

**BAINBRIDGE ISLAND METROPOLITAN PARK & RECREATION DISTRICT
KITSAP COUNTY, WASHINGTON**

RESOLUTION 2021-01

A RESOLUTION of the of the Board of Commissioners of the Bainbridge Island Metropolitan Park & Recreation District, Kitsap County, Washington, relating to regular property taxes; providing for the submission to the qualified electors of the District at a special election held in conjunction with the statewide primary election on August 3, 2021, of a proposition authorizing the District to levy regular property taxes in excess of the limitations of ch. 84.55 RCW; setting forth the text of the ballot proposition; directing proper District officials to take necessary actions; and providing for other properly related matters.

BE IT RESOLVED BY the Board of Commissioners (the “Board”) of Bainbridge Island Metropolitan Park & Recreation District, Kitsap County, Washington (the “District”), as follows:

Section 1. Recitals. The Board makes the following findings and determinations:

(a) In order to provide the level of services that the community desires, it is essential to ask the voters to restore the District’s regular property tax levy rate to the level of 75¢ per \$1,000 of assessed value, as originally approved by the voters when the District was created. Under the 101% levy lid, the District’s levy rate declines over time as property values rise on the Island. The levy was last reset to 75¢ in 2008 and by 2021 the levy rate has declined to approximately 59¢ per \$1,000.

(b) Since the last levy lid lift approved by the voters in 2008, the District’s costs to operate and maintain its facilities, to build new trails and improve public access, and to provide the programs and recreational opportunities demanded by the community have grown much faster than the 1% increase per year permitted under the levy lid. Over the next several years, existing revenues will not provide sufficient resources to support the District’s maintenance, repair, and renovation needs, and to operate, provide programming, and facilitate public access to District properties at the levels desired by the community.

(c) In addition, existing revenues available to the Park District from programming have decreased dramatically during the COVID-19 pandemic.

(d) In 2018, the State legislature amended the levy lid lift statutes to provide that certain low-income taxpayers who are senior citizens, veterans, or persons with disabilities who qualify for existing exemptions from voter approved excess levies could also be exempted from voter-approved levy lid lift increases. The Board intends to make this exemption available to those qualifying low-income taxpayers.

(e) The Board has determined that, without the restoration of this levy, the revenues that will be available to the District in the future will be insufficient to provide the level of services that the District provides and the community expects and desires. The Board has therefore determined that it is in the best interest of the District and its residents to submit this levy lid lift proposition to the voters for their approval or rejection. The Board intends that this levy lid lift replace the prior levy lid lift and the limitations thereunder, and restore the District’s levy to the legal maximum rate of 75¢ per \$1,000, subject only to the limitations set forth in Section 3.

Section 2. Calling of Election. The Board finds that it is in the best interest of the District to submit to the qualified voters of the District, at a special election held in conjunction with the statewide primary election on August 3, 2021, a proposition authorizing the Board to increase the District's regular property tax levy for collection in 2022, by an amount greater than otherwise permitted under chapter 84.55 RCW, in order to restore the levy rate originally authorized when the District was created. If this proposition is approved, the Board will be authorized to adopt, in accordance with its regular budget process, an increased regular property tax as described in Section 3.

Section 3. Purpose and Description of Ballot Proposition. The Board seeks voter approval under RCW 84.55.050(2) for a levy lid lift, as follows:

(a) Maximum Authorized Levy Rate for 2022. The proposition authorizes a maximum total levy rate of 75¢ per \$1,000 of assessed value for collection in 2022. Compared to the current levy rate (59¢ per \$1,000), this represents an increase of 16¢ per \$1,000 of assessed value or approximately \$136 per year on an \$850,000 home.

(b) Limit Factor for 2023 through 2027. The proposition authorizes annual increases during the subsequent five years (collection years 2023 through and including 2027) based on a limit factor equal to the annual increase in inflation measured by the consumer price index (CPI-W) for the Seattle-Tacoma-Bellevue statistical area, subject to the maximum rate of 75¢ per \$1,000 of assessed value, as set forth in RCW 35.61.210. For this purpose, "CPI-W" means the rate of inflation, as measured by the annual increase (measured from June to June) in the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W), for the Seattle-Tacoma-Bellevue statistical area, as compiled by the U.S. Bureau of Labor Statistics.

