

RESOLUTION NO. 1918

A RESOLUTION of the City Council of the City of Kent, Washington, in support of the City's application for grant funding assistance for salmon recovery projects to the Salmon Recovery Funding Board as provided in RCW 77.85, WAC 420 and subsequent Legislative action.

RECITALS

A. The organization name for these applications is the city of Kent, a Washington municipal corporation.

B. The project names and numbers are the Downey Farmstead salmon habitat restoration project, number 15-1240, and Mill Creek Side Channel (Leber 2014) salmon habitat restoration project, number 14-1001.

C. Under the provisions of the Salmon Recovery Act, state grant assistance is requested to aid in financing the cost of the Downey Farmstead and Mill Creek Side Channel salmon habitat restoration projects.

D. The city of Kent considers it in the best public interest to complete the projects described in the application(s).

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:

RESOLUTION

SECTION 1. - The Mayor is authorized to make formal application to the Salmon Recovery Funding Board for grant assistance.

SECTION 2. - The city has reviewed the sample project agreement on the Recreation and Conservation Office's web site at: <http://www.rco.wa.gov/documents/manuals&forms/SampleProjAgreement.pdf> and authorizes the Mayor to enter into such a project agreement, if funding is awarded. We understand and acknowledge that the project agreement will contain the indemnification (applicable to any sponsor) and waiver of sovereign immunity (applicable to Tribes) and other terms and conditions that are contained in the sample project agreement.

SECTION 3. - Any grant assistance received will be used for direct costs associated with implementation of the project referenced above.

SECTION 4. - The city expects our matching share of project funding will be derived from a King County Cooperative Watershed Management Grants and in-kind city funding and meets the requirements of WAC 420-12-040. In addition, our organization understands it is responsible for supporting all non-cash commitments to this project should they not materialize.

SECTION 5. - We acknowledge that if the Salmon Recovery Funded Board approves grant assistance for the project(s), the Recreation and

Conservation Office will pay us on only a reimbursement basis, except for a specially approved advance payment. We understand reimbursement basis means that we will only request payment from the Recreation and Conservation Office after we incur eligible and allowable costs and pay them. The Recreation and Conservation Office may also determine an amount of retainage and hold that amount until the project is complete. The Recreation and Conservation Office may approve advance payments in limited circumstances, pursuant to WAC 420-12-060 and the policy outlined in *Manual 8, Reimbursements*.

SECTION 6. - We acknowledge that any property acquired with grant assistance be dedicated for salmon recovery purposes for perpetuity unless otherwise agreed to by our organization and the Salmon Recovery Funding Board. We agree to dedicate the property in a signed "Deed of Right to Use Land for Salmon Recovery Purposes" for fee acquisitions, or an "Assignment of Rights" for conservation easement acquisitions, to be recorded on the title of the property with the county auditor.

SECTION 7. - We acknowledge that any property acquired in fee title must be accessible to the public unless the Recreation and Conservation Office Director or the Salmon Recovery Funding Board agrees to other restrictions.

SECTION 8. - We acknowledge that any property restored be maintained for a period of ten years after the project is complete unless otherwise provided and agreed to by our organization and the Salmon Recovery Funding Board.

SECTION 9. - This application authorization becomes part of a formal application to the Salmon Recovery Funding Board for grant assistance.

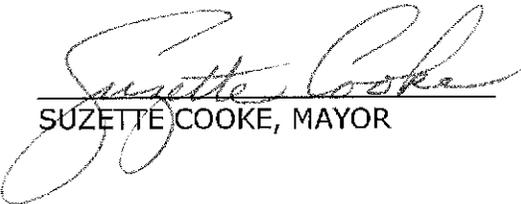
SECTION 10. - The city has provided appropriate opportunity for public comment on this application.

SECTION 11. - The city certifies that this resolution was properly and lawfully adopted following the requirements of our organization and applicable laws and policies and that the person signing as authorized representative is duly authorized to do so.

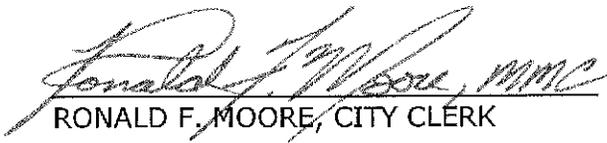
SECTION 12. - Effective Date. This resolution shall take effect immediately upon its passage.

PASSED at a regular open public meeting by the City Council of the City of Kent, Washington, this 8th day of December, 2015.

CONCURRED in by the Mayor of the City of Kent this 8th day of December, 2015.


SUZETTE COOKE, MAYOR

ATTEST:


RONALD F. MOORE, CITY CLERK

APPROVED AS TO FORM:


TOM BRUBAKER, CITY ATTORNEY

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