Sponsored by: Councilmember Derek Young
Requested by: Executive/Planning and Public Works

RESOLUTION NO. R2018-39s2

A Resolution of the Pierce County Council Updating the Pierce County Water Utility Coordinating Committee (WUCC) Membership and Authorizing the WUCC to Review and Recommend an Update to the Pierce County Coordinated Water System (CWSP), and Approving the Scope of the CWSP Update.

Whereas, the "Water Resources Act" of 1971, RCW 90.54, sets forth the State's fundamentals for water resource management intended to ensure that the waters of the State will be protected and fully utilized for the greatest benefit to the people of the State; and

Whereas, on March 8, 1983, the Pierce County Council passed Ordinance No. 83-9 declaring Pierce County a critical water supply service area pursuant to Revised Code of Washington (RCW) 70.116; and

Whereas, the last update to the Pierce County CWSP occurred on October 6, 2003 through Ordinance 2003-69; and

Whereas, since the last update of the Pierce County CWSP many changes have occurred relating to water resource, water supply, and land use planning; and

Whereas, a review and update of the Pierce County CWSP would make it more applicable to current and anticipated issues, and is provided for under law; and

Whereas, the Pierce County WUCC was created by the Pierce County Council through Resolution No. R83-130, which identified the criteria for committee composition including water purveyors with over fifty (50) service connections; and

Whereas, the WUCC membership was last updated on June 24, 2008 through Resolution No. R2008-84; and

Whereas, Washington Administration Code (WAC) 246-293-150 directs Pierce County to establish a Water Utility Coordinating Committee (WUCC) within thirty (30) days following the declaration of a critical water supply service area; and

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Whereas, WAC 246-293-150 states composition of the WUCC shall consist of one representative from each of the following:

a. County legislative authority within the declared area;
b. County planning agency having jurisdiction within the declared area;
c. Health agency having jurisdiction within the declared area under Chapters 70.08, 70.05, 43.20 RCW; and
d. Water purveyors with over fifty (50) services within the declared area; and

Whereas, WAC 246-293-150 allows that other interested persons may also be appointed as nonvoting members of the WUCC; and

Whereas, the process to update the Pierce County CWSP will begin in 2018; and

Whereas, the WUCC is the responsible stakeholder group to review and recommend updates to the CWSP; and

Whereas, the designation of WUCC members needs to be updated to reflect the current status of water purveyors with over fifty (50) service connections and other interested parties; and

Whereas, Pierce County recognizes that there are other State statutes that govern water purveyors; and

Whereas, the County recognizes the Pierce County CWSP does not supersede the authorized powers and functions as set out in State statutes and applicable regulations; and

Whereas, per RCW 70.116.060, any revisions to the CWSP must be approved by the Washington State Department of Health; and

Whereas, it is efficient and productive to establish the scope of the CWSP update and identify the topics that will be and will not be addressed in the update of the Pierce County CWSP; **Now Therefore,**

BE IT RESOLVED by the Council of Pierce County:

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Section 1. The Pierce County Council hereby updates the Water Utility Coordinating Committee (WUCC) membership and authorizes the WUCC to reconvene to review and update the County's Coordinated Water System Plan (CWSP) consistent with the topics identified in Exhibits C and D, which are attached hereto and incorporated herein by reference.

Section 2. The voting and nonvoting membership of the WUCC is hereby updated, consistent with RCW 70.116 and WAC 246-293-150, as identified in Exhibit A, which is attached hereto and incorporated herein by reference. Each entity listed shall select its own representative.

Section 3. The Pierce County Council shall annually appoint a Councilmember to serve on the WUCC.

Section 4. The amended WUCC Rules and Procedures, as identified in Exhibit C, are hereby adopted to establish rules for conducting business, including voting procedures, and appointing a Chair.

Section 5. The Pierce County Council acknowledges and approves the scope of the CWSP update as identified in Exhibit D. The WUCC shall transmit any recommended revisions to the CWSP to the County Executive and County Council for review and adoption.

