



## Legislation Details (With Text)

**File #:** 2019-0287      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**File created:** 7/1/2019      **In control:** Mobility and Environment Committee

**On agenda:**      **Final action:** 9/11/2019

**Enactment date:** 9/18/2019      **Enactment #:** 18981

**Title:** AN ORDINANCE relating to the conservation futures program; amending Ordinance 13717, Section 1, as amended, and K.C.C. 26.12.003, Ordinance 8867, Section 2, as amended, and K.C.C. 26.12.005, Ordinance 8867, Section 1, as amended, and K.C.C. 26.12.010, Ordinance 13717, Section 4, as amended, and K.C.C. 26.12.025, Ordinance 14714, Section 6, as amended, and K.C.C. 26.12.035, Ordinance 18774, Section 1, and K.C.C. 26.12.100, Ordinance 15548, Section 1, and K.C.C. 2.28.0015 and Ordinance 14714, Section 2, as amended, and K.C.C. 2.36.070 and repealing Ordinance 8867, Section 3, and K.C.C. 26.12.030, Ordinance 8867, Section 4, and K.C.C. 26.12.040 and Ordinance 9430, Section 3, as amended, and K.C.C. 26.12.050.

**Sponsors:** Dave Upthegrove, Joe McDermott, Jeanne Kohl-Welles, Rod Dembowski

**Indexes:** Conservation Futures

**Code sections:** 2.28.0015 - ., 2.36.070 -, 26.12.003 -, 26.12.005 - ., 26.12.010 -, 26.12.025 - \*, 26.12.030 - ., 26.12.035 - ., 26.12.040 - ., 26.12.050 - ., 26.12.100 - .

**Attachments:** 1. Ordinance 18981, 2. 2019-0287 transmittal letter, 3. 2019-0287 fiscal note, 4. 2019-0287; -0288; -0289\_SR\_CFT, 5. 2019-0287\_ATT4\_S1\_CFT Code Update\_8.16.19, 6. 2019-0287\_ATT5\_S1\_CFT Code Update\_8.16.19\_Redline, 7. 2019-0287\_ATT12\_Open Space Equity Cabinet Report, 8. 2019-0287; -0288; -0289\_SR\_dated\_09032019\_CFT\_ME\_9.3.19, 9. 2019-0287\_ATT4\_S2\_CFT Code Update\_8.27.19, 10. 2019-0287\_ATT5\_S2\_CFTCodeUpdate\_Redline, 11. 2019-0287\_ATT6\_AMD\_KL DLS\_to S2, 12. 2019-0287\_AMD1\_RDem\_Removal of CFT\_to S2, 13. 2019-0287\_AMD2\_KL DLS\_to S2, 14. 2019-0287; -0288; -0289\_RevisedSR\_CFT

Date	Ver.	Action By	Action	Result
9/11/2019	2	Metropolitan King County Council	Hearing held/closed and passed	Pass
9/3/2019	1	Mobility and Environment Committee	Recommended Do Pass Substitute	Pass
8/20/2019	1	Mobility and Environment Committee	Deferred	
7/1/2019	1	Metropolitan King County Council	Introduced and Referred	

AN ORDINANCE relating to the conservation futures program; amending Ordinance 13717, Section 1, as amended, and K.C.C. 26.12.003, Ordinance 8867, Section 2, as amended, and K.C.C. 26.12.005, Ordinance 8867, Section 1, as amended, and K.C.C. 26.12.010, Ordinance 13717, Section 4, as amended, and K.C.C. 26.12.025, Ordinance 14714, Section 6, as amended, and K.C.C. 26.12.035, Ordinance 18774, Section 1, and K.C.C. 26.12.100, Ordinance 15548,

Section 1, and K.C.C. 2.28.0015 and Ordinance 14714, Section 2, as amended, and K.C.C. 2.36.070 and repealing Ordinance 8867, Section 3, and K.C.C. 26.12.030, Ordinance 8867, Section 4, and K.C.C. 26.12.040 and Ordinance 9430, Section 3, as amended, and K.C.C. 26.12.050.

