

**THE REPORT**

**OF THE**

**LEGISLATIVE TASK FORCE**

**ON**

**LOCAL PARKS AND RECREATION  
MAINTENANCE AND OPERATIONS**

*The Task Force's Recommendations  
to the  
Washington State Legislature*

**DECEMBER 2001**

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# Legislative Task Force on Local Parks and Recreation Operations and Maintenance

December 3, 2001

FROM THE TASK FORCE CHAIR TO THE WASHINGTON STATE LEGISLATURE:

Dear Members of the Legislature,

The Legislative Task Force on Local Parks and Recreation Maintenance and Operations is pleased to transmit this Report on its findings and recommendations.

Over the past three months we have learned much about the state of local parks and recreation and have analyzed a broad range of potential remedies. We thank the Legislature for the opportunity to undertake this important work, and appreciate the participation of the Task Force's legislative members and their staff.

Parks and recreation are a critical part of the quality of life in Washington. The Task Force heard from scores of local officials and citizens about the dynamic roles that parks, open space and recreation play in our society, from protecting the environment to preventing crime to contributing to a healthy lifestyle to serving the needs of children and seniors. Clearly, the State's interests are served by helping ensure that local park and recreation agencies continue providing such vital contributions to our quality of life.

Listening to local citizens, park professionals and elected officials across the State was educational and enjoyable. But it was also troubling. Troubling because the dilemma of funding maintenance and operations has plagued local governments for decades. Troubling because the same issues and solutions have been identified, analyzed and recommended by previous statewide task forces. Troubling because we continue to use a "cookie cutter," or "one size fits all" approach, to address unique issues and interests of diverse communities. Troubling because local governments have neither enough tools nor sufficient authority to resolve the dilemma.

Even if these factors had been held constant during the past twenty years, the maintenance and operations situation would have grown worse. But these factors have not held constant; they have deteriorated to the point that today local governments face *a crisis*.

Chair's Letter

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Further complicating the picture are such factors as:

- the skyrocketing costs of criminal justice, which have reallocated resources from parks and recreation;
- tax initiatives that have exacerbated funding problems by further reducing funding and/or making it even less stable and predictable; and
- the State's population growth, particularly in urban areas, has resulted in greater demand for all kinds of services, including parks and recreation, which are perceived as vital contributors to improving the quality of life.

As a result of this *crisis*, parks have been closed, programs eliminated, maintenance reduced and capital projects delayed.

The need for State action is more critical than ever. The public values parks and recreation services so much that our parks are being "loved to death." Local governments are employing a variety of innovative techniques to meet the steadily increasing demands of a growing population. But they cannot resolve the dilemma of funding maintenance and operations without the State's partnership.

We are pleased to submit our findings and recommendations to the Legislature. They are intended to strengthen the partnership between the State and local governments, in the short-term, to give local officials more authority and flexibility. In the long-term, they are also intended to generate a new partnership between the State and local officials, citizens and advocates that will agree on new statewide funding sources to serve a statewide community of interest.

We look forward to working with you on these vital issues.

Respectfully,

CHRIS SMITH TOWNE  
Task Force Chair

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# EXECUTIVE SUMMARY

The Legislative Task Force on Local Parks and Recreation Maintenance and Operations was created by the passage of Substitute House Bill 1836 during the 2001 Regular Legislative Session. The Task Force was mandated by the Legislature to analyze the anticipated future maintenance and operations needs of local parks and recreation agencies and recommend sources of funding to meet those needs.

The Task Force, consisting of twenty members, met six times between September 18<sup>th</sup> and November 28<sup>th</sup> in Issaquah, Spokane, Vancouver, Union Gap, Mount Vernon and Olympia. Sixty-four citizens, city and county elected officials, Parks Commission members, parks and recreation department directors, and interest group advocates testified at the Task Force's meetings.

This is not the first time local park and recreation maintenance and operations have been scrutinized by an Executive or Legislative Branch committee. Governors and Legislatures have a long history of visiting these issues. However, because the recommendations of past committees have not been implemented, at least once in each of the past few decades a group has been convened to again gather information, take public testimony, assess and discuss the findings and issues and make recommendations.

The findings and recommendations of the 2001 Legislative Task Force on Local Parks and Recreation Maintenance and Operations parallel those of past committees, and thus will sound familiar to State and local elected officials, parks and recreation representatives and advocates, and the citizens of Washington.

But when those earlier advisory groups scrutinized the issues, local parks and recreation facilities were in "dire straits." Today the situation is no longer one of "dire straits." It is a *crisis*—one that cannot be solved with existing or authorized resources. The acquisition and development of new parks, open spaces, ball fields, trails and other recreation facilities have accelerated. Our Task Force believes this trend is in the public's interest. But maintenance and operations of parks and recreation facilities are being neglected, and falling farther and farther behind. As a result, parks, swimming pools and trails have been permanently closed. Seasonal closures are limiting the use of other parks. Recreation programs have been suspended or greatly curtailed. We must act responsibly to ensure that as parks and recreation facilities are acquired and developed, sufficient funding is available to maintain and operate them as safe and healthy places for our citizens.

The Task Force also strongly recommends that the *statewide* interest in ensuring adequate parks and open spaces must be matched by *statewide* sources of support, not just local sources. Throughout the State, there are benefits to many "communities of interest" when local parks and open space needs are addressed. There is a *statewide "community of interest"* in

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improving citizens' health—and local parks can help provide the spaces for healthy activities such as ball games or walks. There is a *statewide "community of interest"* in having attractions and facilities that support our important tourism industry— and local facilities provide many of the sites that make tourism expenditures possible. There is a *statewide "community of interest"* in ensuring that open spaces are available to provide natural functions such as water quality protection or to aid species recovery efforts. Local facilities and sites are often important contributors to the larger *statewide "community of interest"* in these efforts. For these reasons it is appropriate for statewide tools as well as local options to be developed to address maintenance and operations.

The issues and challenges may sound familiar, but the magnitude of the problem is growing, the need for action is increasing, the public's patience is waning and the time to act is shrinking.

