

RESOLUTION NO. _____

ADOPTING CHANGES TO WCC 100.07 BIRCH BAY WATERSHED AND AQUATIC RESOURCES MANAGEMENT DISTRICT FUNDING MECHANISM, BY REVISING THE RATE STRUCTURE, SERVICE CHARGE ADJUSTMENTS AND EXEMPTIONS

(Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

WHEREAS, on March 13, 2007, the Whatcom County Flood Control Zone District Board of Supervisors adopted Ordinance 2007-019, which created the Birch Bay Watershed and Aquatic Resources Management (BBWARM) District pursuant to RCW 86.15; and,

WHEREAS, RCW 86.15.160(4) authorizes a charge for the furnishing of service to those who are receiving or will receive benefits from stormwater control facilities and programs and who are contributing to an increase in surface water runoff (Res 2008-049 & Res 2008-050); and,

WHEREAS, implementation of the Birch Bay Comprehensive Stormwater Plan is needed to solve many of the current stormwater management problems in the Birch Bay Watershed; and,

WHEREAS, there exists an extensive list of capital improvement projects needing construction in Birch Bay, with more added every year due to aging infrastructure, unprecedented storm events, climate change and other factors; and,

WHEREAS, the BBWARM District service fee has remained unchanged since its inception in 2009, but cumulative operating and capital cost inflation since 2009 is approximately 50-62%; and

WHEREAS, the community demand for projects has increased over the years, but the amount of revenue to complete the projects has not; and

WHEREAS, the BBWARM Advisory Committee recommended and County Council authorized staff to hire a financial consultant in August 2023 to conduct a rate study and funding analysis; and

WHEREAS, three public meetings were held in January, April and May 2024, with opportunities for comments and feedback from the community on the rate study presentations; and

WHEREAS, the BBWARM Advisory Committee has studied the rate structure options and has submitted a final recommendation to the Whatcom County Flood Control Zone District Board of Supervisors; and

NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Flood Control Zone District Board of Supervisors that Chapter 100.07 of the Whatcom County Code entitled

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"Birch Bay Watershed and Aquatic Resources Management District Funding Mechanism" is hereby amended as outlined in Exhibit A of this resolution. The new proposed language is underlined and deleted language is stricken.

APPROVED this ____ day of _____, 20____.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Council Chair

APPROVED AS TO FORM:

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

Christopher Quinn - approved via email 5/16/24

Chief Civil Deputy Prosecuting Attorney

Satpal Sidhu, County Executive

() Approved () Denied

Date Signed: _____