



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**May 29, 2002**

**Ordinance 14369**

**Proposed No.** 2002-0194.1

**Sponsors** Edmonds

1 AN ORDINANCE authorizing the executive to enter into  
2 an amendment to the Conservation Futures Interlocal  
3 Cooperation Agreement with the city of Seattle for the  
4 Leschi natural area and Georgetown open space acquisition  
5 projects, authorized under Ordinance 13678, and the Hitts  
6 hill acquisition project, authorized under Ordinance 14018.

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**STATEMENT OF FACTS**

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1. Conservation futures tax levy funds are collected through King County  
11 as a dedicated portion of the property tax and are, by statute, available  
12 only for the acquisition of open space and resource lands.

13

2. Ordinance 13717 established a process for the annual distribution of  
14 conservation futures tax levy funds, which includes an allocation of  
15 conservation futures funds by the council through the annual budget  
16 adoption process.

16

17           3. On December 3, 1999, the King County council adopted the 2000  
18           budget by Ordinance 13678 and allocated twenty thousand dollars in  
19           conservation futures funds to the Georgetown acquisition project and fifty  
20           thousand dollars in conservation futures funds to the Leschi natural area  
21           acquisition project.

22           4. On December 15, 2000, the King County council adopted the 2001  
23           budget by Ordinance 14018 and allocated two hundred thousand dollars in  
24           conservation futures funds to the Hitts hill acquisition project.

25           5. The county desires to disburse conservation futures funds to the city of  
26           Seattle and suburban cities and must do so by amending existing or  
27           executing new interlocal agreements with these jurisdictions.

28           6. King County is authorized to enter into an interlocal agreement with  
29           the cities pursuant to chapter 39.34 RCW, the Interlocal Cooperation Act.

30           BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

31           SECTION 1. The King County executive is hereby authorized to enter into an  
32           amendment to the Conservation Futures Interlocal Cooperation Agreement with the city  
33           of Seattle for open space acquisition projects, in substantially the form attached to this  
34           ordinance, for the Leschi natural area and Georgetown open space acquisition projects,

35 authorized under Ordinance 13678, and the Hitts hill acquisition project, authorized  
36 under Ordinance 14018.  
37

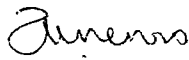
Ordinance 14369 was introduced on 5/6/2002 and passed by the Metropolitan King County Council on 5/28/2002, by the following vote:

Yes: 12 - Ms. Sullivan, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr. Phillips, Mr. Pelz, Mr. McKenna, Mr. Constantine, Mr. Pullen, Mr. Gossett, Mr. Irons and Ms. Patterson  
No: 0  
Excused: 1 - Ms. Hague

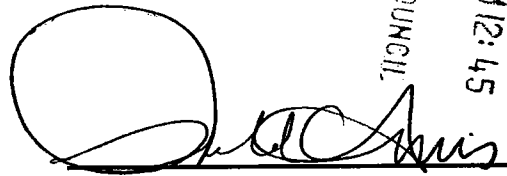
KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

  
Cynthia Sullivan, Chair

ATTEST:

  
Anne Noris, Clerk of the Council

APPROVED this 5 day of June, 2002.

  
Ron Sims, County Executive

RECEIVED  
2002 JUN -6 PM 12:45  
CLERK  
KING COUNTY COUNCIL

**Attachments**

- A. Amendment to the Conservation Futures Interlocal Cooperation Agreement Between King County and the City of Seattle for Open Space Acquisition Projects (Hitts Hill), B. Amendment to the Conservation Futures Interlocal Cooperation Agreement Between King County and the City of Seattle for Open Space Acquisition Projects (Leschi Natural Area and Georgetown Open Space Acquisitions)

**AMENDMENT TO THE CONSERVATION FUTURES  
INTERLOCAL COOPERATION AGREEMENT  
BETWEEN KING COUNTY AND THE CITY OF SEATTLE  
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 through the procedures set forth in Ordinance 8867, as amended by Ordinance 13717. 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 SEATTLE 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 29th day of June, 1990, 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 Hitts Hill acquisition, and hereafter reads:

- On December 15, 2000, the King County Council passed Ordinance 14018, which appropriated a total of Two Hundred Thousand Dollars (\$200,000) in Conservation Futures Levy proceeds to the City of Seattle for the Hitts Hill acquisition project. On \_\_\_\_\_ The King County Council passed Ordinance \_\_\_\_\_, authorizing the King County Executive to enter into an amendment to the Conservation Futures Interlocal Cooperation Agreement with the City of Seattle for Open Space Acquisition Projects to the Hitts Hill acquisition project authorized under ordinance 14018.