*The challenges facing local governments as they work to maintain and operate their parks and recreation facilities include:*

- the skyrocketing demand for parks and recreation programs and facilities, a product of the State's population growth, society's greater interest in fitness and outdoor recreation, and unprecedented popularity of organized athletics;
- increasing use of facilities and open space, resulting in more significant "wear and tear," which increases maintenance and operations costs;
- rising costs of utilities and employee medical benefits;
- declining resources, primarily due to reallocation to law and justice programs and services;
- aging facilities, which are more expensive to maintain and operate;
- the expanding mission of parks and recreation departments to include environmental stewardship and the provision of social services, which has diverted funds from maintenance and operations;
- dollars are available for acquisition and development but not for maintenance and operations; and
- resistance from citizens to user fees because they see parks and recreation as services that should be provided for free.

After nearly twenty-two hours of testimony and discussion, the Task Force members reached **consensus on four goals** and near unanimity on five **strategies to achieve them**. In addition, we identified two other options that we recommend be further researched, developed and analyzed for possible action by the State Legislature in 2003. The Task Force also offers support for the on-going work of existing coalitions to advance two other options.

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**GOAL #1:**  
**STATE AND LOCAL GOVERNMENTS SHOULD VALUE PARKS AND RECREATION AS INTEGRAL COMPONENTS OF OUR QUALITY OF LIFE**

Our citizens value parks, open space and recreation facilities as integral components of our quality of life. The decline of funding for parks and recreation as a percentage of local governments' budgets sends a message that government does not share this value. The State's failure to provide local governments with the authority and flexibility to fund needed maintenance and operations reiterates that message. So, too, does the lack of statewide sources of funding for maintenance and operations.

This Task Force strongly recommends that the State demonstrate its commitment to this value by providing a greater number and variety of tools for local governments to select from to fund maintenance and operations. These tools offer the opportunity to build an on-going partnership between the State and local governments. That partnership is essential to achieving the citizens' interest in improving the quality of life in our communities through safe, healthy, accessible and affordable parks and recreation services, programs and facilities.

**GOAL #2:**  
**THE STATE LEGISLATURE SHOULD GIVE LOCAL GOVERNMENTS GREATER AUTHORITY AND FLEXIBILITY TO MEET LOCAL NEEDS**

To achieve this goal, the Task Force recommends:

1. **Amend the State statute (Chapter 35.61 RCW) that governs Metropolitan Park Districts (MPDs) to make it practical for cities and counties, or a combination of them, to create MPDs.**
2. **Grant to cities and counties the option of increasing the local sales tax for parks and recreation maintenance and operations.**
3. **Amend the State statutes (RCW 84.04.230) to allow a portion of the Conservation Futures Tax to be used for maintenance and operations.**

Furthermore, the majority of Task Force members recommend that the State Legislature:

4. **Amend the State statutes (RCW 82.46.010 and 82.46.035) to allow the use of the local Real Estate Excise Tax (REET) for maintenance and operations.**



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**GOAL #3:**  
**THE STATE LEGISLATURE SHOULD CREATE NEW, DEDICATED  
STATEWIDE SOURCES OF REVENUE AND PARTNERSHIPS TO  
SUPPORT AND IMPLEMENT THEM**

Task Force members recognize that recommendations to increase existing taxes or raise revenue from new sources will be enacted only with the support of a broad coalition of interested and affected parties. But we also recognize the need for statewide, dedicated revenue sources to help both the State and local governments fund maintenance and operations. Thus, the Task Force recommends that the Legislature create new, dedicated sources of revenue and the partnerships needed to support and implement them.

- 5. Amend the State statute (RCW 82.08) to increase the State sales tax by one-tenth of one percent to fund maintenance and operations.**

In addition, the Task Force briefly reviewed two other options for providing a statewide, dedicated source of revenue, but did not have sufficient information or time to develop recommendations. Therefore, Task Force members recommend that the State research, analyze and refine these two options, with possible action by the Legislature during the 2003 Session.

- A. Use a dedicated lottery for maintenance and operations.
- B. The State should consider reviewing State-level licensing and access fees associated with recreation facilities, equipment and vehicles with the goal of providing State and local governments with more money and flexibility for spending it.

**GOAL #4:**  
**THE STATE SHOULD SUPPORT EXISTING EFFORTS TO CHANGE  
POLICIES AFFECTING THE FUNDING OF  
MAINTENANCE AND OPERATIONS**

The Task Force recognizes and is supportive of existing efforts to strengthen the funding of State and local parks and recreation maintenance and operations such as:

- A. Restore full funding to recreational facilities funded by the gas tax.
- B. Provide authority and incentives for use of a portion of federal and state grants for local maintenance and operations.

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## THE TASK FORCE'S PURPOSE

The Legislative Task Force on Local Parks and Recreation Maintenance and Operations was created by the passage of Substitute House Bill 1836 during the 2001 Regular Legislative Session.

The legislation prescribed the Task Force's membership and mandated that it meet in at least four different parts of the State. It also stipulated that by December 1, 2001, the Task Force analyze: a) current local parks and recreation uses and trends; b) current funding for local parks and recreation maintenance and operations; c) the benefits that local parks provide to the state; d) anticipated future needs of local parks and recreation agencies; and e) sources of funding to meet operational needs of local parks and recreation agencies.

## A BRIEF HISTORY OF OTHER EFFORTS

This is not the first time local park and recreation maintenance and operations have been scrutinized by an Executive or Legislative Branch committee. Governors and Legislatures have a long history of visiting these issues. However, since the recommendations of past committees have not been implemented, at least once in each of the past few decades a group has been convened to again gather information, take public testimony, assess and discuss the findings and issues, and make recommendations. Ironically, recent committees have defined the problems and challenges identically and made nearly the same recommendations. Two notable recent efforts were:

### THE GOVERNOR'S RECREATION RESOURCE ADVISORY COMMITTEE, 1984

*"The citizens care—and now it is time for those elected to lead and take action to avert a potential loss of our state's most valuable qualities."*

So wrote David L. Towne, chairman of the Governor's Recreation Resource Advisory Committee, when presenting his committee's findings and recommendations to Governor John Spellman in February 1984.

The Governor's Recreation Resource Advisory Committee found that "recreation is an important component in the economic vitality of the State and will be impacted by future growth in participation and promotion." Thus, the Committee recommended that "the State recognize and establish the importance of recreation as an essential service necessary to the health and welfare of Washington residents."

