



Legislation Details (With Text)

File #: 2022-0199 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 5/24/2022 **In control:** Budget and Fiscal Management Committee

On agenda: **Final action:** 6/21/2022

Enactment date: 7/7/2022 **Enactment #:** 19458

Title: AN ORDINANCE providing for the submission to the qualified electors of King County at the general election to be held in King County on November 8, 2022, of a proposition to restore King County's conservation futures property tax levy authorized under RCW 84.34.230 to a rate of \$0.0625 per one thousand dollars of assessed valuation for collection in 2023 and use the dollar amount of the 2023 levy for the purpose of computing limitations for subsequent levies under chapter 84.55 RCW to provide funding for conservation futures as permitted under chapter 84.34 RCW, including, but not limited to, to pay, finance and refinance costs of the acquisition and preservation, of: urban green spaces, natural areas, wildlife and salmon habitat, trails, river corridors, farmlands and forests; and providing for conservation futures advisory committee recommendations.

Sponsors: Rod Dembowski, Jeanne Kohl-Welles

Indexes: Conservation Futures, Elections, King County, levy, Property Tax

Code sections:

Attachments: 1. Ordinance 19458, 2. 2022-0199 transmittal letter, 3. 2022-0199 fiscal note, 4. 2022-0199 Legislative Review Form, 5. 2022-0199 Conservation Futures Presentation, 6. 2022-0199_SR_CFT Levy, 7. 2022-0199_ATT2_AMDS1_Technical-Clarifying Striking Amendment, 8. 2022-0199_ATT5_Revised Fiscal Note, 9. 2022-0199_Revised SR_CFT Levy

| Date | Ver. | Action By | Action | Result |
|-----------|------|--|--------------------------------|--------|
| 6/21/2022 | 2 | Metropolitan King County Council | Passed | Pass |
| 6/8/2022 | 1 | Budget and Fiscal Management Committee | Recommended Do Pass Substitute | Pass |
| 5/25/2022 | 1 | Budget and Fiscal Management Committee | Deferred | |
| 5/24/2022 | 1 | Metropolitan King County Council | Introduced and Referred | |

Clerk 06/08/2022

AN ORDINANCE providing for the submission to the qualified electors of King County at the general election to be held in King County on November 8, 2022, of a proposition to restore King County's conservation futures property tax levy authorized under RCW 84.34.230 to a rate of \$0.0625 per one thousand dollars of assessed valuation for collection in 2023 and use the dollar amount of the 2023 levy for the purpose of computing limitations for subsequent levies under chapter

84.55 RCW to provide funding for conservation futures as permitted under chapter 84.34 RCW, including, but not limited to, to pay, finance and refinance costs of the acquisition and preservation, of: urban green spaces, natural areas, wildlife and salmon habitat, trails, river corridors, farmlands and forests; and providing for conservation futures advisory committee recommendations.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. Natural lands support wildlife, provide clean air, enhance recreation opportunities, protect clean water, improve health and promote climate resilience. Farmlands promote sustainable local agriculture and a thriving agricultural economy. Forests protect wildlife, provide recreation opportunities, enhance water quality and promote a sustainable local timber industry. Protected river corridors provide salmon habitat, flood protection and recreation opportunities and promote the health of Puget Sound. Trail corridors provide access to recreation opportunities, increase nonmotorized mobility and improve air quality. Urban green spaces protect key lands in population centers to enhance public health and well-being, build community and expand recreation opportunities. Those are the open space lands that the county's conservation futures program, codified in K.C.C. chapter 26.12, has been protecting for years.

B. Protection and stewardship of urban green spaces, forests and farmlands anchor numerous determinants of equity that inform the county's equity and social justice initiative.

C. King County recognizes the disproportionate impacts on many King County communities due to existing and historical racial, social, environmental and economic inequities. The communities are particularly vulnerable to excessive heat, poor air and water quality and flooding episodes. Protecting and stewarding land in these communities can help to improve: individual, community and environmental health; food access; and community economic development.

D. For decades, King County has demonstrated leadership in protecting natural lands. In 1968, King County voters approved the Forward Thrust initiative, which provided funding to preserve four thousand acres of park land as well as fifty-three miles of waterfront and riparian corridors.

E. In 1982, King County initiated its Conservation Futures program, which has successfully protected more than one hundred thousand acres of valuable resource lands and farmlands.

F. In 1989, King County voters approved the Open Space bond measure, which provided funding for preserving high-conservation-value open-space land.

G. In 2003, 2007, 2013 and 2019, King County voters approved tax levies to support parks, trails and open space.

H. In 2009, the voters of King County approved a charter amendment, known as the Open Space Protection Amendment, to enhance conservation protections for key county-owned natural lands.

I. That long legacy of preserving natural lands has made King County one of the most livable areas in the country and a sought-after place to live, work and do business.

J. In 2015, Motion 14458 set forth King County's policy to remain one of the greenest metropolitan areas in the world by protecting and conserving land and water resources that will: enhance quality of life; strengthen the region's economy; enhance biodiversity; provide recreational opportunities; and promote sustainable forestry, farming and locally grown food.

K. In September 2016, the King County executive convened the land conservation initiative advisory group to advise the council and the executive on ways to preserve remaining conservation lands within a generation, including benefits and challenges, a preferred timeline and public and private funding options.

L. The land conservation initiative advisory group included twenty-seven county residents with wide-ranging expertise, including professionals from cities, environmental organizations, local businesses, real estate firms, investment firms and philanthropic organizations.

M. Working with the advisory group, cities, federal and state agencies, tribes and other partners, the department of natural resources and parks undertook a parcel-by-parcel review of remaining open space lands and other conservation opportunities in King County to determine the most important parcels to protect in perpetuity.

