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4 **RESOLUTION NO. 2020-3**
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7 **A Resolution of the Pierce County Flood Control Zone District Board of
8 Supervisors Amending Operating Rules.**

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10 **Whereas**, by Resolution No. 2012-1, the Board of Supervisors established rules
11 for the operation of the District, which include, among other things, the date, time and
12 place of the regular meetings of the Board and the Executive Committee;

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14 **Whereas**, by Resolution No 2017-2, the Board of Supervisors amended the
15 operating rules of the District to add a new section related to agenda for and notice of
16 Board and Executive Committee meetings;

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18 **Whereas**, the Board of Supervisors desires to amend the start time for regular
19 Executive Committee meetings, and

20
21 **Whereas**, the Board of Supervisors desires to add a new section to the operating
22 rules to allow for remote meetings of the Board and Executive Committee when there is
23 a declared emergency by the County Executive, consistent with the Open Public
24 Meetings Act, Chapter 42.30 RCW.; **Now Therefore**,

25
26 **BE IT RESOLVED** by the Board of the Pierce County Flood Control Zone
27 **District**:

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29 **Section 1. Purpose.**

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31 The purpose of this Resolution is to establish rules and operating procedures for
32 the Pierce County Flood Control Zone District.

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34 **Section 2. Definitions.**

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36 A. "Board" means the Board of Supervisors of the Pierce County Flood Control
37 Zone District ("FCZD"), who as Pierce County Councilmembers are ex officio members
38 of the Board.

39
40 B. "Executive Committee" means the Executive Committee of the Pierce County
41 Flood Control Zone District, consisting of three members of the Board who are elected
42 by the members of the Board.

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44 C. "Legislation" means a "motion" or "resolution".

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46 D. "Motion" means legislation that organizes and administers the Flood Control
47 Zone District or that contains declarations of policy which do not have the force of law.

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2 E. "Resolution" means legislation that has the force of law.
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4 Section 3. Officers.
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6 A. At the first meeting of the Board in any given year the Board shall elect a
7 Chair and a Vice-Chair and a third member of the Executive Committee all of whom
8 shall serve for a term of one year or until their successors are elected.
9

10 B. The Chair of the Board shall preside at Board meetings, sign resolutions and
11 other documents on behalf of the Board and perform such other duties as are
12 commonly associated with that office.
13

14 C. The Vice-Chair shall perform the duties of the Chair in the Chair's absence.
15

16 D. The Chair or the Vice-Chair may be removed by simple majority vote of the
17 total membership of the Board. If the Chair or Vice-Chair of the Board is removed, the
18 Board shall elect a successor as provided herein.
19

20 Section 4. Executive Committee.
21

22 A. The Executive Committee shall consist of the Chair and Vice-Chair of the
23 Board and one additional member elected by the members of the Board.
24

25 B. The Executive Committee member who is neither Chair nor Vice-Chair shall
26 serve at the pleasure of the Board for a term of one year, unless decided otherwise by
27 the Board and until the member's successor is chosen.
28

29 C. On behalf of the Board, the Executive Committee may take the following
30 actions and perform the following functions:
31

32 1. Approve contracts for goods and services where the stated charges in the
33 contract or the actual and anticipated charges under the contract (including renewals,
34 extensions and amendments) are or will be up to \$100,000;
35

36 2. Review and recommend capital projects to the Board;
37

38 3. Develop and approve staffing and personnel policies related to the
39 administration of the District; and
40

41 4. Oversee and administer the daily administration of the District.
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43 The Chair of the Executive Committee may approve contracts for goods and
44 services where the stated charges in the contract or the actual and anticipated charges
45 under the contract (including renewals, extensions and amendments) are or will be up
46 to \$20,000 and are included in the District's budget and work program. After approval
47 of such a contract, the agenda for the next Executive Committee meeting shall contain

1 an agenda item for the contract and at the meeting the chair of the Executive
2 Committee or designee shall give a report regarding the contract.

3
4 D. The Chair of the Executive Committee shall preside at Committee meetings
5 and perform such other duties as are commonly associated with that office.

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7 E. The Vice-Chair shall perform the duties of the Chair in the Chair's absence.

8
9 F. If any decision of the Executive Committee is not unanimous, the decision
10 shall be forwarded to the Board for final decision at the request of any member who
11 voted against the decision.

12
13 Section 5. Meetings.

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15 A. The regular meetings of the Executive Committee shall be held every third
16 Wednesday of each month starting at 11:00 a.m. at the Pierce County Council
17 Chambers, Room 1045, 930 Tacoma Avenue South, Tacoma, Washington 98402.

18
19 B. Special meetings of the Board or the Executive Committee may be called by
20 their respective Chairs or as provided in RCW 42.30.080.