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The 1984 Committee also concluded that:

- State resources are inadequate to meet the existing needs.
- Federal resources are diminishing.
- Outdoor recreational opportunities are becoming increasingly important in urban areas.
- Recreation budgets suffer as a result of mandated requirements.
- Existing laws do not allow the needed flexibility and authority necessary for local governments to meet the recreational needs of their constituencies.
- There is a critical need for State financing of local capital programs and operations.

Based on these findings, the Recreation Resource Advisory Committee recommended thirty strategies, ranging from increasing statewide revenues for parks and recreation to granting local governments greater flexibility to raise revenue and more authority over how to spend it, from building stronger partnerships between the State, local governments, school districts and the private sector to mandating that parks and recreation services and facilities be elements of local comprehensive plans.

#### **STATE WILDLIFE AND RECREATION LANDS MANAGEMENT TASK FORCE, 1992**

*“The state’s wildlife and recreation legacy is at risk. Failure to immediately and adequately address the lands management funding crisis will result in closed recreational sites, diminished fish and wildlife populations, and accelerated decay of the state’s capital investments. If the downward spiral is not halted, quality of life and environmental health will erode, tourists and businesses will find Washington less attractive, and future generations will inherit far less than we have enjoyed.”*

This message was delivered by the sixteen members of the State Wildlife and Recreation Lands Management Task Force in their report to the Governor and Legislature in December 1992. While this committee focused only on State issues, the message is similar and applicable to the work of this Task Force in 2001.

The Task Force wrote: “Critically needed levels of operation and maintenance are not funded. Routine maintenance projects are deferred, only to become major rehabilitation problems requiring significant capital expenditures.” The Task Force also found that underfunding maintenance and operations of State lands is costly to the state. “Recreation sites become more crowded, environmentally damaged, littered and vandalized. In many cases, public health and safety are at risk. Capital reinvestments are prematurely required because of deferred maintenance. Sensitive plant and animal species are not protected. Land managers are unable to afford the care necessary to be good neighbors to adjacent private landowners.”

As a result of its findings and conclusions, the State Wildlife and Recreation Lands

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Management Task Force recommended that revenue for managing the State's wildlife and recreation lands be found by considering these seven options:

1. Increase the motor vehicle excise tax.
2. Increase the annual off-road vehicle use permit fee.
3. Impose an automobile rental fee.
4. Impose a retail sales tax on motor vehicle fuel.
5. Increase the Real Estate Excise Tax (REET).
6. Levy a new tax on retail sales of specific outdoor recreational equipment.
7. Impose a fee for the recreational use of State lands.

The findings and recommendations of the 2001 Legislative Task Force on Local Parks and Recreation Maintenance and Operations parallel those of the 1984 and 1992 committees, and thus will sound familiar to State and local elected officials, parks and recreation representatives and advocates, and the citizens of Washington. But when those earlier advisory groups scrutinized the issues, local parks and recreation facilities were in "dire straits." Today the situation is no longer one of "dire straits." It is a *crisis*—one that cannot be met with existing or authorized resources. The acquisition and development of new parks, open spaces, ball fields, trails and other recreation facilities have accelerated. Our Task Force believes this trend is in the public's interest. But maintenance and operations of parks and recreation facilities are being neglected. As a result, parks, swimming pools and trails have been permanently closed. Seasonal closures are limiting the use of other parks. Recreation programs have been suspended or greatly curtailed.

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## CHALLENGES FACING LOCAL RECREATION TODAY

*"The inmates at the nearby State Prison have better recreational facilities and opportunities than do the residents of my City."* A local park director's testimony to the Task Force on October 10<sup>th</sup>.

*"No police force is so effective as a field in which a child can run and play."* Mount Vernon Mayor Skye Richendrfer, quoting Henry David Thoreau while testifying on November 16<sup>th</sup>.

*"We are beyond 'lean and mean!' We're cutting basic, necessary programs and services...I don't see it getting any better, although the demand will increase...Currently we're looking at an additional 3% emergency cut."* Longview-Kelso Parks and Recreation Advisory Board member Alice Millward in testimony on October 25<sup>th</sup>.

*"We've had to adopt an 'on call' philosophy about maintenance. We wait until a citizen complains before we fix anything."* A local park and recreation director's testimony on November 16<sup>th</sup>.

*"We're not building any more parks until we can maintain and operate the ones we have."* A local elected official in testimony on October 10<sup>th</sup>.

The Task Force took testimony from sixty-four elected officials, parks and recreation department representatives and citizens at its meetings in Issaquah, Spokane, Vancouver, Union Gap and Mount Vernon. The Task Force also reviewed and discussed the findings of a survey of city and county parks and recreation departments that was conducted in late summer and early autumn 2001 by the Washington Parks and Recreation Association. As a result of the testimony, survey findings and Task Force members' discussions, the principal challenges of maintaining and operating local parks and recreational facilities were identified.

*Here is a sample of the facts offered to the Task Force during the public testimony:*

- A business decided not to locate in Deer Park because the City does not have sufficient recreational opportunities for the employees.
- Inadequate funding for maintenance and operations has caused Yakima County to close parks and remove other lands from public use.
- Budget cuts in King County's department of parks and recreation are forcing the closure of 45 urban parks (25% of the County's parks) for four months. If new revenue sources are not found, this situation could become "permanent;" i.e., each year these parks will be closed for four months during winter.

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- In 2002, 40% of San Juan County's general fund contribution to the parks and recreation budget is being eliminated.
  - Granger has closed its pool because of the increasing costs of liability and utilities and an inability to pay certified lifeguards.
  - The #1 complaint from Walla Walla residents about the City's parks and recreation facilities is the lack of maintenance.
  - In 2000 Yakima County parks and recreation facilities served 634,000 people. In 2001, it is expected to serve more than 804,000, an increase of more than 27% over last year.
  - Aberdeen, a city of 16,500 residents, serves over 35,000 people annually at its parks and recreation facilities.
  - Deer Park, with just 3000 people, serves 30,000 annually at its parks and recreation facilities because the county cannot meet the demands of its citizens.
  - Since 1990 the percent of Kennewick's parks and recreation budget devoted to maintenance and operations has declined by 20%. But its system of parks and recreational facilities has increased significantly.
  - Longview employs 15 staff to manage its 375 acres of parks. Twenty years ago the city had 172 acres of parks and 25 employees to manage them.
  - Grandview has added two large parks and a 25-acre fairground to its parks and recreation system since 1989. During this time the number of full-time parks and recreation employees has stayed the same, but "seasonal" positions have been eliminated.
  - The City of Aberdeen's staff has grown by one FTE in 31 years. During this time the parks system has doubled in size, as has the number of programs the parks and recreation department offers.
  - In the past ten years, the City of Spokane's parks and recreation department has lost ten full-time workers who were assigned to maintenance and operations.
  - In Pullman, competition with the private sector is hindering the City's efforts to attract seasonal workers. Young people, who in the past have provided this workforce, can make more working at McDonalds.
  - Law and justice programs and services now capture more than 80% of Yakima County's General Fund. That partly explains why the County offers only recreational programs that are self-funding, and why it has no capital funds to maintain, repair or replace its parks and recreation facilities.

