

ORDINANCE NO. O-4485

AN ORDINANCE APPROVING THE FORM OF AN INTERLOCAL AGREEMENT WITH THE KIRKLAND AQUATICS AND RECREATION DISTRICT, IF THE FORMATION OF THE DISTRICT IS APPROVED BY THE VOTERS; AND AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH AGREEMENT ON BEHALF OF THE CITY; AND PROVIDING FOR PROPERLY RELATED MATTERS.

WHEREAS, by Resolution R-5124, the Kirkland City Council has previously found that there is a need to create a stable funding source for parks and other recreational facilities and programs, including specifically to fund a proposed Aquatics, Recreation and Community Center (the "ARC"), to serve the residents of Kirkland; and

WHEREAS, chapter 35.61 RCW provides that a metropolitan park district ("MPD") may be created upon voter approval of a ballot measure submitted to the voters of the proposed district; and

WHEREAS, state law (including chapters 35.61, 67.20 and 84.52 RCW) authorizes MPDs to levy and impose various taxes and fees to provide ongoing funding to construct, maintain, operate and improve recreational facilities including pools, parks, community centers and other recreational facilities; and

WHEREAS, the City Council by Ordinance O-4484 has found that is in the best interests of the residents of Kirkland to submit to the voters a ballot proposition to create the Kirkland Aquatics and Recreation District to provide a stable funding source for the proposed ARC and other future parks and recreational facilities and programs; and

WHEREAS, the City Council further finds that it is in the best interests of the City and its residents to authorize the City Manager to execute an interlocal agreement with the Kirkland Aquatics and Recreation District to provide for the joint and cooperative undertaking of providing stable funding for the ARC and other parks and recreational facilities and programs within Kirkland and to avoid duplication of functions and services.

NOW, THEREFORE, be it ordained by the City Council of the City of Kirkland, as follows:

**Section 1. Statement of Intent.** It is the intent of the City that, if the voters approve formation of the Kirkland Aquatics and Recreation District (the "Park District") within the boundaries of the City of Kirkland, the City will work in cooperation with the Park District to finance, construct, operate and maintain a proposed Aquatics, Recreation and Community Center (the "ARC") and other parks and recreation facilities and programs throughout the City. It is the City's intent to continue to manage and control the City's existing public parks and recreational facilities, and to develop the ARC and future additional

parks and recreational facilities in a cooperative manner with the Park District, under an interlocal agreement as further authorized below.

**Section 2. Interlocal Agreement Authorized.** If the voters of the proposed Park District approve its formation, the City Manager is authorized and directed to enter into an interlocal agreement with the Park District substantially in the form attached as Attachment 1, with such changes as the City Manager deems necessary and advisable, such that the intent of the City as expressed herein is carried out.

**Section 3. Ratification.** All actions taken prior to the effective date of this ordinance and consistent with the intent expressed herein, are hereby ratified and confirmed.

**Section 4. Effective Date.** This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

This ordinance shall be in full force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open public meeting this \_\_\_ day of \_\_\_\_\_, 2015.

Signed in authentication thereof this \_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
MAYOR

Attest:

\_\_\_\_\_  
City Clerk

Publication Date: \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
City Attorney