

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

CONFORMED COPY

20140401000566

KC WLR CFT AMND 37.00
PAGE-001 OF 006
04/01/2014 13:46

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

April 1, 2014

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

Grantors: **City of Seattle and
King County**

Project: **Conservation Futures**

Amendment AB

Reference No. of
Related Document: **20120229001226**

**AMENDMENT TO THE CONSERVATION FUTURES
INTERLOCAL COOPERATION AGREEMENT
BETWEEN KING COUNTY AND THE CITY OF SEATTLE
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 SEATTLE 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 Puget Ridge Edible Park, Greenwood/Phinney UCP, North Rainier Urban Village Park, Morgan Junction Park Addition, NE Queen Anne Greenspace Addition, Arroyos Greenspace Addition, East Duwamish Greenbelt, Kubota Garden Greenspace Addition, Puget Creek Greenspace Additions, and Smith Cove Park Addition acquisition Projects, and hereafter reads:

- On November 9, 2011, the King County Council passed Ordinance 17232, which appropriated a total of One Hundred and Five Thousand Dollars (\$105,000) in CFL proceeds to the City of Seattle for the Puget Ridge Edible Park acquisition Project. On June 18, 2012, the King County Council passed Ordinance 17345, 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 17232.
- On November 13, 2012, the King County Council passed Ordinance 17476, which appropriated a total of Three Million, One Hundred Thousand Dollars (\$3,100,000) in CFL proceeds to the City of Seattle for the Greenwood/Phinney UCP, North Rainier Urban Village Park, Morgan Junction Park Addition, NE Queen Anne Greenspace Addition, Arroyos Greenspace Addition, East Duwamish Greenbelt, Kubota Garden Greenspace Addition, Puget Creek Greenspace Additions, and Smith Cove Park Addition acquisition Projects. On March 4, 2013, the King County Council passed Ordinance 17534, 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 17476.

Amendment 2: Article V. Conditions of Agreement

Section 5.1 is amended to include Attachment AB, which lists 2012 and 2013 Conservation Futures Levy allocations for the Puget Ridge Edible Park, Greenwood/Phinney UCP, North Rainier Urban Village Park, Morgan Junction Park Addition, NE Queen Anne Greenspace Addition, Arroyos Greenspace Addition, East Duwamish Greenbelt, Kubota Garden Greenspace Addition, Puget Creek Greenspace Additions, and Smith Cove Park Addition acquisition Projects.

Amendment 3: Article VII. Responsibilities of County

The first two sentences of this article are amended to include Attachment AB, which lists 2012 and 2013 Conservation Futures Levy proceeds allocations for the Puget Ridge Edible Park, Greenwood/Phinney UCP, North Rainier Urban Village Park, Morgan Junction Park Addition, NE Queen Anne Greenspace Addition, Arroyos Greenspace Addition, East Duwamish Greenbelt, Kubota Garden Greenspace Addition, Puget Creek Greenspace Additions, and Smith Cove Park Addition acquisition Projects:

Subject to the terms of this agreement, the County will provide Conservation Futures Levy Funds in the amounts shown in Attachments A through AB to be used for the Projects listed in Attachments A through AB. 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 AB. 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 AB

The attachments to the interlocal agreement are hereby amended to include references to Attachment AB, 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 SEATTLE



Dow Constantine
King County Executive



Edward B. Murray
Mayor

3/25/2014

Date

2/12/14


Date

Acting under the authority of
Ordinances 17345 and 17534
Dated: June 18, 2012 and March 4, 2013

Acting under the authority of
Ordinance 124399
Dated: December 23, 2013

Approved as to form:

