

Appendix E

Revenue Source Descriptions

The following is a general description of the different types of revenue sources that may be used to fund park, recreation and open space programs or facilities. Some are restricted to development only while others may be used for operations and maintenance. These are listed in no particular order and with no reference to the feasibility or recommendation of implementing each revenue source.

General Fund

The General Fund is derived from property taxes, licenses and permits, intergovernmental revenues including state and federal grants, service charges and fees, fines and forfeitures, and other miscellaneous revenues. General funds are used to finance most government operations including staff, equipment, capital facility and other requirements. Park, recreation and open space programs and operations are funded primarily from general fund accounts.

- *Sales Tax* - is the City's largest single revenue source and may be used for any legitimate City purpose. The City has no direct control over this source; it is collected and distributed by the State and may fluctuate with general economic and local business conditions.
- *Property Tax* - under Washington State's constitution, cities may levy a property tax rate not to exceed \$3.60 per \$1,000 of the assessed value of all taxable property within incorporation limits. The total of all property taxes for all taxing authorities, however, cannot exceed 1.0% of assessed valuation, or \$10.00 per \$1,000 of value. If the taxes of all districts exceed the 1.0% of \$10.00 amount, each is proportionately reduced until the total is at or below the 1.0% limit.

In 2001, Washington State law was amended by Proposition 747, a statutory provision limiting the growth of regular property taxes to 1.0% per year, after adjustments for new construction. Any proposed increases over this amount are subject to a referendum vote.

The statute was intended to control local governmental spending by controlling the annual rate of growth of property taxes. In practice, however, the statute can reduce the effective property tax yield to an annual level far below a city's levy authorization, particularly when property values are increasing rapidly.

Special Revenues

Special revenues are derived from state and local option taxes dedicated to specific expenditure purposes, such as the motor vehicle tax, motor excise tax, real estate excise tax, motel and hotel tax, public art, criminal justice, paths and trails, convention center and the like. Some special revenues may be used to finance limited capital facilities, such as roads or parks, where the local option allows - such as the local real estate excise tax (REET).

Debt Service Funds

Debt service funds are derived from a dedicated portion of the property tax or general fund proceeds to repay the sale of general obligation (voted) and Councilmanic (non-voted) bonds. Both types of bonds may be used to finance park facility improvements - but not maintenance or operational costs.

- Councilmanic (limited or non-voted) bonds - may be issued without voter approval by the Council for any facility development purpose. The total amount of all outstanding non-voted general obligation debt may not exceed 1.5% of the assessed valuation of all city property.

Limited general obligation bonds must be paid from general governmental revenues. Therefore, debt service on these bonds may reduce the amount of revenue available for current operating expenditures and the financial flexibility of the Council may need to fund annual budget priorities. For this reason, Councilmanic bonds are usually only used for the most pressing capital improvement issues. This method was used to fund the 2006 improvements at Civic Athletic Complex.

- Unlimited general obligation bonds - must be approved by at least 60% of resident voters during an election which has a turnout of at least 40% of those who voted in the last state general election. The bond may be repaid from a special levy, which is not governed by the 1.0% statutory limitation on the property tax growth rate. Total indebtedness as a percent of the assessed valuation that may be incurred by limited and unlimited general obligation bonds together, however, may not exceed:
 - 2.5% - provided that indebtedness in excess of 1.5% is for general purposes,
 - 5.0% - provided that indebtedness in excess of 2.5% is for utilities, and
 - 7.5% - provided that indebtedness in excess of 5.0% is for parks and open space development.

Monies authorized by limited and unlimited types of bonds must be spent within 3 years of authorization to avoid arbitrage requirements unless invested at less than bond yield. In addition, bonds may be used to construction but not maintain or operate facilities. Facility maintenance and operation costs must be paid from general governmental revenue or by voter authorization of special annual or biannual operating levies or by user fees or charges.

Enterprise Funds

Enterprise funds are derived from the user fees and charges levied for utility operations including water and sewer, storm drainage, regional water, solid waste and cemetery. The enterprise revenues are used to pay operating costs, retire capital facility debt and plan future replacement and expansion projects. Enterprise funds may be created for a park or recreation activity that has a revenue source sufficient to finance all costs. Enterprise funds have been used on a limited basis for golf courses, marinas and similar self-financing operations.

