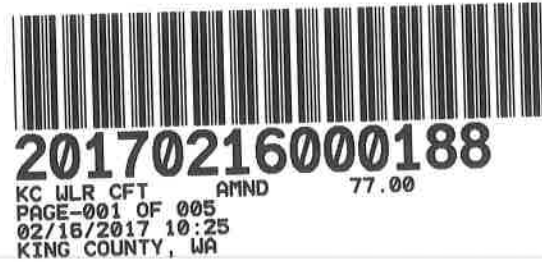


King County Water and Land Resources
Open Space Acquisitions Unit
201 South Jackson Street, Suite 600
Seattle, WA 98104



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

February 16, 2017

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

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

Project: **Conservation Futures**

Amendment D

Reference No. of
Related Document: 20141016000373

**AMENDMENT TO THE CONSERVATION FUTURES
INTERLOCAL COOPERATION AGREEMENT
BETWEEN KING COUNTY AND THE CITY OF PACIFIC
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. 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 PACIFIC 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 9th day of November 2006, as previously amended.

The parties agree to the following amendments:

Amendment 1: Article I. Recitals

The following paragraphs are hereby added to the Recitals Section to provide for a Conservation Futures Levy Fund allocation and Project scope change for the Morgan's Trout Lake Retreat acquisition Project, and a Conservation Futures Levy Fund allocation for the Milwaukee Creek at Tacoma Boulevard acquisition Project, and hereafter reads:

- On November, 23, 2009, the King County Council passed Ordinance 16717, which appropriated a total of One Hundred and Seventy-Five Thousand Dollars (\$175,000) in Conservation Futures Levy proceeds to the City of Pacific for the Morgan's Trout Lake Retreat acquisition Project. On May 24, 2010 the King County Council passed Ordinance 16842, 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 16717.
- On September, 14, 2015, the King County Council passed Ordinance 18110, which appropriated a total of Zero Dollars (\$0) in Conservation Futures Levy proceeds and authorized a Project scope change for the City of Pacific for the Morgan's Trout Lake Retreat acquisition Project. On November 9, 2015, the King County Council passed Ordinance 18151, 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 18110.
- On February 22, 2016, the King County Council passed Ordinance 18239, which appropriated a total of Fifteen Thousand Dollars (\$15,000) in Conservation Futures Levy proceeds for the City of Pacific Milwaukee Creek at Tacoma Boulevard acquisition

Project. On July 5, 2016 the King County Council passed Ordinance 18312, 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 18239.

Amendment 2: Article V. Conditions of Agreement

Section 5.1 is amended to include reference to Attachment D, which lists a 2010 Conservation Futures Levy allocation and a 2015 Project scope change for the Morgan's Trout Lake Retreat acquisition Project, and a 2016 Conservation Futures Levy allocation for the Milwaukee Creek at Tacoma Boulevard acquisition Project.

Amendment 3: Article VII. Responsibilities of County

The first two sentences of this article are amended to include references to Attachment D, which lists a 2010 Conservation Futures Levy allocation and a 2015 Project scope change for the Morgan's Trout Lake Retreat acquisition Project, and a 2016 Conservation Futures Levy allocation for the Milwaukee Creek at Tacoma Boulevard 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.

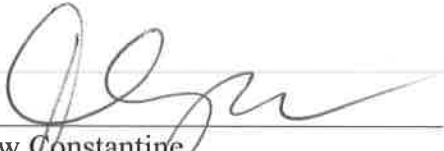
In all other respects, the terms, conditions, duties and obligations of both parties shall remain the same as agreed to in the Interlocal Cooperation Agreement as previously amended.

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

CITY OF PACIFIC



Dow Constantine
King County Executive



Leanne Guier
Mayor

Date: 1/27/2017
Acting under the authority of
Ordinance 16842, 18151 and 18312

Date:
Acting under the authority of
Resolution: 2016-391

Approved as to form:

Approved as to form:



for Dan Satterberg
King County Prosecuting Attorney



Carol Morris
City Attorney

ATTACHMENT D

**2010, 2015, and 2016 CONSERVATION FUTURES LEVY
CITY OF PACIFIC ALLOCATIONS**

Jurisdiction	Project	Allocation
PACIFIC (Ordinance 16717)	Morgan’s Trout Lake Retreat	\$175,000
PACIFIC (Ordinance 18110)	Morgan’s Trout Lake Retreat (Scope change only)	\$0
PACIFIC (Ordinance 18239)	Milwaukee Creek at Tacoma Boulevard	\$15,000
TOTAL		\$190,000

Project Descriptions:

Ordinance 16842:

315799 PAC-Morgan’s Trout Lake Retreat

The goal of this project is to acquire up to 2.9 acres of wooded open space on South 376th Street, which contains a segment of Jovita Creek and is the location of an historic resort dance pavilion on Trout Lake. The project also includes shoreline access along a right of way between S. 376th Street and Trout Lake, directly across the street from the main property.

Ordinance 18151:

1047241 Pacific – Morgan’s Trout Lake Retreat

The goal of this project is to acquire up to 2.9 acres of wooded open space on South 376th Street, which contains a segment of Jovita Creek and is the location of an historic resort dance pavilion on Trout Lake. The project also includes shoreline access along a right of way between S. 376th Street and Trout Lake, directly across the street from the main property.

Ordinance 18312:

1126730 Pacific - Milwaukee Creek at Tacoma Boulevard

This new project is a one-parcel, .18-acre open space acquisition located on Milwaukee Creek at Tacoma Boulevard, in the City of Pacific. The property is adjacent to public open space that will allow for future habitat improvement to the creek channel, which has been straightened and negatively impacted historically.

**City of PACIFIC – Morgan’s Trout Lake Retreat and Milwaukee
Creek at Tacoma Boulevard Projects.**

\$190,000