



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**April 6, 2009**

**Ordinance 16442**

**Proposed No.** 2009-0110.1

**Sponsors** Hague, Phillips and Ferguson

1 AN ORDINANCE authorizing the King County executive  
2 to enter into amendments to interlocal cooperation  
3 agreements with the cities of Auburn, Bellevue, Federal  
4 Way, Issaquah, Kent, Lake Forest Park, Normandy Park,  
5 North Bend, Seattle and Shoreline for the disbursement of  
6 conservation futures tax levy funds appropriated under the  
7 2009 Budget Ordinance, Ordinance 16312.

8  
9 STATEMENT OF FACTS:

- 10 1. King County conservation futures tax levy funds are collected  
11 throughout King County as a dedicated portion of the property tax for the  
12 acquisition of open space and resource lands.
- 13 2. Ordinance 14714 established procedures for the annual allocation of  
14 conservation futures tax levy funds, which directs the conservation futures  
15 citizens' committee to make funding recommendations to the King County  
16 executive to consider for inclusion in the annual budget ordinance.
- 17 3. The executive has received and considered the conservation futures  
18 citizens' committee funding recommendations and in his transmittal of the

19 annual budget ordinance, and the King County council has appropriated  
20 2009 conservation futures funds by the 2009 Budget Ordinance,  
21 Ordinance 16312, to the city open space projects listed and described in  
22 Attachment B to this ordinance.

23 4. King County desires to disburse conservation futures funds to the  
24 suburban cities and the city of Seattle, and to do so it must amend existing  
25 conservation futures interlocal agreements with these jurisdictions.

26 5. The county and the cities are authorized to enter into an interlocal  
27 agreement pursuant to chapter 39.34 RCW, the Interlocal Cooperation  
28 Act.

29 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:


30 SECTION 1. The King County executive is hereby authorized to enter into and  
31 execute amendments to interlocal cooperation agreements, containing language  
32 substantially similar to that attached to this ordinance, necessary for the disbursement of  
33

34 conservation futures tax levy funds appropriated under the 2009 Budget Ordinance,  
35 Ordinance 16312, as adopted by the King County council.  
36

Ordinance 16442 was introduced on 2/23/2009 and passed by the Metropolitan King County Council on 4/6/2009, by the following vote:

Yes: 7 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Ms. Lambert, Mr. von Reichbauer, Mr. Gossett and Ms. Patterson  
No: 0  
Excused: 2 - Mr. Phillips and Mr. Dunn

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



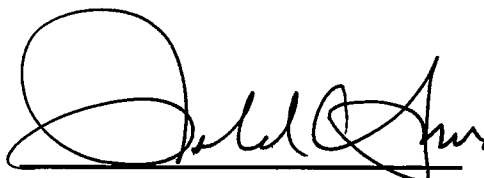
Dow Constantine, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 15 day of April, 2009.



Ron Sims, County Executive

**Attachments** A. Amendment to the Conservation Futures Interlocal Cooperative Agreement Between King County and the City of \_\_\_\_\_ for Open Space Acquisition Projects, B. 2009 Conservation Futures (CFT) Project Descriptions

RECEIVED  
2009 APR 16 AM 9:55  
CLERK  
KING COUNTY COUNCIL

**AMENDMENT TO THE CONSERVATION FUTURES  
INTERLOCAL COOPERATION AGREEMENT  
BETWEEN KING COUNTY AND THE CITY OF \_\_\_\_\_  
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 \_\_\_\_\_ 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 \_\_\_\_ day of (Month), (year), 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 \_\_\_\_\_ Acquisition, and hereafter reads:

- On \_\_\_\_\_, 200\_ the King County Council passed Ordinance \_\_\_\_\_, which appropriated a total of \_\_\_\_\_ (\$ \_\_\_\_\_) in Conservation Futures Levy proceeds to the City of \_\_\_\_\_ for the \_\_\_\_\_ acquisition Project. On \_\_\_\_\_, 200\_ 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 \_\_\_\_\_.

**Amendment 2: Article V. Conditions of Agreement**

Section 5.1 is amended to include Attachment \_\_, which lists a 200\_ Conservation Futures Levy Allocation for the \_\_\_\_\_ Acquisition project.

**Amendment 3: Article VII. Responsibilities of County**

The first two sentences of this article are amended to include references to Attachment \_\_, which lists a 200\_ Conservation Futures Levy proceeds allocation for the \_\_\_\_\_ 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 \_ to be used

for the Projects listed in Attachments A through \_\_. 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 \_\_. 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 \_\_**

The Attachments to the interlocal agreement are hereby amended by adding Attachment \_\_, 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 \_\_\_\_\_

\_\_\_\_\_  
Ron Sims  
King County Executive

\_\_\_\_\_  
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 \_\_\_\_

200\_ CONSERVATION FUTURES LEVY  
CITY OF \_\_\_\_\_ ALLOCATION

Jurisdiction	Project	Allocation
(Name) _____	(Project Name)	\$
TOTAL		\$

**Project Description:**

City of \_\_\_\_\_ – (Project Name) \$

## 2009 Conservation Futures (CFT) Project Descriptions

### Seattle CFT Projects:

#### **315440 Ballard Open Space**

This is a multiple-parcel 0.9-acre open space acquisition project located on 9<sup>th</sup> Avenue NW between NW 70<sup>th</sup> and NW 73<sup>rd</sup> streets. The site is in densely populated Ballard, a community that is deficient in local, community-scale open space.

