

**PROPOSED ORDINANCE 2005-0344**

**Attachments 6 & 7  
September 28, 2005 Staff Report**

**King County Conservation Futures Citizens Committee**

**MINUTES**

**Wednesday March 16, 2005**

4:30 PM – 6:00 PM

Mercer Island City Council Chambers,  
Mercer Island, Washington

1. Welcome and Introductions – Terry Lavender

2. Approval of Minutes of January 19, 2005 meeting

Mark Johnsen moved to approve the Minutes of the January 19, 2005 meeting. Julie Burman seconded. The Minutes were approved.

3. Federal Way Proposal for scope change on 2005 Hylebos Creek project

Staff gave a brief presentation on a City of Federal Way request for a recommendation on a proposed project scope change for the Hylebos Creek acquisition project

Mark Johnsen moved to approve request. Mark Boyar seconded. The Minutes were approved.

4. Annual Project Progress Review and Recommendations

The Committee reviewed the status of uncompleted CFT projects, based on a draft status report prepared by staff prior to the meeting. Following is a summary of the Committee recommendations. For many of the project the Committee recommended that they should be completed this year and that the Committee will convene in December 2005 to make a final recommendation. Of the projects undergoing this review, those that are not completed or under contract by that time may be recommended for abandonment.

Specific project recommendations:

Carnation Tolt River project (funded 10/2001) \$350,000 remaining unspent: The Committee recommends keeping \$150,000 in this project to match the available funds and moving \$200,000 at the end of 2005 if no additional matching funds have been obtained or identified as having a likely probability of being obtained

Issaquah: Tibbetts Valley Trailhead (1993) \$64,091 unspent: The Committee feels that there is no likelihood of progress on this project in the foreseeable future. It recommends abandoning the project and considering the remaining funds in the upcoming annual application round in 2005

Redmond Sammamish River Trail (2002) \$125,000. The City and the land owner may be able to gain an agreement this year for preserving this site, and therefore the Committee recommends continuing the project through the end of the year. At that time, if no agreement has been reached or appears probable, the Committee will most likely recommend abandoning the project.

Renton May Creek Trail (1997) \$93,998 unspent: The Committee therefore recommends expanding the scope of the project to include these parcels and continuing the project through the end of the year.

Shoreline Richmond Beach/Pym (2002) \$202,000 unspent. The Committee recommends expanding the scope of the project to include tideland parcel(s) north of the earlier project scope and continuing the project through the end of the year.

Seattle SW Alaska St./Ercolini Park (2001/2) \$202,000 unspent: The Committee recommends that the city has a good chance to complete this project in 2005 and recommends continuing the project through the end of the year.

King County Shadow Lake Bog (10/2001) 250,000 unspent: The county and SHADOW have a good chance to complete this project in 2005 and recommends continuing the project through the end of the year.

King County Holder Creek (10/2001) \$189,000 unspent: At is January 17, 2005 meeting, the Committee recommended the reallocation of \$159,000 in remaining funds to the Issaquah/Carey/Holder Creek CFT Project to assist in the completion of that project. Approximately \$30,000 was recommended to remain in the Holder Creek project, pending the decision of a landowner to accept or reject an offer by King County. That offer has now been rejected, so the Committee recommends that all remaining project funds should be transferred to the Issaquah/Carey/Holder Creek CFT Project.

King County Cottage Lake Creek (10/2002) \$ 300,000 unspent: The Committee recommends expanding the scope of the project to include Bear Creek Reach "D" and continuing the project through the end of the year.

King County Grand Ridge/Mitchell Hill (10/2002) \$580,000 unspent: The Committee recommends continuing the project through the end of the year. At that time, if no likely matching funds have been identified or the parcels have not been acquired or under contract, the Committee will reconsider its recommendation on the future of the project, including possible abandonment and reallocation.

King County Icy Creek (10/2002) \$ 465,000 remaining unspent. The Committee recommends that that up to \$150,000 in CFT funds from the Icy Creek project be transferred to the Dandy/Bass/Beaver Lake project and further recommend that the remainder of the Icy Creek project funds remain in the project until the end of 2005.

King County Maury Island Nearshore (11/2002) \$600,000: The Committee recommends retaining the funding for this project in 2005, in recognition of the large scale of the project and the impact of broader issues related to the site that currently restrict negotiations. As with several other projects, the Committee will reconsider it recommendation on the future of the project at the end of 2005.

King County Patterson Creek (10/2002) \$109,000 unspent: In recognition of the availability of matching funds and the possibility of successful negotiations with one remaining landowner, the Committee recommends continuing the project through the end of the year. At that time, if no additional parcels have been acquired or under contract, the Committee will likely recommend reallocation of remaining project funds.

King County Snoqualmie Fall City (10/2002) \$273,000 unspent: In recognition of the availability of matching funds and the possibility of successful negotiations with one remaining landowner, the Committee recommends continuing the project through the end of the year. At that time, if no additional parcels have been acquired or under contract, the Committee will reconsider its recommendation regarding the future of the project and may recommend reallocation of remaining project funds.