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- “Per capita” allocations of federal and state grants hurt tourist areas such as Chelan and San Juan County. The City of Chelan’s population officially totals 3500, but the number of recreational or “second homes” indicates that at any given time the population is closer to 45-50,000. San Juan County’s population officially totals 14,900, but the number of recreational homes and tourists can raise the population to more than 30,000 at any given time.

## **THE CHALLENGES THAT THE TASK FORCE MEMBERS AGREE FACE WASHINGTON’S COMMUNITIES:**

1. The rapid population growth of communities across the State of Washington is producing a dramatic increase in the public’s demand for, use of and expectations about parks and recreation facilities.
2. With efforts to increase densities in urban areas, as required by the Growth Management Act, urban amenities such as parks and recreation facilities are becoming increasingly important because they are seen as essential to maintaining the quality of life. To keep up with rapid population growth, local governments must invest in infrastructure. Thus, concerns about maintaining funding for acquisition and development are legitimate. But citizens also expect their parks and recreation facilities to be safe, healthy and useable, and their parks and recreation agencies to offer affordable programs. Thus, population growth is increasing the pressure on local governments to maintain and operate these facilities.
3. Heightened interest in physical fitness and outdoor recreation throughout our society are also increasing demand and use. For example, sports leagues that once operated seasonally now operate year ‘round. As recreational facilities and parks are used more frequently, they suffer greater “wear and tear,” which increases maintenance and operations costs, and must be more frequently repaired, upgraded and/or replaced.
4. Since the passage of Title IX in the early 1970s, thousands more women have become active participants in organized sports leagues and recreational activities.
5. Participation in youth and adult organized sports has experienced unprecedented growth, placing extreme demands on local parks and recreation facilities. Among the user groups are:
  - youth and adult soccer leagues;
  - youth and adult softball leagues;
  - youth baseball leagues;
  - “active seniors,” women and men from 55-70, who are pursuing more rigorous and demanding athletic activity than their counterparts of earlier generations; and
  - other organized sports teams such as lacrosse and rugby.



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6. The increasingly large population of Americans older than 70, whose fitness and recreation interests may be more passive than those of "active seniors," are, nevertheless, using facilities such as parks, trails and recreational and/or community centers in record numbers.
  7. The increasing number of children of working parents, who are enrolled in "before," "after" and summer school programs at parks and recreational facilities, many of which provide meals.
  8. There are also new types of recreation that must be accommodated. For example, skateboarding is growing in popularity, resulting in the construction of—and the need to maintain—"skateboard parks."
  9. Parks and recreation facilities and programs have not made it on the list of "essential public services," like police, fire and water, but remain on the "second tier" of government services. This situation exists despite citizens' and employers' perceptions that parks and recreation facilities are essential to the quality of life. It also means that in competition for limited public dollars, parks and recreation agencies continue to lose to those services considered "essential." For example, as law and justice programs and facilities consume a greater percentage of local governments' budgets, the percentage devoted to parks and recreation is declining.
  10. Since the 1970s our society's interest in environmental stewardship has steadily increased. As a result, the mandate given local parks and recreation agencies has expanded to include saving, protecting and enhancing critical lands within communities. Wetlands, urban forests, riparian corridors and wildlife habitats are now much more the responsibility of local parks and recreation departments than they were thirty years ago. This demonstrates that parks and recreation are a "public good" that more than ever contributes to a community's quality of life. It also illustrates that funding of parks and recreation, including maintenance and operations, belongs in the "first tier" of local government services and programs as a legitimate contender for taxpayer support.
  11. Because funding of maintenance and operations is not keeping up with the increasing demand for and subsequent expansion of local parks and recreation systems, cities and counties are being forced to reduce services. Increasing costs are also contributing to reductions in service. Of particular note are rapidly increasing costs of utilities and employee medical benefits, and the costs of implementing new federal and state laws and standards, such as the Americans with Disabilities Act (ADA).
  12. In many jurisdictions, the number of county and city parks and recreation employees who are working in maintenance and operations has declined over the past twenty years despite the fact that the number of acres developed into parks and the number of recreational facilities have increased dramatically.

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13. The expansion of parks and recreation agency missions at the direction of city and county councils to provide social services programs, particularly to serve children and seniors, has been paid for by diverting funds that would have paid for maintenance and operations.
  14. Many taxes and federal and state grant programs allow funds to be used for acquisition and/or capital construction, but prohibit them from being spent on maintenance and operations. An example: the Real Estate Excise Tax.
  15. Local governments are foregoing opportunities to levy taxes and/or apply for federal and state grants for acquisition and capital construction because they realize they do not have funds to maintain and operate new facilities.
  16. The public perceives parks and recreation as services that should be provided for free or nearly free. Local agencies are continually trying to strike the right balance between "free or fee." This is an important issue because many of the people who use public parks systems are those who can least afford to pay.
  17. It is also very difficult for local agencies to charge a fee for the use of "passive" parks and recreational opportunities, such as walking along a trail, sitting in a park, watching birds in a wetland.
  18. Local governments are partnering with citizen volunteers to maintain and operate parks and recreation facilities, a trend that has helped distribute the management and maintenance responsibility to various segments of the community. But we must remember that partnerships with volunteers do not come free, as there are costs involved in recruiting, training, managing, motivating and maintaining volunteers.
  19. Unless the maintenance and operations funding situation is resolved soon, many jurisdictions will not be able to add new parks or services, despite growing populations and increasing demand, use and expectations. Program curtailments and parks closures will increase.