Special Legislation

Local government representatives can seek state enabling legislation authorizing new or special revenue sources. Senate Bill 5972 (RCW 82.46) is an example of one possible legislative solution. The 1982 bill gave city governments the option of adding an additional 0.0025% increment to the real estate excise tax (REET) for the sole purpose of financing local capital improvement projects including parks, utilities and other infrastructure except governmental buildings.

Like bonds, Senate Bill 5972 funds may not be used to finance operation and maintenance requirements.

Unlimited General Obligation Bonds

Bellingham may come to depend on voter referendums as a means of financing a larger portion of the capital improvement program, since unlimited obligation bonds are not paid from the property tax subject to the 1.0% limitation.

Voter approved capital improvements may be more representative of actual resident priorities than some other methods of validating capital expenditures, and will at the least, ensure referendum submittals provide widespread benefits. However, bond revenue cannot be spent for maintenance and operational issues - and bond referendums must be approved by a margin over 60% of the registered voters who participated in the last election.

General Levy Rate Referendums

Proposition 747, the statutory provision limiting the growth of regular property taxes to 1.0% per year, can be waived by referendum approval of a simple (50%) majority of Bellingham's registered voters. Voters can be asked to approve a resetting of the property tax levy rate that would adjust the amount of revenue the city can generate. The new total revenue that can be generated by a resetting of the rate would be subject to the same 1.0% limitation, however, and the total amount of revenue and the resulting property tax rate would start to decline again in accordance with the Proposition.

However, the adjusted rate and revenue could finance specific capital improvement projects - or programs that involve construction, maintenance and operations aspects that a majority of the voters are willing to pay for under the adjusted rate.

The resetting of the rate can be permanent, subject to the provisions of Proposition 747. Or temporary, where the rate is adjusted until a specific amount of revenue has been generated to finance a project or program - whereupon the rate reverts to the original or a specified amount defined in the referendum.

Bellingham voters have passed three levy rate referendums, to the fund the Greenway Program acquisitions, improvements and maintenance endowment. The current levy will expire in 2016.

Environmental Impact Mitigation - Subdivision Regulations

City subdivision policies require developers of subdivisions within the City, or on lands that may eventually annex to the City, to provide suitably designed and located open spaces, woodland preserves, trail systems, playgrounds and other park or recreational facilities. Such facilities may include major components of the park or recreational system that may be affected by the project's location or development. The City may

also consider requiring developers to provide acceptable long-term methods of managing and financing maintenance requirements. Attractive management systems could include:

- Ownership by a private organization - like a tennis, swimming or golf club, who assumes responsibility for all maintenance responsibilities and costs,
- Ownership by a homeowners or common property owners association - who may contract maintenance responsibilities and assess property owner's annual costs.
- Dedication of property - to an adjacent city or school district who assumes maintenance responsibilities using local city or school funds, or
- Creation of a special recreation service district - where locally elected district representatives manage maintenance requirements and select a local method of financing.

The City should not accept title and maintenance responsibilities unless the land or facility will be a legitimate community park or recreation element that may be supported using public financing. The City may be contracted by any of the other agencies to provide or oversee a maintenance contract on the owner's behalf provided all City costs are reimbursed by an approved method of local financing.

Growth Impact Fees

Bellingham has adopted a growth impact fee provision in accordance with the Washington State Growth Management Act (GMA). A park impact fee is applied to all proposed residential developments within the city as a means to maintaining park, recreation and open space levels-of-service. The ordinance makes provisions for setting aside the resources, including lands or monies, necessary to offset the impact new residential development project has on park, recreation and open space facilities.

Land contributions can be accepted in lieu of impact fees if they will be suitable sites for future facilities. Land and fees accumulated under the ordinance must be invested within a reasonable time of impact assessment or be returned to the contributing developer.

Inter-local Agreements

Bellingham could work with Whatcom County to determine an equitable means whereby growth mitigation park impact fees can be collected for residential developments occurring within the urban growth area outside of existing city limits, but within the area the city eventually expects to annex.

A joint growth impact fee should be collected where the county and city maintain the same local and regional or citywide level-of-service (LOS) presently existing within the incorporated (city) and unincorporated (county) sections, and for the urban growth area in total. A common fee could be collected by each agency, then shared on a project by project basis for improvements benefitting local neighborhoods (and potential residents of proposed subdivisions) or residents of the community and urban growth area-at-large.

The City should also work with the Bellingham School District to determine to what extent the City could cooperatively finance shared or common facility improvements. Such improvements could use co-located school and park sites, commonly improved and scheduled fields and facilities, and the sharing of park and school growth impact fees - among other options.

