

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON**

IN THE MATTER OF:

RESOLUTION NO. 20-371

RESOLUTION APPROVING AND ENTERING INTO AN INTERLOCAL AGREEMENT WITH GRAYS HARBOR COUNTY FOR THE PURPOSE OF COST SHARING IN THE CHEHALIS RIVER BASIN FLOOD WARNING SYSTEM.

WHEREAS, Lewis County serves as the Fiscal Agent for the Chehalis River Basin Flood Control Authority (Flood Authority); and

WHEREAS, the Flood Authority has approved the Parties' agreement that the members shall bear a certain percentage of the annual cost of operating and maintaining the Chehalis River Basin Flood Warning System (Flood Warning System); and

WHEREAS, Grays Harbor County, as beneficiary of the Flood Warning System, has agreed to pay a share for the annual maintenance cost assessed by Lewis County on behalf of the Flood Authority for operating and maintaining the Flood Warning System; and

WHEREAS, Lewis County and Grays Harbor County wish to memorialize the terms and conditions of their cost-sharing agreement through an Inter-local Agreement pursuant to RCW Chapter 39.34; and

WHEREAS, it appears to be in the best public interest to approve this agreement and authorize the Inter-local Agreement for cost sharing.

NOW THEREFORE BE IT RESOLVED the Board of County Commissioner enters into an Inter-local Agreement with Grays Harbor County for the purpose of cost sharing in the Chehalis River Basin Flood Warning System.

DONE IN OPEN SESSION this 19th day of October, 2020.

APPROVED AS TO FORM:
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

Eric Eisenberg
By: Eric Eisenberg,
Chief Civil Deputy Prosecuting Attorney

Gary Stamper
Gary Stamper, Chair

ATTEST:



Edna J. Fund
Edna J. Fund, Vice Chair

Rieva Lester
Rieva Lester,
Clerk of the Lewis County Board of County
Commissioners

Robert C. Jackson
Robert C. Jackson, Commissioner



Executive Action, 11/01/2019:

November 1, 2019

TO: Flood Authority Executive Committee Members

FROM: Scott Boettcher, Staff

SUBJECT: 2020 Flood Warning System Budget and County Shares

1. 2020 annual costs and reimbursement rates approved by Executive Committee (Commissioners Raines, Fund and Menser).
2. Lewis County, as Flood Authority fiscal agent, directed to begin collecting payments.

Purpose of this memo is to discuss and allocate 2020 Flood Warning System annual costs (www.chehalisriverflood.com). This will be done via conference call this Friday, 11/01/2019, at 2:30. We walk through the following attachments to this memo:

- Attachment A – Breakdown and Comparison of Annual O & M Costs (2014 through 2023)
- Attachment B – Staff Recommendation
- Attachment C – Draft Outreach Content
- Attachment D – Flood Warning System Usage

Please feel free contact me with any questions (360/480-6600, scottb@sbgh-partners.com).

Attachment A
Breakdown and Comparison of Annual O & M Costs (2014 through 2023)

ORIGINAL O&M (showing 2% annual WEST cost-increase starting 2018)										ADDITIONAL O&M (outlined in red)				
Breakdown of Annual O & M Costs														
	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023				
WEST Consultants	\$ 38,438	\$ 38,438	\$ 38,438	\$ 38,438	\$ 39,206.76	\$ 39,991	\$ 40,791	\$ 41,607	\$ 42,439	\$ 43,287				
							\$ 5,600	\$ 11,424	\$ 11,652	\$ 11,886				
WEST Consultants	\$ 11,336	\$ 11,336	\$ 11,336	\$ 11,336	\$ 11,563	\$ 11,794	\$ 12,030	\$ 12,270	\$ 12,516	\$ 12,766				
WEST Consultants	\$ -	\$ 6,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000				
							\$ -	\$ 1,000	\$ 1,000	\$ 1,000				
Blu Telecomm							\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500				
OneRain							\$ 1,260	\$ 1,260	\$ 1,260	\$ 1,260				
OneRain	\$ 3,811	\$ 3,811	\$ 5,261	\$ 5,261	\$ 5,500	\$ 5,877	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000				
WEST Consultants							\$ -	\$ -	\$ -	\$ -				
Lewis County	\$ -	\$ 900	\$ 900	\$ 900	\$ 900	\$ 900	\$ 900	\$ 900	\$ 900	\$ 900				
Total --> (Existing)	\$ 53,585	\$ 60,485	\$ 57,935	\$ 57,935	\$ 59,169	\$ 60,562	\$ 61,721	\$ 62,777	\$ 63,855	\$ 64,954				
	Total --> (New)													
	Difference (Additional)													
	\$ 8,360 \$ 15,184 \$ 15,412 \$ 15,646													
Note 1 -- ADDITIONAL O&M = 3 new webcams (2019), 2 new stream gages (2017).														
Note 2 -- O&M projection for 2020 to 2023 based on 2 additional stream gages being installed summer 2017. State Capitol Budget pays for installation and calibration through June 2020. Flood Authority pays for O&M starting July 2020. 2020 cost will be for half the year. First full year of O&M for 2 additional stream gages will be 2021. See 2017 Flood Authority memo at following link: https://www.ezview.wa.gov/Portals/1492/images/Staff%20memo%20-%20New%20gages%20-%20-%20152017(1).pdf														