5. The Committee adjourned at 6:15 PM.

Respectfully submitted by

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David Tiemann

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(Date)

**King County Conservation Futures Citizens Committee**

Wednesday March 16, 2005  
Meeting  
4:30 PM – 6:00 PM  
Mercerview Community Center,  
Mercer Island, Washington

**Attendance**

Terry Lavender	Conservation Futures Citizens Committee member		
Jerry Arbes	“	“	
Mark Boyer	“	“	
Julie Burman	“	“	
Mark Johnsen	“	“	
Lisa Parsons	“	“	Nominee
Carol Dahl	“	“	Nominee
David Tiemann	King County Water and Land Resources Division		
Faith Roland	“	“	
Don Harris	Seattle Parks and Recreation		

**KING COUNTY  
CONSERVATION FUTURES CITIZENS COMMITTEE**

**ANNUAL PROJECT PROGRESS REPORT  
FOR THE YEAR ENDING January 31, 2005**

**MARCH 31, 2005**

**Progress Report Background**

Conservation Futures Tax (CFT) levy funds are collected from property taxes levied throughout King County and are dedicated to the acquisition of open space in cities and unincorporated areas. By ordinance 14714, the CFT Citizens Committee is required to make an annual project progress report to the Council by April 1, including recommendations for the reallocation of project funds for projects that have exceeded two years in duration since they were originally funded.

**The Committee's Review – Overall Progress**

City and county agencies with uncompleted CFT projects that exceed two or more years since their inception have reported on their progress and the Committee met in March, 2005 to review and make recommendations on the continuance of these projects. The Committee is pleased to report that the majority of projects that are two or more years old have been completed or are under contract of sale. Of the 71 CFT projects funded between the fiscal years of 1998 through 2003<sup>1</sup>, 59 have been completed and two more have been partially completed. This includes the completion of 17 of 18 projects funded in Seattle, 20 of 23 suburban city projects<sup>2</sup> and 22 of 30 King County projects, with two more partially completed. We think this is a great success story for our region - these urban and rural open spaces will provide ecological and quality of life benefits for King County residents for years to come.

Of the five uncompleted suburban city projects, two are older ones from the early and mid-1990s, Issaquah's Tibbetts Valley Trailhead and Renton's May Creek Trail, and three were funded more recently, Carnation's Tolt River project (2001), Redmond's Sammamish Valley Floor (2002), Shoreline's Richmond Beach/Pym project (2002). Seattle's only uncompleted project is the SW Alaska Street/Ercolini (2002/3) project in west Seattle, which the City anticipates completing in 2005. King County has six uncompleted projects and three partially completed projects listed below that are two to three years old, but this should be viewed in the context of 20 county projects funded in

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<sup>1</sup> Fiscal year 2003 projects were authorized in November 2002 and are now over two years old. *Some projects may have received allocations in more than one year.???*

<sup>2</sup> There are also two smaller suburban city trail projects funded prior to 1998, Issaquah's Tibbetts Valley Trailhead and Renton's May Creek Trail.

2001 and 2002 and King County's completion of three major projects funded in 2004: the approximately 90,000 acre Cascade Foothills project, the Treemont project near Carnation and the Juanita Woodlands project.

For very recently funded projects created in the fall of 2003, approximately half of the suburban city and Seattle projects have been acquired or are under contract. King County has completed one project and is actively working on the others.

In Summary, the Citizens Committee finds that the CFT program continues to achieve good results overall. The projects continue to be of high quality and are making a lasting impact on our region's quality of life and environmental health.

**Committee recommendations on uncompleted projects of two or more years duration**

Following is a list of all uncompleted Conservation Futures projects funded in 2002 or earlier. On the following pages are the Committee's specific recommendations for uncompleted projects that were initially funded two or more years ago. For most projects, the Committee recommends extending them through 2005, with the understanding that the Committee will meet in December 2005 to make a final recommendation regarding the transfer of funds for projects where funds have not been expended or committed by contract, or cannot demonstrate significant additional progress.

