King County

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

KING COUNTY

Signature Report

April 17, 2007

Ordinance 15728

Proposed No. 2006-0334.3 **Sponsors** Hague and Phillips

AN ORDINANCE relating to protecting lives and property by controlling flooding in King County; ordering the formation of a countywide flood control zone district and dissolving existing flood control zone districts within the county as required by state law; creating a new King County flood control zone district advisory committee; adding a new chapter to K.C.C. Title 2 and repealing Resolutions 30560, 30950, 30633, 34107, 31192, 30849, 25183, 28339, 32463 and 28067 and Ordinance 12075, Section 7, and K.C.C. 2.36.010.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. **Findings:**

A. Every year, King County faces significant threats from flooding, the impacts of which are far-reaching and pose significant threats to public health and safety and economic activities throughout the county.

B. Starting in late 2005, King County experienced one of the longest consecutive periods of rainy days on record. The extended rainfall caused significant flooding and revealed numerous deficiencies in the county's aging flood protection system. In November 2006, record rainfall caused more flooding throughout King County, resulting in millions of dollars in property damage, including additional damage to King County's flood protection facilities. Another storm in mid-December 2006 brought even more flooding to the region, causing millions more in property damage and the loss of life. Flooding from that storm also forced the closure of Interstate 5 at Mercer Street, covered multiple lanes of Interstate 5 and Interstate 405 at many locations and shut down dozens of streets throughout the region. Following the 2006 flooding, King County was declared a federal flood disaster area for the eighth time since 1990. In February, 2007 the US Army Corps of Engineers identified nineteen levees in Washington State, all of which are in King County, as being at risk of failure – the second highest number of any state in the country.

C. According to University of Washington scientists, climate change is projected to increase the frequency of flooding in most western Washington river basins. Floods in future years are expected to exceed the capacity and protective abilities of existing flood protection facilities, thereby threatening property, lives, major transportation corridors, communities and regional economic centers.

D. Throughout King County there are nearly five hundred aging flood protection facilities that cannot be repaired or maintained adequately, because of revenue limitations. Investigations following the 2006 flood disaster determined that seventy-

eight of those facilities have sustained damage. In addition, there are significant needs for new or enhanced flood protection facilities and measures throughout the county.

E. The one hundred-year floodplain in King County covers more than twenty-five thousand acres or almost forty square miles. County flood protection facilities protect property with an estimated assessed valuation of more than seven billion dollars. The flood control needs in King County are described more extensively in chapter 3 of the 2006 King County Flood Hazard Management Plan.

F. Many of the region's largest employers, such as Boeing, have major facilities in areas that are protected by aging levies, many of which were damaged by recent flooding. Further damage to those facilities from flooding or the failure to repair the damage that has already occurred could have far-reaching economic impacts throughout the region.

G. The impacts of flooding can be severe and extend far beyond the floodplain itself. Buildings can be reduced to rubble along with household furnishings and business inventories. In addition to the direct threats and damage from floodwater, people face the threat of electrocution, explosions and fires caused by leaking gas lines and damaged electrical lines. Severe flooding can also destroy utility infrastructure, causing extensive disruptions in service. The loss of power and communication is common with severe floods. Damage to drinking water and wastewater facilities can spread disease. In addition, impacts to roads and highways can impair the mobility of people, goods and services, including emergency vehicles and personnel.

H. One of the most fundamental functions of government is to protect citizens and public and private property from the ravages of natural disasters such as flooding.

I. Flood control needs exist throughout the county, and an integrated and coordinated approach is needed to effectively and efficiently address those needs to ensure that public safety and property are protected and our region's prosperity is sustained.

J. Chapter 86.15 RCW authorizes the King County council to initiate the creation of a countywide flood control zone district within King County for the purpose of undertaking, operating, or maintaining flood control projects or storm water control projects, among other powers. A countywide district is authorized to address flood and storm water control needs throughout the county, including within King County cities.

K. Certain flood control zone districts currently exist in the county. Many of them were formed as long as forty years ago to serve discrete areas of the county, but are now inactive. Currently, only the Green River and Patterson Creek flood control zone districts are active in the county. Only the Green River Flood Control Zone District has an ongoing revenue source.

