

**AMENDMENT TO THE CONSERVATION FUTURES
INTERLOCAL COOPERATION AGREEMENT
BETWEEN KING COUNTY AND THE CITY OF NEWCASTLE
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 NEWCASTLE 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 19th day of June, 1998, 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 Newcastle Lake Boren/May Creek Tributary Acquisition, and hereafter reads:

- On November 14, 2016, the King County Council passed Ordinance 18409, which appropriated a total of One Hundred and Ninety-Nine Thousand (\$199,000) in Conservation Futures Levy proceeds to the City of Newcastle for the Lake Boren/May Creek Tributary 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 Newcastle and the suburban cities for the disbursement of Conservation Futures Funds in Ordinance 18409.

Amendment 2: Article V. Conditions of Agreement

Section 5.1 is amended to include references to Attachment D, which lists a 2017 Conservation Futures Levy Allocation for the Lake Boren/May Creek Tributary Acquisition Project.

Amendment 3: Article VII. Responsibilities of County

The first two sentences of this article are amended to include Attachment D, which lists a 2017 Conservation Futures Levy proceeds allocation for the Lake Boren/May Creek Tributary 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 D to be used for the Projects listed in Attachments A through D. 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 D. 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 D

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



Dow Constantine
King County Executive

Date: 7/25/17
Acting under the authority of
Ordinance 18477

Approved as to form:



Dan Satterberg
King County Prosecuting Attorney

CITY OF NEWCASTLE



Rob Wyman
City Manager

Date: 6/29/17
Acting under the authority of
Ordinance _____

Approved as to form:



City Attorney

ATTACHMENT D

**2017 CONSERVATION FUTURES LEVY
CITY OF NEWCASTLE ALLOCATION**

Jurisdiction	Project	Allocation
Newcastle	Lake Boren/May Creek Tributary	\$ 199,000
TOTAL		\$ 199,000

Project Description:

1123818 Newcastle - Lake Boren/May Creek Tributary

This new project will acquire two parcels totaling 3.52 acres at the south end of Lake Boren in Newcastle, west of Coal Creek Parkway. The properties are adjacent to Lake Boren Park and contain houses that will be removed.

2017: \$199,000 in additional funding is allocated to this previously funded project to help meet an acquisition funding shortfall.

City of Newcastle

\$ 199,000