

**RESOLUTION NO. 2016-16**

**A RESOLUTION PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF BELLINGHAM AT AN ELECTION TO BE HELD ON NOVEMBER 8, 2016 OF A PROPOSITION AUTHORIZING THE CITY TO INCREASE ITS REGULAR PROPERTY TAX LEVY ABOVE THE LIMIT ESTABLISHED IN RCW 84.55.010 TO FUND THE DEVELOPMENT, ACQUISITION, AND MAINTENANCE OF GREENWAYS, OPEN SPACE, PARKS, PARK FACILITIES, AND TRAILS**

**WHEREAS**, Bellingham residents passed a Greenways levy in 1990, a Beyond Greenways levy in 1997, and a Greenways III levy in 2006 to acquire and develop parks, trails, and open spaces; and

**WHEREAS**, during the past 25 years, Bellingham residents have, through their Greenways Program ("Greenways") and associated levies, funded the acquisition of many acres of parks and open space, miles of trails, and other recreation projects; and

**WHEREAS**, matching funds and donations have yielded millions of dollars more in greenway development and acquisition funds; and

**WHEREAS**, the most recent Greenways III levy is set to expire in 2016, and residents must decide how to shape the future of the City's parks and greenway system and whether to continue the funding of the greenways program; and

**WHEREAS**, the City has adopted the 2014 Park, Recreation, and Open Space Plan, based on community wide meetings, citizen input and a community survey and in 2011 adopted the Greenways Strategic Plan for Land Acquisition, both plans demonstrating ongoing need for dedicated public funding; and

**WHEREAS**, the City's Greenway Advisory Committee has identified potential park and trail development projects and additional land acquisitions for parks, open space and critical trail connections that will expand and complete the Greenways system within the continually growing City; and

**WHEREAS**, Protecting, restoring and enhancing habitat has always been an important element of the Greenways Program, and Bellingham has recently completed a Habitat Restoration Technical Assessment that demonstrates the need for additional ecosystem protection, enhancement, and restoration at numerous sites in the City. Greenway funds should be one eligible source to assist in that effort; and

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**WHEREAS**, the City recognizes the value of Greenways funds being an eligible source for responding to the growing interest in community gardens; and

**WHEREAS**, numerous citizens, local organizations, and civic leaders have expressed support for the continuation of a levy to provide funds for the continuing development, improvement, acquisition, and maintenance of current and future City greenways, open space sites, parks, park facilities, and trails; and

**WHEREAS**, since the creation of the Greenways Program the Greenway Advisory Committee has always existed to ensure dedicated citizen oversight to assure accountability and maintain public trust; and

**WHEREAS**, the City also recognizes the need to provide funds for the maintenance, improvement, development, and acquisition of the City's existing and future greenways, open space sites, parks, park facilities, and trails; and

**WHEREAS**, in order to pay the costs of developing, improving and maintaining greenways, open space sites, parks, park facilities, and trails, it is necessary that the City institute a levy and use the proceeds of a temporary increase of the regular tax levy rate of the City as authorized by RCW 84.55.050; and

**WHEREAS**, the Council has determined to submit to the voters the question of whether to institute such a levy to collect up to \$0.50 per \$1,000 assessed valuation over a period of seven years; and

**WHEREAS**, a seven year levy will expire at approximately the same time as the Chuckanut Community Forest Park District may dissolve and thus permit the City to consider a city-wide metropolitan park district upon dissolution of the Chuckanut Community Forest Park District and expiration of the City's Greenway IV levy; and

**WHEREAS**, if approved, the proposed levy would not relieve private developers or others from obligations otherwise existing in applicable State and local development, subdivision, and shoreline laws, regulations, and ordinances; and

**WHEREAS**, State law, RCW 84.55.050, requires that the question of whether the City may collect such levy be submitted to the qualified voters of the City for ratification or rejection.

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**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLINGHAM:**

**Section 1. Findings.**

**A.** The general fund of the City of Bellingham has neither sufficient resources to provide for the acquisition of additional greenways, open space sites, parks, park facilities, and trails, nor sufficient funds for the development, maintenance and improvement of those and existing City park properties, based on the needs described in the City Park, Recreation, and Open Space Plan and the Greenways Strategic Plan.

**B.** The City Council recognizes the need to provide funds for the improvement, development, acquisition, and maintenance of the City's existing and future greenways, open space sites, parks, park facilities, and trails.

**C.** The City Council desires to continue the Greenways Program by submitting to the voters a fourth Greenways levy (the "Greenways IV levy") which will replace the current Greenways III levy and is based upon a reduced levy rate of up to \$0.50 per \$1,000 of assessed valuation compared with the previous three Greenways levies that each had a maximum levy rate of \$0.57 per \$1,000.

