



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance 18981

Proposed No. 2019-0287.2

Sponsors Upthegrove, McDermott, Kohl-
Welles and Dembowski

1 AN ORDINANCE relating to the conservation futures
2 program; amending Ordinance 13717, Section 1, as
3 amended, and K.C.C. 26.12.003, Ordinance 8867, Section
4 2, as amended, and K.C.C. 26.12.005, Ordinance 8867,
5 Section 1, as amended, and K.C.C. 26.12.010, Ordinance
6 13717, Section 4, as amended, and K.C.C. 26.12.025,
7 Ordinance 14714, Section 6, as amended, and K.C.C.
8 26.12.035, Ordinance 18774, Section 1, and K.C.C.
9 26.12.100, Ordinance 15548, Section 1, and K.C.C.
10 2.28.0015 and Ordinance 14714, Section 2, as amended,
11 and K.C.C. 2.36.070 and repealing Ordinance 8867,
12 Section 3, and K.C.C. 26.12.030, Ordinance 8867, Section
13 4, and K.C.C. 26.12.040 and Ordinance 9430, Section 3, as
14 amended, and K.C.C. 26.12.050.

15 STATEMENT OF FACTS:

16 1. Adoption of Ordinance 18774 in 2018 set in motion King County's
17 Land Conservation Initiative with the goal of conserving and preserving
18 the last remaining high conservation value lands throughout King County
19 within thirty years, both in unincorporated areas and within cities, to

20 maintain and sustain the quality of life, livability and strength of our
21 region's economy.

22 2. For decades, King County has demonstrated leadership in protecting
23 open space. In 1982, King County initiated its conservation futures tax
24 ("CFT") levy program, which has successfully protected more than one
25 hundred thousand acres of valuable forestlands, farmlands, open spaces,
26 natural lands and urban greenspaces.

27 3. This long legacy of open space conservation has made King County
28 one of the most livable areas in the country and a sought-after place to
29 live, work and do business. However, many communities across King
30 County lack basic levels of open space infrastructure, and ready access to
31 parks, greenspaces and trails.

32 4. An advisory group of regional leaders helped shape the Land
33 Conservation Initiative, providing a final report in December 2017. The
34 report stated that, "While we live in a region with a strong history of
35 protecting open spaces, not all of our communities have experienced the
36 benefits of past investments. There are many neighborhoods in which the
37 past history of inequities, discrimination, injustices, and limited regional
38 investment is evident today and affects the daily life of the residents."
39 Therefore, a central goal of the Land Conservation Initiative is to
40 eliminate disparities in access to open space resources.

41 5. The advisory group recommended the county establish an open space
42 equity cabinet to help set policy, and oversee and monitor progress

43 towards the addition of greenspaces in priority equity areas with the
44 greatest and most acute needs.

45 6. In April 2018, the county executive convened an open space equity
46 cabinet comprised of community leaders. Their work culminated in a
47 report submitted to the executive and council in March 2019 that
48 recommends strategies and actions to embed an equity-based approach for
49 investments in open space infrastructure to redress the disparities in access
50 to parks and open space.

51 7. The open space equity cabinet recommended specific revisions to
52 K.C.C. chapter 26.12, related to the CFT grant program. Their revisions,
53 which are in this ordinance, were developed in concert with the CFT
54 advisory committee and the department of natural resources and parks.
55 The revisions build on the long-standing success of CFT and seek to
56 ensure all residents of King County have access to open space.

57 8. Revisions to K.C.C. chapter 26.12 included in this ordinance further
58 the goals and strategies of the King County Equity and Social Justice
59 Ordinance, Ordinance 16948, and the county's 2016 adopted Equity and
60 Social Justice Strategic Plan.

61 9. The revisions to K.C.C. chapter 26.12 also clarify policies and
62 practices, eliminate outdated sections of the code and support more
63 efficient management and implementation of the CFT grant program.
64 Additionally, code revisions to K.C.C. chapters 2.28 and 2.36 modify the
65 name and term structure of the conservation futures advisory committee.

66 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

67 SECTION 1. Ordinance 13717, Section 1, as amended, and K.C.C. 26.12.003 are
68 hereby amended to read as follows:

69 The definitions in this section apply throughout K.C.C. 26.12.003 through
70 ~~((26.12.035))~~ 26.12.100 unless the context clearly requires otherwise.