(c) Limited Purpose. The amounts collected pursuant to this authorization in 2022 through 2027 shall be used solely to maintain, repair, renovate, operate, provide programming, and facilitate public use and access to District properties. The additional increases in 2022 through 2027 may not be used for major expansions of existing facilities or acquisitions of new properties.

(d) Levy Limits in Future Years. The dollar amount of the highest lawful levy for collection in 2027 shall be used for the purpose of computing the limitations for subsequent levies under ch. 84.55 RCW, which may be used for any proper District purpose.

(e) Exemption for Qualifying Low-Income Senior Citizens, Veterans and Persons with Disabilities. In accordance with RCW 84.55.050(4)(e), the exemptions available to persons who qualify through the State's property tax exemption programs for low-income senior citizens, veterans and persons with disabilities authorized by RCW 84.36.381 will apply to the increases permitted under this proposition.

Section 4. Ballot Proposition. The Kitsap County Auditor (the "County Elections Official"), as *ex officio* supervisor of elections within the District, is hereby requested to call and conduct a special election within the District, in the manner provided by law, to be held on the date identified in Section 2, for the purpose of submitting to the voters of the District, a proposition in substantially the form attached as Exhibit A.

Section 5. Notices Relating to Ballot Proposition. For purposes of receiving notice of the exact language of the ballot proposition required by RCW 29A.36.080, the Board designates Amy Swenson, the District's Finance Director (amy@biparks.org) and the District's special counsel, Alice Ostdiek, Stradling Yocca Carlson & Rauth, PC (AOstdiek@stradlinglaw.com) as the individuals to whom such notice should be provided.

Section 6. Authorization to Deliver Resolution and Perform Other Necessary Duties. The Secretary of the Board is authorized and directed, no later than May 14, 2021, to certify a copy of this resolution to the Auditor and to perform such other duties as are necessary or required by law to the end that the proposition described herein should appear on the ballot at the special election identified in Section 2 of this resolution.

Section 7. Local Voters' Pamphlet Authorized. The preparation and distribution of a local voters' pamphlet providing information on this ballot proposition is hereby authorized. The pamphlet shall include arguments advocating approval and disapproval of the ballot proposition. In accordance with RCW 29A.32.280, committees to prepare arguments advocating approval and disapproval of the measure shall be appointed by motion of the Board not later than 45 days before the publication of the pamphlet, or as otherwise requested by the Auditor. Each committee shall be composed of not more than three persons, and the committee advocating approval shall be composed of persons known to favor the ballot proposition and the committee advocating disapproval shall be composed of persons known to oppose the ballot proposition. The Director is authorized to take all additional action necessary or convenient in connection with the voters' pamphlet.

Section 8. Severability. If any provision of this Resolution shall be declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be separable from the remaining provisions and shall in no way affect the validity of the other provisions, or of the levy or collection of the taxes authorized herein.

Section 9. Effective Date. This resolution shall become effective immediately upon its adoption.

ADOPTED by the Board of Commissioners of Bainbridge Island Metropolitan Park & Recreation District, Kitsap County, Washington, at a special meeting thereof, this 15 day of April, 2021, the following Commissioners being present and voting in favor of this action:

Dawn Janow

Kristine Cox

Kenneth R. DeWitt

John Thomas Swolgaard

ATTEST:

Jay C. Kinney

APPROVED AS TO FORM:

Stradling Yocca Carlson & Rauth, a professional corporation

Exhibit A

**BAINBRIDGE ISLAND METROPOLITAN
PARK & RECREATION DISTRICT
Kitsap County, Washington**

Proposition 1

Levy Lid Lift to Restore the Regular Property Tax Levy

The Board of Commissioners has adopted Resolution 2021-01 concerning restoring the regular property tax levy to its original rate.

If approved, this proposition would restore the 2022 levy rate to \$0.75/\$1,000 to fund maintenance, repairs, renovations, operations, programming, and public use and access to District properties. For 2023-2027, the limit factor for calculating increases would equal inflation, measured by CPI-W. Qualifying low-income seniors and persons with disabilities would be exempt from the increases. Future levy limits would be based on the 2027 levy limit and such amounts would be available for any proper park district purpose.

Should this proposition be approved?

YES.....

NO.....