It is to Bellingham's advantage to assist the school district with the development and operation of common facilities since these facilities serve residents of the entire city.

In return, however, the city and school district must determine some equitable means whereby the city and school district perform or reimburse each other for some of the added facility maintenance and operational impacts that users create on each agency's facilities.

User Fees and Charges

The City may increase the number of activities subject to user fees and charges and use the proceeds to purchase land, develop, operate and maintain facilities where all costs are reimbursed by the revenue obtained. Essentially, the City has become a facility developer/operator providing whatever facilities or services the market will support from user revenue.

User fees have been and could be used to provide facilities for park and recreation activities whose profit margins are too low to sustain commercial operations or whose benefiting user group may extend beyond county boundaries. Possible user fee financed facilities include indoor tennis and racquetball facilities, golf courses, horse stables and equestrian centers, boating resorts, recreational vehicle parks and any other facility where demand is sizable enough to warrant a user fee financing approach.

In essence, the market determines which facility's revenues equal costs, and thereby, which programs the City would provide on a direct costs/benefit basis. To date, City user fee revenues provide a significant source of operating funds for recreational programs. While important, this source of finance will likely never pay full costs for all programs, or any operation, maintenance or development costs.

Special Funding Sources

Bellingham has approved or could submit for approval the following special financing options.

- *REET (Real Estate Excise Tax)* - RCW 82.46 gives city governments the option of adding up to two 0.0025% increments to the real estate excise tax (REET) for the sole purpose of financing local capital improvement projects. REET funds may not be used to finance operation and maintenance requirements.

Bellingham has adopted both REET options.

REET remains a viable financing tool for park, recreation and open space acquisition and development projects. However, REET funds are to be used for all city capital requirements, not just park purposes.

- *Greenway Funds* - in 1990, 1997, 2006 and 2016 Bellingham voters approved property tax levies to fund the acquisition and development of park, recreation and open space projects. The most recent levy, which represented an annual cost of \$57.00 per \$100,000 in property value, will expire in the year 2023. The four levies combined will generate a total of \$101 million in funding.

State Grants

Washington State funds and administers a number of programs for non-motorized transportation and trails purposes using special state revenue programs.

- Washington Wildlife Recreation Program (WWRP) - provides funds for the acquisition and development of conservation and recreation lands. The Habitat Conservation Account of the WWRP program provides funds to acquire critical habitat, natural areas and wildlife categories. The Outdoor Recreation Account of the WWRP program provides funds for local parks, state parks, trails and water access categories.
- Aquatic Lands Enhancement Act (ALEA) - uses revenues obtained by the Washington Department of Natural Resources from the lease of state-owned tidal lands. The ALEA program is administered by the RCO for the development of shoreline related trail improvements and may be applied for up to 50% of the proposal.
- Endangered Species Act (ESA) - a Department of Ecology administered water quality program provides grants for up to 75% of the cost of water quality/fish enhancement studies. Referendum 39 monies can be applied to park developments that propose to restore, construct or otherwise enhance fish producing streams, ponds or other water bodies.
- Capital Projects Fund for Washington Heritage - provides funds for the restoration and renovation projects for historical sites and buildings by local governments and nonprofit agencies. The program is administered by the Heritage Resource Center (HRC).
- Boating Facilities Program - approved in 1964 under the state Marine Recreation Land Act, the program earmarks motor vehicle fuel taxes paid by watercraft for boating-related lands and facilities. Program funds may be used for fresh or saltwater launch ramps, transient moorage and upland support facilities.
- Washington State Public Works Commission - initiated a program that may be used for watercraft sanitary pump-out facilities.
- Youth Athletic Facilities (YAF) - provides grants to cities, counties and qualified nonprofit organizations for the improvement and maintenance of existing, and the development of new athletic facilities.
- Non-Highway & Off-Road Vehicle Activities Program (NOVA) - provides funding to develop and manage recreation opportunities for users of off-road vehicles and non-highway roads. An allocation (1%) from the state Motor Vehicle Fuel Tax (MVFT) and off-road vehicle (ORV) permit fees fund the program. NOVA funds may be used for the planning, acquisition, development, maintenance and operation of off-road vehicle and non-highway road recreation opportunities.

- *Firearms and Archery Range Recreation Program (FARR)* - provides funds to acquire, develop and renovate public and private nonprofit firearm and archery training, practice and recreation facilities. The program is funded from a portion of the fees charged for concealed weapons permits.