L. RCW 86.15.023 provides that the council may not establish a flood control zone district that includes areas located in another flood control zone district unless the area is removed from the other district, or the other district is dissolved, as part of the action creating the new flood control zone district.

M. In July 2006, the council adopted an ordinance setting a public hearing on the formation of a countywide flood control zone district and the dissolution of existing districts in accordance with state law. State law provides that the council shall issue an order regarding district formation following the final hearing. This ordinance constitutes the order regarding district formation required under RCW 86.15.030.

N. RCW 86.15.070 authorizes the board of supervisors of a flood control zone district to appoint a countywide advisory committee of up to fifteen members. A countywide advisory committee can provide the board of supervisors with important input on flood protection needs and priorities throughout King County to ensure that flood protection projects and programs are implemented efficiently and effectively.

O. An advisory committee structure based on the successful model of the Green River Flood Control Zone District and designed to provide representation of a broad spectrum of ideas and interests for the citizens and businesses in the King County Flood Control Zone District, would best meet the goals of:

1. Including members from jurisdictions located in the flood plain;

2. Including members from jurisdictions that represent a majority of the population in King County;

3. Providing geographic equity across the county;

4. Providing representation for a diversity of large, medium and small jurisdictions and equity of representation throughout King County's watersheds; and

5. Establishing a representative balance between those jurisdictions that are likely to receive local and regional benefits and those jurisdictions that receive regional benefits and are significant funding contributors based on assessed value of properties within those jurisdictions.

P. Membership to the advisory committee will include a combination of permanent and temporary, two-year seats. Nominations of members for the temporary seats, by the Suburban Cities Association or the Unincorporated Area Councils, will be subject to approval by the King County council.

Q. In approving the nominations to the temporary seats, the King County council would ensure equitable geographic representation by:

1. Alternating the membership of the seat for the Unincorporated Area Councils between a resident of the urban unincorporated area and the rural unincorporated area; and

2. Alternating the membership of the seats allocated to the Suburban Cities Association amongst cities within King County which do not have permanent seats, in accordance with the following four general groupings of such cities:

a. North County jurisdictions: Bothell, Duvall, Kenmore, Lake Forest Park, Shoreline, Skykomish and Woodinville:

b. Central County jurisdictions: Beaux Arts, Clyde Hill, Hunts Point, Issaquah, Kirkland, Medina, Mercer Island, Newcastle, Redmond, Sammamish and Yarrow Point;

c. South County jurisdictions: Algona, Burien, Des Moines, Federal Way, Milton, Normandy Park, Pacific and SeaTac; and

d. East County jurisdictions: Covington, Black Diamond, Enumclaw and Maple Valley.

SECTION 2. In accordance with RCW 86.15.023, all existing flood control zone districts within the county are hereby dissolved ("the dissolved districts"), including, without limitation, the districts identified below. Further, the following resolutions, as amended, which created the districts are hereby repealed as of the effective date of this ordinance: the Coalfield Flood Control Zone District and Resolution 30560, passed August 30, 1965; the Cumberland Flood Control Zone District and Resolution 30950, passed November 15, 1965; the Enumclaw Flood Control Zone District and Resolution 30633, passed September 13, 1965; the Evans Creek Flood Control Zone District and

Resolution 34107, passed September 11, 1966; the Green River Flood Control Zone District and Resolution 31192, passed January 10, 1966; the Greenwater River Flood Control Zone District and Resolution 30849, passed October 25, 1965; the Kimball Creek Flood Control District and Resolution 25183, passed December 17, 1962; the Patterson Creek Flood Control Zone District and Resolution 28339, passed August 3, 1964, as amended by Ordinance No. 829, passed May 17, 1971; the Sikes Lake Flood Control Zone District and Resolution 32463, passed September 26, 1966; and the Southwest Lake Sammamish Flood Control Zone District and Resolution 28067, passed June 15, 1964.

SECTION 3. Sections 4, 5, 6 and 7 of this ordinance should constitute a new chapter in K.C.C. Title 2.

