



## Legislation Text

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**File #:** 2008-0491, **Version:** 1

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Clerk 09/04/2008

AN ORDINANCE authorizing the King County executive to execute an amendment to the forty-year use agreement with the Eastside Football Club approved by Ordinance 15704.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

**SECTION 1. Findings:**

A. Ordinance 14509 authorizes the department of natural resources and parks to create new public recreational opportunities by empowering user groups, sports associations, and community organizations to operate, maintain and program mutually agreed upon capital improvements for public recreation facilities on King County land, and thereby address regional and rural recreation needs without encumbering new tax funded operations and maintenance costs.

B. In accordance with K.C.C. 4.56.150.E, the King County council may adopt an ordinance permitting the county to enter into agreements for the use of county property with bona fide nonprofit organizations if the property is to be used by the nonprofit organization to make improvements to the county property or to provide services that will benefit the public. The agreements are exempt from the requirements of fair market value, appraisal and notice.

C. Ordinance 15704, adopted on March 26, 2007, authorized the executive to execute a forty-year use agreement with the Eastside Football Club for the use, construction, development, programming and supplemental maintenance of synthetic and grass soccer fields and related infrastructure at Preston fields and community park.

D. The executive and the club signed the agreement, the fields were constructed, and the facility opened to the public on March 15, 2008. Over five hundred and forty youth players on thirty eight teams are now using Preston community park six days per week and have already played over eleven hundred practice sessions and four hundred soccer games at the facility.

E. Section 2.7 of the agreement required the Eastside Football Club to pay the county a guaranteed rental fee of \$1.2 million at a rate of \$120,000 per year for ten years.

F. In February 2008, the parks and recreation division of the department and natural resources and parks and the Eastside Football Club amended Section 2.7 of the agreement to require the club to pay King County a guaranteed rental fee of \$1.5 million at a rate of \$150,000 per year for ten years.

G. The executive and the club now wish to amend Section 2.7 for a second time to change the rate and time period for the club to pay the county a guaranteed rental fee of \$1.5 million such that the club will pay the county \$100,000 per year for fifteen years, beginning in 2008.

SECTION 2. The King County executive is hereby authorized to execute an amendment to the existing use agreement with the Eastside Football Club in substantially the form of the amendment attached to this ordinance, to implement the terms of that amendment, and to execute any documents necessary to carry out the amendment authorized by this ordinance.

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