71 A. "Advisory committee" means the conservation futures advisory committee,
72 established under K.C.C. 2.36.070.

73 B. "Agency" means King County or any city, town or metropolitan park district
74 within King County.

75 C. "Annual allocation" means the allocation of conservation futures tax levy
76 ((funds)) proceeds collected in the ensuing budget year and other moneys deposited in the
77 conservation futures fund.

78 ~~((B. "Citizen oversight committee" means the citizen oversight committee,~~
79 ~~established under K.C.C. 2.36.070.~~

80 C. ~~"Conservation futures tax levy funds" means moneys collected through the tax~~
81 ~~levy upon all taxable property in King County authorized by RCW 84.34.230.)~~

82 D. "Conservation futures fund" means the King County conservation futures fund
83 established under K.C.C. 4A.200.210.

84 E. ~~("Equity areas" means areas within King County that meet all three of the~~
85 ~~specified criteria listed below, or areas where the project proponents or proponents can~~
86 ~~demonstrate, and the citizen oversight committee determines, that residents living in the~~
87 ~~area experience disproportionately limited access to public open spaces as well as~~
88 ~~demonstrated hardships such as, but not limited to, chronic low incomes, persistent poor~~

89 health, or high rates of utilization of free and reduced price school meals. The three
90 specific criteria are: areas located in a census tract in which the median household
91 income is in the lowest one-third for median household income for census tracts in King
92 County; areas located in a census tract in which hospitalization rates for asthma, diabetes,
93 and heart disease are in the highest one-third for census tracts in King County; and for
94 areas within the Urban Growth Boundary, do not have a publicly owned and accessible
95 park within one-quarter mile of a residence, or for areas outside the Urban Growth
96 Boundary that do not have a publicly owned and accessible park within two miles of a
97 residence. The department of natural resources and parks shall identify and update equity
98 areas at least every five years.)) "Conservation futures tax levy proceeds" means moneys
99 collected through the tax levy upon all taxable property in King County authorized by
100 RCW 84.34.230.

101 F. (~~"Governmental agency" and "agency" mean King County or any city within~~
102 ~~King County.)) "Equity" means all people have full and equal access to opportunities
103 that enable them to attain their full potential.~~

104 G. "Nongovernmental organization" means any group of two or more persons
105 that is not an agency as defined by this chapter.

106 H. "Nonprofit organization" means nonprofit historic preservation corporation as
107 defined in RCW 64.04.130 or nonprofit nature conservancy corporation or association as
108 defined in RCW 84.34.250.

109 I. "Open space land" means the fee simple interest in open space land, farm and
110 agricultural land and timber land as those terms are defined in chapter 84.34 RCW,
111 including urban greenspaces in dense urban environments, for public use or enjoyment,

112 or any lesser interest in those lands, including development rights, conservation futures,
113 easement, covenant or other contractual right necessary to protect, preserve, maintain,
114 improve, restore, limit the future use of or otherwise conserve the land.

115 ~~((H.))~~ J. "Opportunity areas" means:

116 1. Areas within King County that:

117 a. are located in a census tract in which the median household income is in the
118 lowest one-third for median household income for census tracts in King County;

119 b. are located in a ZIP code in which hospitalization rates for asthma, diabetes
120 and heart disease are in the highest one-third for ZIP codes in King County; and

121 c. are within the Urban Growth Boundary and do not have a publicly owned
122 and accessible park or open space within one-quarter mile of a residence, or are outside
123 the Urban Growth Boundary and do not have a publicly owned and accessible park or
124 open space within two miles of a residence; or

125 2. Areas where the project proponent or proponents can demonstrate, and the
126 advisory committee determines, that residents living in the area, or the populations the
127 project is intended to serve, disproportionately experience limited access to public open
128 spaces and experience demonstrated hardships including, but not limited to, low income,
129 poor health and social and environmental factors that reflect a lack of one or more
130 conditions for a fair and just society as defined as "determinants of equity" in K.C.C.
131 2.10.210.

132 K. "Project" means open space land to which ~~((King County))~~ conservation
133 futures tax levy ~~((funds))~~ proceeds are allocated for acquisition under the processes under
134 K.C.C. 26.12.010.