NEW SECTION. SECTION 4. The existing flood control zone districts having been dissolved, in accordance with chapter 86.15 RCW, a countywide flood control zone district covering the entire area of King County with boundaries as set forth in Attachment A to this ordinance is hereby created as of the effective date of this ordinance. The new district shall be known as the "King County Flood Control Zone District." The King County Flood Control Zone District will address flood control needs throughout King County, including, without limitation, needs in the areas comprising the dissolved districts. The 2006 King County Flood Hazard Management Plan will serve as the initial comprehensive plan for the King County Flood Control Zone District.

NEW SECTION. SECTION 5. As provided for in RCW 86.15.050(1), members of the King County council shall be members of the board of supervisors of the King County Flood Control Zone District.

NEW SECTION. SECTION 6. Until such time as the board of supervisors of the King County Flood Control Zone District develops and adopts specific rules governing its operations, the rules governing standing committees of the King County council shall govern the operations of the board of supervisors.

NEW SECTION. SECTION 7.

A. There is hereby created a King County Flood Control Zone District advisory committee, referred to in this section as "the advisory committee."

B. The advisory committee is created to provide expert policy advice to the board of supervisors of the King County Flood Control Zone District on regional flood protection issues. The committee shall review and recommend an annual work program and budget for the district, including capital improvement program projects and funding levels, subject to approval or approval and modification by the board of supervisors. Eleven copies of the recommendations shall be filed with the clerk of the King County council no later than August 31 of the preceding year, for distribution to all councilmembers.

C. The advisory committee shall be composed of fifteen members, consisting of permanent seats and two-year seats, as follows:

1. Ten permanent seats shall be held by:

a. each mayor, or a council member alternate designated by the mayor, of the following cities: Tukwila, Auburn, Kent, Renton, Snoqualmie, North Bend, Carnation, Seattle and Bellevue; and

b. the King County executive;

2. Four two-year seats shall be held by either mayors or city council members, or mayor or council member alternates, as nominated by the Suburban Cities Association

or its successor, from the remaining cities in King County to ensure the goal of diversity in the geographic location and size of jurisdictions on the advisory committee; and

3. One two-year seat shall be held by an individual chosen from lists of no more than three nominees submitted to the King County council by each of the Unincorporated Area Councils, alternating between a resident of the urban unincorporated area and the rural unincorporated area.

D. The members for two-year seats allocated to representatives of the Unincorporated Area Councils and the Suburban Cities Association or its successor shall be subject to confirmation by the King County council.

E. Each seat on the advisory committee shall have one vote, unless rules adopted by the advisory committee provide otherwise.

F. The advisory committee shall adopt other rules governing its operations, at or promptly after its first meeting.

SECTION 8. Upon the creation of the King County Flood Control Zone District, all real and personal property of any nature whatsoever of any of the dissolved districts is hereby transferred to the King County Flood Control Zone District, including, without limitation, any rights to collect taxes or other money or property owed to any of the dissolved districts. The manager of the stormwater services section, a professional engineer, of the water and land resources division of the King County department of natural resources and parks, is hereby appointed as the county engineer for the purposes of winding up the affairs of the dissolved districts and transferring their assets, including but not limited to all real and personal property and all property rights to the King County Flood Control Zone District, and is hereby authorized to execute any agreements or take

such other actions as are necessary or convenient to effect such property transfers or otherwise wind up the affairs of the dissolved districts.

SECTION 9. Ordinance 12075, Section 7, and K.C.C. 2.36.010 are each hereby repealed.

SECTION 10. Members of the metropolitan King County council may be present at the meetings of the King County Flood Control Zone District advisory committee to

participate in advisory committee discussions and provide input to advisory committee members.

Ordinance 15728 was introduced on 7/31/2006 and passed as amended by the Metropolitan King County Council on 4/16/2007, by the following vote:

Yes: 7 - Mr. Gossett, Ms. Patterson, Mr. von Reichbauer, Mr. Ferguson, Mr. Phillips, Ms. Hague and Mr. Constantine
No: 0
Excused: 2 - Ms. Lambert and Mr. Dunn

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Larry Gossett, Chair

ATTEST:

Anne Noris, Clerk of the Council

APPROVED this 25 day of APRIL, 2007.