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## INTERESTS AND CRITERIA

### *The Task Force Members' Mutual Interests*

At the Task Force's first meeting in Issaquah on September 18<sup>th</sup>, the members identified their individual interests. From those individual interests emerged a list of their mutual interests. The following are the Task Force members' mutual interests, which served as the foundation for developing and agreeing on their recommendations.

1. Recognize and respect parks and recreation as essential features of the quality of life in our State and its communities.
2. Provide consistent, stable, long-term funding for local parks and recreation maintenance and operations.
3. Provide local governments with greater authority and flexibility in the tools available to them to fund maintenance and operations.
4. Develop and implement a "systems" approach—a comprehensive strategy that includes both the State and local governments—for providing citizens with parks and recreation programs, services and facilities.
5. Stimulate and rely on interjurisdictional and public-private partnerships to help solve the challenges facing local parks and recreation agencies.
6. Offer fair and equitable funding solutions.
7. Use an entrepreneurial approach to providing services and funding.
8. Do not supplant one source of funds with another or the contributions of one level of government with those of another level.
9. Strengthen the public's understanding of the importance of maintenance and operations and the challenges facing local governments in maintaining and operating parks and recreational facilities.

### *The Criteria for Evaluating Proposed Solutions*

Before discussing the alternatives to improve funding of the maintenance and operations of our local parks and recreational facilities, the Task Force members agreed on the following criteria for evaluating them.

- Equity and Fairness
- Adequate Funding
- Acceptability
- Sustainability
- Impact (Be Aware of Unintended Consequences)
- Administrative Feasibility and Compliance Costs
- More Flexibility and Tools for Local Governments
- Addresses Supplanting

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# THE TASK FORCE'S RECOMMENDATIONS

## GOAL #1:

### STATE AND LOCAL GOVERNMENTS SHOULD VALUE PARKS AND RECREATION AS INTEGRAL COMPONENTS OF OUR QUALITY OF LIFE

From the testimony at Task Force meetings in cities and towns across Washington, it is clear that our citizens value parks, open space and recreation facilities and programs more than ever before. The burgeoning population of our State has placed a premium on amenities that enhance the quality of life. The Growth Management Act's goal of preserving rural areas, farmlands and natural resources such as wetlands, rivers, streams, steep slopes, forests and wildlife habitats has led local governments to increase densities in urban centers. The incentive for citizens to accept higher densities is more amenities in urban neighborhoods that improve the quality of life. Chief among those amenities, according to the testimony we heard, is parks and recreation facilities.

Yet the budgets of State and local governments do not reflect this value. On the contrary, they send a message that parks and recreation are not integral components of the quality of life. For example, during the past twenty years the percentage of local budgets devoted to public safety has dramatically increased, while the percentage devoted to parks and recreation has declined. Maintenance and operations have been particularly hard hit. Today we have parks, trails and swimming pools that are closed to the public because they cannot be maintained. We have recreation programs and facilities that have been shut down because there is no money to run them. We have facilities that are available only to those who can afford to pay the fees that maintain and operate them. Government policy does not appear to reflect the view of our citizens that parks and recreation are vital tools to prevent society's ills and ensure healthy, safe and livable communities.

This Task Force strongly recommends that State and local governments join their citizens in valuing parks and recreation as integral components of our quality of life. To demonstrate a commitment to this value, the Task Force urges that the State provide to local governments the variety of tools for funding the maintenance and operations of parks and recreational facilities that are presented in this report. These tools offer the opportunity to build an on-going partnership between the State and local governments. That partnership is essential to achieving the citizens' interest in improving the quality of life in our communities through safe, healthy, accessible and affordable parks and recreation services, programs and facilities.

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## GOAL #2:

### THE STATE LEGISLATURE SHOULD GIVE LOCAL GOVERNMENTS GREATER AUTHORITY AND FLEXIBILITY TO MEET LOCAL NEEDS

The Task Force strongly recommends that local governments be empowered to meet their communities' unique needs to acquire, develop, maintain and operate parks and recreation facilities. The Task Force has learned that there are many differences among the local jurisdictions of our State. They have different needs. They have different challenges. They currently have different tools available to them. They have different political and economic climates that dictate which tools are practical for them to use. But two things they have in common: 1) All of them are facing a crisis in funding maintenance and operations. Their need to find solutions is urgent. 2) They cannot overcome this crisis without the State's help. That help may be legislation that relaxes restrictions that inhibit local actions. That help may be statewide sources of funding. Whatever it is, the State's help must give local governments more tools to choose from...and it must come now.

Task Force members unanimously recommend that the State Legislature give local governments greater authority to decide whether or not to raise taxes and greater flexibility to determine how to spend the revenues. With this goal in mind, the Task Force recommends:

1. Amend the State statute (Chapter 35.61 RCW) that governs Metropolitan Park Districts to make it practical for cities and counties, or a combination of them, to create MPDs.

The Task Force recommends that the Legislature amend the State statute (Chapter 35.61 RCW) that governs Metropolitan Park Districts (MPD) to make it practical for cities and counties, or a combination of them, to create MPDs.

The Task Force's three principal goals in making this recommendation are: 1) raise the visibility of parks and recreation facilities as integral components of the quality of life; 2) provide communities with more choices for funding maintenance and operations; and 3) provide additional, consistent funding for that purpose.

For some communities, creating an MPD with a five-member elected board will help achieve these goals. In others, the goals may be achieved by making the City or County Council the MPD's governing body. The Task Force is interested in ensuring that governance solutions are tailored to the unique and specific circumstances, interests and needs of each community.

Almost every community the Task Force visited or heard about needs *additional* funding for maintenance and operations. In recommending amendments to the MPD statute, we have anticipated that creating an MPD could become an excuse to divert to other uses general fund revenues that currently fund parks and recreation. That practice would undermine the citizens'

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and Task Force's interest in ensuring additional revenues to correct the deteriorating condition of parks and recreation facilities.

There may be other provisions of the current law that need to be amended, such as the percent of citizens whose signatures are needed for a citizen-initiated petition to create an MPD, and the Task Force recommends reassessing them. *But two provisions that the Task Force focused on and recommends be changed are:*

- a. **Eligibility and Boundaries:** The current law, which was adopted in 1907, does not allow cities with less than 5,000 people or counties to form an MPD. The Task Force recommends that the law be changed to allow counties and cities of any size to create one, and to enable combinations of counties or cities or counties and cities to form an MPD.
- b. **Governance:** Current law requires that an MPD be governed by a five-member board of directors elected by the citizens of the district. The Task Force recommends that the Legislature change the law to allow the district to be governed by one of three ways: a five-member board (as current law allows) or the legislative body of the city or county or by a federated group if the new MPD includes more than one jurisdiction.

