## SKAGIT COUNTY ROUTING / SUBMITTAL FORM

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DIVISION MGR:	W. Eugene Sampley, P.E.	Jung -	INITIAL:	FW DATE:	
DEPT. HEAD:	James E. Voetberg, P.E.		INITIAL: ' 🗲	DATE:	10-30-07
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	GARY ROWE, COUNTY AD	MINISTRATOR			
D. AGENDA SUBMITTA	L:				
ITEM FOR:	REGULAR		-	DATE:	November 6, 2007
TITLE:	lution defining the Skagit Count	El			
PROPOSED MOTIO		osed resolution defining	the Skagit Cou		ol Zone District
<u>OR</u>					
"I move that Skagit ( organization adoptin	County adopt and sign the prop g alternative <u>1b-2</u> as the Adviso	osed resolution defining ary Committee members	the Skagit Cou hip structure."	nty Flood Contr	ol Zone District
OR				<b>F</b>	
	County adopt and sign the prope g alternative <u>1b-3</u> as the Adviso			nty Flood Contr	ol Zone District

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## RESOLUTION NO. Page 1 of 18

## DEFINING THE ORGANIZATION OF THE COUNTYWIDE FLOOD CONTROL ZONE DISTRICT

WHEREAS, Skagit County desires to expedite the development and construction of technically and environmentally feasible flood control improvements that may also benefit salmon recovery; and,

WHEREAS, the Skagit River Flood Control Committee was established by Resolution No. 8442 on or about June 3, 1980 for the purpose of preparing and recommending an update to the comprehensive flood control management plan for the Skagit River Basin; and,

WHEREAS, Skagit County now finds that broader advisory representation is now desired (than as provided by the Skagit River Flood Control Committee) to effectively communicate, seek solutions, and develop a current update for the Skagit River comprehensive flood hazard (control) management plan for flood control improvements (that may also benefit salmon recovery); and,

WHEREAS, pursuant to RCW 86.15, the Skagit County Flood Control Zone District, was created and defined by Skagit County Resolution No. 5325 on August 5, 1970, and via Resolution No. 5369 on September 1, 1970, and currently provides an effective means for advisory participation by interested third parties (said interested third parties may be referred to as "stakeholders") in the advisory development of policies and recommendations for countywide flood hazard management program planning and implementation including Skagit River flood control improvements that may also benefit salmon recovery; and,

WHEREAS, the Skagit County Board of County Commissioners currently serves as the ex officio Board of the Skagit County Flood Control Zone District (the "Board), pursuant to RCW 86.15.050

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY ORDERED, the Skagit County Flood Control Zone District (FCZD) as created via Resolution No. 5325 and Resolution No. 5369 shall otherwise remain in full force and effect, and shall henceforth serve as the official mechanism by which stakeholders may provide advice and recommendations to the Board regarding countywide flood control policies and programs including Skagit River flood control improvements that may also benefit salmon recovery; and,

BE IT FURTHER RESOLVED, the FCZD shall be further structured and reorganized as described in <u>Attachments 1, 1a, 1b, 1c and 1d</u> as an effective means for providing said advice and recommendations to the Board; and,

BE IT FURTHER RESOLVED, that in lieu of the Skagit County Flood Control Committee, a Skagit County Flood Control Zone District Advisory Committee ("Advisory Committee") comprised of no more than fifteen (15) members shall be formed (pursuant to

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RCW 86.15.070) to provide advice to the FCZD regarding flood control (and related salmon recovery) matters. Members of the Advisory Committee shall be appointed by the Board (via subsequent Resolution), and shall serve at the pleasure of the Board (i.e., membership of the Advisory Committee may be changed at any time by the Board).

