurial ventures to provide nontax revenues to support parks, to reduce the size of the parks and recreation division staff, transfer in-city parks to cities, and refocus on regional priorities."

K. Based on the 2002 report of the active sports and youth recreation commission and the endorsement of the metropolitan parks task force, the 2003 parks and recreation division budget included five hundred thousand dollars in capital funding from real estate excise taxes and one hundred thousand dollars in current expense funding to support association development operations partnerships, which will fund partnerships with community-based organizations for recreational purposes. These partnerships typically enable the county to enhance community recreation opportunities without increasing maintenance costs.

L. As a result of funding challenges, maintenance levels at county parks have had to be reduced over the years. This was a significant concern for the metropolitan parks task force. The task force determined that a levy of between five and six cents per one thousand dollars of assessed value was appropriate so that park maintenance levels could be increased.

M. The task force recommended that the county seek voter approval for a six-year property tax lid lift, in the amount of five and one-half cents per one thousand dollars of assessed value dedicated to support county regional and rural parks. The task force recommended that this money be applied to: support of regional and rural local parks, which is the primary mission of the parks and recreation division; enhanced operation and maintenance of the regional and rural local parks; an operation and maintenance contingency in support of the regional and rural local parks; and continued funding of association development operations partnerships to provide recreational opportunities in partnership with nonprofit organizations.

N. The task force further recommended the creation of a citizen oversight board to review and report on the expenditure of any parks levy proceeds.

O. The task force further recommended that the county create incentives to the parks and recreation division to continue its work to transition the parks system to be more entrepreneurial and less dependent upon tax subsidies over time.

P. The task force further recommended that the county fund the operation and maintenance of its unincorporated urban parks with existing county revenue sources. The subsidy required to operate these facilities is estimated to be approximately three million dollars in 2004. The task force further encouraged King County's efforts to transfer these facilities to cities.

Q. The county executive endorsed the work of the task force but has proposed that the levy amount recommended by the task force be reduced by a half-cent to a rate of five cents per one thousand dollars of assessed value. This lower amount is expected to be sufficient to provide some funding for all the purposes identified by the task force, including approximately one million dollars per year to increase maintenance levels at regional and rural parks above existing standards, while keeping the levy rate as low as practicable.

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

A. "Levy" means the levy of regular property taxes, 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 and any interest earnings on the funds.

C. "Recreation grant programs" means programs whereby King County provides funding to recreation-oriented user groups, sports associations or community-based organizations to undertake any combination of developing, operating or maintaining a public park or recreation facility or program for the public benefit.

D. "Regional parks" means:

1. Those parks listed on Attachment A to this ordinance as regional trails, resource and ecological lands, regional active facilities or regional passive parks; and
2. Any other parks, facilities or properties, including, without limitation, new acquisitions, that are designated as regional parks by the parks and recreation division based on their regional use and similar character and nature to the regional parks and recreation identified on Attachment A to this ordinance.

E. "Rural parks" means:

1. Those parks listed on Attachment A to this ordinance as rural parks and facilities; and
2. Any other parks, facilities or properties, including, without limitation, new acquisitions, that are designated as rural parks by the parks and recreation division based on their similar character and nature to those rural parks and facilities identified on Attachment A to this ordinance.

SECTION 3. Levy submittal to voters. To provide necessary funds for the continued and increased operation and maintenance of King County's regional and rural parks, and to provide funds for recreation grant programs, 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 four consecutive years commencing in 2003 with collection beginning in 2004, at a rate not to exceed four and nine-tenths cents per one thousand dollars of assessed value. In accordance with RCW 84.55.050, this levy shall be a regular property tax levy, which is subject to the statutory rate limit of RCW 84.52.043.

SECTION 4. Deposit of levy proceeds. The levy proceeds shall be deposited in a special revenue fund, which fund shall be created by ordinance.

SECTION 5. Eligible expenditures. If approved by the qualified electors of the county, all levy proceeds shall be used to pay the costs associated with: the continued and increased operation and maintenance of King County's regional and rural parks; and up to three hundred thousand dollars of annual funding for recreation grant programs. Eligible expenditures shall include all costs and charges to the parks and recreation division or the county associated with or attributable to the purposes listed in this section.

SECTION 6. Call for special election. In accordance with RCW 29.13.010, it is hereby deemed that an emergency exists requiring the submission to the qualified electors of the county at a special election to be held on May 20, 2003, a proposition authorizing a regular property tax levy for the purposes described in this ordinance. The manager of the records and elections division shall cause notice to be given of this ordinance in accordance with the state constitution and general law and to submit to the qualified electors of the county, at the said special county election, the proposition hereinafter set forth. The clerk of the council shall certify that proposition to the manager of the records and elections division, in substantially the following form, with such additions, deletions or modifications as may be required for the proposition listed below by the prosecuting attorney:

PROPOSITION 1: The King County Council has passed Ordinance 14586 concerning funding parks, recreation, open space and trails. This proposition would fund continued and increased operation and maintenance of King County's regional parks (for example, Marymoor Park; Cougar Mountain; portions of Burke Gilman Trail), rural parks, and recreation facilities, and fund recreation grant programs. It would authorize King County to exceed RCW 84.55 regular property tax limitations and levy an additional regular property tax of 4.9 cents per \$1,000 of assessed valuation for four consecutive years with collection beginning in 2004, as provided in Ordinance 14586. Should thi proposition be:

Approved? ___

Rejected? __

SECTION 7. County parks citizen oversight board established. If the levy is approved by the voters in accordance with section 6 of this ordinance, a county parks citizen oversight board shall be established. The board shall consist of thirteen members. Each councilmember shall nominate a representative from the councilmember's district. If the executive does not appoint a person that has been nominated by a councilmember, the executive must request that the councilmember nominate another candidate for appointment. Board members shall be confirmed by the council. Members shall be residents of King County and may not be elected or appointed officials of any unit of government. On or before May 30 of each year beginning in the year 2005, the board shall review and report to the King County executive and the King County council on the parks and recreation division's expenditure of levy proceeds. The parks and recreation division shall provide the board with the quarterly reports that the parks and recreation division transmits to the King County council in accordance with K.C.C. 7.08.090. The board expires June 30, 2008.

SECTION 8. Ratification. Certification of the proposition by the clerk of the county council to the manager of the records and elections division in accordance with law before the election on May 20, 2003, and any other act consistent with the authority and before the effective date of this ordinance are hereby ratified and confirmed.

SECTION 9. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.