

**RESOLUTION NO. 14-938**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON AUTHORIZING THE MAYOR TO SIGN AND ENTER INTO A PARKS PROPERTY TAX LEVY AGREEMENT WITH KING COUNTY IN ORDER TO ACCEPT TAX LEVY FUNDS TO BE UTILIZED TOWARDS LOCAL PARKS AND SYSTEM PROJECTS STARTING IN 2014 AND ENDING IN 2020**

**WHEREAS**, on August 6, 2013, King County voters overwhelmingly approved a six-year, 18.77-cent parks property tax levy which is expected to generate approximately \$62 million dollars in 2014, of which, the City of Black Diamond is expected to receive approximately \$8,981.00 in 2014;

**WHEREAS**, the passed levy requires a portion of these funds to be distributed to the cities of King County for local parks and system projects;

**WHEREAS**, King County requires each recipient of these tax levy revenues to enter into a Property Tax Levy Agreement (Exhibit A) in order to begin receiving these funds.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DOES RESOLVE AS FOLLOWS:**

**Section 1.** The Mayor is hereby authorized to execute the Parks Property Tax Levy Agreement with King County in order to accept funds based on the City's portion as approved by King County voters in August of 2013.

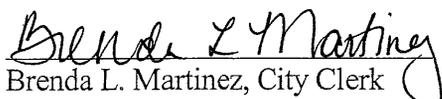
**PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 3RD DAY OF APRIL, 2014.**

CITY OF BLACK DIAMOND:



Dave Gordon, Mayor

Attest:

  
Brenda L. Martinez, City Clerk

**PARKS PROPERTY TAX LEVY AGREEMENT**

between

**KING COUNTY & (CITY) Black Diamond**

This Parks Property Tax Levy Agreement (the "Agreement") is made and entered into as of 15 April, 2014, by and between KING COUNTY, a political subdivision of the state of Washington (the "County") and the City of Black Diamond, a State of Washington municipal corporation ("CITY").

**RECITALS**

- A. The County owns and operates a park system with over twenty-eight thousand (28,000) acres of regional parks and open spaces and over one hundred seventy-five (175) miles of regional trails. In addition, the County is the provider of local parks in the rural area and is the transitional provider of local parks in the urban incorporated areas.
- B. Since 2003, on recommendation of the Metropolitan Parks Task Force and direction from the County Executive and County Council, the County's Parks and Recreation Division has focused on managing a system of regional parks, open spaces and trails and a limited set of regional active recreation assets.
- C. Consistent with its role as a regional and local rural service provider under Countywide Planning Policies and the State Growth Management Act, the County has divested itself of local parks and facilities in urban unincorporated areas as these areas incorporate or annex to cities.
- D. In November 2006, the County Executive created the Parks Futures Task Force to recommend a funding plan for the current County park system, and to examine what steps should be taken, if any, regarding future park system acquisitions.
- E. In June of 2012, the County Executive convened the King County Parks Levy Task Force to recommend a funding plan for the current park system and to examine how to address the parks and recreation needs of King County residents in the future.
- F. The King County Parks Levy Task Force recommended that the County replace the expiring levies and put a ballot measure before the voters in 2013 that requests a six-year inflation adjusted property tax levy lift at a total rate of \$0.1901 per one thousand dollars of assessed value with a percentage of the levy proceeds to be distributed to cities for their local parks system projects.
- G. On April 30, 2013, the King County Council adopted Ordinance 17568 which called for a special election in accordance with RCW 29A.04.321 to authorize an additional 6-year property tax levy for specified park purposes..
- H. On August 6, 2013, King County voters approved Proposition No. 1 Parks Levy that

authorized an additional six year property tax levy at a rate of \$0.1877 in the first year, with subsequent levies adjusted by inflation for the purpose of: maintaining and operating King County's parks system, improving parks, recreation and mobility by acquiring open space, expanding park and recreation opportunities, continuing to develop regional trails; repairing, replacing, and improving local parks and trails in King County's cities; and funding environmental educations, maintenance, conservation, and capital programs at the Woodland Park Zoo.

