

RESOLUTION NO. 2006-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE KING CONSERVATION DISTRICT ADOPTING A PROPOSED SYSTEM OF ASSESSMENTS FOR THE PURPOSE OF FUNDING DISTRICT ACTIVITIES AND PROGRAMS TO CONSERVE NATURAL RESOURCES; AND AUTHORIZING THE FILING OF THE PROPOSED SYSTEM OF ASSESSMENTS WITH THE METROPOLITAN KING COUNTY COUNCIL FOR ITS REVIEW AND APPROVAL.

WHEREAS, the King Conservation District (“District”) is a governmental subdivision of the State of Washington, organized under Chapter 89.08 RCW with the purpose and authority to protect and conserve natural resources throughout King County (“County”), except within the boundaries of the incorporated cities of Enumclaw, Federal Way, Milton, Pacific, and Skykomish, which are not located within or a part of the District; and

WHEREAS, pursuant to RCW 89.08.400, the Metropolitan King County Council (“Council”) is authorized to impose special assessments on certain lands within the District for a period or periods each not to exceed ten years in duration to finance the District’s activities and programs to conserve natural resources; and

WHEREAS, pursuant to RCW 89.08.400 the District is required on or before the first day of August in the year prior to which the District is proposing that a special assessment be authorized to file with the Council a proposed system of assessments indicating the years during which it is proposed that the special assessments shall be imposed, along with a proposed budget for the District’s program of work for the succeeding year; and

WHEREAS, on June 12, 2006 the District established a preliminary proposed system of assessments which would provide funding for the District’s activities and programs to conserve natural resources, which activities and programs are declared by RCW 89.08.400(1) to be of special benefit to lands located within the boundary of the District; and

WHEREAS, the District acknowledges and supports the effort to include broad, regional needs in its programs of work for flood control, salmon habitat improvement and protection, and other natural resource conservation concerns which are of special benefit to lands located within the boundary of the District; and

WHEREAS, the District is authorized by Chapter 89.08.220 RCW and is uniquely positioned and prepared to facilitate and contribute to an analysis of such regional needs through a natural resources inventory; and

WHEREAS, necessary and appropriate programs of work for the District are prepared and approved by the District on an annual basis in a cooperative effort with King County, cities which are a part of the District, and other persons or entities with an interest in the District's activities and programs; and

WHEREAS, the District has completed a long range plan identifying strategic initiatives to conserve valuable farmland, implement sustainable land use practices, protect critical areas, enhance fish and wildlife habitat and conserve natural resources for current and future human uses; and

WHEREAS, the District has supported development of the local salmon recovery plans and is committed to supporting the implementation of these plans; and

WHEREAS, the District has investigated and determined the need to address emerging natural resource conservation concerns and activities, and intends to fund such activities through a Conservation Partnerships Program administered by the District; and

WHEREAS, pursuant to RCW 89.08.400(2), the District sought public comment on a proposed system of assessment by holding eight public comment meetings in April and May of 2006 and authorizing one written open public comment period (June 19 through July 14, 2006) for the purpose of gathering public comments and information on a proposed system of assessments; and

WHEREAS, pursuant to RCW 89.08.400(2), the District conducted four public hearings, of which two were on June 28, one on July 10, and one on July 24, 2006 for the purpose of gathering additional public comments and information on a proposed system of assessments and to provide the District's Board of Supervisors with the opportunity to consider the comments and information collected by the District regarding the proposed system of assessments; and

WHEREAS, notices of the public hearings were posted and published in accordance with the requirements of RCW 89.08.400(2); and

WHEREAS, the District hired an independent consultant to perform a special benefit analysis, which analysis demonstrates that the District's proposed system of assessments to be imposed on any land will not exceed the special benefit that the land receives or will receive from the District's programs and activities; and

WHEREAS, after careful consideration of the public comments and information gathered and submitted to the District, and after careful consideration of the recommendations of the District's staff and consultants, the District is prepared to formally adopt a proposed system of assessments to provide continued funding for existing and new District activities and programs, including its strategic initiatives and annual program of work, grants awarded by the District in partnership with member jurisdictions and the three local watershed forums operating in King County, and grants awarded through the Community Partnerships Program; and

WHEREAS, the District believes that the proposed system of assessments adopted by this resolution is in the public interest and that the special assessments to be imposed on any land will not exceed the special benefit that the land receives or will receive from the activities and programs of the District during the assessment period;

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of the King Conservation District that the District hereby adopts the following proposed system of assessments which shall be submitted to the Metropolitan King County Council before August 1, 2006 for the Council's review and approval:

1. Assessment of Lands. An annual assessment equal to an annual flat rate of \$9.98 per parcel, plus a uniform annual rate per acre amount based on the following classifications: \$0.00 annual rate for parcels less than 1 acre, \$0.01 annual rate for parcels that are 1 to 5 acres, and \$0.02 annual rate for parcels that are greater than 5 acres, shall be imposed on all real property located within the District's boundary, except for forest lands used solely for the planting, growing, or harvesting of trees and assessed by King County as forest land consistent with Chapter 89.08. RCW. This assessment shall apply to existing parcels of property and any parcels hereafter created.

2. Duration of Assessment. The assessment set forth in Paragraph 1 above shall be imposed annually during the period commencing on January 1, 2007 through December 31, 2011.

3. Expenditure of Assessment Funds. The District will use the special assessment funds in a manner which is consistent with the District's Programs of Work that are prepared and approved by the District and submitted to the County on an annual basis.

4. Administration Fees. Pursuant to RCW 89.08.400(4), the King County Treasurer shall collect and retain a 1% (one percent) fee to cover the costs incurred by the County Assessor and County Treasurer in spreading and collecting the special assessments, provided that such fee does not exceed the actual costs of such work. All remaining funds collected shall be transferred to the District and the District shall use such funds to finance the District's conservation activities and programs, including payment of the District's administrative expenses and costs associated with providing proper and prudent financial oversight of all assessment collections remitted to the District.

5. Filing of Proposed System of Assessments. A certified copy of this resolution adopting the District's proposed system of assessments for the period from 2007 to 2011 shall be filed with the Council for review and approval.

PASSED AND APPROVED by the Board of Supervisors of the King Conservation District, State of Washington on this 24th day of July, 2006.

Matt Livengood, Chair _____

Scott Wallace, Vice Chair _____

Richard Gelb, Sec. / Auditor _____

Bobbi Lindemulder, Member _____

Bill Knutsen, Member _____

CERTIFICATE

I, Richard Gelb, Secretary of the Board of Supervisors of the King Conservation District, King County, Washington, do hereby certify that the foregoing resolution is a true and correct copy of Resolution No. 2006-02 of such Board, duly adopted at a regular meeting thereof held on the day of July 24, 2006, signed by the members of such Board in attendance at such meeting and attested by myself in authentication of such adoption.

Richard Gelb, Secretary
Board of Supervisors
King Conservation District
King County, Washington.