



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**December 3, 2013**

**Ordinance 17704**

**Proposed No. 2013-0469.1**

**Sponsors Phillips**

1 AN ORDINANCE authorizing the King County executive  
2 to enter into amendments to interlocal cooperation  
3 agreements with the cities of Kent and Seattle for the  
4 disbursement of conservation futures tax levy funds  
5 appropriated under Ordinances 17232, 17349 and 17619.

6 STATEMENT OF FACTS:

- 7 1. King County conservation futures tax levy funds are collected  
8 throughout King County as a dedicated portion of the property tax for the  
9 acquisition of open space and resource lands.
- 10 2. Ordinance 14714 established procedures for the annual allocation of  
11 conservation futures tax levy funds, which direct the conservation futures  
12 citizens' committee to make funding recommendations to the King County  
13 executive to consider for inclusion in the annual budget ordinance.
- 14 3. Applications are posted on the conservation futures program web page  
15 on the King County website.
- 16 4. The executive received and considered the conservation futures  
17 citizens' committee funding recommendations and included them in his  
18 transmittal of Ordinances 17232, 17349 and 17619, by which the King

19 County council has appropriated conservation futures funds for the open  
20 space projects listed and described in Attachment B to this ordinance.

21 5. King County desires to disburse conservation futures funds to the city  
22 of Kent and the city of Seattle, and to do so it must sign conservation  
23 futures interlocal cooperation agreements or amend existing conservation  
24 futures interlocal agreements with these jurisdictions.

25 6. The county and the cities are authorized to enter into an interlocal  
26 cooperation agreement pursuant to chapter 39.34 RCW, the Interlocal  
27 Cooperation Act.

28 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

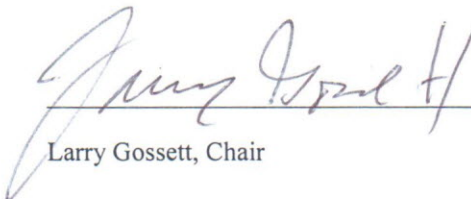
29 SECTION 1. The King County executive is hereby authorized to enter into and  
30 execute amendments to interlocal cooperation agreements containing language  
31 substantially similar to that in Attachment A to this ordinance, necessary for the  
32 disbursement of conservation futures tax levy funds appropriated under Ordinance 17232,

33 17349 and 17619 to the projects listed and described in Attachment B to this ordinance,  
34 as adopted by the King County council.  
35


Ordinance 17704 was introduced on 11/4/2013 and passed by the Metropolitan King County Council on 12/2/2013, by the following vote:

Yes: 8 - Mr. von Reichbauer, Mr. Gossett, Ms. Hague, Ms. Patterson,  
Ms. Lambert, Mr. Dunn, Mr. McDermott and Mr. Dembowski  
No: 0  
Excused: 1 - Mr. Phillips


KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

  
Larry Gossett, Chair

ATTEST:

  
Anne Noris, Clerk of the Council

APPROVED this 13<sup>th</sup> day of December, 2013

  
Dow Constantine, County Executive

RECEIVED  
2013 DEC 16 AM 11:17  
CLERK  
KING COUNTY COUNCIL

**Attachments:** A. Amendment to the Conservation Futures Interlocal Cooperation Agreement, B. Conservation Futures Project Descriptions

**AMENDMENT TO THE CONSERVATION FUTURES  
INTERLOCAL COOPERATION AGREEMENT  
BETWEEN KING COUNTY AND THE CITY OF \_\_\_\_\_  
FOR OPEN SPACE ACQUISITION PROJECTS**

**Preamble**

The King County Council, through Ordinance 9128, has established a Conservation Futures Levy Fund and appropriated proceeds to King County, the City of Seattle and certain suburban cities. This amendment is entered into to provide for the allocation of additional funds made available for open space acquisition.

THIS AMENDMENT is entered into between the CITY OF \_\_\_\_\_ and KING COUNTY, and amends and attaches to and is part thereof of the existing Interlocal Cooperation Agreement entered into between the parties on the \_\_\_\_ day of (Month), (year), as previously amended.