**Attachment B
Staff Recommendation**

I. Recap of 2014-2019 Allocation Approach

Annual cost for 2014, 2015, 2016, 2017, 2018 and 2019 were allocated among Flood Authority counties as follows:

- Grays Harbor County -- 22%.
- Lewis County -- 64%.
- Thurston County -- 14%.

The method behind this allocation was as follows:

- 50% of the allocation was based on populations of communities prone to flooding.
- 50% was based on historic FEMA flood insurance payments.

This allocation approach was unanimously supported by Flood Authority beginning in 2014 (see [here](#)).

II. Staff Recommendation

Flood Authority agrees to use the same allocation approach as last year (see [here](#)) on the basis that relatively not a lot has changed in the Basin in terms of population shifts and/or exposure to flood risk, i.e., Lewis County still has largest population and risk exposure in the Basin.

2020 annual costs are proposed in the same manner as 2019 with Grays Harbor County paying 22% of costs, Lewis County paying 64% of costs, and Thurston County paying 14% of costs. 2020 costs are:

	2019	2020	Difference (increase)
Grays Harbor County (22%)	\$13,323.73	\$15,417.72	\$2,093.99
Lewis County (64%)	\$38,759.94	\$44,851.56	\$6,091.62
Thurston County (14%)	\$8,478.74	\$9,811.28	\$1,332.54

Increased costs are due to increased O&M from recent Flood Authority approved expansions to Flood Warning System (new gages, new webcams). Costs are warranted, especially given consistently increasing usage of system (discussed further in Attachments C and D).

Staff and Lewis County (as fiscal agent) are directed to implement and prepare payment schedules (1st half due 3/31/2020; 2nd half due 7/31/2020).

Note: Lewis County, acting as fiscal agent for the Flood Authority, has historically handled billing and processing for payments associated with the Flood Warning System. It is assumed this practice will continue for 2020. It should be noted however that Lewis County's role could be modified/adjusted as further thought and consideration is put into ownership, operation and maintenance of the Flood Warning System in light of the Office of Chehalis Basin and Lewis County Flood Control Zone District assuming more prominent roles.

**Attachment C
Draft Outreach Content**

I. Flood Warning System Usage (1)

Increasing annual O&M costs are warranted when Flood Warning System usage increases. One measure of usage is email gage alert sign-ups. As alert sign-ups increase, per capita costs decrease.

Flood Season	Gage Alert Sign-Ups	Annual O&M Cost	Per Sign-Up Cost
2013/14	n/a	\$ 53,585	
2014/15	379	\$ 60,485	\$ 159.59
2015/16	845	\$ 57,935	\$ 68.56
2016/17	951	\$ 57,935	\$ 60.92
2017/18	984	\$ 59,169	\$ 60.13
2018/19	1037	\$ 60,562	\$ 58.40
2019/20	1500	\$ 70,081	\$ 46.72
2020/21	1600	\$ 77,961	\$ 48.73
2021/22	1700	\$ 79,267	\$ 46.63
2022/23	1800	\$ 80,599	\$ 44.78

II. Draft Outreach Content (for letter or email)

To continue to increase gage alert sign-ups, as (1) an inexpensive way to keep citizens, businesses, first-responders, etc. informed of changing river conditions and (2) a way of continuing to lower per capita costs, a targeted outreach campaign for the month of November 2019 is planned. First on the order is outreach to churches and faith communities in the Basin to increase gage alert sign-ups.

