



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

March 7, 2011

Ordinance 17043

Proposed No. 2011-0031.1

Sponsors von Reichbauer and Phillips

1 AN ORDINANCE authorizing the King County executive
2 to enter into an amendment to the Conservation Futures
3 interlocal cooperation agreement with the city of Federal
4 Way for the disbursement of conservation futures tax levy
5 funds appropriated under Ordinance 16932.

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 directs 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. The executive has also received and considered the conservation
15 futures citizens' committee funding recommendations for the reallocation
16 of project funding in his transmittal of the 2010 supplemental budget
17 ordinance, and the King County council has appropriated conservation
18 futures funds, by Ordinance 16932, to the Hylebos Creek open space
19 acquisition project described in Attachment A to this ordinance.

20 5. King County desires to disburse conservation futures funds to the city
21 of Federal Way and to do so it must amend the existing conservation
22 futures interlocal agreement with Federal Way.

23 6. King County and its cities are authorized to enter into an interlocal
24 agreement pursuant to chapter 39.34 RCW, the Interlocal Cooperation Act.

25 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

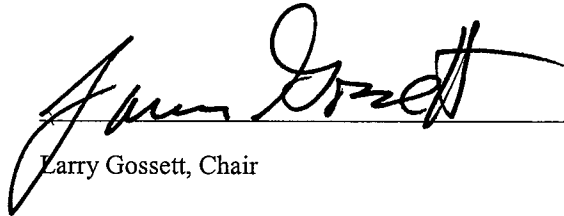
26 SECTION 1. The King County executive is hereby authorized to enter into an
27 amendment to the Conservation Futures interlocal cooperation agreement between King

28 County and the city of Federal Way for the disbursement of conservation futures tax levy
29 funds appropriated under Ordinance 16932.
30


Ordinance 17043 was introduced on 1/18/2011 and passed by the Metropolitan King County Council on 3/7/2011, by the following vote:

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


KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Larry Gossett, Chair

ATTEST:


Anne Noris, Clerk of the Council

APPROVED this 11 day of MARCH, 2011.


Dow Constantine, County Executive

RECEIVED
2011 MAR 11 PM 4:02
KING COUNTY CLERK
KING COUNTY COUNCIL

Attachments: A. Amendment to the Conservation Futures Interlocal Cooperation Agreement Between King County and the City of Federal Way for Open Space Acquisition Project

**AMENDMENT TO THE CONSERVATION FUTURES
INTERLOCAL COOPERATION AGREEMENT
BETWEEN KING COUNTY AND THE CITY OF FEDERAL WAY
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 FEDERAL WAY 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 5th 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 Hylebos Creek Acquisition, and hereafter reads:

- On September 27, 2010, the King County Council passed Ordinance 16932, which appropriated a total of Two Hundred and Fifty Eight Thousand (\$ 258,000) in Conservation Futures Levy proceeds to the City of Federal Way for the Hylebos Creek acquisition Project. On _____, 201__ The King County Council passed Ordinance _____, authorizing the King County Executive to enter into interlocal agreements with the City _____ for the disbursement of Conservation Futures Funds appropriated in Ordinance 16932.

Amendment 2: Article V. Conditions of Agreement

Section 5.1 is amended to include Attachment G, which lists a 2010 Conservation Futures Levy Allocation for the Hylebos Creek Acquisition project.

Amendment 3: Article VII. Responsibilities of County

The first two sentences of this article are amended to include references to Attachment G, which lists a 2010 Conservation Futures Levy proceeds allocation for the Hylebos Creek 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 G, to be used for the Projects listed in Attachments A through G. 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 G. 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 G

The Attachments to the interlocal agreement are hereby amended by adding Attachment G, 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 FEDERAL WAY

Dow Constantine
King County Executive

Linda Kochmar
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 A

(Attachment G to the Original Interlocal Cooperation Agreement)

**2010 CONSERVATION FUTURES LEVY
CITY OF FEDERAL WAY ALLOCATION**

Jurisdiction	Project	Allocation
Federal Way	Hylebos Creek (Ordinance 16932)	\$ 258,000
TOTAL		\$ 258,000

Project Description:

315722 - Federal Way Hylebos Creek Conservation Futures project:

\$258,000 in CFT funds is proposed to be allocated to this project, which has a goal of acquiring riparian habitat on Hylebos Creek, from the abandoned Federal Way Camp Kilworth CFT project. Also added to the scope of this project is a 6.5 acre parcel adjacent to Enticknap Wetland on Hylebos Creek, which is part of this project.

City of Federal Way – Hylebos Creek

\$ 258,000