135 L. "Reviewed appraisal" means a property appraisal performed within two years
136 of the application deadline set in K.C.C. 26.12.010.A. by an independent state-certified
137 real estate appraiser with a current general real estate appraiser license and reviewed by
138 an independent state-certified general real estate appraiser.

139 M. "Social justice" means all aspects of justice, including legal, political, and
140 economic, and requires the fair distribution of public goods, institutional resources and
141 life opportunities for all people.

142 SECTION 2. Ordinance 8867, Section 2, as amended, and K.C.C. 26.12.005 are
143 hereby amended to read as follows:

144 This section describes goals of the county conservation futures tax allocations
145 over time. In accordance with chapter 84.34 RCW, ((it shall be the goal of the county
146 to)) the county shall maintain, preserve, conserve, expand and otherwise continue in
147 existence adequate open space lands, and ((to)) the county shall also achieve ((an
148 equitable)) a broad geographical distribution of ((funds from conservation futures over
149 the long term. The citizens oversight committee shall also include in its recommendation
150 to the executive a description of how projects contain a demonstrable regional visibility,
151 use, ecological, cultural, historical or other natural resource significance)) conservation
152 futures proceeds. Conservation futures proceeds shall be allocated in a manner that
153 addresses equity and social justice by providing open spaces in communities in greatest
154 need.

155 SECTION 3. Ordinance 8867, Section 1, as amended, and K.C.C. 26.12.010 are
156 hereby amended to read as follows:

157 A process is hereby established for the annual allocation of the conservation

158 futures tax levy (~~((funds,))~~) proceeds to acquire open space lands, including greenspaces,
159 greenbelts, wildlife habitat and trail rights-of-way proposed for preservation for public
160 use by either(~~(the county or the cities))~~) agencies or nonprofit organizations within the
161 county. (~~((King County, cities within the county, citizen groups and citizens))~~) Agencies,
162 nonprofit organizations, nongovernmental organizations and individuals may make
163 application for (~~((funds))~~) proceeds in this allocation process. In accordance with chapter
164 84.34 RCW, only agencies and nonprofit organizations are eligible to receive
165 conservation futures funding to acquire property.

166 A. The (~~((county executive))~~) department of natural resources and parks shall
167 determine a date, no later than April 1, as a deadline for submission of applications for
168 use of conservation futures tax levy (~~((funds))~~) proceeds. At least one month before the
169 application submission deadline date, the (~~((executive))~~) department shall provide (~~((all~~
170 ~~cities within the county))~~) notice on the King County website of the opportunity to apply
171 to the county for a share of the annual allocation of the conservation futures tax levy
172 (~~((funds))~~) proceeds available for that year. (~~((Notice also shall be provided on the King~~
173 ~~County website.))~~) The department shall also provide notice by email to all agencies,
174 nonprofit organizations, nongovernmental organizations and individuals anticipated to
175 have potential interest in conservation futures funding. The department shall maintain
176 and update a list of parties anticipated to be interested in conservation futures funding.

177 B. No later than March 1, the county council may adopt a motion that provides
178 direction to the (~~((citizen oversight))~~) advisory committee on priorities for evaluating the
179 applications within the open space criteria identified in K.C.C. (~~((27.02.025))~~) 26.12.025.

180 C.1. By July 15, the (~~((citizen oversight))~~) advisory committee shall make project

181 recommendations and recommend funding allocations for each project to the executive,
182 including:

- 183 a. a description of each project including project location and acreage;
- 184 b. a report on how each project meets the county open space selection criteria,
185 contained in K.C.C. 26.12.025; ~~((and))~~
- 186 c. the amount of funding requested in each project application; ~~((and))~~
- 187 d. any additional relevant criteria of the jurisdiction in which the potential
188 acquisition is located; and
- 189 e. a description of how projects contain a demonstrable regional visibility, use,
190 ecological, cultural, historical or other natural resource significance.

191 2. The executive shall transmit the advisory committee's project and funding
192 recommendations for the following year to the council no later than July 31. The report
193 shall be filed in the form of a paper original and an electronic copy with the clerk of the
194 council, who will retain the original and provide an electronic copy to all
195 councilmembers, the council chief of staff and the lead staff to the mobility and
196 environment committee or its successor.