BE IT FURTHER RESOLVED, that the current Skagit River Flood Control Committee shall serve in an advisory capacity to the Board on flood control matters as interim FCZD Advisory Committee until such time as the FCZD Advisory Committee is designated by subsequent resolution by the Board, after which time the Skagit River Flood Control Committee established by Resolution No. 8442 shall be dissolved (via subsequent resolution); and,

BE IT FURTHER RESOLVED, three (3) Technical Committees shall also be established by the FCZD to represent the multi-stakeholder interest areas of Dike and Drainage Districts, Environmental, and Land Use, and make recommendations to the Advisory Committee as requested by the FCZD. Members of the Technical Committees shall be appointed by the Board (via subsequent Resolution), and shall serve at the pleasure of the Board (i.e., modifying the number of Technical Committees and/or the interest areas represented and/or the membership of the Technical Committees may be changed at any time by the Board); and,

BE IT FURTHER RESOLVED, Skagit County Public Works staff is otherwise further directed to support the efficient and effective operation of the FCZD structure and advisory committee administration as described herein.

PASSED this 6 day of November , 2007.



BOARD OF COUNTY COMMISSIONERS SKAGIT COUNTY, WASHINGTON

SHARON D. DILLON, Chair ABSENT

DQN MUNKS, Commissioner ENNETH A. DAHLSTEDT. Commissioner

Attest:

Hannow Clerk of the Board

Approved as to form

Skagit County Prosecuting Attorney

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## Attachment 1

# **Skagit County Flood Control Zone District Governance & Administrative Structure**



## BOARD OF SUPERVISORS AUTHORITY AND RESPONSIBILITY

#### I. AUTHORITY

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Pursuant to Chapter 86.15.050, the Skagit County Board of Commissioners is the Board of Supervisors of the Skagit County Flood Control Zone District, and shall have the ultimate decision making authority for all matters pertaining to the Skagit County Flood Control Zone District, and also shall have any and all other rights, duties, and/or obligations as provided by law.

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## **ADVISORY COMMITTEE OPERATING RULES AND PROCEDURES**

## I. PURPOSE OF THE ADVISORY COMMITTEE

The Advisory Committee is a multi-stakeholder body, which upon request by the District Board of Supervisors, provides policy guidance and recommendations on Skagit County flood control matters, such as funding, planning for flood control improvements, including improvements that also benefit threatened or endangered species, constructing improvements, maintaining improvements, and other flood-related matters that may come before the Advisory Committee. Pursuant to Revised Code of Washington (RCW) Chapter 86.15, the Skagit County Board of Commissioners is the Board of Supervisors for the District.

## II. STRUCTURE OF THE ADVISORY COMMITTEE

## <u>Membership</u>

The membership of the Advisory Committee shall consist of and represent the following interest areas: Dike and Drainage Districts, environmental, and land use. Advisory Committee membership cannot exceed fifteen (15) individual members, and the interest areas represented can be expanded and/or revised at any time at the discretion of the District Board of Supervisors.

#### Chair and Vice-Chair

The Advisory Committee shall select from among its members a chair person to chair the Advisory Committee and to oversee and conduct its meetings. The Advisory Committee shall select a vice-chair person from its members to perform the functions of the chairperson in the event of the chairperson's absence. Chair and Vice-Chair positions shall be for a one-year period renewable on an annual basis at the discretion of the Advisory Committee. If neither the Chair nor the Vice-Chair is present for a scheduled meeting, then the Advisory Committee members present shall appoint an acting Chair to preside at such meeting. The Chair shall open, adjourn and close the meetings, direct the work of the Advisory Committee, call upon members to speak, put matters to a vote, announce the results of the voting, and conduct all other related matters of the Advisory Committee.

#### **Subcommittees**

The Advisory Committee may form special or standing subcommittees to perform duties related to the Skagit County Flood Control Zone District when appropriate and necessary. Each established subcommittee shall be assigned a written purpose and specific area of responsibility. Subcommittees shall report to the Advisory Committee as necessary on their progress, findings and recommendations. Special subcommittees shall cease to exist upon completing its specific task. Standing subcommittees shall remain active until such time that the Advisory Committee concludes their work has been accomplished.

## III. ADVISORY COMMITTEE MEMBER ROLES

In its advisory capacity to the Board of Supervisors, the Advisory may:

- a. Contribute to effective and efficient meetings
- Actively participate and represent views of constituents in the development of Advisory Committee recommendations as requested by the District Board of Supervisors
- c. Actively communicate with constituents
- d. Seek to identify flood control projects with multiple benefits, including projects that benefit salmon recovery efforts
- e. Otherwise serve the District Board of Supervisors as requested.

