

**RESOLUTION NO. 2023-5**

**A Resolution of the Pierce County Flood Control Zone District Board of Supervisors Amending the Interlocal Agreement with the City of Tacoma for a Flood Risk Reduction and Watershed Management Economic Stimulus Grant.**

**Whereas**, the Pierce County Flood Control Zone District ("District") Board of Supervisors ("Board") established a strategic reserve as a part of its fund balance policy with the adoption of Resolution No. 2017-4; and

**Whereas**, the District established the Flood Risk Reduction and Watershed Management Economic Stimulus Grant Program with Resolution No. 2020-2; and

**Whereas**, the District approved budget authority for the Flood Risk Reduction and Watershed Management Economic Stimulus Grant Program with Resolution 2021-6; and

**Whereas**, the District approved a second round of funding for the Flood Risk Reduction and Watershed Management Economic Stimulus Grant Program with Resolution No. 2022-3; and

**Whereas**, the District approved an Interlocal Agreement ("ILA") with the City of Tacoma for up to \$650,000 for Leach Creek Stormwater Holding Basin Modification ("Project") in Resolution No. 2022-7, for funding through calendar year 2023; and

**Whereas**, the City of Tacoma undertook a competitive bidding process for the project and encountered unexpected construction delays; **Now Therefore**,

**BE IT RESOLVED by the Board of Supervisors of the Pierce County Flood Control Zone District :**

Section 1. The Board of Supervisors approves this first amendment to the ILA between Pierce County Flood Control Zone District and the City of Tacoma, extending the funding duration through December 31, 2024.

Section 2. The remainder of the ILA shall remain in full force and effect.

ADOPTED this 13<sup>th</sup> day of September, 2023.

ATTEST:

**PIERCE COUNTY COUNCIL**

Pierce County, Washington

A blue ink signature of Audrey Persons, written in a cursive style, positioned above a horizontal line.

**Audrey Persons**  
Clerk of the Board

A blue ink signature of Dave Morell, written in a cursive style, positioned above a horizontal line.

**Dave Morell**  
Flood Control Zone District Chair

**FIRST AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN  
THE PIERCE COUNTY FLOOD CONTROL ZONE DISTRICT AND  
THE CITY OF TACOMA FOR DISTRICT GRANT FUNDED PROJECTS**

THIS FIRST AMENDMENT to the Interlocal Agreement ("Agreement") between CITY OF TACOMA a City in the State of Washington ("Municipality"), and the PIERCE COUNTY FLOOD CONTROL ZONE DISTRICT, a quasi-municipal corporation of the State of Washington ("District") ("Parties" or when singular "Party") is effective on the later of the two signature dates appearing below.

WHEREAS, pursuant to Resolution No. 2022-3, the District and Municipality entered the Agreement, which provided up to \$650,000 in funding for the Leach Creek Stormwater Holding Basin Modification project ("Project") through calendar year 2023.; and

WHEREAS, The Parties now desire to amend the Agreement to extend the funding duration through December 31, 2024.

NOW, THEREFORE, in consideration of the mutual benefits and advantages derived by the parties, the adequacy and sufficiency of which is hereby acknowledged, it is agreed as follows:

1. Section 7 of the Agreement is changed to read as follows:

The District shall provide Funds for the budget years 2023-2024. ~~Only applicable~~ Project work completed in 2023 through 2024 shall be eligible for reimbursement. This Agreement shall terminate automatically on December 31, 2024, ~~ninety (90) days after the close of the current budget year, which ends December 31 of each year. The Municipality may submit to the Board, in writing, no later than December 1, 2023 a request to be granted an extension.~~

2. ALL OTHER TERMS AND CONDITIONS OF THE AGREEMENT, AND ALL SUPPLEMENTS, MODIFICATION AND AMENDMENTS THERETO SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, authorized representatives of the parties hereto have signed their names in the spaces below:

CITY OF TACOMA

PIERCE COUNTY FLOOD  
CONTROL ZONE DISTRICT

\_\_\_\_\_  
[TITLE]

\_\_\_\_\_  
Name: \_\_\_\_\_

\_\_\_\_\_

Title: \_\_\_\_\_

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

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

\_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
Attorney

Attested to:

Attested to:

\_\_\_\_\_

\_\_\_\_\_  
Audrey Persons  
Clerk of Board of Supervisors