

March 25, 2019  
Striker

Sponsor: Balducci/Dembowski/Upthegrove  
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 this 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 reduce the risk of flooding, while restoring the natural function of  
158 floodplains and supporting agriculture, recreation or other uses of floodplains.

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

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

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

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

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

177 H. "Town or city parks system" means any building or other structure related to  
178 parks or recreation, parks, trails, open space such as natural areas and resource or  
179 ecological lands and other parks or recreation property owned or otherwise under the



180 jurisdiction of a town or city within King County.

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

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

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

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

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

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

202           D. Up to twenty-two million dollars to integrated floodplain management

203 projects for capital improvement projects and outreach and education.

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

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

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

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

212 b. acquisition of rights of way for and development of regional and other  
213 public trails;

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

216 d. community partnerships and grants program; and

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

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

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

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

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

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

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

242 **SECTION 5. Call for special election.** In accordance with RCW 29A.04.321,  
243 the King County council hereby calls for a special election to be held in conjunction with  
244 the primary election on August 6, 2019, to consider a proposition authorizing a regular  
245 property tax levy for the purposes described in this ordinance. The King County director  
246 of elections shall cause notice to be given of this ordinance in accordance with the state  
247 constitution and general law and to submit to the qualified electors of the county, at the  
248 said special county election, the proposition hereinafter set forth. The clerk of the council

249 shall certify that proposition to the King County director of elections in substantially the  
250 following form, with such additions, deletions or modifications as may be required for  
251 the proposition listed below by the prosecuting attorney:

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

261 Approved? \_\_

262 Rejected? \_\_

263 **SECTION 6. Distributions.** Each distribution of levy proceeds to a King County  
264 town or city, the Woodland Park Zoological Society or its successor, or the Seattle  
265 Aquarium or its successor, for the eligible purposes identified in section 4 of this  
266 ordinance shall be subject to the execution of a contract between the county and each  
267 entity for the same purposes. Distribution of levy proceeds shall be subject to the  
268 execution of a contract for: the targeted equity grant program; publicly owned pool  
269 capital improvement projects and major maintenance repair or replacement projects;  
270 integrated floodplain management capital improvement projects and outreach and  
271 education; capital improvement projects and major maintenance repair or replacement

272 projects to parks or recreation infrastructure in metropolitan park districts, towns or  
273 cities; and acquisition, conservation and stewardship of additional natural areas, resource  
274 or ecological lands, rights of way for regional trails and urban green spaces.

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

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

286 B. The board shall review the allocation of levy proceeds and progress on  
287 achieving the purposes of this proposition. On or before December 31, 2021, the board  
288 shall review and report to the King County executive, the King County council and the  
289 regional policy committee on the expenditure of levy proceeds for 2020. Thereafter, the  
290 board shall review and report to the King County executive, the King County council and  
291 the regional policy committee annually. Any report to the King County council under  
292 this section shall be made in the form of a paper original and an electronic copy with the  
293 clerk of the council, who shall retain the original and provide an electronic copy to all  
294 councilmembers. The board expires December 31, 2026.

295            SECTION 8. Exemption. The additional regular property taxes authorized by  
296 this ordinance shall be included in any real property tax exemption authorized by RCW  
297 84.36.381.

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

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

307 **EFFECT: Striking Amendment S1 would:**

- 308 **1. Increase the levy rate to 18.32 cents per \$1,000 AV;**
- 309 **2. Create a new \$44M allocation for publicly owned pool capital improvement**  
310 **projects;**
- 311 **3. Create a new \$22M allocation for integrated floodplain management projects**  
312 **and outreach;**
- 313 **4. Increase targeted equity grants from no more than \$6M to no more than \$10M;**
- 314 **5. Remove Attachment A (acquisition guidelines) and Attachment B (targeted**  
315 **equity grant guidelines);**
- 316 **6. Allow for acquisition dollars to be spent by towns, cities and metropolitan park**  
317 **districts for broad range of capital;**

- 318 **7. Allow for levy proceeds to be used for acquisition and development of all public**  
319 **trails (not limited to regional trails); and**  
320 **8. Technical changes and clarifications.**