## STAFF REPORT

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| **Agenda Item:** | 25 | **Name:** | Leah Krekel-Zoppi |
| **Proposed No**.: | 2018-0487 | **Date:** | October 30, 2018 |

**SUBJECT**

Proposed Ordinance 2018-0487 would authorize the use of a template for an amendment to interlocal cooperation agreements with several cities for Conservation Futures open space acquisition projects.

**SUMMARY**

The proposed ordinance would allow the use of a template to amend interlocal cooperation agreements (ILA) with cities with which the County has existing agreements to distribute Conservation Futures Tax (CFT) for open space projects. The amendment template would allow the Executive to distribute future appropriated CFT funds appropriated by the Council without having to return to the County Council, and the City Council for cities receiving funds, in order to amend the ILAs. The current CFT distribution process involves the County Council and City Councils having to approve amendments to the ILAs each time the County Council appropriates CFT funds for open space projects, which Parks staff note can add up to six months to the time it takes to disperse appropriated funds.

**BACKGROUND**

CFT levy funds are collected throughout King County as a dedicated portion of the property tax authorized by state law[[1]](#footnote-1). By statute, these funds are available only for the acquisition of open space and resource lands. King County Code Chapter 26.12 defines the process and criteria for the allocation of CFT levy funds. The funds are recommended for allocation annually through a citizen-based review process managed by the King County Conservation Futures Citizens Oversight Committee. These recommendations are then transmitted to the Executive, who determines how to incorporate them into the proposed budget. The Council then reviews and approves the allocations through approval of the biennial or supplemental budgets.

In order to transfer the funding for the acquisition of the identified properties, King County must enter into an ILA with each participating City, or amend an existing ILA to include the additional project. These ILAs define the terms and conditions governing the use of CFT funds and the responsibilities of the County and the respective City in implementing CFT projects. The ILAs follows a template approved by Council. The original ILA lists the initial CFT funding award to the City as Amendment A to the ILA. In future years, as the cities receive additional CFT funding awards over time, the County and City amend the ILA with a new Amendment every time a new CFT award is made. Each Amendment requires Council approval by both jurisdictions.

The County has existing ILAs which have been previously approved by the Council with the cities of Auburn, Bellevue, Black Diamond, Bothell, Burien, Carnation, Covington, Des Moines, Duvall, Enumclaw, Federal Way, Issaquah, Kenmore, Kent, Kirkland, Lake Forest Park, Mercer Island, Milton, Newcastle, Normandy Park, North Bend, Pacific, Redmond, Renton, Sammamish, Seattle, Shoreline, Snoqualmie and Tukwila, the Vashon Park District and the Vashon-Maury Island Trust.

**ANALYSIS**

Proposed Ordinance 2018-0487 would authorize the use of a template to amend the existing CFT ILAs with the cities of Auburn, Bellevue, Black Diamond, Bothell, Burien, Carnation, Covington, Des Moines, Duvall, Enumclaw, Federal Way, Issaquah, Kenmore, Kent, Kirkland, Lake Forest Park, Mercer Island, Milton, Newcastle, Normandy Park, North Bend, Pacific, Redmond, Renton, Sammamish, Seattle, Shoreline, Snoqualmie and Tukwila, the Vashon Park District and the Vashon-Maury Island Trust. Specifically, the Proposed Ordinance would amend Section 8.2 of the existing City-County CFT ILAs so that the Executive could act immediately after budget approval to amend the ILAs to include the newly awarded CFT funds. If this legislative was approved, the Council would no longer approve an amendment to the ILAs each time the Council appropriates CFT funds.

According to Department of Natural Resources and Parks (DNRP) staff, the current CFT ILA amendment process takes a minimum of six months to complete and must occur prior to the County reimbursing awarded CFT funding to cities. This legislation would eliminate that delay and the need for annual legislative actions by the County Council and the councils of the cities receiving the awards. DNRP staff notes that this proposal is consistent with the Land Conservation Initiative emphasis on accelerating the pace of open space acquisitions. Providing CFT funding to cities in a more expeditiously reduces the risk of losing properties identified for conservation to other purposes.

The proposed legislation would only allow amendments to the CFT ILAs for projects approved by the County Council through the budget approval process. Any other proposed changes to the CFT ILAs, or any new CFT ILAs would continue to require City and County Council approval.

**AMENDMENT**

Legal Counsel have recommended amendments to this proposed ordinance that are still being developed.

**ATTACHMENTS**

1. Proposed Ordinance 2018-0487 (and its attachment)
2. Fiscal Note

**INVITED**

1. Dwight Dively, Director, Office of Performance, Strategy, and Budget
2. Katy Terry, Interim Director, Parks and Recreation Division

1. Conservation futures are established in RCW 84.34.200 through .240. [↑](#footnote-ref-1)