Ron Sims, County Executive

RECEIVED
2007 APR 25 PM 4:06
CLERK
KING COUNTY COUNCIL

Attachments A. Countywide FCZD Legal Description

King County Flood Control Zone District Boundaries (Countywide)

Beginning at the point of intersection of the center of East Passage (also known as Admiralty Inlet) on Puget Sound and the northerly line of the Puyallup Indian Reservation (projected northwesterly); thence southeasterly in a straight line along said northerly line of Puyallup Indian Reservation and same extended to a point on the east line of section thirty-one, township twenty-one, north, range four east, Willamette Meridian; thence south along said east line of section thirty-one, township twenty-one, range four east, Willamette Meridian, to the township line between township twenty north and township twenty-one north (being the fifth standard parallel north); thence east along said township line between township twenty north and township twenty-one north to the middle of the main channel of White river, near the northeast corner of section three, township twenty north, range five east, Willamette Meridian; thence upstream along the middle of the main channel of White river to the forks of White river and Greenwater river; thence upstream along the middle of the main channel of the Greenwater river to the forks of the Greenwater river and Meadow creek; thence upstream along the middle of the main channel of Meadow creek to the summit of the Cascade mountains, at a point known as Naches Pass, said point lying in the southwest quarter of section thirty-five, township nineteen north, range eleven east, Willamette Meridian; thence northerly along the summit of the Cascade mountains to a point on the township line between township twenty-six north and township twenty-seven north, said point lying near the north quarter-corner of section three, township twenty-six north, range thirteen east, Willamette Meridian; thence west along said township line between township twenty-six north and twenty-seven north to the middle of the channel known as Admiralty Inlet on Puget Sound; thence southerly along said middle of channel known as Admiralty Inlet through Colvo's Passage (West Passage) on the west side of Vashon Island to a point due north of Point Defiance; thence southeasterly along middle of channel between Vashon Island and Point Defiance (Dalcos Passage) to a point due south of Quartermaster Harbor; thence northeasterly along middle of channel known as Admiralty Inlet to point of beginning.

Source: RCW 36.04.170

King County

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

KING COUNTY

Signature Report

December 8, 2015

FCD Resolution

Proposed No. FCD2015-16.2 **Sponsors**

A RESOLUTION approving an interlocal agreement with King County regarding flood protection projects and services.

WHEREAS, since January 1, 2008, King County, through its department of natural resources and parks, has provided a full range of flood protection services for the King County Flood Control District ("District"), pursuant to interlocal agreements between the District and King County; and

WHEREAS, the District desires to have King County continue to perform flood protection services; and

WHEREAS, the current interlocal agreement between the District and King County, which became effective on January 1, 2009, has been amended seven times and recently was extended to December 31, 2015; and

WHEREAS, the District desires to amend the current interlocal agreement with King County and to authorize King County to provide flood protection services through December 31, 2016, with an option to extend the provision of such services through December 31, 2018; now, therefore

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE KING COUNTY FLOOD CONTROL ZONE DISTRICT:

Section 1. The board of supervisors approves the "Interlocal Agreement Between King County and the King County Flood Control Zone District Regarding Flood

Protection Services," Attachment A to this resolution, and authorizes the chair of the board of supervisors to sign it.

Section 2. Any acts made consistent with the authority and prior to the effective date of this resolution are ratified and confirmed.

FCD Resolution was introduced on and passed as amended by the King County Flood Control District on 12/7/2015, by the following vote:

Yes: 6 - Mr. von Reichbauer, Ms. Hague, Ms. Lambert, Mr. Dunn, Mr. McDermott and Mr. Dembowski
No: 0
Excused: 3 - Mr. Phillips, Mr. Gossett and Mr. Upthegrove

KING COUNTY FLOOD CONTROL DISTRICT
KING COUNTY, WASHINGTON

Reagan Dunn, Chair

ATTEST:

Anne Noris, Clerk of the District

Attachments: A. Interlocal Agreement Between King County and the King County Flood Control Zone District Regarding Flood Protection Services