

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

NOTICE OF ENACTMENT

NOTICE IS HEREBY GIVEN, that on May 19, 2021, the Snohomish County Council adopted Ordinance No. 21-020, which will be effective June 11, 2021.

ORDINANCE NO. 21-020

AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTERLOCAL AGREEMENT
BETWEEN SNOHOMISH COUNTY AND FRENCH SLOUGH FLOOD CONTROL DISTRICT FOR
ACCOMMODATING SURFACE WATER IN FRENCH SLOUGH FLOOD CONTROL DISTRICT

WHEREAS, development of upland areas adjacent to the French Slough Flood Control District (the "District"), some of which are within unincorporated Snohomish County, contributes storm and surface water into some portions of the District which are also within unincorporated Snohomish County; and

WHEREAS, the County adopted Ordinance No. 15-069 repealing Title 25 of the Snohomish County Code (SCC) and enacting a new Title 25 relating to storm and surface water management which established a watershed management area (WMA) adjacent to and including the District known as the Snohomish WMA and provides for the imposition of service charges on property within such WMA; and

WHEREAS, the County adopted Amended Ordinance No. 17-020, eliminating watershed management areas in favor of a single surface water management utility district, which includes territory adjacent to and including the District; and

WHEREAS, the District assists the County manage storm and surface water from and within the surface water management utility district; and

WHEREAS, in 2007 the District and the County executed the "Interlocal Agreement for Accommodating Surface Water in French Slough Flood Control District" (County Auditor recording #200709200147), under which the County distributed \$17,000 of service charges to the District in 2007, \$8,500 of service charges to the District each year for the years 2008-2009, and an additional \$8,500 in 2010 through Amendment No. 1 (County Auditor recording #201005170501) to the 2007 Interlocal Agreement; and

WHEREAS, in 2011 the District and the County executed the "Interlocal Agreement For Accommodating Surface Water in French Slough Flood Control District" (County Auditor recording #20114180245), under which the County distributed \$8,500 of service charges to the District each year for the years 2011-2015; and

WHEREAS, in 2016 the District and the County executed the "Interlocal Agreement For Accommodating Surface Water in French Slough Flood Control District"), under which the County distributed a total of \$59,812 of service charges to the District for years 2016-2020, with the final payment in 2020 being \$12,571; and

WHEREAS, the County and the District have negotiated the terms of a new "Interlocal Agreement Between Snohomish County and French Slough Flood Control District for Accommodating Surface Water in French Slough Flood Control District" ("2021 Interlocal Agreement") under which the County shall reimburse the District for certain costs incurred each calendar year 2021 through 2025; and

WHEREAS, the 2021 Interlocal Agreement provides for payment adjustments based on the consumer price index for the previous year, not to exceed a three percent increase per year. The 2021 payment calculation under this Agreement shall use the 2020 County payment of \$12,571 as the previous year's payment to which the CPI will be applied; and

WHEREAS, the District approved the 2021 Interlocal Agreement on February 11, 2021; and

WHEREAS, the county council held a public hearing on May 19, 2021, to consider authorizing the county executive to execute the Interlocal Agreement Between Snohomish County and French Slough Flood Control District for Accommodating Surface Water in French Slough Flood Control District;

NOW, THEREFORE, BE IT ORDAINED:

Section 1. The county council hereby adopts the foregoing recitals as findings of fact and conclusions as if set forth in full herein.

Section 2. The county council hereby authorizes the county executive to execute the “Interlocal Agreement Between Snohomish County and French Slough Flood Control District for Accommodating Surface Water in French Slough Flood Control District” in the form set forth as Exhibit A hereto.

Copies of the Ordinance: To request copies of the ordinance, please call 425-388-3494, 1-800-562-4367 x3494, TDD 1-800-877-8339; or e-mail Contact.Council@snoco.org. The ordinance is also available on the County webpage at <https://snohomishcountywa.gov/2134/Council-Hearings-Calendar> or <https://snohomish.legistar.com>.

Dated this 3rd day of June, 2021.



Asst. Clerk of the Council

Publish: June 9, 2021

SUBMIT AFFIDAVIT TO: Council
SUBMIT INVOICE TO: Public Works 107024