21
22 C. The Board and the Executive Committee shall comply with the Open Public
23 Meetings Act, Chapter 42.30 RCW. Any member of the Board may attend a meeting of
24 the Executive Committee.

25
26 Section 6. Executive Committee and Board Action.

27
28 A. A quorum of the Board shall consist of four members. A quorum of the
29 Executive Committee shall consist of two members.

30
31 B. All actions of the Board or Executive Committee shall be by simple majority
32 vote of those present except that any action by the Board to impose a property tax shall
33 be adopted with no less than an affirmative vote of two-thirds of the Board.

34
35 C. Members of the Board and Executive Committee must be present to vote on
36 a matter before the Board or Executive Committee, except that at any meeting of the
37 Board involving a tax vote, members of the Board may attend and vote by
38 teleconference, i.e. use of oral electronic communication devices such as telephone,
39 conference call or internet audio, provided that:

40
41 1. No more than two members of the Board may attend and vote by
42 teleconference;

43
44 2. The teleconference technical connection for the meeting must allow the
45 Board member to hear and to be heard by other Board members and the public; and

1 3. The Board member must provide six hours notice before the meeting to
2 the Clerk of the Board, or the Clerk's designee.

3
4 D. All actions of the Board or Executive Committee shall be recorded in the
5 minutes, copies of which shall be distributed to each member of the Board or
6 Committee.

7
8 Section 7. Board Resources.

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10 A. The Board shall determine and provide for staff and other resources required
11 to assist the Board and the Executive Committee in performing their duties.

12
13 Section 8. Miscellaneous.

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15 A. The rules contained in Robert's Rules of Order Newly Revised shall govern
16 the Board and Executive Committee in all cases in which they are reasonably applicable
17 and not inconsistent with this resolution.

18
19 B. The Board may revise these rules and operating procedures at any regular or
20 special meeting by majority vote.

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22 Section 9. Agenda and Notice of Board and Executive Committee Meetings.

23
24 A. The Chair or designee (hereafter, the "Chair") shall prepare an agenda
25 for each Board and Executive Committee meeting. The Chair shall determine the order
26 of and items on the agenda, taking into account the order of and items on previous
27 agendas.

28
29 B. The Chair shall attach to the agenda all documents identified or referenced in
30 the agenda, including but not limited to reports, agreements, resolutions and written
31 motions (hereafter, the agenda and the documents are collectively the "Meeting
32 Packet").

33
34 C. For regular meetings of the Board or the Executive Committee, the Chair
35 shall cause the Meeting Packet to be distributed to the Supervisors, posted on the
36 District's website, and made available at the office of the Clerk of the Board by noon of
37 the second business day before the day of the meeting. For example, if the regular
38 meeting is on a Tuesday, the Meeting Packet shall be distributed, posted and made
39 available by noon on Friday.

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41 D. For special meetings of the Board or the Executive Committee, the Chair
42 shall cause the Meeting Packet to be distributed to the Supervisors, posted on the
43 District's website, delivered to entities that have on file with the Board a written request
44 to be notified of special meetings (as provided for in RCW 42.30.080), and made
45 available at the office of the Clerk of the Board at least twenty-four (24) hours before the
46 time of the special meeting.

1 E. If State law or District resolution requires notice of a public hearing to be
2 published a certain number of days before the public hearing, the Chair shall cause the
3 notice to be published as required. Any documents identified or referenced in the
4 notice, including but not limited to reports, agreements, resolutions and written motions,
5 shall be posted on the District's website and made available at the office of the Clerk of
6 the Board concurrently with publication of the notice.

7
8 F. The failure of the Chair to comply with any Meeting Packet requirement of this
9 Section shall not invalidate or adversely affect an otherwise legal action taken at a
10 meeting; provided that no action shall be taken by the Board of Supervisors on any
11 resolution which has not been distributed, posted, and made available in accordance
12 with the provisions of Subsections 9.C. and 9.D. of this Section.

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14 SECTION 10. Remote Attendance.

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16 A. Board members may appear at Board of Supervisor or Executive Committee
17 meetings via video conferencing or telephone ("remote attendance") under limited
18 circumstances as directed by the Board Chair. The Board shall follow best practices for
19 the conduct of remote meetings.

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21 B. Remote attendance should be announced by the Board Chairperson or Vice-
22 Chairperson in the absence of the Chairperson and will be reflected in the meeting
23 minutes.

24
25
26 ADOPTED this 8th day of July, 2020.

27
28 ATTEST:

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32 Audrey Persons, Clerk of the Board

33
34 PIERCE COUNTY FLOOD CONTROL
35 ZONE DISTRICT
36 Pierce County, Washington

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38 
39 Dave Morell, Board Chair