Late in its deliberations the Task Force briefly discussed the concept of creating a statewide MPD to achieve the goals listed above for both local parks and recreation maintenance and operations and the State's park and recreation lands and facilities. We did not have sufficient time or information to reach agreement on this tool, but it may worthy of further review.

#### ***BACKGROUND INFORMATION ABOUT THIS ISSUE:***

*The State Legislature passed the enabling legislation to allow the creation of Metropolitan Park Districts on March 11, 1907. Two days later the Tacoma City Council passed an ordinance placing the issue before the voters. In April 1907 Tacoma voters approved the creation of the Metropolitan Park District of Tacoma with a 69% "yes" vote. While this district remains the only MPD in Washington, special districts dedicated to parks and recreation are common throughout the United States.*

*MPDs can be initiated by cities of 5,000 or more citizens or by a citizen-initiated petition signed by at least fifteen percent of the registered voters in the last general election. By either method, the MPD is not created until approved by a majority vote of the voters.*

*MPDs should not be confused with Park and Recreation Districts (PRD) or Park and Recreation Service Areas (PRSA). MPDs are "junior" taxing districts, or "second priority," while PRDs and PRSAs are rated much lower—sixth priority. This means the statutory aggregate property tax limit may be reached before PRDs and PRSAs are able to collect their property tax revenue. For MPDs the first fifty cents of taxing authority is outside this aggregate limit. In addition, the property tax levies of PRDs and PRSAs are for only five or six years. MPD general property tax levies do not have to be renewed.*

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**2. Grant to cities and counties the option of increasing the local sales tax for parks and recreation maintenance and operations.**

The Task Force recommends that the State grant to all cities and counties the option of collecting additional sales tax revenue of .10% for parks maintenance and operations if approved by the voters.

In 1999 the State provided this ability to Pierce County and the Metropolitan Park District of Tacoma. Pierce County voters approved this tax in September 2000. In its first year, the tax is expected to raise \$8 million.

The Task Force recommends that the State give all local governments the same authority it gave to Pierce County and the Metropolitan Park District of Tacoma. Task Force members believe this recommendation offers four benefits: a) greater power to local voters to tax themselves if they so desire; b) greater visibility and vitality to parks and recreation as essential to a community's quality of life; c) significant additional funding for maintenance and operations; and d) stronger partnerships among local officials and the public and private sectors. The Task Force also believes this recommendation must not result in diverting to other purposes general funds now going to parks and recreation.

***BACKGROUND INFORMATION ABOUT THIS ISSUE:***

*In 1999 the State Legislature approved ESB 1547 authorizing counties with 500,000 to 1.5 million residents to impose a local sales tax to be used for zoos and aquariums provided that the tax is approved by the voters. In 2000 the law was amended with the passage of ESB 3105. The revised law states that when a Metropolitan Park District, a city with over 150,000 residents and the legislative authority of a county with a national park and a population between 500,000 and 1.5 million citizens jointly request it, the county must submit to the voters a ballot proposition authorizing no more than a one-tenth of one percent local sales and use tax. In addition, language was included stating that the county cannot use any parks revenues to replace or supplant existing per capita funding. Based on this revision, Pierce County residents passed a sales tax increase of .10% on September 19, 2000 to fund parks maintenance and operations.*

**3. Amend the State statutes (RCW 84.04.230) to allow a portion of the Conservation Futures Tax (CFT) to be used for maintenance and operations.**

The Task Force recommends that the State amend the current statute governing the Conservation Futures Tax to allow local governments to use a portion of the revenue for maintenance and operations. The Task Force recommends this be achieved through one or both of the following methods:

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- increase the property tax assessment for the Conservation Futures Tax from 6.25 cents per \$1000 of assessed value to eight to eleven cents per \$1000 of assessed value, and allow the use of up to 25% of the assessment for the maintenance and operations of properties acquired with CFT funds after the revised law goes into effect.
  - change the existing law to allow local governments to divert up to 25% of the 6.25 cents per \$1000 of assessed value for the maintenance and operations of lands hereafter acquired with CFT funding.

Within the Task Force, concern was expressed that the CFT is intended to acquire open space, and that allowing some of it to be used for maintenance and operations moves away from the law's original intent.

But Task Force members offer this recommendation because it can achieve two of their interests: 1) provide local governments with greater flexibility in the use of locally-collected taxes and a wider array of tools to ensure the adequate funding of local parks and open space maintenance and operations; and 2) establish a closer link between acquisition and development and maintenance and operations.

#### **BACKGROUND INFORMATION ABOUT THIS ISSUE:**

*The Conservation Futures Tax is collected as a .0625% property tax assessment (6.25 cents per \$1,000 of assessed value) on all taxable property in counties that levy this tax. The CFT was first made available to counties as an option in the 1970s. Today, twelve counties in Washington collect this tax, including most that are heavily populated.*

#### **4. Amend the State statutes (RCW 82.46.010 and 82.46.035) to allow the use of the local Real Estate Excise Tax (REET) for maintenance and operations of parks and recreation facilities.**

The majority of Task Force members recommend that the Legislature amend the State laws governing the local Real Estate Excise Tax to allow a portion of this revenue to be used for maintenance and operations. The Task Force members who favor this proposal recommend this be achieved through the following methods:

- In cases where local jurisdictions are assessing both REET 1 and REET 2, which totals a .50% tax on the sale of real estate, they should be given the option of assessing up to an additional .125% for the maintenance and operations of parks and recreational facilities acquired or developed with REET on a prospective basis. Thus, the State would grant to local governments the ability to tax up to .625% on the sale of real estate.



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- In cases where the local government is assessing just REET 1 or both REET 1 and REET 2, the State should grant local jurisdictions the ability to divert up to 25% of that collection for the purpose of maintaining and operating parks and recreational facilities acquired or developed with REET on a prospective basis.

