



Legislation Text

File #: 2013-0158, **Version:** 2

AN ORDINANCE authorizing the executive to enter into an interlocal agreement among King County, the King County Flood Control Zone District and the city of Auburn to convey easements for implementation of the Reddington levee setback and extension project.

STATEMENT OF FACTS:

1. The King County Flood Control Zone District ("the district") is a quasi-municipal corporation formed under the authority of chapter 86.15 RCW for the purposes of providing flood protection projects and services throughout King County.
2. King County, as service provider to the district under an interlocal agreement by and between the county and the district, provides flood protection services and implements flood protection projects that the district has authorized and approved in its annual work program and its six-year capital improvement program ("CIP"). The district funds such services and implementation of the projects.
3. The district, in its annual work program and its six-year CIP, has authorized the construction of the Reddington levee setback and extension project ("the Reddington levee project"). Phase I of the Reddington levee project, which extends along the Green river from 43rd St. NE in the north to 26th St. NE in the south in the city of Auburn, involves setting back and extending a levee along the Green river for a distance of approximately six thousand linear feet. Phase II of the Reddington levee project, which does not have an established timeline or funding, is proposed to extend the levee from the northern terminus of Phase I north to S. 277th Street.

4. Both the district and the county have adopted the 2006 King County Flood Hazard Management Plan, which recommends implementation of the Reddington levee project.
5. Under the terms of the interlocal agreement between the county and the district, the county is responsible for obtaining in its own name all of the property interests necessary for implementation of a project, including the Reddington levee project, with such interests to be later transferred to the district.
6. The Reddington levee project will address significant flood risks to people, property, and infrastructure within the city of Auburn ("the city"), and will assist the city in providing important flood protection measures to its citizens.
7. The city holds title to properties in which the district and county have the need to acquire easement interests to allow for the construction, operation, maintenance and repair of the Reddington levee project, including a possible future Phase II of the Reddington levee project.
8. The city is agreeable to conveying easement interests to 22.9 acres on seven city-owned parcels to the county and district to allow for the construction, operation, maintenance and repair of the Reddington levee project, but only if the county and district agree to certain conditions, as stated in the proposed interlocal agreement by and among the city, the district and the county, Attachment A to this ordinance. The conditions include payment of one hundred forty-two thousand five hundred eleven dollars to the city, replacement of a bioswale on the city property that will be impacted by the Reddington levee project, fully funding the city's obligation to satisfy the Washington state Recreation and Conservation Office conversion requirements for 2.99 acres of city-owned property and the construction of trail improvements on the top of the setback levee. The county and the district are agreeable to meeting these conditions.
9. The city, the district, and the county are authorized under chapter 39.34 RCW, the Interlocal Cooperation Act, to enter into cooperative interlocal agreements for the purpose of engaging in

cooperative efforts to provide flood protection measures, and each has an interest in acting to protect people, property and infrastructure from flood waters.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The King County executive is hereby authorized to enter into an interlocal agreement with the city of Auburn and the King County Flood Control Zone District, substantially in the form of Attachment A to this ordinance, that provides the terms under which the city will convey easement interests to the county for the purposes of facilitating the construction, operation, maintenance and repair of the Reddington levee project.

SECTION 2. King County shall only accept easements from the city of Auburn in the form of Attachment B to this ordinance, except for completing the form with the appropriate property description for each easement granted and accepted.

SECTION 3. Construction of improvements related to Phase 2 of the Reddington Levee and/or conveyance of any property interest in county-owned real property for a trail to be constructed by the city of Auburn shall not proceed until the requirements of the state environmental review process have been fully satisfied.