DRAFT email outreach content . . .
<p>Dear **name**:</p> <p>My name is Scott Boettcher. I am staff to the Chehalis River Basin Flood Authority.</p> <p>I am contacting you to raise your awareness of the Chehalis River Basin Flood Warning System (www.chehalisriverflood.com) and would like to ask that you share the attached with your congregation.</p> <p>The Chehalis River Basin Flood Warning System provides an email alert flood notification program. The email alert flood notification program allows individuals and organizations to sign-up to receive automatic email alerts from select river gages once those river gages reach elevated and potentially threatening flood levels. The Chehalis River Basin Flood Warning System is one way the Chehalis River Basin Flood Authority is working to ensure Basin residents are flood aware and flood prepared.</p> <p>Here are some additional resources:</p>

- 2019-20 Flood Alert Sign-Up Information --> Click [here](#).
- Interactive Gage Alerts map --> Click [here](#).
- Flood Warning System icon for posting to your website --> Click [here](#) (option 1), [here](#) (option 2).

Thank you for your consideration and feel free to contact me to discuss further.

Scott

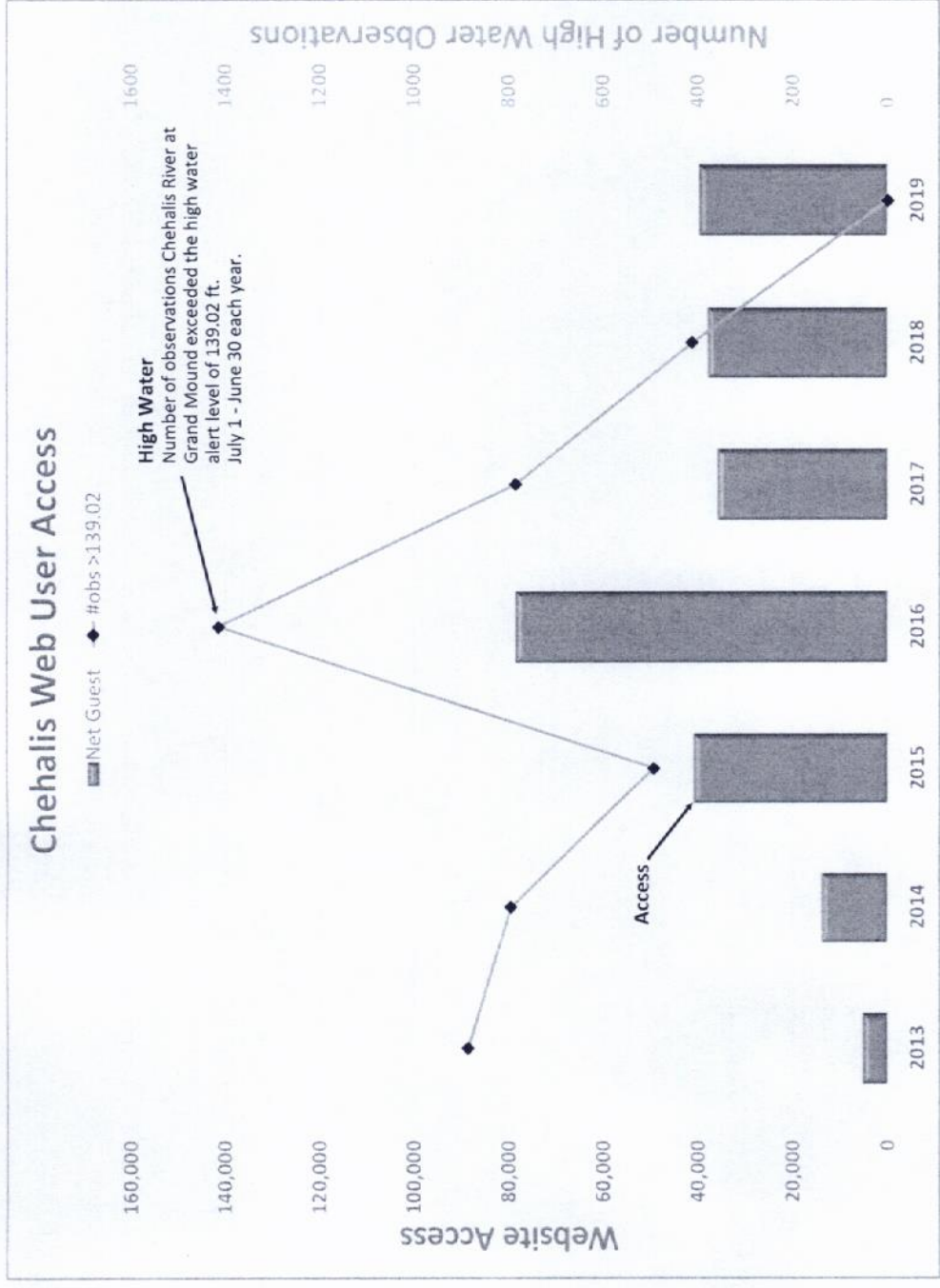
Be Aware, Be Prepared.