STATEMENT OF FACTS:

1. Adoption of Ordinance 18774 in 2018 set in motion King County's Land Conservation Initiative with the goal of conserving and preserving the last remaining high conservation value lands throughout King County within thirty years, both in unincorporated areas and within cities, to maintain and sustain the quality of life, livability and strength of our region's economy.
2. For decades, King County has demonstrated leadership in protecting open space. In 1982, King County initiated its conservation futures tax ("CFT") levy program, which has successfully protected more than one hundred thousand acres of valuable forestlands, farmlands, open spaces, natural lands and urban greenspaces.
3. This long legacy of open space conservation has made King County one of the most livable areas in the country and a sought-after place to live, work and do business. However, many communities across King County lack basic levels of open space infrastructure, and ready access to parks, greenspaces and trails.
4. An advisory group of regional leaders helped shape the Land Conservation Initiative, providing a final report in December 2017. The report stated that, "While we live in a region with a strong history of protecting open spaces, not all of our communities have experienced the benefits of past investments. There are many neighborhoods in which the past history of inequities, discrimination, injustices, and limited regional investment is evident today and affects the daily life of the residents." Therefore, a central goal of the Land Conservation Initiative is to eliminate disparities in access to open space resources.

5. The advisory group recommended the county establish an open space equity cabinet to help set policy, and oversee and monitor progress towards the addition of greenspaces in priority equity areas with the greatest and most acute needs.
6. In April 2018, the county executive convened an open space equity cabinet comprised of community leaders. Their work culminated in a report submitted to the executive and council in March 2019 that recommends strategies and actions to embed an equity-based approach for investments in open space infrastructure to redress the disparities in access to parks and open space.
7. The open space equity cabinet recommended specific revisions to K.C.C. chapter 26.12, related to the CFT grant program. Their revisions, which are in this ordinance, were developed in concert with the CFT advisory committee and the department of natural resources and parks. The revisions build on the long-standing success of CFT and seek to ensure all residents of King County have access to open space.
8. Revisions to K.C.C. chapter 26.12 included in this ordinance further the goals and strategies of the King County Equity and Social Justice Ordinance, Ordinance 16948, and the county's 2016 adopted Equity and Social Justice Strategic Plan.
9. The revisions to K.C.C. chapter 26.12 also clarify policies and practices, eliminate outdated sections of the code and support more efficient management and implementation of the CFT grant program. Additionally, code revisions to K.C.C. chapters 2.28 and 2.36 modify the name and term structure of the conservation futures advisory committee.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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

The definitions in this section apply throughout K.C.C. 26.12.003 through ((26.12.035)) 26.12.100

unless the context clearly requires otherwise.

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

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

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

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

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

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

~~E. ("Equity areas" means areas within King County that meet all three of the specified criteria listed below, or areas where the project proponents or proponents can demonstrate, and the citizen oversight committee determines, that residents living in the area experience disproportionately limited access to public open spaces as well as demonstrated hardships such as, but not limited to, chronic low incomes, persistent poor health, or high rates of utilization of free and reduced price school meals. The three specific criteria are: areas located in a census tract in which the median household income is in the lowest one third for median household income for census tracts in King County; areas located in a census tract in which hospitalization rates for asthma, diabetes, and heart disease are in the highest one third for census tracts in King County; and for areas within the Urban Growth Boundary, do not have a publicly owned and accessible park within one-quarter mile of a residence, or for areas outside the Urban Growth Boundary that do not have a publicly owned and accessible park within two miles of a residence. The department of natural resources and parks shall identify and update equity areas at least every five years.))~~ "Conservation futures tax levy proceeds" means moneys

collected through the tax levy upon all taxable property in King County authorized by RCW 84.34.230.

F. (~~("Governmental agency" and "agency" mean King County or any city within King County.))~~)

"Equity" means all people have full and equal access to opportunities that enable them to attain their full potential.

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

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

I. "Open space land" means the fee simple interest in open space land, farm and agricultural land and timber land as those terms are defined in chapter 84.34 RCW, including urban greenspaces in dense urban environments, for public use or enjoyment, or any lesser interest in those lands, including development rights, conservation futures, easement, covenant or other contractual right necessary to protect, preserve, maintain, improve, restore, limit the future use of or otherwise conserve the land.

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

1. Areas within King County that:

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

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

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

2. Areas where the project proponent or proponents can demonstrate, and the advisory committee determines, that residents living in the area, or the populations the project is intended to serve,

disproportionately experience limited access to public open spaces and experience demonstrated hardships including, but not limited to, low income, poor health and social and environmental factors that reflect a lack of one or more conditions for a fair and just society as defined as "determinants of equity" in K.C.C. 2.10.210.