197 3. The committee's recommendations are solely advisory and the executive
198 and/or the council may adopt, alter, add to or decline to adopt all or part of the
199 committee's recommendations in the budget process.

200 D. The executive's project and funding recommendation shall be ~~((included in the~~
201 ~~annual proposed))~~ transmitted with the applicable appropriation ordinance ~~((for the~~
202 ~~ensuing budget year))~~.

203 E.~~((1. Except as otherwise provided in subsection E. 2. and 3. of this section, any~~

204 application funded by this process shall be sponsored and forwarded by the jurisdiction in
205 ~~which the project is located.~~) Except for acquisitions of property interests in ~~((equity))~~
206 opportunity areas, the ~~((jurisdiction))~~ agency or nonprofit organization receiving
207 conservation futures tax levy proceeds shall commit to providing a matching contribution
208 no less than the amount of conservation futures tax levy ~~((funds))~~ proceeds appropriated
209 for the project before conservation futures tax levy ~~((funds))~~ proceeds are reimbursed to
210 that ~~((jurisdiction))~~ agency or nonprofit organization. ~~((This))~~ The contribution may
211 consist of cash, land ~~((trades))~~ match with a valuation verified by ~~an~~ a reviewed appraisal
212 ~~((by a Member of the Appraisal Institute (MAI) certified appraiser))~~ or the cash value,
213 excluding King County conservation futures contributions, of other open spaces acquired
214 within the previous two years ~~((that is either directly adjacent to the project or the county~~
215 ~~concludes to be directly linked to the property under application))~~ from the date of the
216 submittal of the application by the agency or nonprofit organization. Properties
217 considered as land match or cash value of other open space acquisitions should be
218 directly linked to the property under application.

219 F.1. If an application by an agency other than King County is funded by this
220 process, the agency shall enter into an interlocal agreement with the county.

221 2. ~~((A jurisdiction may make an application in partnership with one or more~~
222 ~~jurisdictions if the proposed project lies wholly within the boundaries of those~~
223 ~~jurisdictions, or if another reason for such a partnership is articulated within the~~
224 ~~application, such as a trail connection, a community separator or coordinated salmon~~
225 ~~habitat preservation. In such a partnership application, the relationship, roles and~~
226 ~~responsibilities for acquisition, ownership, any matching contribution obligations and~~

227 ~~future maintenance must be described. If a partnership application is funded by this~~
228 ~~process, the jurisdictions shall be required to enter into an interlocal agreement with the~~
229 ~~county formalizing the relationship, roles and responsibilities for acquisition, ownership,~~
230 ~~any matching contribution obligations and future maintenance.~~

231 3. ~~For an application by a citizen or citizen group, except for acquisitions of~~
232 ~~property interests in equity areas, the citizen or citizen group shall commit to providing a~~
233 ~~matching contribution no less than the amount of conservation futures tax levy funds~~
234 ~~appropriated for the project. This contribution may consist of cash, land trades with a~~
235 ~~valuation verified by an appraisal by a Member of the Appraisal Institute (MAI) certified~~
236 ~~appraiser or the cash value, excluding King County conservation futures contributions, of~~
237 ~~other open spaces acquired within the previous two years that is either directly adjacent to~~
238 ~~the project or the county concludes to be directly linked to the property under application.~~
239 ~~For a project based on an application by a citizen or citizen group, the funds shall be~~
240 ~~reimbursed to the jurisdiction in which the project is located. If a citizen or citizen~~
241 ~~group's application is funded by this process, the jurisdiction in which the project is~~
242 ~~located shall be required to enter into an interlocal agreement with the county formalizing~~
243 ~~the relationship, roles and responsibilities for acquisition, ownership, any matching~~
244 ~~contribution obligations and future maintenance.)) If an application by a nonprofit~~
245 ~~organization is funded by this process, the organization shall enter into an agreement with~~
246 ~~the county. Before a funding award is paid to a nonprofit organization, the organization~~
247 ~~shall obtain a letter of intent from an agency or a separate nonprofit organization that~~
248 ~~indicates that if in the future the acquiring organization ceases to exist, the agency or the~~
249 ~~separate organization is willing to be identified on title to the acquired property as an~~

