

RESOLUTION NO. 5644

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE CONSERVATION FUTURES INTERLOCAL AGREEMENT BETWEEN THE CITY OF AUBURN AND KING COUNTY FOR OPEN SPACE ACQUISITION PROJECTS

WHEREAS, King County Conservation Futures tax levy funds are collected from throughout King County as a dedicated portion of property taxes, for the acquisition of open space and natural resource lands; and

WHEREAS, the City of Auburn and King County entered into a Conservation Futures Interlocal Agreement (ILA) for open space acquisition in 2005; and

WHEREAS, under the process outlined in Section 8.2 of the ILA, before a Conservation Futures tax levy award may be disbursed to the City, the County and City councils must amend the ILA to reflect the new award; and

WHEREAS, to preserve sensitive land along the Green River corridor, the City purchased in August 2020 property adjacent to Isaac Evans Park for twenty-five thousand dollars (\$25,000.00) that will allow future expansion of the park; and

WHEREAS, the King County Council passed Ordinance 18409 on November 14, 2016, appropriating \$111,000.00 in Conservation Futures levy funds to the City for conservation property purchases; and

WHEREAS, to receive \$12,974.00 in matching grant funds for the city's recent land purchase, the City must amend the 2005 Interlocal Cooperation Agreement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, RESOLVES as follows:

Section 1. The Mayor is authorized to execute an amendment to the 2005 Conservation Futures Interlocal Cooperation Agreement between King County and the City of Auburn for Open Space Acquisition Projects in substantially the same form as Exhibit A and to accept Conservation Futures Levy Grant Funds toward the prior purchase of property adjacent to Isaac Evens Park

Section 2. The Mayor is authorized to implement those administrative procedures necessary to carry out the directives of this legislation.

Section 3. This Resolution will take effect and be in full force on passage and signatures.

Dated and Signed: _____

CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Kendra Comeau, City Attorney

Exhibit A to Resolution 5644

AMENDMENT TO THE CONSERVATION FUTURES INTERLOCAL COOPERATION AGREEMENT BETWEEN KING COUNTY AND THE CITY OF AUBURN 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 AUBURN 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 3rd day of October, 2005, 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 Watts Property Acquisition, and hereafter reads:

- On November 14, 2016 the King County Council passed Ordinance 18409, which appropriated a total of one hundred and eleven thousand dollars (\$111,000) in Conservation Futures Levy proceeds to the City of Auburn for the Watts Property 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 Auburn 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 E, which lists a 2017 Conservation Futures Levy Allocation for the Watts Property Acquisition project.

Amendment 3: Article VII. Responsibilities of County

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

The Attachments to the interlocal agreement are hereby amended by adding Attachment E, 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 AUBURN

Dow Constantine
King County Executive

Nancy Backus
Mayor, City of Auburn

Date: _____
Acting under the authority of
Ordinance 18667

Date: _____
Acting under the authority of
Resolution 5644

Approved as to form:

Approved as to form:

Dan Satterberg
King County Prosecuting Attorney

Kendra Comeau
City Attorney

ATTACHMENT E

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

Jurisdiction	Project	Allocation
Auburn	Watts Property	\$111,000
TOTAL		\$111,000

Project Description:

Project #1129314: Auburn – Watts Property

This project originally proposed to acquire a 16-acre portion of a 21.85-acre property located immediately east of the city of Auburn’s historic Mary Olson Farm. After unsuccessful negotiations with the landowner, a scope addition was approved to add 1-acre parcel 3339400850, located approximately 1 mile south of the original target parcel and adjacent to Isaac Evans Park. Acquisition will protect the property from future development and keep the forested area along the river intact in perpetuity. Project funding was approved in Ordinance #18409; rescope request was approved in Conservation Futures Advisory Committee Project Progress Report dated 3/31/2020 and documented in Ordinance #19210.