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

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

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

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

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

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

A process is hereby established for the annual allocation of the conservation futures tax levy ~~((funds,))~~ proceeds to acquire open space lands, including greenspaces, greenbelts, wildlife habitat and trail rights-of-way

proposed for preservation for public use by either( ~~the county or the cities~~) agencies or nonprofit organizations within the county. (~~King County, cities within the county, citizen groups and citizens~~) Agencies, nonprofit organizations, nongovernmental organizations and individuals may make application for ( ~~funds~~) proceeds in this allocation process. In accordance with chapter 84.34 RCW, only agencies and nonprofit organizations are eligible to receive conservation futures funding to acquire property.

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

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

C.1. By July 15, the (~~citizen oversight~~) advisory committee shall make project recommendations and recommend funding allocations for each project to the executive, including:

- a. a description of each project including project location and acreage;
- b. a report on how each project meets the county open space selection criteria, contained in K.C.C. 26.12.025; (~~and~~)
- c. the amount of funding requested in each project application; (~~and~~)
- d. any additional relevant criteria of the jurisdiction in which the potential acquisition is located; and

e. a description of how projects contain a demonstrable regional visibility, use, ecological, cultural, historical or other natural resource significance.

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

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

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

~~E.((1. Except as otherwise provided in subsection E. 2. and 3. of this section, any application funded by this process shall be sponsored and forwarded by the jurisdiction in which the project is located.))~~ Except for acquisitions of property interests in ~~((equity))~~ opportunity areas, the ~~((jurisdiction))~~ agency or nonprofit organization receiving conservation futures tax levy proceeds shall commit to providing a matching contribution no less than the amount of conservation futures tax levy ~~((funds))~~ proceeds appropriated for the project before conservation futures tax levy ~~((funds))~~ proceeds are reimbursed to that ~~((jurisdiction))~~ agency or nonprofit organization. ~~((This))~~ The contribution may consist of cash, land ~~((trades))~~ match with a valuation verified by ~~an a reviewed~~ appraisal ~~((by a Member of the Appraisal Institute (MAI) certified appraiser))~~ or the cash value, excluding King County conservation futures contributions, of other open spaces acquired within the previous two years ~~((that is either directly adjacent to the project or the county concludes to be directly linked to the property under application))~~ from the date of the submittal of the application by the agency or nonprofit organization. Properties considered as land match or cash value of other open space acquisitions should be directly linked to the property under application.



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

~~2. ((A jurisdiction may make an application in partnership with one or more jurisdictions if the proposed project lies wholly within the boundaries of those jurisdictions, or if another reason for such a partnership is articulated within the application, such as a trail connection, a community separator or coordinated salmon habitat preservation. In such a partnership application, the relationship, roles and responsibilities for acquisition, ownership, any matching contribution obligations and future maintenance must be described. If a partnership application is funded by this process, the jurisdictions shall be required to enter into an interlocal agreement with the county formalizing the relationship, roles and responsibilities for acquisition, ownership, any matching contribution obligations and future maintenance.~~

~~3. For an application by a citizen or citizen group, except for acquisitions of property interests in equity areas, the citizen or citizen group shall commit to providing a matching contribution no less than the amount of conservation futures tax levy funds appropriated for the project. This contribution may consist of cash, land trades with a valuation verified by an appraisal by a Member of the Appraisal Institute (MAI) certified appraiser or the cash value, excluding King County conservation futures contributions, of other open spaces acquired within the previous two years that is either directly adjacent to the project or the county concludes to be directly linked to the property under application. For a project based on an application by a citizen or citizen group, the funds shall be reimbursed to the jurisdiction in which the project is located. If a citizen or citizen group's application is funded by this process, the jurisdiction in which the project is located shall be required to enter into an interlocal agreement with the county formalizing the relationship, roles and responsibilities for acquisition, ownership, any matching contribution obligations and future maintenance.))~~

If an application by a nonprofit organization is funded by this process, the organization shall enter into an agreement with the county. Before a funding award is paid to a nonprofit organization, the organization shall obtain a letter of intent from an agency or a separate nonprofit organization that indicates that if in the future

the acquiring organization ceases to exist, the agency or the separate organization is willing to be identified on title to the acquired property as an owner. If the property is in the unincorporated area and the nonprofit organization seeks an agency letter, the organization shall request the letter from the King County department of natural resources and parks, or a metropolitan park district within the boundaries of which the property is located. If the property is in an incorporated area and the nonprofit organization seeks an agency letter, the organization shall request the letter from the agency of the jurisdiction in which the project is located, or a metropolitan park district within the boundaries of which the property is located. If the property is in an incorporated area, in the event that the legislative body of the agency of the incorporated area or the park district indicates in writing or through a formal vote that it is not willing to provide the letter, the nonprofit organization may request a letter from King County. For any acquisition by a nonprofit organization, King County shall ensure a restriction is recorded on the chain of title to preserve the conservation values of the property in perpetuity.

