

King County Water and Land Resources
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 Bothell for
Open Space Acquisition Projects

February 16, 2017

Department: **DNRP/WLRD Open Space Acquisitions Unit**

Parties: **City of Bothell and
King County**

Project: **Conservation Futures**

Amendment G

Reference No. of
Related Document: **20140502000367**

**AMENDMENT TO THE CONSERVATION FUTURES
INTERLOCAL COOPERATION AGREEMENT
BETWEEN KING COUNTY AND THE CITY OF BOTHELL
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 14714. 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 BOTHELL 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 Conservation Futures Levy Fund allocations for the Fries Family LLC (North Creek Woods) open space acquisition project, and the North Creek Forest open space acquisition project, and hereafter reads:

- On July 28, 2014 the King County Council passed Ordinance 17855, which appropriated a total of Three Hundred and Five Thousand Dollars (\$305,000) in Conservation Futures Levy proceeds to the City of Bothell for the Fries Family LLC (North Creek Woods) acquisition Project. On December 15, 2014 the King County Council passed Ordinance 17957, 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 17855.

- On July 18, 2016 the King County Council passed Ordinance 18319, which appropriated a total of Two Hundred Thousand Dollars (\$200,000) in Conservation Futures Levy proceeds to the City of Bothell for the North Creek Forest acquisition Project. On December 12, 2016 the King County Council passed Ordinance 18430, 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 18319.

Amendment 2: Article V. Conditions of Agreement

Section 5.1 is amended to include Attachment G, which lists a 2014 Conservation Futures Levy proceeds allocation for the Fries Family LLC (North Creek Woods) acquisition Project, and a 2016 Conservation Futures Levy proceeds allocation for the North Creek Forest acquisition Project.

Amendment 3: Article VII. Responsibilities of County

The first two sentences of this article are amended to include Attachment G, which lists a 2014 Conservation Futures Levy proceeds allocation for the Fries Family LLC (North Creek Woods) acquisition Project, and a 2016 Conservation Futures Levy proceeds allocation for the North Creek Forest 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.

AMENDMENT 4: Attachment G

The attachments to the interlocal agreement are hereby amended by adding Attachment G, 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

 *for Christine Sun*

Dow Constantine
King County Executive

Date

Acting under the authority of
Ordinance 17957, Dated: December 15,
2014; and Ordinance 18430,
Dated December 12, 2016

Approved as to form:



for DAN SATTERBERG
King County Prosecuting Attorney

CITY OF BOTHELL



Peter Troedsson
Acting City Manager

Date

Jan 19, 2017

Approved as to form:



Paul Byrne
Interim City Attorney

ATTACHMENT G

2014 and 2016 CONSERVATION FUTURES LEVY CITY OF BOTHELL ALLOCATIONS

<u>Jurisdiction</u>	<u>Project</u>	<u>Allocation</u>
Bothell	Fries Family LLC (North Creek Woods) (Ordinance 17855, 2014 Proceeds)	\$ 305,000
Bothell	North Creek Forest (Ordinance 18319, 2016 Proceeds)	\$ 200,000
TOTAL		\$ 505,000

Project Descriptions:

(Ordinance 17957)

1047239 BTH-Fries Family LLC – North Creek Woods

This is a multiple-parcel project located in Bothell west of I-405, immediately south of the Snohomish County line. The property contains woodlands with urban wildlife and serves as a highly visible regional separator at the boundary of King and Snohomish Counties that is highly visible from I-405.

2014: This project will receive \$305,000 from the abandoned City of Bothell Williams Property acquisition CFT project.

(Ordinance 18319, 2016 Proceeds)

1047239 Bothell – North Creek Forest

2016: \$200,000 is reallocated to this project from other uncompleted CFT projects to help meet an acquisition funding shortfall.

City of Bothell - Fries Family LLC - North Creek

\$ 505,000