**SUMMARY OF COMMITTEE RECOMMENDATION:**

<u>Jurisdiction</u>	<u>Project Name</u>	<u>Funding Date</u>	<u>Remaining Funds</u>	<u>Brief description of Recommendation</u>
Carnation	Tolt River	10/2001	\$ 350,000	Continue in 2005
Issaquah	Tibbetts Valley Trailhead	10/1993	\$ 65,000	Abandon project and recommend use of funds in 2005 annual round
Redmond	Sammamish River Trail1	10/2002	\$ 125,000	Continue in 2005
Renton	May Creek Trail	9/1997	\$ 93,000	Expand scope and Continue in 2005
Shoreline	Richmond Beach/Pym	10/2002	\$ 201,000	Expand scope and Continue in 2005
Seattle	Ercolini Park	10/2002	\$ 430,000	Continue in 2005
King County	Shadow Lake Bog	10/2001	\$ 245,000	Continue in 2005
King County	Holder Creek	10/2001	\$ 189,000	Transfer remaining funds to Issaquah/Holder/Carey Creek project.
King County	Cottage Lake Creek	10/2002	\$ 300,000	Expand project scope.
King County	Grand Ridge/Mitchell Hill	11/2002	\$ 580,000	Continue in 2005
King County	Icy Creek	10/2002	\$ 465,000	Transfer up to \$150,000 to Dandy Lake project, other funds remain in project in 2005
King County	Maury Island Nearshore	11/2002	\$ 600,000	Continue in 2005
King County	Patterson Creek	10/2002	\$ 109,000	Continue in 2005
King County	Snoqualmie Fall City	10/2002	\$ 273,000	Continue in 2005

<u>Jurisdiction</u>	<u>Project (Year Funded)</u>	<u>Originally Allocated</u>	<u>Remaining Unspent</u>
<b>SUBURBAN CITES</b>			
<b>Carnation</b>	<b>Tolt River (10/2001)</b>	<b>\$350,000</b>	<b>\$350,000</b>

*Brief Description:*

This is a multiple-parcel salmon habitat preservation project on the Tolt River. The goal is to protect high-quality salmon habitat behind a levee to allow for future levee setback and habitat restoration. This is an important spawning area for the Snoqualmie fall Chinook stock. The project is a partnership between King County and Carnation whereby the jurisdictions may pool matching funds.

*Status:*

The city has secured \$136,000 in King Conservation District (KCD) matching funds, which, with CFT funds would allow it to purchase one of the properties. The property was appraised a year ago but negotiations have lagged on this project. The KCD grant will likely be extended until the end of 2005, but with the condition that if one of the properties is not purchased or under contract. The City is requesting one final year to attempt to acquire one of the properties with \$150,000 in CFT funds. It has not been able to gain or identify additional matching funds beyond the KCD grant and therefore does not foresee utilizing the remaining \$200,000.

*Recommendation:*

The Committee recommends keeping \$150,000 in this project to match the available funds and moving \$200,000 at the end of 2005 if no additional matching funds have been obtained or identified. If necessary, these funds could be considered for allocation elsewhere on the Tolt River, should it be required by King County at year's end.

<b>Issaquah</b>	<b>Tibbetts Valley Trailhead (1993)</b>	<b>\$64,091</b>	<b>\$64,091</b>
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*Brief Description:*

This project was funded in 1993 to assist with the purchase of trailhead property in Issaquah that had been proposed under the 1989 Open Space Bond Program. When that project was not feasible, King County allocated the funds to help purchase a portion of a site formerly owned by Glacier Mining Co., also called Sunset Quarry, in unincorporated King County just south of the city limits.

*Status:*

There continues to be little likelihood in the immediate future for the purchase of additional land at Sunset Quarry. Last year, the Committee recommended retaining the funds in this project so that the City could work with the landowner to try to further acquisition efforts for the site. There has been no appreciable progress and another opportunity has since presented itself, a last inholding in the Cougar/Squak Mountain Corridor known as the M & H property. This property was recommended for acquisition under the 1989 Open Space Bond program over a dozen years ago, but the owner was ultimately not willing to sell the property. The City is considering applying for CFT funding for the M & H property later this year and should that proposal be recommend for funding, the Committee could recommend this as a priority for transfer of Tibbetts Valley Trail head funds as part of the funding package.

*Recommendation:*

The Committee feels that there is no likelihood of progress on this project in the foreseeable future. It recommends abandoning the project and considering the remaining funds in the upcoming annual application round in 2005.

<u>Jurisdiction</u>	<u>Project (Year Funded)</u>	<u>Originally Allocated</u>	<u>Remaining Unspent</u>
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<b>Redmond</b>	<b>Sammamish River Trail (2002)</b>	<b>\$125,000</b>	<b>\$125,000</b>
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*Brief Description:*

The Sammamish River Trail project consists of the acquisition of a 20-acre buffer to the Sammamish Valley Regional Trail, located on the east bank of the Sammamish River north of the Puget Sound Energy Trail, directly east and across the river from the of Willows Run Golf Course. The City has secured 100% of the required matching funds. Committee called this project regionally significant because of its adjacency to regional trail.

*Status:*

The City has recently had success meeting with the property owner for serious negotiations in February, 2005 and is now optimistic that the project will proceed. The acquisition has been delayed over the past two years due to zoning and permitting issues that the city anticipates will be resolved in mid-2005. Staff has conducted a property appraisal and will meet with the Mayor and Council in March 2005 to gain necessary incentives to propose to the owner. Redmond Parks is requesting the Committee to recommend extending the project to reiterate the regional importance of the project to the Council and Mayor as they consider significant incentive commitments on the part of the city.