250 owner. If the property is in the unincorporated area and the nonprofit organization seeks
251 an agency letter, the organization shall request the letter from the King County
252 department of natural resources and parks, or a metropolitan park district within the
253 boundaries of which the property is located. If the property is in an incorporated area and
254 the nonprofit organization seeks an agency letter, the organization shall request the letter
255 from the agency of the jurisdiction in which the project is located, or a metropolitan park
256 district within the boundaries of which the property is located. If the property is in an
257 incorporated area, in the event that the legislative body of the agency of the incorporated
258 area or the park district indicates in writing or through a formal vote that it is not willing
259 to provide the letter, the nonprofit organization may request a letter from King County.
260 For any acquisition by a nonprofit organization, King County shall ensure a restriction is
261 recorded on the chain of title to preserve the conservation values of the property in
262 perpetuity.

263 3. If an application by a nongovernmental organization or individual is funded
264 by this process, the award shall be made either to a nonprofit organization or an agency.
265 K.C.C. 26.12.010.F.1. applies to an award to an agency. K.C.C. 26.12.010.F.2. applies to
266 an award to a nonprofit organization.

267 ((F-)) G. If the King County transfer of development rights program bank, as
268 established by K.C.C. chapter 21A.37, is awarded conservation futures levy ((funds))
269 proceeds in order to purchase development rights and thereby preserve open space in
270 accordance with purposes and provisions of this chapter, the bank is authorized to sell
271 those development rights and to use the proceeds from that sale to acquire additional
272 development rights, thereby preserving additional open space lands in accordance with

273 the terms and provisions of this chapter. When transferrable development rights are
274 purchased by the bank in accordance with K.C.C. chapter 21A.37 using conservation
275 futures tax levy ~~((funds))~~ proceeds allocated to a project under K.C.C. 26.12.003.~~((G.))~~L.,
276 ~~((matching conservation futures tax fund credit is allowed for funds generated from the
277 subsequent sales of the transferrable development rights, if the funds from those sales are
278 used to purchase additional open space that is identified as being within the scope of the
279 original conservation futures tax project))~~ and there are subsequent sales of the
280 transferable development rights, the bank may use sale proceeds as a match to new
281 projects.

282 ~~((G.))~~ H. Conservation futures tax levy ~~((funds))~~ proceeds shall be deposited in
283 the conservation futures fund for the purpose of administering, disbursing and accounting
284 for conservation futures tax levy ~~((funds))~~ proceeds authorized by King County.

285 Conservation futures tax levy ~~((funds))~~ proceeds shall be disbursed to projects previously
286 approved by King County upon receipt and verification by King County of properly
287 completed requests for payment of the ~~((funds))~~ proceeds. The office of performance,
288 strategy and budget shall prescribe the form for the requests. The disbursement requests
289 shall be made only for capital project expenditures that include all costs of acquiring real
290 property, including interests in real property, and the following costs, though it shall not
291 include the cost of preparing applications for conservation futures moneys: cost of
292 related relocation of eligible occupants; cost of appraisal; cost of appraisal review; cost of
293 title insurance; closing costs; pro rata real estate taxes; recording fees; compensating tax;
294 hazardous waste substances reports; directly related staff costs; and related legal and
295 administrative costs. ~~((The city shall transmit payment to its payees for current capital~~

296 ~~project costs within five days of the receipt by the city of its requested conservation~~
297 ~~futures tax levy funds. The city shall provide a list of authorized individuals to certify~~
298 ~~requests to King County.))~~ The agency or nonprofit organization shall have the property
299 valued by a reviewed appraisal. The ((city)) agency or nonprofit organization is
300 responsible for the accuracy of the payment requests and the propriety and timeliness of
301 its disbursements following receipt of conservation futures tax levy ((funds)) proceeds.
302 Conservation futures tax levy ((funds)) proceeds may not be used to acquire any property
303 or interest therein through the exercise of the power of eminent domain.