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

Section 5.1 is appended to include Attachment P, which lists a 2001 Conservation Futures Levy Allocation for the Hitts Hill Acquisition project.

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

The first two sentences of this article are appended to include Attachment P, which lists a 2001 Conservation Futures Levy proceeds allocation for the Hitts Hill 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 P to be used for the Projects listed in Attachments A through P. 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 P. The County assumes no obligation for the future support of the Projects described herein except as expressly set forth in this agreement.

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 SEATTLE

Ron Sims  
King County Executive

Greg Nickels  
Mayor

Date

Date

Acting under the authority of  
Ordinance:

Acting under the authority of  
Ordinance:

Dated:

Dated:

Approved as to form:

Approved as to form:

NORM MALENG  
King County Prosecuting Attorney

Thomas A. Carr  
City Attorney

**ATTACHMENT P**

**2000 CONSERVATION FUTURES LEVY  
CITY OF SEATTLE  
ALLOCATION**

Jurisdiction	Project	Allocation
Seattle	Hitts Hill Acquisition	\$200,000
	TOTAL	<b>\$200,000</b>

**Project Description:**

**Hitts Hill: Acquisition of a 3.18-acre property located between 37<sup>th</sup> Avenue South and 39<sup>th</sup> Avenue South and South Dawson Street in Seattle, on the western end of Hitts Hill.**

**City of Seattle – Hitts Hill Acquisition                      \$200,000**

**AMENDMENT TO THE CONSERVATION FUTURES  
INTERLOCAL COOPERATION AGREEMENT  
BETWEEN KING COUNTY AND THE CITY OF SEATTLE  
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 through the procedures set forth in Ordinance 8867, as amended by Ordinance 13717. 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 SEATTLE 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 29th day of June, 1990, 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 Leschi Natural Area and Georgetown Open Space acquisitions, and hereafter reads:

- On December 3, 1999, the King County Council passed Ordinance 13678, which appropriated Fifty Thousand Dollars (\$50,000) in Conservation Futures Levy proceeds to the City of Seattle for the Leschi Natural Area and Twenty Thousand Dollars (\$20,000) in Conservation Futures Levy proceeds to the Georgetown Open Space acquisition projects. On \_\_\_\_\_ The King County Council passed Ordinance \_\_\_\_\_, authorizing the King County Executive to enter into an amendment to the Conservation Futures Interlocal Cooperation Agreement with the City of Seattle for Open Space Acquisition Projects to the Leschi Natural Area and Georgetown Open Space acquisition projects authorized under ordinance 13678.

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

Section 5.1 is appended to include Attachment M, which lists a 2000 Conservation Futures Levy Allocation for the Leschi Natural Area and Georgetown Open Space acquisition projects.

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

The first two sentences of this article are appended to include Attachment M, which lists a 2000 Conservation Futures Levy proceeds allocation for the Leschi Natural Area and Georgetown Open Space acquisition projects:

Subject to the terms of this agreement, the County will provide Conservation Futures Levy Funds in the amounts shown in Attachments A through M to be used for the Projects listed in Attachments A through M. 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 M. The County assumes no obligation for the future support of the Projects described herein except as expressly set forth in this agreement.

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.

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

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Greg Nickels  
Mayor

Date

Date

Acting under the authority of  
Ordinance:

Acting under the authority of  
Ordinance:

Dated:

Dated:

Approved as to form:

Approved as to form:

NORM MALENG  
King County Prosecuting Attorney

Thomas A. Carr  
City Attorney



## ATTACHMENT M

**2000 CONSERVATION FUTURES LEVY  
CITY OF SEATTLE  
ALLOCATION**

Jurisdiction	Project	Allocation
Seattle	Leschi Natural Area	\$50,000
Seattle	Georgetown Open Space	\$20,000
TOTAL		<b>\$70,000</b>

**Project Description:****City of Seattle – Leschi Natural Area****\$50,000**

Project consists of the acquisition of a .33-acre property located within the City of Seattle's Leschi Natural Area on 36<sup>th</sup> Avenue in Seattle.

**City of Seattle – Georgetown Open Space****\$20,000**

Project consists of the acquisition of a .81 acre open space located on the 6400 block of Corson Avenue, between South Eddy and South Warsaw Streets in Seattle.