Approved as to form:


for _____
Dan Satterberg
King County Prosecuting Attorney



Peter S. Holmes
Seattle City Attorney

ATTACHMENT AB

**2012 AND 2013 CONSERVATION FUTURES LEVY
CITY OF SEATTLE ALLOCATIONS**

Jurisdiction	Project	Allocation
Seattle (Ordinance 17232)	Puget Ridge Edible Park	\$ 105,000
Seattle (Ordinance 17476)	Greenwood/Phinney UCP	\$ 250,000
Seattle (Ordinance 17476)	North Rainier Urban Village Park	\$ 300,000
Seattle (Ordinance 17476)	Morgan Junction Park Addition	\$ 500,000
Seattle (Ordinance 17476)	NE Queen Anne Greenspace Addition	\$ 200,000
Seattle (Ordinance 17476)	Arroyos Greenspace Addition	\$ 200,000
Seattle (Ordinance 17476)	East Duwamish Greenbelt	\$ 100,000
Seattle (Ordinance 17476)	Kubota Garden Greenspace Addition	\$ 400,000
Seattle (Ordinance 17476)	Puget Creek Greenspace Additions	\$ 150,000
Seattle (Ordinance 17476)	Smith Cove Park Addition	\$ 1,000,000
TOTAL		\$ 3,205,000

Project Descriptions:

(from Ordinance 17345):

315457 Seattle – Puget Ridge Edible Park

This project will provide a new .67-acre park in West Seattle’s Puget Ridge neighborhood, which is underserved with open space. The project will allow for P-Patch agricultural activities and also for improvement of habitat along Puget creek, which is situated on the west side of the property.

(from Ordinance 17534):

1047216 Seattle - WLFC Greenwood/Phinney UCP

2013: \$250,000 is allocated to this project, which will acquire needed open space in a high-density designated urban neighborhood on Greenwood Avenue at 81st Street in Seattle. The

project is intended to help fill a deficit of green space and park land in this neighborhood of Seattle.

1116251 Seattle - WLFC - SEA North Rainier Urban Village Park

This project will acquire a .29 acre open space site located at South Charleston Street and 35th Avenue South in Seattle. The project will create a new neighborhood park in the North Rainier Hub Urban Village, located just one block from Rainier Avenue in south Seattle.

1116253 Seattle - WLFC SEA Morgan Junction Park Addition

This project will acquire a .28-acre property to expand Morgan Junction Park in West Seattle. It is located on California Avenue SW at SW Eddy Street.

1116254 Seattle - WLFC SEA NE Queen Anne Greenspace Addition

This project will acquire a strategic .27-acre inholding in the Northeast Queen Anne Greenspace in Seattle's Queen Anne neighborhood. It will preserve a wooded ravine and connect Trolley Hill Park to the rest of the Northeast Queen Anne Greenbelt.

1116256 Seattle - WLFC SEA Arroyos Greenspace Addition

This project will acquire a .93 acre inholding in the Arroyos Greenspace in West Seattle. It contains Puget Sound Shoreline habitat and Madrone Forest.

1116258 Seattle - WLFC SEA East Duwamish Greenbelt

This project will acquire two strategic, wooded properties totaling .28 acres, which are inholdings in the East Duwamish Greenbelt in south Seattle.

1116259 Seattle - WLFC SEA Kubota Garden Greenspace Addition

This project will acquire up to 5.16 acres of wooded open space adjacent to the Kubota Garden Greenspace. The project will help buffer the garden from encroaching development that would significantly diminish the experience of visiting the garden.

1116260 Seattle - WLFC SEA Puget Creek Greenspace Additions

This project will acquire three properties totaling one acre in the Puget Creek Greenspace in West Seattle. The project will provide added habitat protection to Puget Creek, which flows into the Duwamish Waterway.

1116261 Seattle - WLFC SEA Smith Cove Park Addition

This project will acquire a 3-parcel, 3.8-acre property with shoreline frontage on Elliot Bay, adjacent to Smith Cove Park in Magnolia. The project will provide passive open space and waterfront access.

City of Seattle:

\$3,205,000

Puget Ridge Edible Park, Greenwood/Phinney UCP, North Rainier Urban Village Park, Morgan Junction Park Addition, NE Queen Anne Greenspace Addition, Arroyos Greenspace Addition, East Duwamish Greenbelt, Kubota Garden Greenspace Addition, Puget Creek Greenspace Additions, and Smith Cove Park Addition acquisition Projects.