304 ~~((H.))~~ I. Projects carried out ((by a governmental agency)) in whole or part with
305 conservation futures tax levy ((funds)) proceeds shall not be transferred or conveyed
306 except to an agency or nonprofit organization by ((interlocal)) written agreement
307 providing that the land or interest in land shall be continued to be used for the purposes of
308 K.C.C. ((26.12.005 through 26.12.025)) chapter 26.12 and in strict conformance with the
309 uses authorized under ((RCW 84.34.230)) chapter 84.34 RCW. ((Also, t))The land or
310 interest in land shall not be converted to a different use unless other equivalent lands
311 within ((the geographic jurisdiction of the governmental agency)) King County are
312 received in exchange for the lands or interest in lands, or cash reimbursement is made.
313 The land shall be valued in its changed status or use, and not based upon its value as open
314 space, and the replacement land or payment amount must be acceptable to King County.
315 Before the conversion of conservation futures land to another use, the department of
316 natural resources and parks shall provide written notification to the council. If the
317 proposal is to convert one-half acre or more of conservation futures land, or if the
318 conservation futures land to be converted is valued at more than fifty thousand dollars,

319 and the proposal is either for a cash reimbursement or for proposed equivalent lands that
320 are not within the same jurisdiction as the conservation futures land proposed to be
321 converted to another use, the executive shall, at least sixty days before taking action on
322 the proposal, submit the written notification to the council. Unless the council passes a
323 motion rejecting the proposal within sixty days of receiving the notification, the
324 executive may proceed with the proposal. The sixty-day waiting period shall not apply
325 when the conservation futures land proposed to be converted, as well as the proposed
326 equivalent lands, are within the same trail corridor or part of the same contiguous open
327 space area.

328 J. The written notification required by this section shall include, but not be
329 limited to, the acreage and specific location of both the conservation futures land
330 proposed to be converted and the proposed equivalent lands, if any, the reason for the
331 conversion of land and, if cash reimbursement is proposed, a copy of the appraisal for the
332 conservation futures land to be converted and the amount of the cash reimbursement
333 proposed. The notification shall be filed in the form of a paper original and an electronic
334 copy with the clerk of the council, who will retain the original and provide an electronic
335 copy to all councilmembers, the council chief of staff and the lead staff to the mobility
336 and environment committee or its successor. Information on conversions of properties to
337 another use, including a description of the proposed replacement land or payment
338 amount, shall be included with the advisory committee's project progress reporting to
339 council as provided in K.C.C. 26.12.035.B. This section does not prevent the grant of
340 easements or franchises or the making of joint use agreements or other operations
341 compatible with the use of a project as provided for in this section and authorized under

342 ~~((RCW 84.34.230))~~ chapter 84.34 RCW.

343 K. The department of natural resources and parks shall identify and update
344 opportunity areas as defined by K.C.C. 26.12.003.J.1 at least every three years.

345 SECTION 4. Ordinance 13717, Section 4, as amended, and K.C.C. 26.12.025 are
346 hereby amended to read as follows:

347 In making an annual allocation of conservation futures tax levy ~~((funds))~~
348 proceeds, the county shall consider the following criteria, not listed in priority order:
349 wildlife habitat or rare plant reserve; salmon habitat and aquatic resources; scenic
350 resources; community separator; historic or cultural resources; urban passive-use natural
351 area or greenbelt; park, ~~((or))~~ open space or natural corridor ~~((system))~~ addition; and
352 ~~((transfer of development rights program implementation))~~ passive recreation opportunity
353 in an area with unmet needs; and projects that seek to redress historic disparities in access
354 to or health benefits of open space in opportunity areas. Additional criteria may include:
355 ~~((passive recreation;))~~ educational ~~((/))~~ or interpretive opportunity; ~~((threat of loss of))~~
356 impact to open space resources; feasibility, including ownership complexity, a willing
357 seller or sellers or community support; partnerships; if the property identified in an
358 adopted comprehensive plan, park open space, habitat, cultural resource or community
359 plan; transfer of development rights participation; stewardship and maintenance;
360 ~~((equity))~~ regional significance; adopted financial policies; and any other criteria
361 consistent with ~~((RCW 84.34.020))~~ chapter 84.34 RCW.