*Recommendation:*

Based on the possibility that the City and the land owner maybe able to gain an agreement this year for preserving this site, the Committee recommends continuing the project through the end of the year. At that time, if no agreement has been reached or appears probable, the Committee will most likely recommend abandoning the project.

<b>Renton May Creek Trail (1997)</b>	<b>\$200,000</b>	<b>\$93,998</b>
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*Brief Description:*

The May Creek Trail project is a multiple-parcel project that provides streamside habitat and a trail corridor along May Creek in Renton. The long-range goal of the project is to complete a trail extending from Cougar Mountain to Lake Washington. The majority of this corridor has been acquired, however a gap of a few parcels remains near the mouth of the creek at Interstate 405 and Lake Washington.

*Status:*

Renton has contacted three owners along the creek within the original project scope and they are either not interested in selling their property within the near future or the city is not able to meet their asking price. The city does have available matching funds. Renton is requesting to continue the project because they have approached other property owners on May Creek for a trail easement extending from the west side of I-405 down to Lake Washington, outside to the original project scope area, who are open to offers for purchase of their land. The project scope would need to be modified to include these parcels. The city feels that it could purchase these trail easements before the end of 2005 and requests expansion of the project scope and continuation of the project funding for the remainder of this year.

*Recommendation:*

The City is attempting to reach agreements with landowners located just outside of the original project scope and may be able to gain agreements this year. The Committee therefore recommends expanding the scope of the project to include these parcels and continuing the project through the end of the year. At that time, if the parcels have not been acquired or under contract, the Committee will recommend reallocating any remaining funds.



<u>Jurisdiction</u>	<u>Project (Year Funded)</u>	<u>Originally Allocated</u>	<u>Remaining Unspent</u>
Shoreline	Richmond Beach/Pym (2002)	\$202,000	\$202,000

*Brief Description:*

This project was funded by the Council in the King County annual budget November 2002, with a goal of securing additional buffer and shoreline access around Richmond Beach Park. Shoreline has recently secured over 1.2 million dollars from project mitigation funds that could be used to match this CFT grant request.

*Status:*

The owner of the Pym property is not interested in pursuing the sale of her property to the city, as a long term financial arrangement could not be completed to meet the owner's needs. Burlington Northern (BNSF) owns tideland property south of Richmond Beach Saltwater Park, but they are not interested in selling this parcel to the City. The city has approached the owner of another parcel, which has approximately 500 feet of waterfront, immediately north of Richmond Beach Saltwater Park. The property would provide additional shoreline access north from Richmond Beach Park. The property is held in a trust and the owners are interested in discussing a sale of the site to the City of Shoreline. The Shoreline Parks Department requests extending the project for the remainder of this year to see if an agreement can be reached. If so, the project scope would need to be expanded to include the new property.

*Recommendation:*

The City has engaged in negotiations with a landowner located just outside of the original project scope and may be able to gain an agreement this year. The Committee recommends expanding the scope of the project to include tideland parcel(s) north of the earlier project scope and continuing the project through the end of the year. At that time, if the parcels have not been acquired or under contract, the Committee will recommend reallocating any remaining funds.

**SEATTLE**

Seattle	SW Alaska St./Ercolini Park (2001/2)	\$202,000	\$202,000
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*Brief Description:*

This is a half-acre neighborhood green space project located in West Seattle on SW Alaska Street and 48<sup>th</sup> Avenue, just west of the West Seattle Junction Hub Urban Village. The site is identified in the West Seattle Junction Neighborhood Plan.

*Status:*

Matching funds are being provided by (1) the Pro Parks Levy approved by Seattle voters in 2000 and (2) an anticipated \$245,000 grant from the State Inter Agency Committee for Outdoor Recreation (IAC) that appears likely to be awarded in the State Capital Budget in June 2005 – if the Legislature appropriates WWRP funding at the level requested by the IAC and that is equivalent to past appropriations. The owner wishes to sell the entire property, including an existing house, and the appraised value is higher than originally anticipated. The City has agreed purchase price and terms with the owner, subject to supplementary (grant) funding. Seattle Parks is actively pursuing the necessary funding. Seattle Parks anticipates completing the subsequent property purchase by the end of 2005, subject to securing the additional grant funding. In the event that the project does not receive WWRP funding from the State IAC, Seattle Parks will pursue alternative funding by reprogramming Pro Parks Levy funds.

<u>Jurisdiction</u>	<u>Project (Year Funded)</u>	<u>Originally Allocated</u>	<u>Remaining Unspent</u>
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*Recommendation:*

The Committee feels that the city has a good chance to complete this project in 2005 and recommends continuing the project through the end of the year. At that time, if no agreement has been reached or appears probable, the Committee will re-consider its recommendation on the future of the project.

