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KING COUNTY
WATER & LAND RESOURCES DIVISION

King County
Department Of Natural Resources And Parks
Water And Land Resources Division
Open Space Acquisitions Unit
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KING COUNTY, WA

Amendment to Conservation Futures
Interlocal Cooperation Agreement
Between King County and the City of Bellevue for
Open Space Acquisition Projects

July 28, 2003

Department: **DNRP/WLRD Capital Projects & Open Space Acquisitions Section**

Parties **City of Bellevue and King County**

Project: **Conservation Futures**

ORIGINAL

REC NO. 34187
CITY OF BELLEVUE
DATE 7/2/03
M. Tomarzo
CITY CLERK'S OFFICE
CTS FILE# 03-454

**AMENDMENT TO THE CONSERVATION FUTURES
INTERLOCAL COOPERATION AGREEMENT
BETWEEN KING COUNTY AND THE CITY OF BELLEVUE
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 through the procedures set forth in Ordinance 8867, as amended by Ordinance 13717. 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 BELLEVUE 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 26th day of December, 1990, 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 Bellevue Meydenbauer Bay Park, and hereafter reads:

- On September 30, 2002, the King County Council passed Ordinance 14485 which appropriated a total of Two Hundred and Fifty Thousand Dollars (\$250,000) in Conservation Futures Levy proceeds to the City of Bellevue for the Meydenbauer Bay Park acquisition Project. On September 30, 2002 the King County Council passed Ordinance 14486, authorizing the King County Executive to enter into interlocal agreements with the City of Seattle and the suburban cities for the disbursement of Conservation Futures Funds in Ordinance 14485.

Amendment 2: Article V. Conditions of Agreement

Section 5.1 is appended to include Attachment G, which lists a 2002 Conservation Futures Levy Allocation for the Bellevue Meydenbauer Bay Park acquisition project.

Amendment 3: Article VII. Responsibilities of County

The first two sentences of this article are appended to include Attachment G, which lists a 2002 Conservation Futures Levy proceeds allocation for the Meydenbauer Bay Park 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 G to be used for the Projects listed in Attachments A through G. 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 G. The County assumes no obligation for the future support of the Projects described herein except as expressly set forth in this agreement.

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




Ron Sims
King County Executive

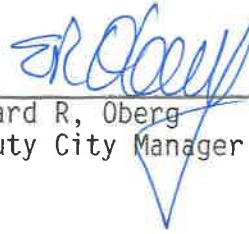
Date 7/22/03

Acting under the authority of
Ordinance 14486:
Dated:

Approved as to form:


for NORM MALENG
King County Prosecuting Attorney

CITY OF BELLEVUE




Edward R. Oberg
Deputy City Manager

Date

Acting under the authority of
Ordinance: 5450
Dated: June 16, 2003

Approved as to form:


JEROME ROACHE
Assistant City Attorney

ATTACHMENT G

**2002 CONSERVATION FUTURES LEVY
CITY OF BELLEVUE ALLOCATION**

Jurisdiction	Project	Allocation
Bellevue	Meydenbauer Bay Park	\$250,000
	TOTAL	\$250,000

Project Description:

Meydenbauer Bay Park: This project consists of the .45 acre "Rausch" property, located on Lake Washington Boulevard in Bellevue and is one of five properties the City will acquire to complete Meydenbauer Bay Park. The value of the house on the property is not included in the project and CFT funds will not be used to acquire the land portion of the property.

City of Bellevue – Meydenbauer Bay Park \$250,000

Section 6. Upon execution of said Amendment the budget for the 2003 – 2009 Capital Investment Program shall be amended by appropriating to those funds additional revenues in the amount of the grant proposal and acceptance herein authorized.

<u>Description</u>	<u>Amount Appropriated</u>
2003 – 2009 Capital Investment Program	\$250,000.00

Provided however, if the actual revenue received from the source specified in said grant agreement should be more or less than the amount set forth herein, the appropriations shall be adjusted to equal the amount actually received.

Section 7. The Finance Director or her designee is authorized to make interfund loans from an appropriate City fund to the 2003 – 2009 Capital Investments Program in whatever amounts, for whatever duration or under whatever terms are appropriate and necessary to cover cash flow shortages in the 2003- 2009 Capital Investment that may be created by this grant.

Section 8. This ordinance shall take effect and be in force five (5) days after its passage and legal publication.

Passed by the City Council this 16th day of June, 2003, and signed in authentication of its passage this 16th day of June, 2003.

(SEAL)

Connie B. Marshall
Connie B. Marshall, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Jerome Y. Roaché
Jerome Y. Roaché, Assistant City Attorney

Attest:

Myrna L. Basich
Myrna L. Basich, City Clerk

COPY

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Y903 Published June 20, 2003

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5450

AN ORDINANCE authorizing the City Manager, or his designee, to execute on behalf of the City, an Amendment to the Interlocal Agreement with King County, Clerk's Receiving No. 15922, governing the allocation of additional funds made available from the Conservation Futures Fund, and amending the 2003-2009 Capital Investment Program (CIP) Plan by increasing the Fund appropriation by \$250,000 within CIP Plan No. P-AD-15, Property Acquisition, to reflect the unanticipated revenues and which will provide \$250,000 to offset costs associated with the purchase of the Rausch property.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Manager or his designee is authorized to execute on behalf of the City, an Amendment to the Interlocal Agreement with King County, Clerk's Receiving No. 15972, governing the allocation of additional funds made available from the Conversation Futures Fund, and amending the 2003-2009 Capital Investment Program (CIP) Plan by increasing the Fund appropriation by \$200,000 within CIP Plan No. P-AD-15, Property Acquisition, to reflect the unanticipated revenues and which will provide \$250,000 to offset costs associated with the purchase of the Rausch property.

Section 2. The appropriate administrative officials of the City are hereby authorized to received monies and to expend the same as authorized in said Agreement, as amended.

Section 3. At the time of execution of said Amendment and acceptance of said funds, a project shall be established within the 2003 – 2009 Capital Investment Program into which all said monies shall be deposited.

Section 4. The City Manager of his designated representative shall have responsibility for the administration of said grant monies and shall have all authority necessary to enter into agreements regarding the use thereof.

Section 5. The approximate amount and source of revenue for the grant proposal and acceptance are:

King County Conservation Futures

\$250,000.00

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