



King County

Metropolitan King County Council Committee of the Whole

STAFF REPORT

Agenda Item No.:	Date:	10 December 2007
Ordinance No.: 2007-0604	Prepared by:	Rick Bautista

SUBJECT: A ORDINANCE related to an agreement between King County and the King County Flood Control Zone District (the district), for flood control planning and implementation services.

BACKGROUND:

In April 2007, the King County Flood Control Zone District was created to provide a comprehensive and countywide approach to flood protection. The district is authorized to adopt a property tax levy in order to implement an adopted annual budget with both capital projects and work programs, for enhanced flood protection. On November 13, 2007, the district adopted a levy of 10 cents per \$1,000 of assessed values, as well as, a budget and work program for 2008.

The district has no employees and must rely upon external expertise and experience for planning and implementation of flood control programs and projects. King County has the experience and expertise to provide services to the district related to flood control.

The district can achieve cost savings and efficiency benefits that are in the public's interest through cooperative efforts with King County to provide those services to the district.

SUMMARY OF INTERLOCAL AGREEMENT:

The interlocal agreement (Attachment A to Proposed Ordinance 2007-0604) reflects the respective rights and obligations of the district and King County, in regards to the county's implementation of the district's work programs. The following outlines the key provisions of the agreement:

District Obligations.

- The District's Board adopts the District's 2008 Annual Scope of Services , as well as, for the years after 2008.
- The District pays for the costs incurred by the County consistent with the terms of this Agreement and the approved Annual Scope of Services.

County Obligations.

- Clerk of the Council serves as Clerk of the District's by providing services similar to those

provided to the County Council and provides facilities for meetings of the District

- The County provides other support services to the District similar to those provided to the County Council, including, but not limited to policy analysis of legislation and budgets, government relations, technical services and communications.
- Administers and implements the District work programs, by providing appropriate technical expertise and personnel.
- By January 1, 2008, the Water and Land Resources Division will identify an engineer who shall act in the capacity of the county flood control engineer. The scope of the engineer's duties and authority shall be consistent with the provisions of RCW 86.15.060 and all resolutions adopted by the Board.
- WLRD shall maintain and be the repository of the official records of the District.
- The County shall prepare and submit for review and approval by the District an annual budget meeting the requirements of RCW 86.15.140 and an annual work program for the District for the year 2008 and beyond.

Invoices. The County will provide monthly invoices for the cost of services provided to the District to implement the Annual Scope of Services. The invoices shall include all actual costs, plus administrative overhead costs, and shall be of sufficient detail to allow the District to verify consistency and compliance with the Annual Scope of Services.

Fund Availability. On January 1, 2008, all available funds from the District fund will be available for the County to submit invoices against for County services performed under the terms of this Agreement.

Quarterly Financial and Accounting Reporting.

- The County shall provide the District with quarterly reports regarding services rendered under and compliance with the Annual Scope of Services.
- The report and any required supporting documents shall be submitted to the District within 30 days of the end of the quarter.
- At the end of each calendar year, a reconciliation of fund transfers and costs incurred will be completed by the County.
- The annual report of costs and ending fund balance for both the operating and capital county funds will be provided to the District within 20 days of the end of the accounting year-end processing.

Capital Projects Implementation Report.

The County shall prepare and submit to the chair of the District Board a report on April 1st and October 1st of each year, outlining the status of the County's implementation of all capital projects contained in the current adopted six-year District capital projects program together with those projects carried forward from previously adopted six-year District capital projects programs.

Legal Relations.

To the maximum extent permitted by law, each Party shall defend, indemnify and hold harmless the other Party, and all of its officials, employees, principals and agents.

Duration and Termination. This Agreement shall take effect upon its signing by both Parties and shall remain in effect until December 31, 2008, unless terminated or superseded by agreement of the Parties.

AMENDMENTS:

Striking Amendment S1 would amend the proposed ordinance by:

- o Adding a provision that limits the duration of the agreement to December 31, 2008, to address,
- o Adding a reference to Attachment A (Interlocal Agreement Between King County and the King County Flood Control Zone District Regarding Support Services),
- o Inserting Attachment A

ATTACHMENTS

1. Proposed Ordinance 2007-0604
2. Striking Amendment 1 (includes Attachment A to proposed resolution)