Scott Boettcher, Staff
Chehalis River Basin Flood Authority
360/480-6600
scottb@sbgh-partners.com

Attachment D Flood Warning System Usage (2)

As river levels rise (orange), Flood Warning System website usage rises (blue). Usage has been steady to slightly growing, even with recent drier flood seasons. Website usage appears to be becoming in-grained in the community.

- ✓ 2013 -2015 -- Initial growth as website awareness spreads.
- ✓ 2016 – Usage spiked as high-water observations spiked.
- ✓ 2017-2019 – Slow, steady growth in usage despite drop in high-water observations.



**INTER-LOCAL AGREEMENT
FLOOD WARNING SYSTEM COST SHARING**

This Inter-local Agreement (AGREEMENT), is made and entered into pursuant to R.C.W. 39.34.080 and in conformance with R.C.W. 43.09.210 effective this 28 day of Sept., 2020 by and between Lewis County and Grays Harbor County, both political subdivisions of the State of Washington and members of the Chehalis River Basin Flood Control Authority (collectively "Parties").

WHEREAS, Lewis County serves as the Fiscal Agent for the Chehalis River Basin Flood Control Authority ("Flood Authority"); and

WHEREAS, the Flood Authority has approved the Parties' agreement that the Counties shall bear a certain percentage of the annual cost of operating and maintaining the Chehalis River Basin Flood Warning System ("Flood Warning System"), including certain identified river/stream/precipitation gages located throughout the Chehalis River Basin; and

WHEREAS, Grays Harbor County, as beneficiary of the Flood Warning System, has agreed to pay a share for the annual maintenance cost assessed by Lewis County on behalf of the Flood Authority for operating and maintaining the Flood Warning System; and

WHEREAS, Lewis County and Grays Harbor County wish to memorialize the terms and conditions of their agreement in an inter-local agreement.

NOW, THEREFORE, THE PARTIES COVENANT AND AGREE as follows:

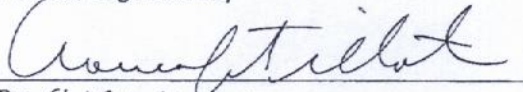
1. **PURPOSE AND UNDERTAKING.** Grays Harbor agrees to pay Lewis County biannually for operation and maintenance of the Flood Warning System. These payments are intended to defray a portion of the Flood Authority's annual assessment to Lewis County for the cost of the Flood Warning System. These costs include, but are not limited to, acquisition, installation, and maintenance of certain river and precipitation gages, operational support, parts, operation and maintenance of the flood warning website, consultant fees and other expenses directly related to the Flood Warning System, as authorized and approved by the Chehalis River Basin Flood Authority. Lewis County will remit to Grays Harbor County an invoice on a biannual basis, Grays Harbor agrees to reimburse Lewis County within thirty (30) days of receiving the payment request.
2. **LEWIS COUNTY'S UNDERTAKING.** Lewis County agrees to pay the Flood Authority's approved contractor the amount duly approved and assessed each year by the Flood Authority for the Flood Warning System. While Fiscal Agent for the Flood Authority and as duly directed by the Flood Authority, Lewis County also will continue to collect and disburse to the appropriate contractor all contributions by other members of the Flood Authority toward the operation and maintenance cost of the Flood Warning System.
3. **NO SEPARATE ENTITY.** The Parties are not forming a separate entity as part of this Agreement. This Agreement shall not be deemed or construed to create a separate legal entity or to create a joint venture or partnership among the Parties. Each Party represents and warrants that it has the authority to enter into this Agreement.