362 SECTION 5. Ordinance 14714, Section 6, as amended, and K.C.C. 26.12.035 are
363 hereby amended to read as follows:

364 A. Each ~~((governmental))~~ agency or nonprofit organization receiving conservation

365 futures tax levy (~~(funds)~~) proceeds and the department of natural resources and parks shall
366 furnish a report to the executive (~~(by January 31 of each year)~~) on a schedule determined by
367 the department. The report shall include for each project:

- 368 1. The amount of conservation futures tax levy (~~(funds)~~) proceeds expended;
- 369 2. The amount of conservation futures tax levy (~~(funds)~~) proceeds remaining;
- 370 3. The status of matching (~~(funds)~~) moneys;
- 371 4. The amount of acreage purchased;
- 372 5. A brief description of all acquisition activity, such as contact with landowners,
373 title and appraisal research conducted and offers extended;
- 374 6. The expected timeline for project completion;
- 375 7. Any requested scope change description as defined in K.C.C. 4A.10.525;
- 376 8. Any change in project description;
- 377 9. Any request for project abandonment; and
- 378 10. Any significant obstacles or barriers to project completion.

379 B. The (~~(citizens oversight)~~) advisory committee may recommend to the council
380 the reallocation of conservation futures tax levy (~~(funds)~~) proceeds for any project for
381 which the appropriated (~~(funds)~~) proceeds have not been encumbered and expended within
382 a reasonable time (~~(period)~~).

383 SECTION 6. Ordinance 18774, Section 1, and K.C.C. 26.12.100 are hereby
384 amended to read as follows:

385 A. In addition to and consistent with (~~(the provisions of)~~) this chapter and chapter
386 84.34 RCW, the following financial policies should guide the allocation of conservation
387 futures tax levy (~~(funds)~~) proceeds for acquiring property interests for land conservation.

388 Key funding goals include: accelerating the pace of acquisitions and thereby reducing their
389 ultimate cost, spreading costs to future taxpayers who will benefit from lands protected in
390 perpetuity, maximizing the use of available ~~((funds))~~ proceeds, prioritizing acquisitions in
391 ~~((equity))~~ opportunity areas and parcels that are at high risk of development, a broad
392 geographic ~~((equity))~~ distribution of funding over time, and ensuring that sufficient
393 reserves remain available to pursue emerging conservation and equity opportunities.

394 B. Matching ~~((funds))~~ moneys should not be required for proposals to acquire
395 property interests if the proposal meets the following criteria:

- 396 1. The property is located in ~~((equity))~~ opportunity areas; and
397 2. The applicant demonstrates engagement and collaboration either with
398 community-based organizations or with members of the community, or both, in which the
399 property is located. If the project is intended to serve populations not in its immediate area,
400 the applicant must demonstrate engagement and collaboration either with community-
401 based organizations made up of or serving those populations, or with members of those
402 populations.

403 C. Issuing bonds can help accelerate the pace of acquisitions, lower the ultimate
404 cost of acquisitions, and spread the acquisition costs to include future taxpayers who will
405 also benefit from lands protected in perpetuity.

406 D. The pace of acquisitions should be accelerated by issuing bonds and allocating
407 as much as eighty percent of anticipated annual conservation futures tax levy ~~((funds))~~
408 proceeds for debt service, consistent with sound financial principles. Factors for
409 determining the extent of bonding should include, land values, existing levels of bonding,
410 progress in accomplishing an accelerated rate of acquisitions, economic forecasts, bond

411 covenants, current and projected interest rates and other relevant factors.

412 E. The county should pursue additional means to accelerate the pace of
413 acquisitions, including partnering with nonprofit organizations and the private sector and
414 identifying additional public and private funding sources.

415 F. Conservation futures tax revenues should be used to protect parcels identified by
416 King County and cities as part of the 2018 Land Conservation Initiative and additional
417 parcels that have similar conservation attributes. If sufficient ~~((funds))~~ proceeds are not
418 available to complete the acquisition of all available property interests in a particular year,
419 priority should be given to protecting parcels in ~~((equity))~~ opportunity areas and parcels
420 most at risk for development.

421 G. ~~((Funds))~~ Proceeds should remain available ~~((on an annual basis))~~ annually to
422 pursue ongoing and emerging opportunities to acquire conservation lands.