NOW, THEREFORE, in consideration of the mutual promises and undertakings hereinafter set forth and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

### AGREEMENT

1.1 Definitions. As used in this Agreement, the following terms shall have the following meanings:

- A. "Annual Report" shall mean the annual report prepared by the CITY and provided to the County annually by May 1 beginning in 2015 setting forth a summary of city projects for the preceding year, along with a complete financial accounting for the use of County Levy Proceeds, and a listing of all capital investments made at the CITY funded in whole or in part by County Levy Proceeds, and for the 2015 annual report the CITY shall identify the dollar amount of the CITY's Existing Funds.
- B. "CITY" shall mean the City of Black Diamond, State of Washington, and all of its boards, commissions, departments, agencies and other subdivisions.
- C. "CITY Proceeds" shall mean seven percent (7%) of the total County Levy Proceeds collected by King County and any interest earnings on these funds
- D. "CITY Projects" shall mean the City's local park system projects consistent with Ordinance 17568.
- E. "County" shall mean King County, State of Washington, and all of its boards, commissions, departments, agencies and other subdivisions.
- F. "County Council" shall mean the County Council of King County, State of Washington.
- G. "County Levy" means the annual King County property tax levy for park purposes imposed by the King County Council and authorized by Proposition No. 1 Parks Levy that was approved by the County voters on August 6, 2013 that replaced two levies expiring at the end of 2013.
- H. "County Levy Proceeds" shall mean the principal amount of the County Levy collected by the County.

- I. "Executive" shall mean the King County Executive or his or her functional successor.
  - J. "Existing funds" shall have the meaning, as defined by RCW 84.55.050.
  - K. "Regional trail system" shall mean the system-wide non-motorized network of designated off-road, shared-use paths, trails, or greenways for recreation and regional mobility.
2. Term of Agreement. The term of this Agreement (the "Term") shall be for a period commencing on the Effective Date (the "Commencement Date"), and expiring on December 31, 2019 (the "Termination Date").
  3. Receipt of County Levy Proceeds.
    - A. Generally. Each year the County shall distribute the CITY's proportionate share of the CITY Proceeds to the CITY as authorized by Ordinance 17568, subject to Council appropriation.
    - B. Receipt and Distribution of Levy Proceeds.
      1. Payment Schedule. Beginning in 2014 and through 2019, the County shall transfer the CITY Proceeds to the CITY on a monthly basis. The annual amounts transferred shall never exceed the CITY's proportionate share of the CITY Proceeds actually collected and appropriated by King County.
      2. Administrative Fee. The Parties agree that the County has authority to deduct a portion from CITY Proceeds for eligible expenditures related to the administration of the distribution of County Levy Proceeds, consistent with Ordinance 17568.
  4. Use of County Levy Proceeds. The City shall only use the transferred City Proceeds for its City Projects. On or before May 1 of each year throughout the Term of this Agreement, the CITY shall provide the County with a copy of the Annual Report and provide any further documentation showing that the City Proceeds were expended on CITY Projects. The City shall maintain financial records to account separately for the City Proceeds.
  5. Representations and Warranties. The CITY represents and warrants that all CITY Proceeds received by the CITY shall be used only for specific CITY Projects as defined in this Agreement and that such funds shall not be used to supplant Existing Funds. The CITY represents and warrants that all CITY Projects shall be consistent with the requirements in King County Ordinance 17568. The CITY represents and warrants that in addition to the CITY's proportionate share of the CITY's Proceeds, the CITY shall annually expend on CITY Projects an amount equal to the CITY's Existing Funds.
  6. Title to Improvements. All appurtenances, fixtures, improvements, equipment, additions and other property attached to or installed in the City's local parks system during the Term

shall be and remain the properties of CITY and shall not be deemed property of the County under any circumstances.

7. Notices. All notices required to be given hereunder shall be in writing and either delivered personally or sent by certified mail to the appropriate address listed below, or at such other address as shall be provided by written notice. Notice shall be deemed communicated upon actual receipt. For convenience of the parties, copies of notices may also be given by other means; however, neither party may give official or binding notice except by personal delivery or by certified mail.

If to the CITY:

CITY's Contact and Title: \_\_\_\_\_  
City Name: City of Black Diamond  
Mailing Address1: PO Box 599  
Mailing Address2: 24301 Roberts Drive, Ste. B  
City, State, Zip Code: Black Diamond, WA 98010

If to King County:

Kevin R. Brown, Division Director  
King County Parks and Recreation Division  
Department of Natural Resources and Parks  
201 South Jackson  
Mailstop: KSC-NR-0700  
Seattle, WA 98104

8. Compliance with Laws. The CITY shall comply and conform with all applicable laws and all governmental regulations, rules and orders.
9. CITY Agreement to Comply with Audit Finding or Repay. The CITY agrees that it is financially responsible for the lawful use of the levy funds distributed under this contract. The City agrees that if the State Auditor makes an audit finding that the levy proceeds have not been spent properly, the City shall comply with the State Auditor's audit finding and correct any improper expenditure or, at the sole discretion of the County, repay any indicated amounts to the County. This duty to comply with the audit finding or repay shall not be diminished or extinguished by the prior termination of the Agreement pursuant to the Duration of Agreement or the Termination Sections.
10. Miscellaneous.
  - A. Liability of the County. The County's obligations to the CITY under this Agreement shall be limited to the terms and conditions set forth herein. Notwithstanding any other provision in this Agreement to the contrary, in no event shall the County be liable, regardless of whether any claim is based on contract or tort, for any special, consequential, indirect or incidental damages, including without limitation lost

profits, arising out of or in connection with this Agreement or the services performed in connection with this Agreement.

- B. Dispute Resolution. In the event of a dispute between the CITY and the County regarding any term of this Agreement, the parties shall attempt to resolve the matter informally through the following mechanism: the CITY (reps.) or their respective designee(s), shall meet with County (reps) or their respective designee(s) to review and discuss the matter(s) in dispute; if the CITY (reps) and County (reps) are unable to reach a mutual resolution, the Executive and the mayor, or their respective designee(s) shall meet to review and discuss the matter(s) in dispute. If such persons are unable to resolve the matter informally, either party may submit the matter to a non-binding, structured mediation procedure fashioned by persons or organizations experienced in alternative dispute resolution ("ADR") procedures. The mediation may be requested by any party and shall be initiated within thirty (30) days from the date of the request unless extended by agreement of both parties. The alternative dispute resolution procedures utilized for the mediation shall include the exchange of written claims and responses, with supporting information, at least seven (7) days prior to the actual mediation. The positions expressed and mediator's recommendations shall not be admissible as evidence in any subsequent ADR or legal proceeding. If the matter is submitted to mediation and the matter is not resolved, an affected party shall be entitled to pursue any legal remedy available. Any disputes involving the lawful expenditure of levy proceeds shall be resolved by King County Superior Court if the parties cannot agree.
- C. No Implied Waiver. No failure by either party hereto to insist upon the strict performance of any obligation of the other party under this Agreement or to exercise any right, power or remedy arising out of a breach thereof, irrespective of the length of time for which such failure continues (except in cases where this Agreement expressly limits the time for exercising rights or remedies arising out of a breach), shall constitute a waiver of such breach or of that party's right to demand strict compliance such term, covenant or condition or operate as a surrender of this Agreement. No waiver of any default or the performance of any provision hereof shall affect any other default or performance, or cover any other period of time, other than the default, performance or period of time specified in such express waiver. One or more written waivers of a default or the performance of any provision hereof shall not be deemed to be a waiver of a subsequent default or performance. The consent of either party hereto given in any instance under the terms of this Agreement shall not relieve the other party of any obligation to secure the consent of the other party in any other or future instance under the terms of this Agreement.
- D. Headings and Subheadings. The captions preceding the articles and sections of this Agreement and in the table of contents have been inserted for convenience of reference and such captions in no way define or limit the scope or intent of any provision of this Agreement.
- E. Successors and Assigns. The terms, covenants and conditions contained in this Agreement shall bind and inure to the benefit of the County and the CITY and, except

as otherwise provided herein, their personal representatives and successors and assigns. There are no third party beneficiaries to this Agreement.

- F. Agreement made in Washington. This Agreement shall be deemed to be made in and shall be construed in accordance with the laws of the State of Washington. Venue of any action brought by one party against the other to enforce or arising out of this Agreement shall be in King County Superior Court.
- G. Integrated Agreement; Modification. This Agreement contains all the agreements of the parties hereto relating to the subject matter addressed herein, and cannot be amended or modified except by a written agreement approved by the King County Council and mutually executed between each of the parties hereto.
- H. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which taken together shall constitute one and the same instrument.
- I. Time of Essence. Time is of the essence of each provision of this Agreement.
- J. Signage. For each capital project funded with County Levy Proceeds, the CITY shall provide a sign including the following language: This project was funded (or as applicable, funded in part) with proceeds from the Proposition No. 1 Parks Levy approved by King County voters in August 2013 under an Agreement with King County Parks and Recreation Division.

DATED this 15<sup>th</sup> day of April, 2014.

KING COUNTY, a Washington municipal corporation

CITY OF Black Diamond a Washington municipal corporation

By Katy Ten  
Its Parks Assistant Director

By [Signature]  
Its MAYOR

By authority of Ordinance No. 17568



KING COUNTY

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

Signature Report

April 30, 2013

Ordinance 17568

Proposed No. 2013-0112.3

Sponsors Phillips and McDermott

1 AN ORDINANCE providing for the submission to the  
2 qualified electors of King County at a special election to be  
3 held in King County on August 6, 2013, of a proposition  
4 authorizing a property tax levy in excess of the levy  
5 limitation contained in chapter 84.55 RCW for a period of  
6 six consecutive years, at a total rate of not more than  
7 \$0.1877 per one thousand dollars of assessed valuation in  
8 the first year with annual increases by the percentage  
9 increase in the consumer price index or the limitation in  
10 84.55 RCW, whichever is greater in years two through six,  
11 for the purpose of maintaining and operating King County's  
12 parks system; improving parks, recreation and mobility by  
13 acquiring open space and continuing to develop regional  
14 trails; repairing, replacing, and improving local parks and  
15 trails in King County's cities; funding environmental  
16 education, maintenance, conservation and capital programs  
17 at the Woodland Park Zoo.

18 STATEMENT OF FACTS:

19           1. King County owns and operates a system of regional and local parks  
20           and trails that consists of twenty six thousand acres of parklands and more  
21           than one hundred seventy five miles of regional trails. The county  
22           provides regional trails, regional recreational facilities, regional natural  
23           area parks, and local rural parks, and is the transitional provider of local  
24           parks in the urban unincorporated areas. Examples of regional county  
25           parks and trails include Marymoor Park, Cougar Mountain Regional  
26           Wildland Park, the Weyerhaeuser King County Aquatic Center and the  
27           Sammamish River Trail.

28           2. Public parks, natural areas, and trails contribute to a high quality of life.  
29           A robust system of parks and trails provides: physical, social and mental  
30           health benefits to individuals; economic opportunity through recreation  
31           and tourism; economic growth for private businesses that must attract and  
32           retain skilled workers; and environmental benefits and cultural resource  
33           protection through open space conservation. King County's parks system  
34           provides all these benefits to King County residents and businesses.

35           3. The 2002 Parks Business Transition Plan, which was adopted by the  
36           King County council, became the blueprint for establishing the regional  
37           parks system we have today. The parks and recreation division of the  
38           department of natural resources and parks has successfully focused its  
39           lines of business on regional parks and trails, backcountry trails, natural  
40           lands, and local parks in unincorporated King County and has been  
41           implementing business practices that generate revenue from park system

42 assets by implementing or increasing user fees and establishing corporate  
43 and community partnerships that enhance park amenities and leverage  
44 public and private dollars to improve parks and increase access to parks.

45 4. Consistent with the recommendations of past parks-related task forces,  
46 the county has sought voter-approved levies on two prior occasions: in  
47 2003, to provide maintenance and operating funding for the parks and  
48 recreation division for the period of 2004-2007; and in 2007, to provide  
49 funding for maintenance and operating, as well as funding for open space  
50 acquisition and asset maintenance and improvement, for the period of  
51 2008-2013. Voters approved the levies on both occasions that they were  
52 on the ballot. The voter-approved levies have helped keep the parks  
53 system open, clean and safe.

54 5. Approximately seventy percent of the operating budget of the parks  
55 and recreation division is provided by the 2008-2013 voter-approved  
56 operations and maintenance levy, with approximately seventeen percent  
57 generated through business activities and entrepreneurial efforts. King  
58 County general fund support to the parks and recreation division was  
59 eliminated as of 2011.

60 6. In 2013, the 2008-2013 voter-approved Open Space and Trails Levy  
61 will fund approximately seventy-seven percent of the parks and recreation  
62 division's asset management budget. Historically, the real estate excise  
63 tax funded nearly all of the parks and recreation division's asset

64 management program; however, the real estate excise tax has declined 83  
65 percent from 2006 to 2012.

66 7. The effective rate of the combined levies in 2013 is \$0.1331 per one  
67 thousand dollars of assessed value. A comparable effective levy rate  
68 beginning in 2014 would need to be \$0.1478 per one thousand dollars of  
69 assessed value. Due to the loss of general funds and real estate excise tax,  
70 a higher levy rate is necessary in the future to achieve the  
71 recommendations of all the past parks task forces and the council-  
72 approved parks business transition plan.

73 8. Parks levy citizen oversight committees were established to monitor the  
74 expenditures of the proceeds from the 2004-2007 and 2008-2013 levies.  
75 In every year of its review, the committee has concluded that the county  
76 has complied with all levy requirements.

77 9. As specified under Motion 12809, the King County executive  
78 developed and implemented an annual process to review and recommend  
79 for council approval open space projects funded by the Open Space and  
80 Trails Levy through coordination with the conservation futures tax  
81 program.

82 10. The King County executive convened the King County parks levy  
83 task force in June 2012 to recommend a funding plan for the current park  
84 system and how to address the parks and recreation needs of King County  
85 residents in the future. The task force, which met from June to October,  
86 was comprised of twenty-two individuals representing all geographic areas

87 of the county, as well as business, recreation, community, and  
88 environmental interests.

89 11. The task force issued a report in October 2012, recommending that  
90 the county replace the expiring levies and put a ballot measure before the  
91 voters in 2013 that requests a six-year inflation-adjusted property tax levy  
92 lid lift at a total rate of \$0.1901 per one thousand dollars of assessed value.

93 The task force recommended continuing to fund maintenance and  
94 operations of King County's parks system, as well as funding critical  
95 infrastructure repair and replacement, acquisition and stewardship of open  
96 space, as such lands can provide for passive or active recreation  
97 opportunities and/or protection of habitat and water quality, and the  
98 continued development of regional trail corridors, including strategic  
99 connections between trails and transportation hubs to improve mobility.

100 The task force also recommended providing support to King County's  
101 cities for local parks and recreation capital purposes and to the Woodland  
102 Park Zoological Society for education and conservation programs,  
103 horticulture and maintenance, and capital improvements.

104 12. The King County executive supports the findings and  
105 recommendations of the task force and has put forth a funding proposal  
106 that is consistent with the goals and priorities of the task force, decreasing  
107 the rate recommended by the task force by utilizing updated forecasts for  
108 real estate excise tax, which enabled adjustments to be made to the overall  
109 funding assumptions.

110 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

111 SECTION 1. Definitions. The definitions in this section apply throughout this  
112 ordinance unless the context clearly requires otherwise.

113 A. "Conservation futures tax program" means the program defined in K.C.C.  
114 chapter 26.12.

115 B. "Levy" means the levy of regular property taxes, for the specific purpose and  
116 term provided in this ordinance and authorized by the electorate in accordance with state  
117 law.

118 C. "Levy proceeds" means the principal amount of funds raised by the levy, any  
119 interest earnings on the funds and the proceeds of any interim financing following  
120 authorization of the levy.

121 D. "Limit factor" means the ratio of the most recent June Consumer Price Index  
122 to the immediately previous June Consumer Price Index, which is the final published  
123 CPI-W Seattle-Tacoma-Bremerton, as calculated by the United States Bureau of Labor  
124 Statistics, or its successor, expressed as a multiple of one hundred percent to achieve the  
125 result of one hundred percent plus inflation, or the limitation contained in chapter 84.55  
126 RCW, whichever is greater.

127 E. "Parks system" means any building or other structure, park, open space,  
128 natural area, resource or ecological land, trail, or other property owned or otherwise  
129 under the jurisdiction of the parks and recreation division of the department of natural  
130 resources and parks.

131 F. "Recreation grant program" means the community partnerships and grants  
132 program through which King County provides funds to recreation-oriented groups, sports

133 associations and community-based organizations to undertake any combination of  
134 developing, operating or maintaining a public park or recreation facility or program in  
135 King County for public benefit.

