



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**May 24, 2010**

**Ordinance 16842**

**Proposed No. 2010-0265.2**

**Sponsors Phillips**

1 AN ORDINANCE authorizing the King County executive  
2 to enter into amendments to interlocal cooperation  
3 agreements with the cities of Bellevue, Black Diamond,  
4 Bothell, Federal Way, Kent, Kirkland, Lake Forest Park,  
5 Normandy Park, Renton, Snoqualmie and Seattle for the  
6 disbursement of conservation futures tax levy funds  
7 appropriated under Ordinances 16248, Section 4 and  
8 16661, Section 19, and the 2010 Budget Ordinance,  
9 Ordinance 16717, Section 120.

10 **STATEMENT OF FACTS:**

- 11 1. King County conservation futures tax ("CFT") levy funds are collected  
12 throughout the county as a dedicated portion of the property tax for the  
13 acquisition of open space and resource lands.
- 14 2. Ordinance 14714, Section 5, which amended K.C.C. 26.12.010,  
15 established procedures for the annual allocation of CFT levy funds, which  
16 directs the conservation futures citizen oversight committee to make  
17 funding recommendations to the King County executive to consider for  
18 inclusion in the annual budget ordinance.

19           3. The executive received and considered the conservation futures citizen  
20 oversight committee funding recommendations in the executive's  
21 transmittal of the 2010 annual budget ordinance, and the King County  
22 council has appropriated 2010 conservation futures funds by the 2010  
23 Budget Ordinance, Ordinance 16717, Section 120, to the city open space  
24 projects listed and described in Attachment B to this ordinance.

25           4. The executive also received and considered the conservation futures  
26 citizen oversight committee funding recommendations for the reallocation  
27 of project funding in the executive's transmittal of 2008 and 2009  
28 quarterly supplemental budget ordinances, and the council appropriated  
29 conservation futures funds by Ordinances 16248, Section 4, and 16661,  
30 Section 19, to the city open space projects listed and described in  
31 Attachment B to this ordinance.

32           5. The county desires to disburse conservation futures funds to the  
33 suburban cities and the city of Seattle, and to do so the county must amend  
34 existing conservation futures interlocal cooperation agreements with these  
35 jurisdictions.

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

39           7. The county previously has entered into interlocal cooperation  
40 agreements with each of the cities with which projects are authorized

41           pursuant to this ordinance; those agreements must be amended to address  
42           the projects listed in Attachment B to this ordinance.

43           BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

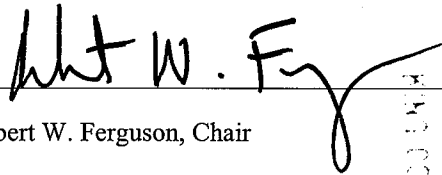
44           SECTION 1. The King County executive is hereby authorized to execute  
45           amendments to interlocal cooperation agreements containing language, in substantially  
46           the form of Attachment A to this ordinance, necessary for the disbursement of  
47           conservation futures tax levy funds appropriated under Ordinances 16248, Section 4, and

48 16661, Section 19, and the 2010 Budget Ordinance, Ordinance 16717, Section 120, for  
49 the projects listed in Attachment B to this ordinance.  
50


Ordinance 16842 was introduced on 5/3/2010 and passed by the Metropolitan King  
County Council on 5/24/2010, by the following vote:

Yes: 9 - Ms. Drago, Mr. Phillips, Mr. von Reichbauer, Mr. Gossett,  
Ms. Hague, Ms. Patterson, Ms. Lambert, Mr. Ferguson and Mr. Dunn  
No: 0  
Excused: 0

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

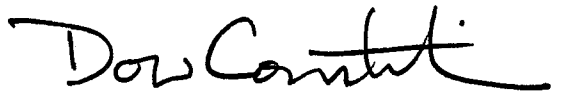
  
Robert W. Ferguson, Chair

ATTEST:

  
Anne Noris, Clerk of the Council

RECEIVED  
2010 JUN -4 PM 4: 19  
CLERK  
KING COUNTY COUNCIL

APPROVED this 3rd day of June, 2010.

  
Dow Constantine, County Executive

**Attachments:** A. Amendment to the Conservation Futures Interlocal Cooperation Agreement Between  
King County and the City of \_\_\_\_\_ for Open Space Acquisition Projects (Dated 5/7/10), B.  
Conservation Futures (CFT) Project Descriptions (Dated 5/7/10)

**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 \_\_\_\_\_, 200\_\_ 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 \_\_\_\_\_, 200\_\_ 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 200\_\_ 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 200\_\_ 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:

\_\_\_\_\_  
Daniel T. Satterberg  
King County Prosecuting Attorney

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

EXHIBIT \_\_\_\_

200\_ 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 Projects:

#### (ORDINANCE 16248)

##### 315725 Kent – Clark Lake

2008: The project scope is to be expanded to include the 2.28-acre Lanoye property, located on SE 248<sup>th</sup> Street in Kent.

#### (ORDINANCE 16661)

##### 315722 Federal Way CFL – Hylebos Creek

2009: This is a scope change for this multiple parcel project that has a goal of acquiring riparian habitat on Hylebos Creek. The expanded scope would include parcels that are also within the nearby Enticknap Wetlands CFT project, which was funded last year by King County and is also located on Hylebos Creek. The added property would be a portion of a parcel under the same ownership in the Enticknap wetlands project scope. The first acquisition priority of this project would thus be the Enticknap wetlands properties, and the second priority would be the remaining properties in the Hylebos project in the original project scope.

