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3 **RESOLUTION NO. 2014-3**
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6 **A Resolution of the Pierce County Flood Control Zone District, relating to**
7 **Opportunity Fund projects, authorizing the District**
8 **Administrator to approve Opportunity Fund projects, and**
9 **amending Sections 5 and 6 of Resolution No. 2013-2.**

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11 **Whereas**, by Resolution No. 2013-2, adopted on June 5, 2013, the Board of
12 Supervisors established an opportunity fund of ten percent (10%) of the revenues raised
13 from District regular property tax levies ("Opportunity Fund"), for distribution to cities,
14 towns and unincorporated Pierce County ("municipalities"), based on their proportional
15 percentage of the Opportunity Fund, for flood control and stormwater control
16 improvements; maintenance and operation of flood control and stormwater control
17 improvements; studies and plans for flood control and stormwater control
18 improvements; studies, plans, activities and projects related to watershed management;
19 and major equipment used for stormwater control or water quality protection; and

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21 **Whereas**, Section 5 of Resolution No. 2013-2 requires the Board of Supervisors
22 to approve all Opportunity Fund Projects; and

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24 **Whereas**, the Board of Supervisors desires to streamline the administrative
25 process for District consideration of proposed Opportunity Fund Projects, by authorizing
26 the District Administrator to approve Opportunity Fund Projects; **Now Therefore**,

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

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31 Section 1. Section 5 of Resolution No. 2013-2 is amended to read as follows:

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33 Review and Approval of Projects. The District Administrator shall consider and
34 approve, modify or deny all applications for Projects. The District Administrator's
35 approval of a Project shall be considered an approval or authorization of the Project by
36 the District Board of Supervisors, for purposes of RCW 86.15.110 and Section 3.4.1 of
37 the District's Comprehensive Plan of Development. The District Administrator is
38 authorized and directed to establish rules and regulations for the review and approval,
39 modification or denial of Projects and disbursement of Opportunity Fund allocations.
40 Upon adoption, the District Administrator shall provide a copy of the rules and
41 regulations to the Board of Supervisors, the District Executive Director, and the District
42 Clerk. The District Clerk shall post a copy of the rules and regulations on the District's
43 website, and shall keep a copy of the rules and regulations for inspection and review by
44 the public.

1 Section 2. Section 6 of Resolution No. 2013-2 is amended to read as follows:

2 Appeals from and Reporting of Project Decisions.

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5 A. The District Administrator shall issue a written decision on a proposed Project,
6 and shall mail a copy of the decision to the designated representative of the
7 municipality on the day of or the day following the decision. The municipality
8 may appeal the decision to the District Board of Supervisors. The appeal shall
9 be in writing, shall state generally the grounds for the appeal, and shall be filed
10 with the District Administrator within twenty-one (21) calendar days of the date
11 of the decision. Within three (3) business days of receipt of the appeal, the
12 District Administrator shall send a copy of the appeal to the Chair of the District
13 Board of Supervisors, the Executive Director, and the District Clerk. The
14 District Executive Director or the District Clerk shall place the appeal on the
15 agenda of the next regular or special District Board of Supervisors meeting.
16 The District Board of Supervisors shall review the appeal and schedule a
17 hearing on the appeal for the next regular or special Board meeting. Within
18 three (3) business days after the meeting, the District Clerk shall notify in
19 writing the designated representative of the municipality and the District
20 Administrator of the date, time and place of the appeal hearing. The District
21 Board of Supervisors may, but is not required to, adopt written rules for the
22 conduct of appeal hearings. Absent written rules, the District Board of
23 Supervisors must allow the municipality and the District Administrator to
24 present evidence and make arguments, and shall issue a written decision at the
25 next regular or special Board meeting. The District Board of Supervisors
26 decision shall be the final decision of the District on the Project.

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28 B. The District Administrator shall prepare monthly a report of the Projects
29 approved, modified or denied in the previous month, and shall submit the report
30 to the Executive Committee, the Executive Director and the District Clerk. The
31 District Administrator also shall prepare a report for each Executive Committee
32 meeting of all Projects approved for the current calendar year. The Executive
33 Committee shall determine the form of and information to be included in the
34 reports.

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36 ADOPTED this 9th day of July, 2014.

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38 ATTEST:

39 PIERCE COUNTY FLOOD CONTROL
40 ZONE DISTRICT
41 Pierce County, Washington

42 
43 Cathy Sala, Clerk of the Board

44 
45 Joyce McDonald
46 Board Chair