**KING COUNTY**

<b>King County</b>	<b>Shadow Lake Bog (10/2001)</b>	<b>\$150,000</b>	<b>\$150,000</b>
	<b>(10/2001)</b>	<b><u>\$100,000</u></b>	<b><u>\$100,000</u></b>
		<b>\$250,000</b>	<b>\$250,000</b>

[note: This project was funded in two separate allocation actions in October, 2001]

*Brief Description:*

This is a citizen-initiated project by the group "SHADOW" that includes the acquisition of additional buffer lands adjacent to Shadow Lake Bog in south King County.

*Status:*

SHADOW has obtained matching funds and has purchased one of the two properties. It is in the process of reaching agreement with King County on the sale of a Conservation easement to King County. The other property has been the subject of contentious issues valuation between the heirs of the former property owners. As the new owners are unable to agree on the value, a court has ordered it to be sold at auction in April 2005. SHADOW intends to bid on the property and if successful will sell King County a conservation easement over a portion of the property that is proportional to the remaining CFT dollars in the project. King County expects to complete this project by the fall of 2005 and therefore requests continuance of the project this year.

*Recommendation:*

The Committee feels that the county and SHADOW have a good chance to complete this project in 2005 and recommends continuing the project through the end of the year. At that time, if no agreement has been reached or appears probable, the Committee will re-consider its recommendation on the future of the project.

<b>King County</b>	<b>Holder Creek (10/2001)</b>	<b>\$300,000</b>	<b>\$189,000</b>
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*Brief Description:*

Located in the headwaters of Issaquah Creek, Holder Creek the goal of this project is to acquire six forested parcels totaling 160 acres along one mile of the creek. The project also helps link Tiger Mountain State Forest and King County's Taylor Mountain Forest. The project would have the added benefit of removing access easements to the properties across the 1,500 acre Taylor Mountain Forest.

*Status:*

King County has acquired 97 acres from 4 owners. Of the remaining parcels, one owner has rejected King County's offer and one is considering a final offer from King County for a Conservation Easement over a portion of his property adjacent to Holder Creek.

<u>Jurisdiction</u>	<u>Project (Year Funded)</u>	<u>Originally Allocated</u>	<u>Remaining Unspent</u>
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*Recommendation:* At its January 17, 2005 meeting, the Committee recommended the reallocation of \$159,000 in remaining funds to the Issaquah/Carey/Holder Creek CFT Project to assist in the completion of that project. Approximately \$30,000 was recommended to remain in the Holder Creek project, pending the decision of a landowner to accept or reject an offer by King County. That offer has now been rejected, so the Committee recommends that all remaining project funds should be transferred to the Issaquah/Carey/Holder Creek CFT Project.

<b>King County</b>	<b>Cottage Lake Creek (10/2002)</b>	<b>\$ 300,000</b>	<b>\$ 300,000</b>
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*Brief Description:*

This is a 33-acre property with one owner, located on Avondale Road at Northeast 136<sup>th</sup> Street. The property contains forested uplands, wetlands and riparian habitat. Over one-half mile of Cottage Lake Creek flows through the property and the creek comprises approximately two-thirds of the Chinook salmon spawning habitat in the entire Bear Creek system.

*Status:*

Anticipating that negotiations for the originally identified property would be unsuccessful, King County expanded the project scope in 2004 to include additional Reaches along Bear Creek known as reaches A, B, and C. A project funded with CFT in 2003 on one of the two main headwater branches of Cottage Creek, called "Cold Creek", which is in Reach "D" and has a current shortfall and requires additional funding to be completed. King County WLRD is requesting that the funds for the 2002 Cottage Creek CFT Project be reallocated to the 2003 Cold creek (Reach "D") CFT Project.

*Recommendation:*

The Committee recommends expanding the scope of the project to include Bear Creek Reach "D" and continuing the project through the end of the year. At that time, if the parcels have not been acquired or under contract, the Committee will re-consider its recommendation on the future of the project.

<b>King County</b>	<b>Grand Ridge/Mitchell Hill</b>	<b>(10/2002)</b>	<b>\$ 100,000</b>	<b>\$580,000</b>
		<b>(11/2002)</b>	<b>\$ 500,000</b>	
			<b>\$ 600,000</b>	

*Brief Description:*

This project would acquire up to seven properties to connect state DNR ownership on Mitchell Hill with King County ownership on Grand Ridge in the I-90 corridor. The first phase of the proposal is to obtain development rights on four parcels to connect the two larger properties, and the second phase is to add additional property to the Grand Ridge holdings. The properties would be maintained for sustainable timber harvesting under a management plan with King County. Trail and wildlife needs would also be incorporated into the plans.

*Status:*

King County has been unable to secure matching funds for this project and has no identified prospects for gaining such funds.

*Recommendation:*

The Committee recommends continuing the project through the end of the year. At that time, if no likely matching funds have been identified or the parcels have not been acquired or under

<u>Jurisdiction</u>	<u>Project (Year Funded)</u>	<u>Originally Allocated</u>	<u>Remaining Unspent</u>
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contract, the Committee will re-consider its recommendation on the future of the project, including possible abandonment and reallocation.