136         SECTION 2. Levy submittal to voters. To provide necessary funds for the  
137 purposes identified in section 4 of this ordinance, the King County council shall submit to  
138 the qualified electors of the county a proposition authorizing a regular property tax levy  
139 in excess of the levy limitation contained in chapter 84.55 RCW for six consecutive  
140 years, with collection commencing in 2014, at a rate not to exceed \$0.1877 per one  
141 thousand dollars of assessed value in the first year of the levy period. In accordance with  
142 RCW 84.55.050, this levy shall be a regular property tax levy subject to the limit factor.

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

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

147             A. Forty-seven percent for maintenance and operations of King County's parks  
148 system, of which no more than one and three tenths percent of total levy proceeds is for  
149 the recreation grant program:

150             B. Thirty-nine percent for:

151                 1. Acquisition, conservation and stewardship of additional open space lands,  
152 natural areas, resource or ecological lands:

153                 2. Acquisition and development of rights of ways for regional trails:

154                 3. Major maintenance repair, replacement and improvement of parks system  
155 infrastructure; and

156           4. Development of trailhead facilities to increase access to parks and trails:  
157           C. If the county council, in its sole discretion, finds that annual revenues from the  
158 real estate excise tax 1 and real estate excise tax 2 from the real estate excise taxes  
159 imposed under K.C.C. 4A.51.100 and 4A.510.120 have increased sufficiently that the  
160 levy amount needed for the purposes identified in subsection B. of this section should be  
161 reduced, it may reduce the annual dollar amount levied for the parks levy based on this  
162 finding and the entire dollar amount of the reduction in the levy proceeds for that year  
163 shall be allocated solely to the distribution of levy proceeds for the purposes set forth in  
164 subsection B. of this section. Such annual reduction shall not limit the authority of the  
165 council to levy in any future year without such reduction or to modify the distribution of  
166 levy proceeds levied in any future year:

167           D. Seven percent for distribution to cities in King County for their local parks  
168 system projects, of which amount fifty percent shall be distributed based on city  
169 population and fifty percent shall be distributed based on the assessed value of parcels  
170 within a city:

171           E. Seven percent for distribution to the Woodland Park Zoological Society for:  
172 environmental education with emphasis on accessibility to traditionally underserved  
173 populations throughout the county; horticulture and maintenance of buildings and  
174 grounds; conservation and animal care for rare, threatened or endangered Pacific  
175 Northwest species; and board-approved capital projects/campaigns in existence as of  
176 December 31, 2012; and

177           F. Of the proceeds designated for distribution to King County cities and the  
178 Woodland Park Zoological Society, a portion shall be retained by the county to be used

179 for expenditures related to administration of the distribution of levy proceeds. Eligible  
180 administrative expenditures shall include all costs and charges to the parks and recreation  
181 division or the county associated with or attributable to the purposes listed in subsections  
182 D. and E. of this section of this ordinance. Consistent with RCW 84.55.050, as it may be  
183 amended, levy proceeds may not supplant existing funding.

184 SECTION 5. Call for special election. In accordance with RCW 29A.04.321,  
185 the King County council hereby calls for a special election to be held in conjunction with  
186 the primary election on August 6, 2013, to consider a proposition authorizing a regular  
187 property tax levy for the purposes described in this ordinance. The King County director  
188 of elections shall cause notice to be given of this ordinance in accordance with the state  
189 constitution and general law and to submit to the qualified electors of the county, at the  
190 said special county election, the proposition hereinafter set forth. The clerk of the council  
191 shall certify that proposition to the King County director of elections in substantially the  
192 following form:

193 The King County council has passed Ordinance \_\_\_\_ concerning funding for  
194 parks, trails, recreational facilities and open space. This proposition would replace two  
195 expiring levies and fund maintenance and operations of the King County parks system:  
196 trails and open space for recreation, habitat and water quality; city parks; and zoo  
197 programs, all subject to citizen oversight. This proposition authorizes an additional  
198 property tax of \$0.1877 per \$1,000 of assessed value for collection in 2014 and  
199 authorizes increases by the annual percentage change in the CPI or the limitation in 84.55  
200 RCW, whichever is greater, for five succeeding years. Should this proposition be:  
201 Approved? \_\_

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202 Rejected? \_\_

203           SECTION 6. Distributions. Each distribution of levy proceeds to a King County  
204 city or to the Woodland Park Zoological Society, or its successor, for the eligible  
205 purposes identified in section 4 of this ordinance shall be subject to the execution of a  
206 contract between the county and each entity for the same project. Distribution of levy  
207 proceeds to King County for open space acquisition purposes shall be in accordance with  
208 the annual conservation futures tax process for the development, review and  
209 recommendation to the King County council as set forth in the open space and natural  
210 lands acquisition process, which is included as Attachment A to this ordinance.