3. If an application by a nongovernmental organization or individual is funded by this process, the award shall be made either to a nonprofit organization or an agency. 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 an award to a nonprofit organization.

~~((F-))~~ G. If the King County transfer of development rights program bank, as established by K.C.C. chapter 21A.37, is awarded conservation futures levy ~~((funds))~~ proceeds in order to purchase development rights and thereby preserve open space in accordance with purposes and provisions of this chapter, the bank is authorized to sell those development rights and to use the proceeds from that sale to acquire additional development rights, thereby preserving additional open space lands in accordance with the terms and provisions of this chapter. When transferrable development rights are purchased by the bank in accordance with K.C.C. chapter 21A.37 using conservation futures tax levy ~~((funds))~~ proceeds allocated to a project under K.C.C. 26.12.003.~~((G-))~~L., ~~((matching conservation futures tax fund credit is allowed for funds generated from the subsequent sales of the transferrable development rights, if the funds from those sales are used to purchase~~

~~additional open space that is identified as being within the scope of the original conservation futures tax project~~  
) and there are subsequent sales of the transferable development rights, the bank may use sale proceeds as a match to new projects.

~~((G.))~~ H. Conservation futures tax levy ~~((funds))~~ proceeds shall be deposited in the conservation futures fund for the purpose of administering, disbursing and accounting for conservation futures tax levy ~~((funds))~~ proceeds authorized by King County. Conservation futures tax levy ~~((funds))~~ proceeds shall be disbursed to projects previously approved by King County upon receipt and verification by King County of properly completed requests for payment of the ~~((funds))~~ proceeds. The office of performance, strategy and budget shall prescribe the form for the requests. The disbursement requests shall be made only for capital project expenditures that include all costs of acquiring real property, including interests in real property, and the following costs, though it shall not include the cost of preparing applications for conservation futures moneys: cost of related relocation of eligible occupants; cost of appraisal; cost of appraisal review; cost of title insurance; closing costs; pro rata real estate taxes; recording fees; compensating tax; hazardous waste substances reports; directly related staff costs; and related legal and administrative costs. ~~((The city shall transmit payment to its payees for current capital project costs within five days of the receipt by the city of its requested conservation futures tax levy funds. The city shall provide a list of authorized individuals to certify requests to King County.))~~ The agency or nonprofit organization shall have the property valued by a reviewed appraisal. The ~~((city))~~ agency or nonprofit organization is responsible for the accuracy of the payment requests and the propriety and timeliness of its disbursements following receipt of conservation futures tax levy ~~((funds))~~ proceeds. Conservation futures tax levy ~~((funds))~~ proceeds may not be used to acquire any property or interest therein through the exercise of the power of eminent domain.

~~((H.))~~ I. Projects carried out ~~((by a governmental agency))~~ in whole or part with conservation futures tax levy ~~((funds))~~ proceeds shall not be transferred or conveyed except to an agency or nonprofit organization by ~~((interlocal))~~ written agreement providing that the land or interest in land shall be continued to be used for

the purposes of K.C.C. (~~(26.12.005 through 26.12.025)~~) chapter 26.12 and in strict conformance with the uses authorized under (~~(RCW 84.34.230)~~) chapter 84.34 RCW. (~~(Also, t)~~)The land or interest in land shall not be converted to a different use unless other equivalent lands within (~~(the geographic jurisdiction of the governmental agency)~~) King County are received in exchange for the lands or interest in lands, or cash reimbursement is made. The land shall be valued in its changed status or use, and not based upon its value as open space, and the replacement land or payment amount must be acceptable to King County. Before the conversion of conservation futures land to another use, the department of natural resources and parks shall provide written notification to the council. If the proposal is to convert one-half acre or more of conservation futures land, or if the conservation futures land to be converted is valued at more than fifty thousand dollars, and the proposal is either for a cash reimbursement or for proposed equivalent lands that are not within the same jurisdiction as the conservation futures land proposed to be converted to another use, the executive shall, at least sixty days before taking action on the proposal, submit the written notification to the council. Unless the council passes a motion rejecting the proposal within sixty days of receiving the notification, the executive may proceed with the proposal. The sixty-day waiting period shall not apply when the conservation futures land proposed to be converted, as well as the proposed equivalent lands, are within the same trail corridor or part of the same contiguous open space area.