**D.** The City Council finds and declares that it is in the best interests of the City that its voters have an opportunity to vote on the question of whether to provide funding to acquire, improve, develop and maintain greenways, open space sites, parks, park facilities, and trails from an increase in the City's regular property tax levy above the limitations established in RCW 84.55.010 for a period commencing with collections in the year 2017 and thereafter for six succeeding years for this limited purpose.

**E.** The City Council finds and declares that it is in the best interests of the City that its voters have the opportunity to vote on the question of whether a levy for such purposes shall be instituted to collect approximately \$32 million over a period of seven years.

**F.** The City Council finds and declares that it is in the best interests of the City that the levy proposition should be submitted to the qualified electors of the City regarding whether the City shall levy regular property taxes above the limitation established in RCW 84.55.010 for their ratification or rejection at a special election on November 8, 2016.

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## **Section 2. Use of Funds:**

It is intended that proceeds from the additional tax levied pursuant to Proposition No. 1 submitted to the voters pursuant to this resolution shall be applied to acquire, improve, develop and maintain greenways, open space sites, parks, park facilities, and trails as described below. Interest earnings on such proceeds shall also be applied to these purposes. The below described allocations are guidelines for implementation of the Greenways IV program:

- A. Development: Approximately 42% of the proceeds and interest on the proceeds of the levy are intended to be dedicated to the development of properties purchased by the City consistent with the Park, Recreation, and Open Space Plan.**
- B. Property Acquisitions: Approximately 33% of the proceeds and interest on the proceeds of the levy are intended to be dedicated to land acquisition including the completion of trail connections as designated in the Park, Recreation, and Open Space Plan.**
- C. Maintenance and Operations: Approximately 25% of the proceeds and interest on the proceeds of the levy are intended to be dedicated to ongoing maintenance, operation and capital replacement needs of City park properties and facilities.**
- D. Funds raised pursuant to Proposition No. 1 will also be used for all administrative and implementation costs to the City in carrying out this program.**

The above described program components are only illustrative guidelines for implementation of the Greenways IV program. In the annual City budget or by separate ordinance, the City shall from year to year determine the budget and allocations among the program components, change the scope of activities or the emphasis, and within a budget year reallocate unexpended and unencumbered funds from one program to another.

## **Section 3. Election-Ballot Title.**

- A.** The City Council requests that the Auditor of Whatcom County, as *ex officio* supervisor of elections, call and conduct a special election in the City on November 8, 2016, for the purpose of submitting to the qualified voters of the City for their approval or rejection Proposition No. 1 authorizing the City to increase its regular property tax

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levy up to \$2.40 per thousand (representing an increase of up to \$0.50 per thousand) of assessed valuation on all of the taxable property within the City, for collection in 2017 and thereafter for six succeeding years together with annual increases thereon as allowed under RCW 84.55, to be used for City greenways, open space sites, parks, park facilities, and trails development, acquisition, and maintenance as set forth in this resolution.

**B.** The City Clerk is hereby authorized and directed to certify to the County Auditor of Whatcom County, Washington, as ex officio supervisor of elections, prior to August 2, 2016 a copy of this resolution and the propositions to be submitted at that election in the form of a ballot title in the following form pursuant to RCW 29A.36.071:

**CITY OF BELLINGHAM  
PROPOSITION NO. 1**

**GREENWAYS IV LEVY**


The City of Bellingham's Proposition No. 1 concerns a Greenways Levy for greenways, open space, parks, park facilities, and trails.

For the purpose of funding development, acquisition, and maintenance of greenways, open space, parks, park facilities, and trails, this proposition would authorize the City to increase its regular property tax levy by up to \$0.50 per \$1,000 of assessed value to renew a greenways levy that expires in 2016, resulting in a total city-wide levy not to exceed \$2.40 per \$1,000 of assessed value, for collection in 2017, and to levy the additional amount for six succeeding years together with annual increases thereon as allowed under RCW 84.55. Should this proposition be approved?

YES...../ /

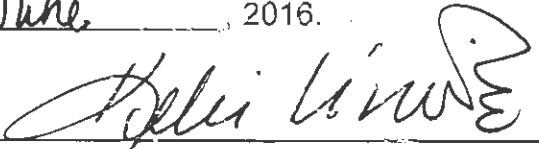
NO ...../ /

**PASSED** by the Council this 6<sup>th</sup> day of June, 2016.


  
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Council President

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APPROVED by me this 16<sup>th</sup> day of June, 2016.

  
\_\_\_\_\_  
Mayor

ATTEST:   
\_\_\_\_\_  
Finance Director

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
Office of the City Attorney

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