

BOARD OF YAKIMA COUNTY COMMISSIONERS

**IN THE MATTER OF DISSOLUTION
OF YAKIMA COUNTY DIKING
IMPROVEMENT DISTRICT NO. 3**

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ORDINANCE 3-2021

WHEREAS, Yakima County Diking Improvement District Number 3 was established as a self-governing special purpose district by Yakima County legislative action on October 8, 1917 in accordance with Title 85, Chapter 08 of the Revised Code of Washington; and,

WHEREAS, Diking Improvement District (DID) Number 3 has been certified as inactive by the Yakima County Auditor; and,

WHEREAS, the flood control facilities constructed by the District for flood control purposes have been supplanted and rendered inconsequential by Interstate 82, which was constructed and is maintained by the Washington State Department of Transportation; and

WHEREAS, the District's flood control facilities have also been rendered ineffective because of natural river movement or action to remove or breach the District's dikes and levies by the Yakima County Flood Control Zone District (FCZD); action taken by the FCZD to improve the floodplain function and reduce the risk of damage to Interstate 82 resulting from breaches to the DID's unmaintained and unmanaged flood control facilities; and

WHEREAS, RCW 36.96.030 provides that "at any time a county legislative authority may hold hearings on the dissolution of any special purpose district that appears to meet the criteria of being "inactive" and dissolve such a district pursuant to the proceedings provided for in RCW 36.96.030 through 36.96.080" ; and,

WHEREAS, RCW 85.08.895 also authorizes Diking Improvement Districts to be dissolved under the alternative dissolution process found at RCW 85.38225 (3), which provides that "a drainage district or drainage improvement district located within the boundaries of a county storm drainage and surface water management utility, and which is not currently imposing assessments, may be dissolved by ordinance of the county legislative authority."; and,

WHEREAS, the Yakima County Stormwater Utility has determined that DID No. 3 no longer operates any facilities or has any functional purpose, and therefore recommends dissolution of said district; and,

WHEREAS, on February 23, 2021 a public hearing was held to consider the dissolution of both Districts and to allow for public comment, and no comments were received.

NOW THEREFORE the Board of County Commissioners of Yakima County, Washington, finds that:

- 1) Diking Improvement District Number 3 is inactive and may be dissolved by ordinance in conformance with RCW 36.96.040;
- 2) It is in the public interest to dissolve the District since it no longer serves its' original flood control/levee construction and maintenance function

BE IT ORDAINED BY THE BOARD OF YAKIMA COUNTY COMMISSIONERS AS FOLLOWS:

Diking Improvement District Number 3 is hereby dissolved.

DONE this 9 day of March 2021

Attest:

Julie Lawrence, Clerk of the Board
Linda Kay O'Hara, Deputy Clerk of the Board

Approved as to form:

Ron R. Anderson
Deputy Prosecuting Attorney

Ron Anderson, Chairman

Amanda McKinney, Commissioner

LaDon Linde, Commissioner
Constituting the Board of County Commissioners
for Yakima County, Washington