During Task Force discussions, concern was expressed that the REET is intended to acquire parks and open spaces, and that allowing some of it to be used for maintenance and operations moves away from the law's original intent. But a majority of Task Force members are interested in creating a stronger link between acquisition and development and maintenance and operations, and thus support this recommendation as a way to achieve that interest. The acquisition and development of new parks, open spaces, ball fields, trails and other recreation facilities has accelerated. We believe this trend serves the public's best interests. But maintenance and operations of parks and recreation facilities are being neglected, and falling farther and farther behind. As a result, parks, swimming pools and trails have permanently closed. Other parks close during winter months. Recreation programs have been suspended or greatly curtailed. We must act responsibly to ensure that as parks and recreation facilities are acquired and developed, there is adequate funding to maintain and operate them as safe and healthy places for our citizens.

The Association of Washington Realtors does *not* support this REET option. Its primary interests in the use of REET revenues are: 1) build the billions of dollars of infrastructure that have been identified as needed throughout Washington State; 2) keep down the cost of housing; 3) acquire open space and environmentally sensitive lands; and 4) ensure that there is a relationship between a tax and what it pays for. It is the Association's position that these interests cannot be achieved by increasing the REET or diverting some of it for maintenance and operations.

The majority of Task Force members believe the option leaves the decisions about raising taxes and appropriating revenues to local officials. It thus achieves the Task Force's interest in creating more choices and tools for local governments. They also believe that the option will help ensure that as REET is used to enable parks systems grow, there is a dedicated source of revenue to help maintain and operate new parks.

#### ***BACKGROUND INFORMATION ABOUT THE ISSUE:***

*The local Real Estate Excise Tax is collected as a .25% tax on the sale of real estate and is paid by the seller. There are two .25% collections available to local jurisdictions. REET 1 was first made available to local jurisdictions in 1982. Most cities and counties collect the tax. REET 2 was first made available as a local option in 1990. Approximately one hundred jurisdictions collect it.*

*There is a third local option—a one-percent tax paid by the buyer (REET 3). This revenue can be used for maintenance. This option is available only to counties and is collected in both incorporated and unincorporated areas. Only one county in the State, San Juan County, currently collects this tax. The State also levies REET. The State's collection rate is 1.28% and goes to the general fund to be used for K-12 education and public works projects.*

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### GOAL #3:

## THE STATE LEGISLATURE SHOULD CREATE NEW, DEDICATED STATEWIDE SOURCES OF REVENUE AND PARTNERSHIPS TO SUPPORT AND IMPLEMENT THEM

The Task Force worked hard to gain a statewide perspective on the issue of maintenance and operations. At its meetings in Spokane, Vancouver, Union Gap and Mount Vernon, the Task Force heard testimony from local elected and appointed officials and by parks and recreation advocates. Based on these comments and its research, the Task Force is unanimous in finding that the State needs to create new revenue sources to fund parks and recreation maintenance and operations, both for local and State-owned facilities. Demand for parks, open space, trails and recreational facilities and programs is skyrocketing, but communities across Washington State cannot afford—for political or economic reasons, or both—to raise the revenue required to keep pace with demand for new facilities and to maintain existing ones.

The local option approaches recommended in the previous section will be key tools for many communities. However, the Task Force recognizes that not all communities will be able to fully benefit from them. For example, it is not likely that communities along the Oregon border, such as Vancouver, can take advantage of greater local authority to raise the sales tax—because Oregon does not have a sales tax. Also, some communities are disproportionately economically distressed. In some cities of Yakima County, for example, forty percent of the citizens live “below the poverty line.” Thus, some communities have chosen not to impose or raise user fees because of political pressure from citizens who expect that parks and recreational facilities and programs should be free and accessible to everyone.

While recognizing these concerns, the Task Force also strongly recommends that the *statewide* interest in ensuring adequate parks and open spaces must be matched by *statewide* sources of support, not just local sources.

Throughout the State, there are benefits to many “communities of interests” when local park and open space needs are addressed. There is a *statewide “community of interest”* in improving citizens’ health—and local parks can help provide the spaces for healthy activities such as ball games or walks. There is a *statewide “community of interest”* in having attractions and facilities that support our important tourism industry—and local facilities provide many of the sites that make tourism expenditures possible. There is a *statewide “community of interest”* in ensuring that open spaces are available to provide natural functions such as water quality protection or to aid species recovery efforts. Local facilities and sites are often important contributors to the larger *statewide “community of interest”* in these efforts. For these reasons it is appropriate for statewide tools as well as local option tools to be developed to address maintenance and operations needs.

To address the *statewide “community of interest,”* the Task Force recommends that the State Legislature:

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**5. Amend the State statute (RCW 82.08) to increase the State sales tax by one-tenth of one percent to fund maintenance and operations.**

Task Force members recommend raising the State sales tax by .10% from 6.5% to 6.6% and using this revenue to fund the maintenance and operations of local parks and recreation facilities and the State's parks and recreation lands and facilities. The revenue could be split in half; 50% for local parks and recreational facilities, 50% to the State's parks and recreation lands and facilities. The local portion would be distributed to counties and cities on a per capita basis.

Besides assisting economically distressed communities, this recommendation will provide revenue to counties. Because of annexations and incorporations in many of Washington State's unincorporated urban areas during the past decade, under the GMA, counties do not benefit as much from local sales tax increases as cities. Increasing the State sales tax will benefit them by providing a new source of revenue to offset the loss or reduction of local sales tax revenues.

***BACKGROUND INFORMATION ABOUT THIS ISSUE:***

*The State's retail sales tax is currently 6.5%. Including local sales taxes, the combined sales tax rate now ranges from 7.0-8.8% across the State. The State sales tax was adopted in 1935 as part of The Revenue Act, which established many of the current State taxes. Initially, the rate was 2.0%. Since 1935 many changes have been made to the list of items that are taxable and to the tax rate. The latest change to the rate was made in 1983 when it was increased from 5.4% to 6.5%. There is no constitutional limit on the sales tax rate.*

*The sales tax is by far the largest revenue source for the State, accounting for about half the State's revenues that support the general fund. One tenth of one percent of the State sales tax generates approximately \$80 million. The sales tax rate in Washington is exceeded only by the 7.0% levied by Mississippi and Rhode Island.*

*In 2000 Initiative 241, which did not have sufficient signatures to be placed on the ballot, proposed something similar to the Task Force's recommendation. The major difference is that I-241 proposed to redirect one tenth of one percent of the existing State sales tax to local parks and recreation agencies for maintenance and operations.*

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## GOAL #4:

### THE STATE SHOULD SUPPORT EXISTING EFFORTS TO CHANGE POLICIES AFFECTING THE FUNDING OF MAINTENANCE AND OPERATIONS

As a result of its discussions and deliberations, the Task Force is aware of on-going efforts to change policies to strengthen funding of maintenance and operations. The Task Force recommends that the State support these two efforts:

- **Restore full funding to recreational facilities funded by the gas tax.**

The Task Force recognizes that a broad coalition of groups is currently working to remove the "cap" that was imposed in 1990 limiting the amount of fuel tax revenues paid by non-highway, recreational users to dedicated recreational purposes. Removing the "cap" will increase the annual revenue available for recreational facilities, including boat ramps, parking and other support facilities, ORV facilities and non-motorized trails.

