

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 Burien for
Open Space Acquisition Projects

December 12, 2005

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

Parties **City of Burien and**
King County

Project: **Conservation Futures**

**AMENDMENT TO THE CONSERVATION FUTURES
INTERLOCAL COOPERATION AGREEMENT
BETWEEN KING COUNTY AND THE CITY OF BURIEN
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 BURIEN 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 14th day of May, 2003, 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 Burien Walker Creek acquisition project, and hereafter reads:

- On November 24, 2003, the King County Council passed Ordinance 14797 which appropriated a total of Three hundred Thousand Dollars (\$300,000) in Conservation Futures Levy proceeds to the City of Burien for the Walker Creek acquisition Project. On March 14, 2005 the King County Council passed Ordinance 15319, 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.

Amendment 2: Article V. Conditions of Agreement

Section 5.1 is appended to include Attachment B, which lists a 2004 Conservation Futures Levy Allocation for the Burien Walker Creek acquisition project

Amendment 3: Article VII. Responsibilities of County

The first two sentences of this article are appended to include Attachment B, which lists a 2004 Conservation Futures Levy proceeds allocation for the Walker Creek 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 B to be used for the Projects listed in Attachments A through B. 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 B. 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 12/8/05

Acting under the authority of
Ordinance 15139:
Dated:

Approved as to form:



NORM MALENG
King County Prosecuting Attorney

CITY OF BURIEN



~~Mayor~~ Finance + Admin Services
Director

Date November 4, 2005

Acting under the authority of
Ordinance:
Dated:

Approved as to form:

City Attorney

ATTACHMENT B

**2004 CONSERVATION FUTURES LEVY
CITY OF BURIEN ALLOCATION**

Jurisdiction	Project	Allocation
Burien	Walker Creek	\$300,000
	TOTAL	\$300,000

Project Descriptions:

City of Burien – Walker Creek **\$300,000**

Walker Creek: The Walker Creek acquisition project is an approximately 21-acre open space within a 25-acre tract, the preservation of which will help protect the headwaters of Walker Creek. The site is bisected by Des Moines Memorial Way South near South 176th Street is covered with a range of vegetation and contains approximately 19 acres of wetlands. The City of Burien will manage the site for conservation, passive recreation and environmental education purposes.