N. In 2018, Ordinance 18774 set forth King County's policy to: accelerate the protection of vital open space lands, including urban green spaces, natural areas, wildlife and salmon habitat, trails, river corridors, farmlands and forests; to address equity and social justice issues by increasing the availability of open space lands in historically underserved areas; and address generational equity by spreading costs of protecting vital open space lands over time.

O. Key funding goals of Ordinance 18774 include accelerating the pace of acquisitions and thereby reducing their ultimate cost, spreading costs to future taxpayers who will benefit from open space lands protected in perpetuity, maximizing the use of available moneys, prioritizing acquisitions in equity areas and parcels that are at high risk of development, geographic equity over time and ensuring that sufficient reserves remain available to pursue emerging conservation opportunities.

P. Following recommendations of the advisory group, the open space equity cabinet was convened in 2018 and included twenty-one county residents representing twelve different community-based organizations. In collaboration with the conservation futures advisory committee, the cabinet updated the conservation futures process that prioritizes acquisition of land conservation initiative targets in communities experiencing the greatest need.

Q. After reviewing a variety of potential funding mechanisms, the advisory group recommended that the county restore its existing conservation futures property tax levy to the rate authorized by RCW 84.34.230 of \$0.0625 per one thousand dollars of assessed valuation to provide moneys to implement the land conservation plan.

R. Conserving open space lands through conservation futures funding has a decades-long track

record of success in King County.

S. The conservation futures advisory committee process is a respected and trusted means of ensuring that public moneys are optimized in preserving our natural areas and ecosystems.

T. 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 open space lands protected in perpetuity.

U. The King County department of natural resources and parks has engaged in extensive outreach to receive additional input, including from the public, cities, businesses, environmental organizations, historically underserved communities and area tribes.

V. There is a window of opportunity to conserve the region's last best places, but the county must act now to increase the pace and scale of preservation before the remaining high conservation value open space lands are lost.

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

A. "Conservation futures purposes" means all activities and expenditures authorized by chapter 84.34 RCW, as may be amended from time to time, including but not limited to paying, financing and refinancing costs of acquisition and preservation of urban green spaces, natural areas, wildlife and salmon habitat, trails, river corridors, farmlands and forests within King County.

B. "Levy" means the levy of regular property taxes for the statutory conservation futures purposes as provided in this ordinance and authorized by the electorate in accordance with state law.

C. "Levy proceeds" means the principal amount of moneys raised by the levy, any interest earnings on the moneys, and the proceeds of any interim or other financing following authorization of the levy.

SECTION 3. Levy submittal to voters. To provide necessary proceeds for the statutory conservation futures purposes identified in section 5 of this ordinance, the King County council shall submit to the qualified

electors of the county a proposition authorizing restoration of King County's conservation futures property tax levy to the rate authorized by RCW 84.34.230 of \$0.0625 per one thousand dollars of assessed valuation for collection in 2023 and use of the dollar amount of the 2023 levy for the purpose of computing limitations for subsequent levies, consistent with chapter 84.55 RCW, as it may be amended from time to time.

SECTION 4. Deposit of levy proceeds. All levy proceeds collected as authorized in this ordinance shall be deposited into a dedicated conservation futures fund established by ordinance and used only for the eligible expenditures described in section 5 of this ordinance.

SECTION 5. Eligible expenditures. If approved by the qualified electors of the county, proceeds of the levy authorized by this ordinance shall be used for conservation futures purposes in accordance with chapter 84.34 RCW, as it may be amended from time to time, and for the costs and charges incurred by the county that are attributable to the election.

SECTION 6. Call for special election. In accordance with RCW 29A.04.321, the King County council hereby calls for a special election to be held in conjunction with the general election on November 8, 2022. The King County director of elections shall cause notice to be given of this ordinance in accordance with the state constitution and general law and to submit to the qualified electors of the county, at said special election, the proposition hereinafter set forth. The clerk of the council shall certify that proposition to the King County director of elections in substantially the following form, with such modifications as may be required by the prosecuting attorney:

The King County council passed Ordinance ____ concerning funding to protect open space lands in King County. This proposition would provide funding to pay, finance, or refinance acquisition and preservation of: urban green spaces, natural areas, wildlife and salmon habitat, trails, river corridors, farmlands and forests. It would authorize restoration of the county's RCW 84.34.230 conservation futures property tax levy to a rate of \$0.0625 per \$1,000 of assessed valuation for collection in 2023 and use the dollar amount of the 2023 levy for the purpose of

computing subsequent levy limitations under chapter 84.55 RCW.

Should this proposition be:

Approved []

Rejected []

SECTION 7. Advisory committee. If the levy is approved by the voters in accordance with section 6 of this ordinance, the conservation futures advisory committee established under K.C.C. 2.36.070 will make acquisition recommendations and recommend funding allocations, consistent with K.C.C. chapter 26.12, as it may be amended from time to time.

SECTION 8. Implementation. Contingent upon voter approval of the ballot proposition described in section 3 of this ordinance, King County will accelerate protection of open space consistent with K.C.C. chapter 26.12, as it may be amended from time to time.

SECTION 9. Exemption. The additional regular property taxes authorized by this ordinance shall be included in any real property tax exemption authorized by RCW 84.36.381, including any amendment that is adopted by the legislature during the term of this levy.

SECTION 10. Ratification and confirmation. Certification of the proposition by the clerk of the King County council to the director of elections in accordance with law before the general election on November 8, 2022, and any other act consistent with the authority and before the effective date of this ordinance are hereby ratified and confirmed.

SECTION 11. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.