The Task Force is supportive of this coalition's efforts and encourages the State Legislature to restore full funding for recreational facilities funded by the gas tax.

- **Provide authority and incentives for the use of a portion of federal and state grants for local maintenance and operations.**

The Task Force believes that Washington State's Interagency Committee for Outdoor Recreation (IAC) is moving in the right direction by encouraging good design and greater emphasis on maintenance and operations. The Task Force recommends continuing—and increasing—these efforts. The Task Force supports awarding State grants to those local entities that have developed strategies for maintaining and operating the additional park and open space lands and the new recreational facilities that State grants will help fund.

### OTHER OPTIONS THE LEGISLATURE SHOULD CONSIDER

The Task Force examined two other options that may help achieve *Goal #3: The State Legislature Should Create New, Dedicated Statewide Sources of Revenue and Partnerships to Support and Implement Them*. There was neither sufficient information nor time to fully develop these options into recommendations and then work to reach consensus on them. Therefore, the Task Force is forwarding these two options to the Legislature and recommends that the State further research, analyze and discuss them, with possible action by the State Legislature in 2003.

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**A. Use a dedicated lottery for maintenance and operations.**

The Task Force suggests that the State consider these two options for funding local parks and recreation maintenance and operations through the lottery:

- Develop a new “scratch” game and devote the net proceeds to the maintenance and operations of school playgrounds and recreational facilities.
- Take one percent of the winnings (before taxes) from scratch games and use the revenue to help operate and maintain school playgrounds and related facilities.

The Task Force recognizes that the public perceives lottery games as intended to help fund education. Thus, these options are intended to help school districts maintain and operate their open spaces and recreational facilities in a matter that supports the community as well. Under either option, the Task Force favors requiring that school districts and local governments develop interlocal agreements before they can be eligible for this revenue. This requirement is intended to achieve two goals: a) stimulate the use of the schoolyards and recreational facilities for the general public during hours when the schools are not in session; and b) produce partnerships between local governments and school districts to plan for, maintain and operate comprehensive, community-wide parks, open space and recreation systems.

As these options are further researched and developed, the Task Force recommends that these three questions be answered: a) Can revenues generated by a lottery game be targeted to maintaining and operating school grounds, and specifically, the recreational facilities at schools? b) Will the “scratch” game generate additional revenues or divert revenues from other games, thus competing with education? c) Will it raise enough money to be worthwhile, and can the costs of administering the game be controlled to ensure that net revenues are sufficient to make it worthwhile?

**B. The State should consider reviewing State-level licensing and access fees associated with recreation facilities, equipment and vehicles with the goal of providing the State and local governments with more money and flexibility for spending it.**

The Task Force suggests that a statewide source of dedicated funding for the maintenance and operations of both the State’s parks and recreation lands and facilities and local parks and recreation facilities could be identified through a review of State-level licensing and access fees associated with recreation facilities, equipment and vehicles, including boats, snowmobiles, other off-road vehicles and other titled goods. The review should include: 1) the relationship, if any, of the fees to the uses or areas generating such fees; 2) fee collection and coordination methods among access providers; and 3) the balance between affordability, access and the levels of maintenance and operations supported by such fees or licenses.

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## AN OPTION CONSIDERED BUT NOT RECOMMENDED

The Task Force considered the following option but is not recommending it. The members prefer that the State amend the statute (Chapter 82.02 RCW) to increase the State sales tax by one tenth of one percent for maintenance and operations.

- **Create a new sporting/recreation goods tax or other new fee related to park use.**

This option would create a new tax on sporting and recreational goods and distribute the revenue to local parks and recreation agencies for maintenance and operations. The tax could be collected either at the wholesale/manufacturing level or at the retail sales level and then distributed to local jurisdictions on either a per-capita basis or according to a formula that takes into account a number of other factors. Past recommendations have suggested a two percent surcharge. Alternatively, Texas estimates the amount of general fund revenue generated by the sales of sporting goods from the State sales tax and dedicates a portion of the funding to State parks.

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# CONCLUSION

During the fall of 2001, the Legislative Task Force on Local Parks and Recreation Maintenance and Operations was privileged to hear from scores of local elected and appointed officials, parks and recreation advocates and citizens of communities from Spokane to Vancouver to Mount Vernon. Their unified and resounding message was this: The maintenance and operations of local parks and recreation facilities is in a state of crisis. The failure to act over the past two decades is particularly unconscionable given the presence of credible information and creative solutions. Today that failure is forcing local governments to close parks, trails and swimming pools, and to eliminate or reduce services and programs at recreation facilities.

While the Task Force applauds the acquisition and development of additional parks, open spaces, ball fields, trails and recreation facilities, the public's interest cannot be served, ultimately, when they are not maintained and operated as healthy, safe and affordable.

At both the local and State levels, agencies have demonstrated great creativity in maintaining and operating these resources. Intergovernmental and public-private partnerships and the use of citizen volunteers are some of the strategies being widely used to share limited resources, reallocate multiple responsibilities, increase understanding and education, and even build affection for parks and recreation. But creativity and entrepreneurship can take us only so far. Without a greater number and diversity of tools to choose from, and the ability to use those tools that serve their unique and particular circumstances, interests and needs, local governments will continue to fail to adequately fund maintenance and operations. The State's help is needed...now.

This partnership between the State and local governments will provide the kind of authority and flexibility needed to address each community's unique issues. This partnership will produce new statewide, dedicated sources of revenue that serve both the State's and localities' long-term interests and needs. And this partnership will ensure that parks and recreation facilities continue to contribute to the high quality of life in Washington.