The parties agree to the following amendments:

**Amendment 1: Article 1. Recitals**

A paragraph is hereby added to the Recitals Section to provide for a Conservation Futures Levy Fund allocation for the \_\_\_\_\_ Acquisition, and hereafter reads:

- On \_\_\_\_\_, 201\_ the King County Council passed Ordinance \_\_\_\_\_, which appropriated a total of \_\_\_\_\_ (\$\_\_\_\_\_) in Conservation Futures Levy proceeds to the City of \_\_\_\_\_ for the \_\_\_\_\_ acquisition Project. On \_\_\_\_\_, 201\_ The King County Council passed Ordinance \_\_\_\_\_, authorizing the King County Executive to enter into interlocal agreements with the City of \_\_\_\_\_ for the disbursement of Conservation Futures Funds appropriated in Ordinance \_\_\_\_\_.

**Amendment 2: Article V. Conditions of Agreement**

Section 5.1 is amended to include Attachment \_\_, which lists a 201\_ Conservation Futures Levy Allocation for the \_\_\_\_\_ Acquisition project.

**Amendment 3: Article VII. Responsibilities of County**

The first two sentences of this article are amended to include references to Attachment \_\_, which lists a 201\_ Conservation Futures Levy proceeds allocation for the \_\_\_\_\_ Acquisition Project:

Subject to the terms of this agreement, the County will provide Conservation Futures Levy Funds in the amounts shown in Attachments A through \_\_, to be



used for the Projects listed in Attachments A through \_\_. The City may request additional funds; however, the County has no obligation to provide funds to the City for the Projects in excess of the total amounts shown in Attachments A through \_\_. The County assumes no obligation for the future support of the Projects described herein except as expressly set forth in this agreement.

**AMENDMENT 4: Attachment \_\_**

The Attachments to the interlocal agreement are hereby amended by adding Attachment \_\_, which is hereby attached to the interlocal agreement, incorporated therein and made a part thereof.

In all other respects, the terms, conditions, duties and obligations of both parties shall remain the same as agreed to in the Interlocal Cooperation Agreement as previously amended.

This document shall be attached to the existing Interlocal Cooperation Agreement.

IN WITNESS WHEREOF, authorized representatives of the parties hereto have signed their names in the spaces set forth below:

KING COUNTY

CITY OF \_\_\_\_\_

\_\_\_\_\_  
Dow Constantine  
King County Executive

\_\_\_\_\_  
Mayor

Date: \_\_\_\_\_  
Acting under the authority of  
Ordinance \_\_\_\_\_

Date \_\_\_\_\_  
Acting under the authority of  
Ordinance:

Approved as to form:

Approved as to form:

\_\_\_\_\_  
Dan Satterberg  
King County Prosecuting Attorney

\_\_\_\_\_  
City Attorney

EXHIBIT \_\_\_\_

201\_ CONSERVATION FUTURES LEVY  
CITY OF \_\_\_\_\_ ALLOCATION

| Jurisdiction | Project        | Allocation |
|--------------|----------------|------------|
| (Name) _____ | (Project Name) | \$         |
| TOTAL        |                | \$         |

**Project Description:**

City of \_\_\_\_\_ – (Project Name) \$

## Conservation Futures (CFT) Project Descriptions

### Suburban City CFT Project:

#### 1047246 Kent – Huse Property Acquisition

The goal of this project is to acquire property for passive recreational use, trail access, and a buffer to Soos Creek Park. The City of Kent Parks Department purchased the property, but had a budget shortfall of \$125,000, for which it requested additional CFT funds to help make up the difference.

#### 1047222 Clark Lake

This is a City of Kent project to acquire remaining inholdings at Clark Lake Park, located on SE 240th Street on the east side of the Kent Plateau. There are three remaining parcels in the park for which CFT funds have been available for over five years, however there are currently not willing sellers of those parcels. The last two remaining small inholdings in the park, which together total one acre, will be added to the project scope, as one of them is a willing seller. \$125,000 will be reallocated from this project to the City of Kent Huse project, which has a project funding shortfall.

### Seattle CFT Projects:

#### 1116261 SEA Smith Cove Park Addition

\$625,000 in CFT funds will be reallocated to this project from the abandoned First Hill Open Space CFT project, also in Seattle.

#### 1112180 University District Urban Center Park

This project received Conservation Futures funding by Ordinance 17232 with supplemental funding by Ordinance 17349, under the condition that Seattle would identify a final open space site for approval by King County. King County approves Seattle's selection of the site on 9th Avenue NE, adjacent to Christy Park and south of NE 43rd Street in the University District.