<b>King County</b>	<b>Icy Creek (10/2002)</b>	<b>\$500,000</b>	<b>\$ 465,000</b>
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*Brief Description:*

This project is located on the Franklin-Enumclaw Road and covers 80 acres of an overall 192-acre site, adjacent to the Green River Gorge State Park and containing critical headwaters of Icy Creek. Icy Creek is a groundwater-fed stream that contributes a significant source of cold, clear water to the Green River system. The current landowner proposes to build and is near receipt of permits to build 28 homes on the 192-acre parcel. The State of Washington Parks Agency also identified a portion of the site for acquisition that is located closer to the Green River, to help complete a trail along the River and to further buffer its park holding along the Green River gorge. King County has worked with the landowner in the past to purchase other open space acquisitions and the owners have stated that they are willing to sell the site.

*Status:*

King County WLRD has conducted an appraisal of the property and is unable to meet the property value expectations of the owners. The State of Washington has reviewed and concurred with King County's Icy Creek appraisal, finding also it to be significantly below the expectations of the landowners for the portion of land it had targeted for acquisition. The State of Washington has therefore abandoned its portion of the project and will expend its funds on other property in the area. In January, 2005 the owners verbally offered to provide King County with comparable property sales to justify their value expectations, but they have not done so as of mid-march 2005.

King County has a contract, contingent on funding, to acquire the 2003 Dandy Lake CFT Project, located about three miles from the Icy Creek project. The Dandy Lake project has an approximately \$300,000 funding shortfall and King County WLRD is requesting that up to \$150,000 in CFT funds from the Icy Creek project be transferred to the Dandy/Bass/Beaver Lake project. The need for these requested transfer funds may be reduced if King County gains additional matching funds from two other sources in April 2005, but those funds have not been obtained at this time. WLRD requests the transfer only of those Icy Creek funds needed to acquire Dandy Lake. King County has reiterated its commitment to good faith negotiations with the Icy Creek landowner and requests that the remainder of the Icy Creek funds stay in the project for the remainder of 2005, so that all possible options may be explored.

*Recommendation:*

The Committee recommends that that up to \$150,000 in CFT funds from the Icy Creek project be transferred to the Dandy/Bass/Beaver Lake project and further recommend that the remainder of the Icy Creek project funds remain in the project until the end of 2005. At that time, if no agreement has been reached or appears probable, the Committee will re-consider its recommendation on the future of the project, including possible abandonment of the project.

<b>King County</b>	<b>Maury Island Nearshore (11/2002)</b>	<b>\$600,000</b>	<b>\$600,000</b>
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*Brief Description:*

This project contains almost one mile of undeveloped Puget Sound waterfront, located off Southwest 260<sup>th</sup> Street on the southeast shoreline of Maury Island. The project site is approximately 275 acres

<u>Jurisdiction</u>	<u>Project (Year Funded)</u>	<u>Originally Allocated</u>	<u>Remaining Unspent</u>
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in total. The goal of the project is to protect nearshore habitat. The State of Washington Department of Natural Resources has designated the shoreline around Maury Island as the Maury Island Aquatic Preserve.

*Status:*

The costs for this project likely exceeds the funds currently available. In anticipation of this, King County passed Ordinance 14817, which creates the Forestry and Nearshore Initiative. The Ordinance authorized King County to bond against the Conservation Futures revenue stream to fund the acquisition of a conservation easement over the approximately 90,000-acre Cascade Forest, the Juanita Woodlands and the Maury Island Nearshore project. Negotiations for this acquisition project are not active, pending broader regulatory issues pertaining to the site and the seeking of additional funds.

*Recommendation:*

The Committee recommends retaining the funding for this project in 2005, in recognition of the large scale of the project and the impact of broader issues related to the site that currently restrict negotiations. As with several other projects, the Committee will reconsider it recommendation on the future of the project at the end of 2005.

<b>King County</b>	<b>Patterson Creek (10/2002)</b>	<b>\$150,000</b>	<b>\$109,000</b>
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*Brief Description:*

The purpose of this multi-parcel project is to complete the protection of a Patterson Creek Waterways 2000 reach, located on State Route 202 near Northeast 264<sup>th</sup> Street. The 76-acre area proposed for acquisition contains 1500 feet of mature forested wetland along Patterson Creek and will allow for restoration of riparian conditions an additional 1700 feet of stream, including 500 feet of spawning habitat on Tributary 0383.

*Status:*

King County has secured State Salmon Recovery Funding Board (SRFB) funds that matches the CFT allocation and has purchased one property, formerly known as the Egbert property. County WLRD staff have contacted the neighboring landowner and have received a positive response regarding the willingness of the owner to sell his property. WLRD staff is requesting that all of the remaining funds be left in the project for the remainder of this year and then reallocated at the end of the year if the property is not acquired or under contract by that time.