J. The written notification required by this section shall include, but not be limited to, the acreage and specific location of both the conservation futures land proposed to be converted and the proposed equivalent lands, if any, the reason for the conversion of land and, if cash reimbursement is proposed, a copy of the appraisal for the conservation futures land to be converted and the amount of the cash reimbursement proposed. The notification shall be filed in the form of a paper original and an electronic copy with the clerk of the council, who will retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff to the mobility and environment committee or its successor. Information on conversions of properties to another use, including a description of the proposed replacement land or payment amount, shall

be included with the advisory committee's project progress reporting to council as provided in K.C.C.

26.12.035.B. This section does not prevent the grant of easements or franchises or the making of joint use agreements or other operations compatible with the use of a project as provided for in this section and authorized under ~~((RCW 84.34.230))~~ chapter 84.34 RCW.

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

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

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

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

A. Each ~~((governmental))~~ agency or nonprofit organization receiving conservation futures tax levy ~~((funds))~~ proceeds and the department of natural resources and parks shall furnish a report to the executive ~~((by~~

~~January 31 of each year~~) on a schedule determined by the department. The report shall include for each project:

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

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

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

A. In addition to and consistent with ~~((the provisions of))~~ this chapter and chapter 84.34 RCW, the following financial policies should guide the allocation of conservation futures tax levy ~~((funds))~~ proceeds for acquiring property interests for land conservation. Key funding goals include: accelerating the pace of acquisitions and thereby reducing their ultimate cost, spreading costs to future taxpayers who will benefit from lands protected in perpetuity, maximizing the use of available ~~((funds))~~ proceeds, prioritizing acquisitions in ~~((equity))~~ opportunity areas and parcels that are at high risk of development, a broad geographic ~~((equity))~~

distribution of funding over time, and ensuring that sufficient reserves remain available to pursue emerging conservation and equity opportunities.

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

1. The property is located in ((~~equity~~)) opportunity areas; and

2. The applicant demonstrates engagement and collaboration either with community-based organizations or with members of the community, or both, in which the property is located. If the project is intended to serve populations not in its immediate area, the applicant must demonstrate engagement and collaboration either with community-based organizations made up of or serving those populations, or with members of those populations.

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

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

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

F. Conservation futures tax revenues should be used to protect parcels identified by King County and cities as part of the 2018 Land Conservation Initiative and additional parcels that have similar conservation attributes. If sufficient ((~~funds~~)) proceeds are not available to complete the acquisition of all available property

interests in a particular year, priority should be given to protecting parcels in ~~((equity))~~ opportunity areas and parcels most at risk for development.

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

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

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

B. At-large positions designated for the council shall be appointed by the executive after receiving nominations from the council. When notified of a vacancy in one of these four at-large positions, the council chair shall inform the council at an open public meeting of the vacancy and seek nominations from councilmembers. At a subsequent council meeting, the chair shall inform the council of the names of all nominees received from councilmembers and that all nominations have been forwarded to the executive. If the executive does not appoint a person who has been nominated by the council, the executive must request that the council nominate other candidates for appointment.

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

SECTION 8. Ordinance 14714, Section 2, as amended, and K.C.C. 2.36.070 are hereby amended to



read as follows:

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

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

C.1. The executive shall solicit nominations from the council, from the city of Seattle and from suburban cities and towns within King County and shall seek representation of a broad spectrum of interests and expertise, including, but not limited to, local conservation and passive recreation, science and ecology, conservation land stewardship, business and education.

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

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

SECTION 9. The following are each hereby repealed:

- A. Ordinance 8867, Section 3, and K.C.C. 26.12.030;
- B. Ordinance 8867, Section 4, and K.C.C. 26.12.040; and
- C. Ordinance 9430, Section 3, as amended, K.C.C. 26.12.050.