

**RESOLUTION NO. 2014-3**

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

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

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

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

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

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

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

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


Appeals from and Reporting of Project Decisions.

- A. The District Administrator shall issue a written decision on a proposed Project, and shall mail a copy of the decision to the designated representative of the municipality on the day of or the day following the decision. The municipality may appeal the decision to the District Board of Supervisors. The appeal shall be in writing, shall state generally the grounds for the appeal, and shall be filed with the District Administrator within twenty-one (21) calendar days of the date of the decision. Within three (3) business days of receipt of the appeal, the District Administrator shall send a copy of the appeal to the Chair of the District Board of Supervisors, the Executive Director, and the District Clerk. The District Executive Director or the District Clerk shall place the appeal on the agenda of the next regular or special District Board of Supervisors meeting. The District Board of Supervisors shall review the appeal and schedule a hearing on the appeal for the next regular or special Board meeting. Within three (3) business days after the meeting, the District Clerk shall notify in writing the designated representative of the municipality and the District Administrator of the date, time and place of the appeal hearing. The District Board of Supervisors may, but is not required to, adopt written rules for the conduct of appeal hearings. Absent written rules, the District Board of Supervisors must allow the municipality and the District Administrator to present evidence and make arguments, and shall issue a written decision at the next regular or special Board meeting. The District Board of Supervisors decision shall be the final decision of the District on the Project.
  
- B. The District Administrator shall prepare monthly a report of the Projects approved, modified or denied in the previous month, and shall submit the report to the Executive Committee, the Executive Director and the District Clerk. The District Administrator also shall prepare a report for each Executive Committee meeting of all Projects approved for the current calendar year. The Executive Committee shall determine the form of and information to be included in the reports.

**ADOPTED this 9th day of July, 2014.**

ATTEST:

**PIERCE COUNTY FLOOD CONTROL  
ZONE DISTRICT**  
Pierce County, Washington

  
Cathy Sala, Clerk of the Board

  
Board Chair