Federal Grants

Federal monies are available for the construction of outdoor park facilities from the National Park Service (NPS) Land and Water Conservation Fund (LWCF). The Washington State Recreation and Conservation Office (RCO) administers the grants.

- *National Park Service (NPS) grants* - usually do not exceed \$150,000 per project and must be matched on an equal basis by the local jurisdiction. The RCO assigns each project application a priority on a competitive statewide basis according to each jurisdiction's need, population benefit, natural resource enhancements and a number of other factors. In the past few years, project awards have been extremely competitive as the federal government significantly reduced the amount of federal monies available to the NPS program. The state increased contributions to the program over the last few years using a variety of special funds, but the overall program could be severely affected by pending federal deficit cutting legislation.

Applicants must submit a detailed comprehensive park, recreation and open space plan to be eligible for NPS funding. The jurisdiction's plan must demonstrate facility need and prove that the jurisdiction's project proposal will adequately satisfy local park, recreation and open space needs and interests. Due to diminished funding, however, RCO grants have not been a significant source of project monies for city or other local jurisdictions in recent years.

- *Transportation Enhancement Grants* - can be used to finance on and off-road non-motorized trail enhancements along major and minor arterial collector roads or sometimes, within separate trail corridors. The program was adopted in 1993 and is administered by the Regional Transportation Organization on behalf of the US Department of Transportation.

Applicants must demonstrate the proposed trail improvements will increase access to non-motorized recreational and commuter transportation alternatives.

- *National Recreational Trails Program (NRTP)* - is the successor to the National Recreational Trails Act (NRFTA). Funds may be used to rehabilitate and maintain recreational trails that provide a backcountry experience. In some cases, the funds may be used to create new "linking" trails, trail relocations and educational programs.
- *Boating Infrastructure Grant Program (BIG)* - supports development and renovation of areas for non-trailer-able recreational boats over 26 feet and related support elements on US navigable waters. Funds may be used to produce and distribute information and educational materials. The federal

program compliments the state-funded Boating Facilities Program (BFP) administered for smaller vessels.

Recreation Service Districts (RCW Chapter 36.69)

State legislation authorizes the establishment of recreation service districts as special units of government that may be wholly independent of any involvement with a county or any other local public agency or jurisdiction. Districts may provide recreational facilities that are specific to the district's boundaries in return for the district residents' agreement to pay the special development, operation and maintenance costs utilizing special financing devices.

Special recreation service districts must be initiated by local jurisdiction resolution or citizen petition following hearings on feasibility and costs studies of the proposed district's facility development or operation costs. The proposal must ultimately be submitted for voter approval including all provisions relating to any special financing agreements. The voters must initially approve the formation of the district and may designate existing elected officials, or a body appointed by existing elected officials, or elect district commissioners or officers solely responsible for park and recreation policy. Separate voter approvals must be sought for 3-year operating levies providing maintenance, repair, operating costs and facility acquisition and development projects.

A recreation service district can be flexible and used to provide local recreational facilities in the same variety of custom service choices with the exception that the governing board may be separately elected. There are no limitations on the number of separate recreation service districts that can be established within a county, provided no district overlaps another.

Metropolitan Park Districts (SB 2557)

In 2002, the state legislature authorized the establishment of metropolitan park districts as special units of government that may be wholly independent of any involvement with a city, county or any other local public agency or jurisdiction. Like recreation service districts, metropolitan park districts may provide recreational facilities that are specific to the district's boundaries in return for the district residents' agreement to pay the special development, operation and maintenance costs utilizing special financing devices.

Metropolitan park districts must be initiated by local government resolution or citizen petition following hearings on feasibility and costs studies of the proposed district's facility development or operation costs. The proposal must ultimately be submitted for voter approval (50%) including all provisions relating to any special financing agreements. The voters must initially approve the formation of the district, and may designate existing elected officials, or a body appointed by existing elected officials or elect district commissioners or officers solely responsible for park and recreation policy.

Unlike recreation service districts, voters must also approve the establishment of *a continuous levy as a junior taxing district - compared with 3-year levies under a recreation service district* to provide maintenance, repair, operating costs and facility acquisition and development projects.

Like the recreation service district, a metropolitan park district can be flexible and used to provide local recreational facilities in the same variety of custom service choices with the exception that the financing levy may be as a junior taxing district with a continuous levy.

There are no limitations on the number of separate recreation service districts that can be established within a city, county or as a combination of multiple cities and counties provided no district overlaps another.