#### IV. DECISION PROCESS

#### **Decision Making**

On advisory matters requiring a decision, members shall make every effort to reach agreement by consensus. Decisions shall be made by a majority vote of members present. Voting shall be by voice vote unless otherwise agreed to by the Advisory Committee. Recommendations of the Advisory Committee shall be submitted within two (2) weeks of the decision to the District's Board of Supervisors. Points of contention and disagreement will be noted in the record and forwarded with the recommendation.

#### **Voting**

Each Advisory Committee member, including the Chair and Vice-Chair, shall have one (1) vote on all matters brought before the Advisory Committee for decision. Each Advisory Committee member is entitled to designate and assign a proxy in their absence to vote on all matters brought before the Advisory Committee. Each Advisory Committee member shall notify the Chair in writing of their absence from any scheduled Advisory Committee meeting and shall provide the name and title of the person designated as their proxy. Persons designated as Advisory Committee proxies shall announce their position at the beginning of meetings that they are attending as proxies.

#### Quorum

One-half plus one of the voting members of the Advisory Committee, including designates, will constitute a quorum for the purposes of voting on all matters that are brought before the Advisory Committee.

### V. MEETING STRUCTURE AND FORMAT

#### **Meetings**

The Advisory Committee shall meet as often as necessary, but no less than annually, not later than September 30<sup>th</sup> of each year, to review the status of flood planning, constructing improvements, including improvements that benefit recovery of threatened or endangered species, and to make budget and work program recommendations for the following calendar year. Special meetings of the Advisory Committee will be called at such time as determined necessary by the District Board of Supervisors. All meetings of the Advisory

Committee are open to the public and records of its meeting are available upon request.

## <u>Agenda</u>

Staff from Skagit County under the direction of the County Engineer shall, in consultation with the members of the District's Technical Committees, be responsible for preparing an agenda for all regular and special meetings of the Advisory Committee. Each member of the Advisory Committee shall be provided with a copy of the agenda and supporting material in advance of the meeting. The agenda and supporting materials shall become, once approved, a permanent part of the record of each meeting.

#### <u>Minutes</u>

Staff from Skagit County shall be responsible for taking and documenting the minutes from all regular and special meetings which, among other things, shall record the names of the Advisory Committee members present, the name of each proxy and the member he represents, and all decisions from the Chair. The minutes shall be made available for review by the Advisory Committee prior to the next scheduled meeting and subsequently reviewed and approved during the meeting's regular order of business.

## Place of Meetings

Meetings of the Advisory Committee will be held at varying and appropriate locations within the geographic boundaries of the District.

#### Other Attendees

Other attendees may enter into discussions of the Advisory Committee to answer questions to provide advice on technical matters, and address other relevant matters as requested by the Advisory Committee.

## VI. PUBLIC INVOLVEMENT

## **Public Notification**

All regular and special Advisory Committee meetings will be advertised in the newspaper of record for Skagit County at least one week prior to convening.

#### Public Comment

A brief public comment period will be provided at the beginning of each Advisory Committee meeting to address any oral or written communication from the ratepayers or residents within the District's jurisdiction. Anyone wishing to address the Advisory Committee shall first secure the permission of the Chair. Each person recognized by the Chair for the purpose of addressing the Advisory Committee shall state their name and address, and limit their comments to three (3) minutes. Only agenda items may be addressed by the public. All remarks shall be addressed to the Advisory Committee as a body and not to any member thereof.

## VII. OTHER RULES AND PROCEDURES

## <u>Term</u>

These operating rules and procedures shall remain in effect and/or be modified at the discretion of the District Board of Supervisors.

## **General Rules**

Robert's Rules of Order shall be accepted and followed during meetings convened by the Advisory Committee.

## Amendments

These rules and procedures are intended to be comprehensive. When an issue arises not foreseen by these operating rules and procedures, the Advisory Committee may consider recommending to the District Board of Supervisors amending these rules and procedures. Any recommended amendment shall comply with RCW Chapter 86.15.