*Recommendation:*

In recognition of the availability of matching funds and the possibility of successful negotiations with one remaining landowner, the Committee recommends continuing the project through the end of the year. At that time, if no additional parcels have been acquired or under contract, the Committee will likely recommend reallocation of remaining project funds.

<u>Jurisdiction</u>	<u>Project (Year Funded)</u>	<u>Originally Allocated</u>	<u>Remaining Unspent</u>
King County	Snoqualmie Fall City (10/2002)	\$300,000	\$273,000

*Brief Description:*

This 114-acre, multi-parcel reach is located along the main branch of the Snoqualmie River, north of Fall City between State Routes 202 and 203. This area of the river contains over one mile of the river corridor and it is one most important spawning areas in King County for endangered Chinook salmon. The goal of the project is to protect and restore habitat along the reach and to allow for restoration and re-connection of former "side channels" with the main branch of the river.

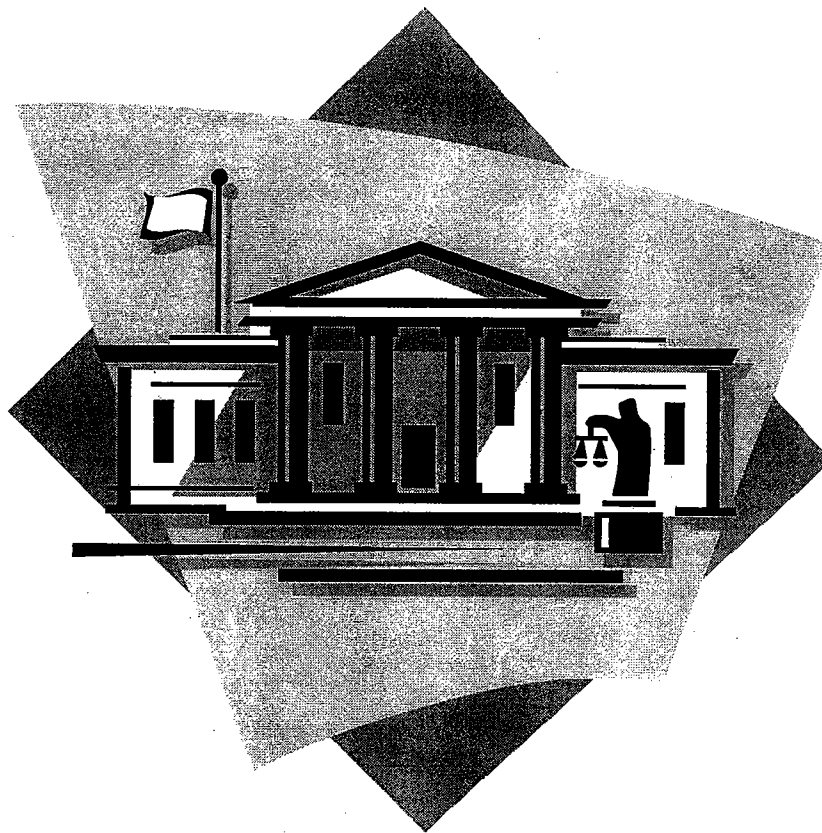
*Status:*

There are four property owners within the project scope and two of them are not interested in selling their property. Of the other two owners, agreement has recently been reached to purchase a conservation easement on one of them for approximately \$109,000 on a 25.8-acre property. The other owner is interested in selling but there is no agreement at this time. King County has secured a \$350,000 SRFB matching grant for this project and would like to try to purchase some or all of the remaining 52-acre property this year. King County WLRD staff is requesting that all of the remaining funds be left in the project for the remainder of this year and then reallocated, if necessary, at the end of the year if the property is not acquired or under contract by that time.

*Recommendation:*

In recognition of the availability of matching funds and the possibility of successful negotiations with one remaining landowner, the Committee recommends continuing the project through the end of the year. At that time, if no additional parcels have been acquired or under contract, the Committee will reconsider its recommendation regarding the future of the project and may recommend reallocation of remaining project funds.

*Facilities Master Plan  
King County District Court*



*Work Plan  
August 2005*

## **INTRODUCTION**

Between March 2004 and April 2005, representatives from the King County Executive, the King County Council, the King County District Court, Contracting Cities and other stakeholders engaged in an intensive strategic and operational planning effort for the King County District Court. The process resulted in a careful and in-depth assessment of the District Court's current and future operations, services and role in the criminal justice system. The resulting District Court Operational Master Plan (DCOMP) was adopted by King County Council legislation in May 2005.

Among the eleven recommendations adopted in the plan, the DCOMP sets forth a strategic direction for District Court space needs and recommends a follow-up facilities master plan consistent with King County Code. Specifically, Strategic Recommendation Number 8 of the DCOMP addressed facilities as follows:

Continue to support a unified, countywide District Court, utilizing existing facilities, to provide for a more equitable and cost effective system of justice for the citizens of King County.