The Tacoma Metropolitan Park District was established in 1909 and is the largest and oldest recreation park district in the State of Washington. The Chuckanut Community Forest Park District was established in 2013 for the specific purpose of raising funds to pay back the loan used to acquire the Fairhaven Highlands development property.

Special Use Agreements

Special property agreements can often be used instead of property purchases to secure public use rights for land or property at no cost or a nominal fee, particularly where the possible public use is of benefit to the private landowner. Some forms of special use agreements can provide favorable tax benefits if the use agreement can be shown to have an assigned value.

The City could expand the use agreement concept to include complete development, operation or maintenance responsibilities. Package lease agreements will usually provide more effectively maintained facilities than possible where the City must staff specialized, small work crews.

Sometimes package lease agreements covering use and maintenance aspects may be the only way of resolving an equitable agreement with the private ownership. This may include trails on utility corridors where the ownership may prefer to control development and maintenance activities, and the City may prefer to avoid any implied responsibility or liability for the utility worthiness which the City's maintenance of a trail system could imply.

Public/Private Service Contracts

Private market skills and capital may be employed in a variety of ways including the use of public/private services contracts where a private party can be contracted to operate and maintain a facility for a fixed fee cost. Service contracts can be very efficient where the activities are small, scattered in location, seasonal, expert or experimental. Service contracts are also relatively easy to initiate or terminate if area demand fails to provide sufficient use or revenue to justify continued operation.

Service contracts may be very flexible and can include agreements with city, school district or local user groups who can or would be interested in sustaining the activity on a subsidized or sweat-equity basis on exchange for the facility.

Public/Private Concessions

The City could lease a portion of a site or facility to a private party in exchange for a fixed fee or a percentage of gross receipts. The private operator assumes operation and maintenance responsibilities

and costs in exchange for a profit. For certain types of facilities, such as enterprise fund account facilities like golf courses, the City's portion of the profits may be used to pay facility development and/or operation and maintenance costs at the same or for similar facility developments.

The City may save considerable monies on concessions where the activities are specialized, seasonal, experimental or unproven. Concessions can be easily initiated, provide direct user benefit/cost reimbursements and relieve the City of a capital risk should market or user interest fail to materialize to at least break-even levels.

Concessionaires could operate a wide variety of park and recreational facilities including horse stables and equestrian centers, boating and bicycle rentals, special group and recreational vehicle compounds, athletic field and court facilities, swimming pools and beaches, shooting ranges and ORV tracks among others.

Public/Private Joint Development Ventures

The City can enter into an agreement with a private or public developer to jointly own or lease land for an extended period of time. The purpose of the venture would be to allow the development, operation and maintenance of a major recreational facility or activity in exchange for a fixed lease cost or a percentage of gross receipts.

The developer assumes development, operation and maintenance responsibilities, costs and all market risks in exchange for a market opportunity providing a profitable return not otherwise available. The City realizes the development of a facility in exchange for a low minimum capital return and no or very little capital risk.

Joint development agreements represent an ultimate benefit/cost resolution that may also provide public revenue that the City could use for other development opportunities. Examples include the possible joint development on City lands of equestrian centers, marinas, hostels, recreational vehicle campgrounds, seminar retreats, special resorts, indoor racquetball courts and athletic clubs, swimming pools and water parks, golf courses, gun and archery ranges and ORV competition tracts, among others.

Self-Help Land Leases

There are instances where an activity is so specialized in appeal or of a service area so broad in scope that it cannot be equitably financed using general public funds. Specialized user groups should be provided options for developing or maintaining facilities in ways that account for equitable public cost reimbursements. Examples include the use of land leases where the City may lease land at low or no cost where a user group or club assumes responsibility for the development, operation and maintenance of the facility. The club could provide volunteer help or use club finances to develop, operate and maintain the facility as a means of meeting user benefit/cost objectives.

Land lease agreements could accommodate organized athletics like soccer, baseball, football, softball and rugby; or very specialized facilities like shooting ranges, archery fields, ORV trails and ultra-light aircraft parks, among others.

Self-Help Contract Agreements

The City can purchase land, develop, operate and maintain a specialized facility under a negotiated contract agreement where a special interest group agrees to defray all costs in addition to or in lieu of a user fee as a means of meeting user benefit/cost objectives. The agreements can be quite flexible and could contract the City, the user group, another public agency or a private operator to be developer/operator.

Contract agreements could accommodate a range of more expensive special purpose facility developments including high quality athletic competition facilities for league organizations and specialized facility developments like shooting ranges and ORV tracks when and where the user organization can provide financial commitments.