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## FLOOD CONTROL ZONE DISTRICT STRUCTURE OF THE ADVISORY COMMITTEE

## Membership – Alternative 1

Membership of the Advisory Committee consists of the following interest areas:

- Five Representatives
  - Selected from Dike and Drainage Technical Committee
- Five Representatives
  - o Selected from Environmental Technical Committee
- Five Representatives
  - o Selected from Land Use Technical Committee

Advisory Committee membership cannot exceed 15 and the interest areas represented can be expanded and/or revised at any time at the discretion of the District Board of Commissioners.

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## FLOOD CONTROL ZONE DISTRICT STRUCTURE OF THE ADVISORY COMMITTEE

## <u> Membership – Alternative 2</u>



Membership of the Advisory Committee consists of the following interest areas:

- Three City Representatives
  - o Selected from Mayors of Cities and Towns
- Three Dike and Drainage District Commissioners
  - Selected from Dike and Drainage Commissioners
- Three Environmental Representatives
  - Selected from Environmental Technical Committee
- Three Land Use Representatives (Non-City)
  - o Selected from Land Use Technical Committee
- Three At Large

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Selected by the Board of Supervisors

Advisory Committee membership cannot exceed 15 and the interest areas represented can be expanded and/or revised at any time at the discretion of the District Board of Supervisors.

## FLOOD CONTROL ZONE DISTRICT STRUCTURE OF THE ADVISORY COMMITTEE

## Membership – Alternative 3

Membership of the Advisory Committee consists of the following interest areas:

- Four Representatives
  - Selected from Dike and Drainage Technical Committee
- Four Representatives
  - o Selected from Environmental Technical Committee
- Four Representatives
  - o Selected from Land Use Technical Committee
- Three At Large

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o Selected from the Board of Commissioners

Advisory Committee membership cannot exceed 15 and the interest areas represented can be expanded and/or revised at any time at the discretion of the District Board of Supervisors.

## FCZD COUNTY ENGINEER AND STAFF ROLES

The Skagit County Public Works Director/County Engineer shall make staff available to support the effective and efficient functioning of the Skagit County Flood Control Zone District and its associated Advisory and Technical Committees. Per RCW 86.15.060 the County Engineer is responsible for the administration of the Skagit County Flood Control District. Per RCW 86.15.050 the Skagit County Board of Commissioners is the Board of Supervisors of the Skagit County Flood Control Zone District. Public Works staff functions shall include:

- o Coordinate and record Advisory and Technical Committee meetings
- Provide drafts and solicit input from the Technical Committees on a draft annual work plan, annual budget and short and long term funding options for consideration by the Advisory Committee
- Provide drafts and solicit input from the Technical Committees on draft elements of a Comprehensive Flood Hazard Management Plan (CFHMP) for consideration by the Advisory Committee
- Coordinate District work with flood control and ecosystem restoration planning by the US Army Corps of Engineers as part of the Skagit River Feasibility Study/General Investigation
- o Implement approved annual District work plan
- o Provide planning, public outreach, technical and engineering assistance
- o Make periodic progress reports to the District Board of Supervisors
- o Otherwise serve the District Board of Supervisors as directed.

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## **TECHNICAL COMMITTEE OPERATING RULES AND PROCEDURES**

## I. PURPOSE OF THE

Technical Committees shall be established at the discretion of the District Board of Supervisors to, upon request, provide input and make recommendations to the District Advisory Committee on Skagit County flood control matters. Pursuant to Revised Code of Washington (RCW) Chapter 86.15, the Skagit County Board of Commissioners is the Board of Supervisors for the District.

## **II. NUMBER AND MEMBERSHIP OF TECHNICAL COMMITTEES**

Three Technical Committees representing the following interest areas shall be established:

- a. Dike and Drainage Districts
- b. Environmental
- c. Land Use.

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Modifications to the number of Technical Committees, interest areas represented and/or entities to be invited to participate may be made at any time at the discretion of the District Board of Supervisors.