423 SECTION 7. Ordinance 15548, Section 1, and K.C.C. 2.28.0015 are hereby
424 amended to read as follows:

425 A. Each councilmember must provide the executive with a nomination to represent
426 the councilmember's council district. If the executive does not appoint the person
427 nominated by the councilmember, the executive shall request that the councilmember
428 nominate another person.

429 B. At-large positions designated for the council shall be appointed by the executive
430 after receiving nominations from the council. When notified of a vacancy in one of these
431 four at-large positions, the council chair shall inform the council at an open public meeting
432 of the vacancy and seek nominations from councilmembers. At a subsequent council
433 meeting, the chair shall inform the council of the names of all nominees received from

434 councilmembers and that all nominations have been forwarded to the executive. If the
435 executive does not appoint a person who has been nominated by the council, the executive
436 must request that the council nominate other candidates for appointment.

437 C. When appointing and confirming members to boards, commissions and
438 committees it shall be the goal to have geographical diversity and balance. The women's
439 advisory board created under K.C.C. 2.30.010, the conservation futures (~~((citizen oversight))~~)
440 advisory committee established under K.C.C. 2.36.070, the Harborview ~~((m))~~Medical
441 ~~((e))~~Center board of trustees established under K.C.C. 2.42.030 and the civil rights
442 commission created under K.C.C. 3.10.010, should not have more than two members from
443 a single council district. This subsection does not apply to a board, commission or
444 committee until the board, commission or committee attains the council district and at-large
445 membership as specified in Ordinance 15548, Section 7.

446 SECTION 8. Ordinance 14714, Section 2, as amended, and K.C.C. 2.36.070 are
447 hereby amended to read as follows:

448 A. The conservation futures (~~((citizens oversight))~~) advisory committee is hereby
449 established as an advisory body to carry out the duties prescribed for the committee in
450 K.C.C. chapter 26.12.

451 B. The committee shall include an individual who resides in each King County
452 council district and seven at-large members, of whom four shall be nominated by the
453 council. The committee shall be appointed by the executive and confirmed by the council
454 by motion. The committee shall elect a chair from its members.

455 C.1. The executive shall solicit nominations from the council, from the city of
456 Seattle and from suburban cities and towns within King County and shall seek

457 representation of a broad spectrum of interests and expertise, including, but not limited to,
458 local conservation and passive recreation, science and ecology, conservation land
459 stewardship, business and education.

460 2. Committee members for those at-large positions nominated by the county
461 council shall be appointed in the manner set forth in K.C.C. 2.28.0015.

462 D. ~~((Once established, t))~~The terms of the members ~~((and chair))~~ shall be rotated
463 such that four of the seats become available for appointment every year. The terms shall be
464 four years ~~((and shall be rotated such that eight of the seats become available for~~
465 ~~appointment every two years))~~ except, commencing upon the effective date of this
466 ordinance, the end of a vacant unexpired term shall be adjusted as needed until the rotation
467 schedule is reached. A member may be appointed for up to three successive terms, unless
468 the three-term limit is waived by the executive for special circumstance. ~~((Committee~~
469 ~~appointments and operations are subject to K.C.C. Title 3, including code of ethics and~~
470 ~~civil rights provisions.))~~

471 SECTION 9. The following are each hereby repealed:

472 A. Ordinance 8867, Section 3, and K.C.C. 26.12.030;

- 473 B. Ordinance 8867, Section 4, and K.C.C. 26.12.040; and
474 C. Ordinance 9430, Section 3, as amended, K.C.C. 26.12.050.
475

Ordinance 18981 was introduced on 7/1/2019 and hearing held/closed and passed by the Metropolitan King County Council on 9/11/2019, by the following vote:

Yes: 9 - Mr. von Reichbauer, Mr. Gossett, Ms. Lambert, Mr. Dunn, Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles and Ms. Balducci



KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

A handwritten signature in blue ink, appearing to read "Rod Dembowski", written over a horizontal line.

Rod Dembowski, Chair

ATTEST:

A handwritten signature in blue ink, appearing to read "Melani Pedroza", written over a horizontal line.

Melani Pedroza, Clerk of the Council

APPROVED this 18 day of SEPTEMBER, 2019.

A handwritten signature in blue ink, appearing to read "Dow Constantine", written over a horizontal line.

Dow Constantine, County Executive

Attachments: None

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CLERK
KING COUNTY COUNCIL