211           SECTION 7. Parks levy citizen oversight board established.

212           A. If the proposition in section 5 of this ordinance is approved by the qualified  
213 electors of King County, a parks levy citizen oversight board shall be appointed by the  
214 executive. The board shall consist of nine members. Each councilmember shall  
215 nominate a candidate for the board from the councilmember's district no later than ninety  
216 days from the start of the first year of collections. If the executive does not appoint  
217 within sixty days of the nominations a person who has been nominated by a  
218 councilmember, the executive must request that the councilmember should within thirty  
219 days of the request nominate another candidate for appointment. Members shall be  
220 confirmed by the council. Members shall be residents of King County and may not be  
221 elected or appointed officials of any unit of government, except that citizens serving in a  
222 civic capacity on a local board or commission would be eligible to serve on the parks  
223 levy citizen oversight board.

224           B. The board shall review the allocation of levy proceeds and progress on  
225 achieving the purposes of this proposition. The report shall include information on the  
226 status of addressing maintenance needs and controlling noxious weeds in King County's  
227 parks system. On or before December 31, 2015, the board shall review and report to the  
228 King County executive, the King County council and the regional policy committee on  
229 the expenditure of levy proceeds for 2014. Thereafter, the board shall review and report  
230 to the King County executive, the King County council and the regional policy  
231 committee annually. Any report to the King County council under this section shall be  
232 made in the form of a paper original and an electronic copy with the clerk of the council,  
233 who shall retain the original and provide an electronic copy to all councilmembers. The  
234 parks and recreation division shall provide the board with all reports on division activities  
235 that the division transmits to the King County council in accordance with K.C.C.  
236 7.08.090. The board expires December 31, 2020.

237           SECTION 8. Ratification. Certification of the proposition by the clerk of the  
238 King County council to the director of elections in accordance with law before the  
239 election on August 6, 2013, and any other acts consistent with the authority and before  
240 the effective date of this ordinance are hereby ratified and confirmed.

241           SECTION 9. Severability. If any provision of this ordinance is held invalid, the

242 remainder of the ordinance or the application of the provision to other persons or  
243 circumstances is not affected.  
244

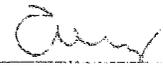
Ordinance 17568 was introduced on 2/25/2013 and passed as amended by the Metropolitan King County Council on 4/29/2013, by the following vote:

Yes: 7 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague, Ms. Patterson, Mr. McDermott and Mr. Dembowski  
No: 2 - Ms. Lambert and Mr. Dunn  
Excused: 0

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

  
Larry Gossett, Chair

ATTEST:

  
Anne Noris, Clerk of the Council

APPROVED this 1 day of May, 2013.

  
Dow Constantine, County Executive

RECEIVED  
2013 MAY -1 PM 2:09  
CLERK  
KING COUNTY COUNCIL

Attachments: A Open Space and Natural Lands Acquisition

## OPEN SPACE AND NATURAL LANDS ACQUISITION

The overall approach for funding allocation and coordination with the Conservation Futures Tax (CFT) program for the acquisition of open space and natural lands through the countywide parks levy is proposed as follows:

1. Early each calendar year, the Department of Natural Resources and Parks (DNRP) will set a proposed allocation for open space from levy funds for the following fiscal year.
2. Staff will generate proposals for the use of these funds, taking into account opportunities to leverage resources with funding from Conservation Futures, as well as from other local, state, and federal funding sources.
3. An overall proposal allocating the open space funds to specific projects will be developed and discussed with the Citizens Oversight Committee (COC) that is responsible for developing CFT funding recommendations. These discussions are expected to occur in the spring, during the same time frame during which the COC annually reviews CFT project proposals. This will create an opportunity for the COC to provide an advisory recommendation regarding allocation of these parks levy funds.
4. Taking the COC's recommendations into account, DNRP will develop a proposed budget for these parks levy funds.
5. The DNRP proposed budget for parks levy funding will be reviewed by the County Executive, and ultimately County Council, as part of the overall budget process for the following year.