## III. TECHNICAL COMMITTEE MEMBER ROLES

In its advisory capacity to the Advisory Committee, the Technical Committee may:

- a. Actively participate in the development of a Skagit River Comprehensive Flood Hazard Management Plan
- b. Actively communicate with constituents
- c. Represent views of constituents
- d. Seek to identify flood control projects with multiple benefits, including projects that benefit salmon recovery efforts
- e. Otherwise serve the District Board of Supervisors through the Advisory Committee as requested.

## IV. STRUCTURE OF THE TECHNICAL COMMITTEES

## Chair and Vice-Chair

Each Technical Committee shall select from among its members a chair person to chair the Technical Committee and to oversee and conduct its meetings. The

Technical Committee shall select a vice-chair person from its members to perform the functions of the chairperson in the event of the chairperson's absence. Chair and Vice-Chair positions shall be for a one-year period renewable on an annual basis at the discretion of the Technical Committee. If neither the Chair nor the Vice-Chair is present for a scheduled meeting, then the Technical Committee members present shall appoint an acting Chair to preside at such meeting. The Chair shall open, adjourn and close the meetings, direct the work of the Technical Committee, call upon members to speak, put matters to a vote, announce the results of the voting, and conduct all other related matters of the Technical Committee.

## Subcommittees

The Technical Committees may form special or standing subcommittees to perform duties related to the Skagit County Flood Control Zone District when appropriate and necessary. Each established subcommittee shall be assigned a written purpose and specific area of responsibility. Subcommittees shall report to the Technical Committee that created it as necessary on their progress, findings and recommendations. Technical subcommittees shall cease to exist upon completing its specific task (or at the direction of the Technical Committee).

## V. DECISION PROCESS

## **Decision Making**

On advisory matters requiring a decision, members shall make every effort to reach agreement by consensus. Decisions shall be made by a majority vote of members present. Voting shall be by voice vote unless otherwise agreed to by the Technical Committee. Recommendations of the Technical Committee shall be submitted within two (2) weeks of the decision to County staff and the District's Advisory Committee. Points of contention and disagreement will be noted in the record and forwarded with the recommendation.

## <u>Voting</u>

Each Technical Committee member, including the Chair and Vice-Chair, shall have one (1) vote on all matters brought before the Technical Committee for decision. Each Technical Committee member is entitled to designate and assign a proxy in their absence to vote on all matters brought before the Technical Committee. Each Technical Committee member shall notify the Chair in writing of their absence from any scheduled Technical Committee meeting and shall provide the name and title of the person designated as their proxy. Persons designated as Technical Committee proxies shall announce their position at the beginning of meetings that they are attending as proxies.

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## <u>Quorum</u>

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One-half plus one of the voting members of the Technical Committee, including designates, will constitute a quorum for the purposes of voting on all matters that are brought before the Technical Committee.

## VI. MEETING STRUCTURE AND FORMAT

## **Meetings**

The Technical Committee shall meet as often as necessary, but no less than annually, not later than September 15th of each year, to review the status of flood planning, constructing improvements, including improvements that benefit recovery of threatened or endangered species, and to make budget and work program recommendations for the following calendar year. Special meetings of the Technical Committees will be called at such time as determined necessary by the District Advisory Committee. All meetings of the Technical Committees are open to the public and records of their meetings are available upon request.

#### <u>Agenda</u>

Staff from Skagit County shall, in consultation with the members of the District's Technical Committees, be responsible for preparing agendas for all regular and special meetings of the Technical Committees. Each member of a Technical Committee shall be provided with a copy of the agenda and supporting material in advance of that committee's meeting. The agenda and supporting materials shall become, once approved, a permanent part of the record of each meeting.

## Minutes

Staff from Skagit County shall be responsible for taking and documenting the minutes from all regular and special meetings which, among other things, shall record the names of the Technical Committee members present, the name of each proxy and the member he represents, and all decisions from the Chair. The minutes for each Technical Committee meetings shall be made available for review by the respective Technical Committee prior to the next scheduled meeting and subsequently reviewed and approved during the meeting's regular order of business.

#### Place of Meetings

Meetings of the Technical Committees will be held at a County facility, unless not available.

## Other Staff

Other staff and attendees may enter into discussions of the Technical Committees to answer questions to provide advice on technical matters as requested by the Technical Committee.

#### VII. PUBLIC INVOLVEMENT

### Public Notification

All regular and special Technical Committee meetings will be advertised in the newspaper of record for Skagit County at least one week prior to convening.

## Public Comment

A brief public comment period will be provided at the beginning of each Technical Committee meeting to address any business not on the agenda. Anyone wishing to address the Technical Committee shall first secure the permission of the Chair. Each person recognized by the Chair for the purpose of addressing the Technical Committee shall state their name and address, and limit their comments to three (3) minutes. All remarks shall be addressed to the Technical Committee as a body and not to any member thereof.

### VIII. OTHER RULES AND PROCEDURES

## <u>Term</u>

These operating rules and procedures shall remain in effect and/or may be modified at the discretion of the District Board of Supervisors.

## **General Rules**

Robert's Rules of Order shall be accepted and followed during meetings convened by the Advisory Committee.

### Amendments

These rules and procedures are intended to be comprehensive. When an issue arises not foreseen by these operating rules and procedures, the Technical Committee may consider recommending to the District Board of Supervisors amending these rules and procedures. Any recommended amendment shall comply with RCW Chapter 86.15.

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## FLOOD CONTROL ZONE DISTRICT Number and Membership of Technical Committees

Three Technical Committees shall be established representing the following interest areas. Potential entities to be represented and invited to participate on each respective Technical Committee include:

- 1) Dike and Drainage Districts
  - a. Dike Districts
  - b. Drainage Districts
  - c. Dike and Drainage Districts
  - d. Sub-Flood Control Zones
  - e. Others at the discretion of the Board of Commissioners.
- 2) Environmental
  - a. Fisheries Interests
    - i. Washington Department of Fish and Wildlife
    - ii. NOAA Fisheries
    - iii. Skagit Fisheries Enhancement Group
  - b. Tribal Interests
    - i. Samish Indian Tribe
    - ii. Sauk-Suiattle Indian Tribe
    - iii. Swinomish Indian Tribe
    - iv. Upper Skagit Indian Tribe
    - v. Skagit River System Cooperative
  - c. Regulatory Interests
    - i. US Forest Service
    - ii. US Army Corps of Engineers
    - iii. Puget Sound Energy
    - iv. Seattle City Light
  - d. Environmental Interests
    - i. Natural Resources Conservation Service
    - ii. Skagit Conservation District
    - iii. Skagit Watershed Council
    - iv. Padilla Bay National Estuarial Research Reserve
    - v. Skagit Land Trust
    - vi. The Nature Conservancy
    - vii. Marine Resource Committee
    - viii. Ducks Unlimited
  - e. Others at the discretion of the Board of Commissioners.

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- 3) Land Use
  - a. City Interests
    - i. City of Anacortes
    - ii. City of Burlington
    - iii. City of Mount Vernon
    - iv. City of Sedro-Woolley
    - v. Town of Concrete
    - vi. Town of Hamilton
    - vii. Town of La Conner
    - viii. Town of Lyman
  - b. Agricultural Interests
    - i. Agricultural Advisory Committee
    - ii. Forest Advisory Committee
    - iii. Skagit Cattlemen
    - iv. Skagit Farm Bureau
    - v. Western Washington Agricultural Association
  - c. Development Interests
    - i. Economic Development Association of Skagit County
    - ii. Skagit-Island County Builders Association
    - iii. Skagit Realtors Association
  - d. Business Interests
    - i. Burlington Chamber of Commerce
    - ii. Mount Vernon Chamber of Commerce
    - iii. Sedro-Woolley Chamber of Commerce
    - iv. Anacortes Chamber of Commerce
    - v. La Conner Chamber of Commerce
    - vi. North Cascade Chamber of Commerce
  - e. Washington State Department of Transportation
  - f. Others at the discretion of the Board of Commissioners.

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