##### 315725 Kent Clark Lake

2009: \$ 175,000 is allocated to the Clark Lake CFT project to help meet an anticipated funding shortfall.

##### 315760 Normandy Park Walker Creek Preserve Addition

2009: \$63,000 is allocated to the Walker Creek Preserve Addition CFT project to help meet an anticipated funding shortfall.

##### 315786 Lake Forest Park Towne Center Park

2009: \$62,158 is allocated to the Towne Center Nature Park CFT project to help meet an anticipated funding shortfall.

#### (ORDINANCE 16717)

##### 315767 BEL-Bellevue Greenway and Open Space System

2010: \$300,000 is allocated to this multiple-parcel, multiple-year open space acquisition project, with a first priority for funding being a 4.5 acre property located adjacent to Vasa Park near Lake Sammamish, and three parcels totaling approximately four acres adjacent to Coal Creek Park at 125<sup>th</sup> Avenue SE and Coal Creek Parkway.

##### 315790 BEL-Bel-Red Sub Area Vision

This project will purchase open space in the underserved Bel-Red corridor in Bellevue, which is being redeveloped as a major residential urban center. It is located between I-405 and 156<sup>th</sup> Avenue Northeast, and bordered by State route 520 to the north and Bellevue-Redmond Road to the south. The first priority for acquisition is parcels located west of 124<sup>th</sup> Avenue Northeast north of the



## Conservation Futures (CFT) Project Descriptions

Bellevue-Redmond Road.

### **315791 BLK-Jones Lake**

This project would acquire up to 45 acres on the southern and eastern shoreline of Jones Lake in Black Diamond, to complete public ownership around the lake.

### **315792 BTH-Fries family LLC (North Creek)**

This is a multiple-parcel project located in Bothell west of I-405, immediately south of the Snohomish County line. The property contains woodlands with urban wildlife and serves as a highly visible regional separator at the boundary of King and Snohomish Counties that is highly visible from I-405.

### **315793 BTH- Williams Property (Sammamish River)**

This is a 2-acre wooded property located adjacent to the Burke-Gilman Regional trail and the Sammamish River. It is an inholding within the City of Bothell's Sammamish River Greenway.

### **315796 KNT-Patchen Property (Kent East Hill)**

This is a 4.51 acre wooded property located on 94<sup>th</sup> Avenue South at South 246<sup>th</sup> Street in Kent. The property has urban wildlife and would provide passive open space in an underserved area.

### **315772 KNT-Panther Lake**

2010: \$500,000 is added to this multiple parcel, City of Kent shoreline park acquisition project located on SE 204<sup>th</sup> Street and 113<sup>th</sup> Avenue SE<sup>th</sup>.

### **315798 KRK-Razumovich (Forbes Lake)**

This is a 1.5 acre shoreline park inholding acquisition project, located on 124<sup>th</sup> Avenue Northeast in Kirkland. The project will help connect a continuous walking trail along the shoreline of Forbes Lake and will help preserve natural habitat on the lake.

### **315786 LFP-Town Center Nature Park**

2010: \$177,000 is added to this project. The project scope is changed to include an additional.62 acre property, located immediately east of the property within the current scope on Brookside Boulevard NE and adjacent to the Town Center shopping area in Lake Forest Park. The vision for this property is to restore natural wetlands and provide passive recreation.

### **315799 PAC-Morgans Trout Lake Retreat**

The goal of this project is to acquire up to 2.9 acres of wooded open space on South 376<sup>th</sup> Street, which contains a segment of Jovita Creek and is the location of an historic resort dance pavilion on Trout Lake. The project also includes shoreline access along a right of way between S. 376<sup>th</sup> Street and Trout Lake, directly across the street from the main property.

### **315800 RTN-Scott Property**

This is a 3.28 acre open space acquisition project at 179<sup>th</sup> Street and Mill Avenue, contiguous to the City of Kent's Edlund property open space. The property contains a portion of Panther Creek.

## Conservation Futures (CFT) Project Descriptions

### **315765 SNO)-Snoqualmie Riverfront Reach**

2010: \$50,000 is added to this project to acquire additional property within this multiple parcel project, located north of Sandy Cove Park along Railroad Avenue SE in Snoqualmie, with a first priority of the northernmost parcel on Railroad Avenue SE.

### **Seattle Projects:**

#### **(ORDINANCE 16717)**

### **315444 Crown Hill (Urban Village Park)**

This is a passive park in the Crown Hill neighborhood located on Northwest 90<sup>th</sup> Street and 15<sup>th</sup> Avenue Northwest on the site of a school that is surplus to the needs of the Seattle School District.

### **315445 Northgate Park**

The goal of this 3.73 acre project is to acquire a passive open space in the Northgate neighborhood of Seattle, which will be created on the site of a Park and Ride lot that is being moved to another location. The site is in a densely populated neighborhood and will help provide much needed open space in an underserved area as it continues to grow.

### **315446 Webster Park**

This is a .8 acre open space acquisition project on 32<sup>nd</sup> Avenue NW and NW 68<sup>th</sup> Street, on the site of the former Webster Elementary School in the Ballard neighborhood. The project will provide passive open space in a neighborhood underserved with open space.