4. DURATION. This Agreement shall expire on December 31, 2025, unless terminated earlier pursuant to the provisions of this Agreement. Each Party may terminate its participation in this Agreement by depositing in the U. S. Mail, first class postage prepaid, or providing in person a written notice of termination addressed to the contact persons for each non-terminating Party as identified herein and at the address stated herein. The termination shall become effective thirty (30) days after it is postmarked or is hand-delivered to the non-terminating Party at the following addresses or as such addresses are amended by written Notice of Change of Address signed by the Chair of the Board of County Commissioners:
- a. Lewis County: Chair of the Lewis County Board of County Commissioners, 351 NW North Street, Chehalis, WA 98532
 - b. Grays Harbor County: 100 W. Broadway, Suite 1, Montesano, WA 98563
6. AMENDMENT. With the exception of a change in notification address, this Agreement may be amended, altered or changed only by a written memorandum of agreement approved by the governing bodies of the parties and signed by the respective city managers and commissioners.
7. This Agreement shall be construed and enforced in accordance with the laws of the State of Washington, and venue for any dispute arising hereunder shall be in the Superior Court for the State of Washington in Lewis County.

EXECUTED IN DUPLICATE and effective as of the date and year first above written.

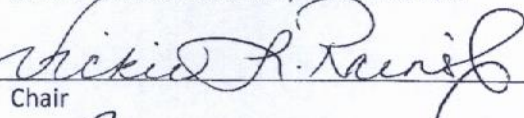
APPROVED AS TO FORM:

Prosecuting Attorney

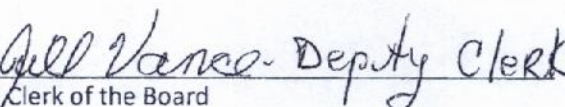

By: Chief Civil DPA

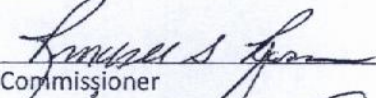
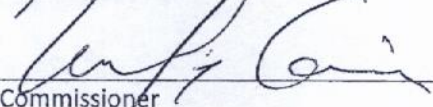
BOARD OF COUNTY COMMISSIONERS

GRAYS HARBOR COUNTY, WASHINGTON


Chair

ATTEST:


Deputy Clerk
Clerk of the Board


Commissioner

Commissioner


PASSED IN REGULAR SESSION THIS 19th DAY OF October 2020.

APPROVED AS TO FORM:

BOARD OF COUNTY COMMISSIONERS

Jonathan Meyer, Prosecuting Attorney

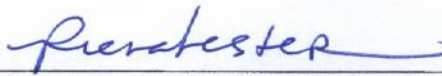
LEWIS COUNTY, WASHINGTON


By: Civil Deputy Prosecuting Attorney


Gary Stamper, Chair

ATTEST:


Edna J. Fund, Vice Chair


Rieva Lester, Clerk of the Board


Robert C. Jackson, Commissioner



BOCC AGENDA ITEM SUMMARY

Resolution:

BOCC Meeting Date: Oct. 19, 2020

Suggested Wording for Agenda Item:

Agenda Type: Deliberation

Resolution approving and entering into an interlocal agreement with Grays Harbor County for the purpose of cost sharing in the Chehalis River Basin Flood Warning System.

Contact: Lee Napier

Phone: 360.740.2606

Department: CD - Community Development

Description:

Resolution approving and entering into an interlocal agreement with Grays Harbor County for the purpose of cost sharing in the Chehalis River Basin Flood Warning System.

Approvals:

Publication Requirements:

User

Status

Publications:

n/a

PA's Office

Pending

Additional Copies:

Graham Gowing, Tina Hemphill, Becky Butler, Kaity Nisell, and Suzette Smith

Cover Letter To: