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Department of Natural Resources and Parks
Water and Land Resources Division
Open Space Acquisitions Unit
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Amendment to Conservation futures
Interlocal Cooperation Agreement
Between King County and the City of Seattle for
Open Space Acquisition Projects

July 12, 2010

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

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

Project: **Conservation Futures**

Amendment X

**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 Ballard Open Space, Harrison Ridge Greenspace Completion, Urban Center Parks (Denny Triangle), Urban Center Park (First Hill), and Waldo Woods Conservation Easement acquisition Projects; and hereafter reads:

- On November 24, 2008, the King County Council passed Ordinance 16312, which appropriated a total of Three Million Three Hundred Thousand dollars (\$3,300,000) in Conservation Futures Levy proceeds to the City of Seattle for the Ballard Open Space, Harrison Ridge Greenspace Completion, Urban Center Parks (Denny Triangle), Urban Center Park (First Hill), and Waldo Woods Conservation Easement acquisition Projects. On April 6, 2009, the King County Council passed Ordinance 16442, 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 16312.

Amendment 2: Article V. Conditions of Agreement

Section 5.1 is amended to include Attachment X, which lists 2009 Conservation Futures Levy Allocations for the Ballard Open Space, Harrison Ridge Greenspace Completion, Urban Center Parks (Denny Triangle), Urban Center Park (First Hill), and Waldo Woods Conservation Easement acquisition Projects.

Amendment 3: Article VII. Responsibilities of County

The first two sentences of this article are amended to include Attachment X, which lists 2009 Conservation Futures Levy proceeds allocations for the Ballard Open Space, Harrison Ridge Greenspace Completion, Urban Center Parks (Denny Triangle), Urban Center Park (First Hill), and Waldo Woods Conservation Easement 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 X to be used for the Projects listed in Attachments A through X. 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 X. 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 X

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



Michael McGinn
Mayor

7/2/10

Date

6/7/10


Date

Acting under the authority of
Ordinance 16442
Dated: April 6, 2009


Acting under the authority of
Ordinance: 123257
Dated: March 26, 2010

Approved as to form:

Approved as to form:



Dan Satterberg
King County Prosecuting Attorney

By:  ACA

Peter S. Holmes
Seattle City Attorney

ATTACHMENT X

2009 CONSERVATION FUTURES LEVY CITY OF SEATTLE ALLOCATIONS

Jurisdiction	Project	Allocation
Seattle	Ballard Open Space	\$ 1,500,000
Seattle	Harrison Ridge Greenspace Completion	\$ 375,000
Seattle	Urban Center Parks (Denny Triangle)	\$ 500,000
Seattle	Urban Center Park (First Hill)	\$ 625,000
Seattle	Waldo Woods Conservation Easement	\$ 300,000
TOTAL		\$3,300,000

Project Descriptions:

315440 Ballard Open Space

This is a multiple-parcel 0.9-acre open space acquisition project located on 9th Avenue Northwest between Northwest 70th and Northwest 73rd streets. The site is in densely populated Ballard, a community that is deficient in local, community-scale open space.

315441 Harrison Ridge Greenspace Completion

This acquisition is a one-parcel, 0.19 acre inholding within Seattle's Harrison Ridge Greenspace, located on 32nd Avenue East, south of East Denny Way. The greenspace is a local wooded open space in the Madrona and Madison Valley areas.

315419 Urban Center Parks (Denny Triangle)

This project is \$500,000 for a 0.2-acre neighborhood open space acquisition located in the Denny Triangle neighborhood in addition to the \$950,000 (half of the total \$1,900,000 originally awarded to the University District and Denny Triangle projects) the City received in the 2003 CFT allocation. The 2003 CFT award directed Seattle to identify a specific site in Denny Triangle for approval. Seattle identified a site located adjacent to Cornish College of the Arts at Westlake Avenue and Lenora Street, a block south of Denny Way, which was approved for acquisition.

315442 Urban Center Park (First Hill)

Seattle continues to search for an appropriate park site in this urban village. The First Hill urban center is lacking in open space, and a park acquisition will help serve the anticipated growth identified in Seattle's neighborhood growth plan for the area.

315443 Waldo Woods Conservation Easement

This is an approximately .4-acre open space acquisition project, located on the western side of 15th Avenue Northeast at Northeast 85th Street. The goal of the project is to preserve a grove of trees along 15th Avenue Northeast. The project was proposed by the Maple Leaf Community Council.

City of Seattle:

\$3,300,000

Ballard Open Space, Harrison Ridge Greenspace Completion, Denny Triangle Urban Center Park, First Hill Urban Center Park, and Waldo Woods Conservation Easement acquisition Projects