#### **315441 Harrison Ridge Greenspace Completion**

This proposed acquisition is a one-parcel, 0.19 acre inholding within Seattle's Harrison Ridge Greenspace, located on 32<sup>nd</sup> Avenue East, south of East Denny Way. The greenspace acts as a local wooded open space in the Madrona and Madison Valley areas.

#### **315419 Denny Triangle Urban Center Park**

2009: \$500,000 is provided for a 0.2-acre neighborhood open space acquisition project located in the Denny Triangle neighborhood. The Denny Triangle component of this previously-funded project has been tentatively allocated approximately half of the project funds. The previous CFT funding for this project directed Seattle to identify a specific site in the Denny Triangle for subsequent King County approval. Seattle has identified a site located adjacent to Cornish College of the Arts at Westlake Avenue and Lenora Street, a block south of Denny Way that is approved for acquisition.

#### **315442 Urban Center Park (First Hill)**

This proposed urban center open space acquisition is located on Madison Avenue about two blocks north of Interstate 5 in area of high density, multiple-storey buildings. The First Hill urban center is lacking in open space, and this acquisition will help serve the anticipated growth identified in Seattle's neighborhood growth plan for the area.

#### **315443 Waldo Woods Conservation Easement**

This is an approximately .4-acre open space acquisition project, located on the western side of 15<sup>th</sup> Avenue NE at NE 85<sup>th</sup> Street. The goal of the project is to preserve a grove of trees that will otherwise be cut as a result of an approved development plan in Seattle. The project was proposed by the Maple Leaf Community Council and will require an interlocal cooperation agreement that includes the City of Seattle.

### Suburban City CFT Projects:

#### **315781 AUB-Smith/Fenster Levee Green River Setback**

This project is a .64-acre open space acquisition at 4<sup>th</sup> Street SE in Auburn that will play an important role in Auburn's effort to widen the channel of the Green River to improve riparian functions in the Auburn Narrows area, near the eastern border of the city.

#### **315767 BEL-Bellevue Greenway and Open Space System**

2009: \$800,000 is allocated to this multiple-parcel, multiple-year open space acquisition project,

## 2009 Conservation Futures (CFT) Project Descriptions

with a first priority being property in the Richards Road area.

### **315782 BEL-Lake Sammamish Waterfront Park**

This project consists of the acquisition of a 0.4 acre lakefront parcel on Lake Sammamish at the terminus of Bellevue's Lake to Lake Greenway. It is located east of Weowna Beach Park and West Lake Sammamish Parkway, and adjacent to existing waterfront park land owned by Bellevue.

### **315783 FED-Enticknap Wetland Acquisition**

Enticknap Wetland project consists of the acquisition of a 6.35 acre property located on Hylebos Creek, north of S 373<sup>rd</sup> Street and east of 12<sup>th</sup> Avenue S., in a headwater of the greater Hylebos Creek system. The property contains important salmonid habitat and offers an opportunity for habitat restoration and for removal of obstructions to fish passage in the Hylebos system.

### **315770 ISS-Issaquah Creek Waterways**

2009: \$300,000 in additional funding is provided for the continuation of this multi-year multi-parcel acquisition project within the City of Issaquah, with a goal of protecting riparian and salmonid habitat on the main stem and East Forks Issaquah Creek.

### **315784 KNT-McSorley Creek Wetland**

This project will fund the acquisition of an approximately 40-acre, multiple parcel wetland complex located between Pacific Highway South and Interstate 5, at 272<sup>nd</sup> Street South in Kent. The wetlands are the main remaining headwaters for McSorley Creek. They act as a filter for the creek and provide wildlife habitat for avian species in particular.

### **315772 KNT-Panther Lake**

2009: \$250,000 is added to this open space acquisition project and the scope is expanded to include three parcels located on SE 208<sup>th</sup> Street, south and west of the property funded in the 2008 budget.

### **315785 LFP-40<sup>th</sup> Place Green Belt**

This project is composed of the acquisition of two woodland lots totaling 5.6 acres on 40<sup>th</sup> Place NE at NE 192<sup>nd</sup> Street in Lake Forest Park. The property contains a stream that feeds into Lyons Creek and several species of upland wildlife and avian species.

### **315786 LFP-Town Center Nature Park**

This 0.62 acre project is located on Brookside Boulevard NE, adjacent to the Town Centre shopping area on Bothell Way. The vision is to restore natural wetlands on the site after acquisition, as part of an effort to improve the riparian habitat along lower Lyons Creek.

### **315787 NOR-Beaconsfield on the Sound**

This open space acquisition project has a goal of acquiring approximately three acres containing one quarter mile of Puget Sound shoreline, either in fee simple and conservation easement rights. The project is located just north of Marine View Park in Normandy Park near 10<sup>th</sup> Place SW. The project will preserve shoreline habitat for salmonid and other nearshore-dependent species.



**2009 Conservation Futures (CFT) Project Descriptions**

**315788 NBD-Tanner Trail Phase II & III**

This is a proposed trail acquisition project on almost two miles of a former railroad right of way on the south side of North Bend Way, between the current trail terminus of Tanner Trail at Torgusen Park, and Interstate 90.

**315777 SHO-Krukeberg Property**

2009: \$157,000 is added to this 4-acre botanical garden open space acquisition project, located at 15<sup>th</sup> Avenue NW in Shoreline, near the Snohomish county line.