



## Legislation Text

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Clerk 02/09/2012

AN ORDINANCE authorizing the King County executive to execute an interlocal agreement with the Muckleshoot Indian Tribe for the transfer of King County roads located on the Muckleshoot Indian Reservation; and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

**SECTION 1. Findings:**

A. The Interlocal Cooperation Act, chapter 39.34 RCW, authorizes the county to enter into agreements with other units of government, including Indian tribes, to jointly exercise their existing powers and authority.

B. The Muckleshoot Indian Tribe ("the tribe") is a federally recognized Indian tribe occupying the Muckleshoot Indian Reservation ("the reservation") located in King and Pierce counties.

C. King County owns portions of 164th Avenue Southeast, Southeast 172nd Avenue and 392nd Street Southeast on one side of the centerline of these roads on the reservation in unincorporated King County.

D. The Bureau of Indian Affairs ("the bureau") also owns portions of 164th Avenue Southeast, Southeast 172nd Avenue and 392nd Street Southeast on the other side of the centerline of these roads on the reservation.

E. The portions of 164th Avenue Southeast, Southeast 172nd Avenue and 392nd Street Southeast referenced in subsections C. and D. of this section are currently part of the King County road system and the bureau's Indian Reservation Roads Program.

F. The tribe desires to improve and maintain those portions of 164th Avenue Southeast, Southeast

172nd Avenue and 392nd Street Southeast in order to better service the Muckleshoot Tribal Administrative Complex and Health and Wellness Center.

G. In order to facilitate the tribe's desire to improve and maintain these roads, the King County agrees that it would be advantageous for the ownership of the road segments to be consolidated in the bureau and the tribe.

H. The Intergovernmental Property Transfer Act, chapter 39.33 RCW, allows the county to transfer real property on such terms and conditions as may be mutually agreed on by the county and the tribe.

I. The tribe must apply for a Federal Highway Administration, Indian Reservation Roads High Priority Non-Emergency Grant for Road Improvements before March 1, 2012, to receive funding from the Federal Government in order to carry out the improvement of 164th Avenue Southeast, Southeast 172nd Avenue and 392nd Street Southeast.

J. In order to be eligible to apply for the grant, the tribe must have title to the right-of-way for those three roads, which, due to this federal time constraint, requires the immediate action of transferring ownership of the roads. Enactment of this ordinance as an emergency ordinance is necessary to provide immediate authority for the executive to execute the interlocal agreement for transfer.

K. It is in the public's interest to transfer the portions of 164th Avenue Southeast, Southeast 172nd Avenue and 392nd Street Southeast, as described in Attachment A to this ordinance, to the tribe.

SECTION 2. The King County executive is hereby authorized to execute an interlocal agreement, substantially in the form of Attachment A to this ordinance, with the Muckleshoot Indian Tribe for the transfer of county roads located on the Muckleshoot Indian Reservation.

SECTION 3. The county council finds as a fact and declares that an emergency exists and that this ordinance is necessary for the immediate preservation of public peace, health or safety or for the support of county of county government and its existing public institutions.