

King County Water and Land Resource
Open Space Acquisitions Unit
201 South Jackson Street, Suite 600
Seattle, WA 98104



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KING COUNTY, WA

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

April 27, 2017

Department: DNRP/WLRD Open Space Acquisitions Unit

**Parties: City of Federal Way and
King County**

Project: Conservation Futures

Amendment I

**Reference No. of
Related Document: 20130206000627**

**AMENDMENT TO THE CONSERVATION FUTURES
INTERLOCAL COOPERATION AGREEMENT
BETWEEN KING COUNTY AND THE CITY OF FEDERAL WAY
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 and certain 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 FEDERAL WAY 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 5th day of June, 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 Hylebos Creek Conservation Acquisition, and hereafter reads:

- On November 14, 2016 the King County Council passed Ordinance 18409, which appropriated a total of Ninety-Eight Thousand, Three Hundred Dollars (\$98,300) in Conservation Futures Levy proceeds to the City of Federal Way for the Hylebos Creek Conservation Acquisition Project. On March 13, 2017 The King County Council passed Ordinance 18477, authorizing the King County Executive to enter into interlocal agreements with the City of Federal Way for the disbursement of Conservation Futures Funds appropriated in Ordinance 18409.

Amendment 2: Article V. Conditions of Agreement

Section 5.1 is amended to include Attachment I, which lists a 2017 Conservation Futures Levy Allocation for the Hylebos Creek Conservation Acquisition Project.

Amendment 3: Article VII. Responsibilities of County

The first two sentences of this article are amended to include references to Attachment I, which lists a 2017 Conservation Futures Levy proceeds allocation for the Hylebos Creek Conservation 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 I, to be used for the Projects listed in Attachments A through I. 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 I. 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 I

The Attachments to the interlocal agreement are hereby amended by adding Attachment I, 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 FEDERAL WAY



Dow Constantine
King County Executive




Jim Ferrell
Mayor

Date: 4/24/2017
Acting under the authority of
Ordinance 18477

Date: 3/31/17

Approved as to form:

Approved as to form:



for Dan Satterberg
King County Prosecuting Attorney



for City Attorney

EXHIBIT I

**2017 CONSERVATION FUTURES LEVY
CITY OF FEDERAL WAY ALLOCATION**

Jurisdiction	Project	Allocation
Federal Way	Hylebos Creek Conservation	\$98,300
TOTAL		\$98,300

Project Description:

1129220 Federal Way – Hylebos Creek Conservation

This project will acquire a 6.92-acre parcel on Hylebos Creek in Federal Way, located on the west side of Pacific Highway South, near S. 359th Street. The project goal is to protect riparian and salmonid habitat, and it will allow for habitat restoration in the future.

City of Federal Way (Hylebos Creek Conservation)

\$98,300