

Legislation Text

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Clerk 05/31/2012

AN ORDINANCE authorizing the King County executive to execute an amendment to an interlocal agreement by and between King County and the King Conservation District regarding use of special assessment funds; declaring retroactive application; and repealing Ordinance 16743, Section 7.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

**SECTION 1. Findings:**

A. The King Conservation District provides important natural resource projects and programs in our region.

B. On February 16, 2012, the Washington state Supreme Court issued a ruling in Cary v. Mason County, et al., Case No.83937-9 invalidating a Mason county ordinance that authorized conservation district special assessments. It is unclear what if any impact the ruling will have on the King Conservation District's use of assessment funds being collected in 2012. However, King County and the King Conservation District deem it prudent and appropriate to amend the interlocal agreement to address the use and expenditure of assessment funds collected in 2012, as well as in prior years.

C. Due to ongoing litigation regarding the validity and use of special assessments previously collected as authorized by Ordinance 16743, retroactive application of this ordinance is also deemed prudent and appropriate.

**SECTION 2.** Ordinance 16743, Section 7, is hereby repealed.

**SECTION 3.** The provisions of this ordinance are necessary to accomplish the intent of the council in

having imposed the natural resource special assessment for the duration of the assessment under Ordinance 16743 from January 1, 2010, through December 31, 2012.

SECTION 4. The King County executive is hereby authorized to execute an amendment to the Interlocal Agreement Between King County and the King Conservation District Relating to Natural Resource Conservation authorized by Ordinances 16703 and 16743, substantially in the form of Attachment A to this Ordinance. Use of the assessment funds collected in 2012 and prior years shall be in accordance with the terms of such amendment.

SECTION 5. This ordinance applies retroactively from November 1, 2009, and thereafter for assessments imposed by Ordinance 16743.