- A. Ensure court facilities promote system efficiencies, quality services and access to justice.
- B. Consolidate District Court facilities that exist in the same city.
- C. Reconsider facilities if there are changes with contracting cities or changes in leases.
- D. Work with cities to develop a facility master plan as it relates to the District Court.

## **OBJECTIVE**

In the spirit of cooperation and in conformity with the King County Code, the District Court and the Executive have agreed to develop the District Court Facility Master Plan together and seek the input of Contract Cities and other stakeholders through an advisory committee process similar to the steering committee process that was used for the development of the DCOMP. Once complete, the Executive will send the recommended FMP to the County Council for approval.



## **BACKGROUND**

The King County District Court is the largest court of limited jurisdiction in the State of Washington; providing district court services to more than 1.7 million people and processing approximately 250,000 matters per year. King County citizens are most likely to experience the court system through the district courts. Matters before the court include civil litigation matters up to \$50,000, small claims up to \$4000, nuisance violations, false alarm hearings, vehicle tow and impound hearings, anti-harassment orders, domestic violence protection orders name changes, infractions (traffic, non-traffic and parking), misdemeanor and gross misdemeanor criminal cases, felony expedited cases, felony preliminary hearings, search warrants, garnishments and other supplemental proceedings, lien foreclosure and forfeiture hearings and death inquests.

The King County District Court is a leader in many areas involving public safety and access to justice including:

- Problem solving courts including: Mental Health Court; Domestic Violence Court (in two locations) and Re-Licensing Court (in two locations);
- Judge supervised probation
- Use of jail alternatives; e.g., electronic home detention, day reporting, work crew, and work release
- Technology including but not limited to: electronic court records, a state of the art web-based interpreter scheduling program, automated reminder calling to remind customers of upcoming court dates; computerized workflow for all staff including judges, video conferencing for all District Court locations and conversion to a single DISCIS database.

The King County District Court is part of the judicial branch of King County government and funded primarily through King County's general fund. The District Court generates general fund revenues from contracts for court services with cities, fines and costs imposed, filing fees, probation fees and passport acceptance fees.

### Judicial Districts

The District Court facilities are located in 3 Divisions:

- The "East Division" includes the Shoreline, Redmond, Bellevue, and Issaquah facilities.
- The "South Division" includes the Aukun (Kent), Burien and Vashon Facilities, as well as space at the Regional Justice Center in Kent.
- The "West Division" includes the operations in Seattle at the King County Courthouse, as well as a courtroom in the King County Corrections Facility. The District Court also has administrative and support staff space in the Yesler Building

All of these facilities are county-owned except Issaquah, Bellevue and Vashon, which are leased. The Vashon lease will expire in five years; the Bellevue lease will expire at the end of 2006. The Issaquah District Court facility lease is a lease-to-own type lease through 2019.

## **FACILITY OVERVIEW**

- o Regional Justice Center Opened in 1997: In March of 1997 the Regional Justice Center was opened in Kent. The District Court was allocated one jail courtroom for in-custody hearings and one on-loan, full-time, court commissioner courtroom (without a jury box) from Superior Court for the Domestic Violence Problem-Solving Court Calendar. The District Court was also allocated a small clerical space on the ground floor of the Regional Justice Center that can only be accessed by the public by going down a hall and then through a door that must be kept closed by order of the Fire Marshall. Any jury trials that the District Court wishes to hold at the Regional Justice Center must be scheduled through the Superior Court administration and are dependent upon that court having a courtroom available that particular day.
- o Issaquah Opened in 1998: In 1998, as an outcome of the 1997 addendum to the 1995 District Court OMP, a new court facility with two courtrooms was built in Issaquah. The cost of this facility was managed as a lease from the builder and will require annual lease payments of \$479,000 from the District Court budget. King County will gain ownership of the facility in 2019.
- o Renton and Federal Way Closed at end of 2002: The Renton and Federal Way facilities were closed on December 31, 2002 for budgetary reasons. This reduced courthouse accessibility to the public and state agencies' filing with the District Court. It also resulted in the South Division having more judges than courtrooms and offices, requiring caseload to be artificially transferred outside of the South Division and requiring South Division judges to work outside of their elected division.
- o Part of Aukeen Facility Leased to Kent beginning in 1998: In 1998, King County leased two jury courtrooms and clerical space at the Aukeen facility to the City of Kent for its municipal court. The remaining courtrooms for King County include one jury courtroom and one non-jury courtroom. The lack of multiple jury courtrooms at the Aukeen Facility has reduced the functionality of this facility for the District Court. The remaining clerical space is extremely over-programmed, making for a challenging work space for management and staff.
- o Mercer Island Lease Not Renewed at end of 2004: The County did not renew its lease of the Mercer Island Facility as the City of Mercer Island chose not to renew its contract for court services at the end of 2004. Cases filed by Mercer Island before January 1, 2005, are now heard at the Bellevue location.