ADOPTED this 22nd **day of** May **, 2018.**

ATTEST:

PIERCE COUNTY COUNCIL
Pierce County, Washington

Denise D. Johnson
Denise D. Johnson
Clerk of the Council

DR, for
Douglas G. Richardson
Council Chair

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Water Utility Coordinating Committee (WUCC) – Voting Membership

A. Pierce County Councilmember Representative
B. Pierce County Planning and Public Works Representative
C. Tacoma-Pierce County Health Department Representative
D. One representative from each of the following water purveyors with over fifty (50) service connections including:

1. Alpine Village Property Owners
2. Ashford Water District
3. Bethel Green Acres Water Association
4. Bethel Water Company
5. Blue Horizon Water Company
6. Camp Benbow
7. Canterbrook Village Apartments
8. Canterwood Water System
9. Cherrywood Mobile Home Manor
10. City of Bonney Lake
11. City of Buckley
12. City of DuPont
13. City of Eatonville
14. City of Fife
15. City of Fircrest
16. City of Gig Harbor
17. City of Milton
18. City of Orting
19. City of Puyallup
20. City of Roy
21. City of Sumner
22. City of Tacoma
23. Clear Lake Water District
24. Coach Country Corral
25. Cougar Rock Campground
26. Crestview Mobile Manor
27. Crystal Mountain Inc.
28. Crystal River Ranch Association
29. Crystal Village I, II, III
30. East Gig Harbor Water District
31. Eric G. Sandstrom VFW 969
32. Firgrove Mutual Inc.

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33. Forest Beach Water System
34. Forest Hills Water System
35. Fox Island Mutual Water Association
36. Fruitland Mutual Water Company
37. Gig Harbor RV Resort
38. Graham Hill Mutual Water Company Inc.
39. Harbor Country Apartments
40. Harborland Mobile Park
41. Hillcrest Mobile Home Park
42. HMC Management Water System
43. Joint Base Lewis-McChord
44. Kopachuck Ridge Water District
45. Lake Holiday Association
46. Lake Josephine Riviera
47. Lake of the Woods Community Club
48. Lakewood Water District
49. Loveland Mobile Estates
50. Majestic Mobile Manor
51. Marion Water Company, Inc.
52. McKenna Water District
53. McNeil Island Water
54. Meridian Terrace Mobile Home Park
55. Minter Beach Estates
56. Mountain View - Edgewood Water Company
57. Northwest Trek
58. Olman Point Tracts Club
59. Olympic Sunset West
60. One Point Fosdick Water Company
61. Parkland Light & Water Company
62. Peninsula Light
63. Point Fosdick
64. Rainbow Resort
65. Rainier Ranch Maintenance Association
66. Rainier View Water Company
67. Riverside Villa
68. Shore Acres Water Company
69. Spanaway Village Water System
70. Spanaway Water Company
71. State – Rainier School
72. Stroh's Water Company Inc.
73. Summit Water & Supply Company
74. Sunrise Terrace Community LLC
75. Sunwood Graham
76. Tacoma Country Estates

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77. Tapps Island Water System
78. Taylor Bay Beach Club Inc.
79. Thurston County PUD
80. Town of Carbonado
81. Town of South Prairie
82. Town of Steilacoom
83. Town of Wilkeson
84. Twin Firs Mobile Estates
85. Uncle John's RV Park & Mini Storage
86. Valley Water District
87. Washington State Corrections – Women
88. Washington Water Service
89. Weatherswood Vista Water District
90. West Wynd
91. Western Ranchettes, Inc.
92. Western State Hospital
93. Winchester Mobile Homes Water
94. Wollochet Harbor Club, Inc.

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Water Utility Coordinating Committee (WUCC) – Nonvoting Membership

Note: Water purveyors that are also SMAs are not reflected in this list because they are a voting member.

A. Cascade Water Alliance
B. Chambers-Clover Creek Watershed Council
C. Clearwater Utility Services LLC (SMA #146)
D. Master Builders Association Representative
E. Muckleshoot Indian Tribe Representative
F. Nisqually Indian Tribe Representative
G. Northwest Water Systems (SMA #119)
H. Pierce Conservation District
I. Pierce County Department of Emergency Management Representative
J. Pierce County Fire Chief's Association Representative
K. Pierce County Fire Prevention Bureau Representative
L. Pierce County Stormwater Management Representative
M. Puyallup Indian Tribe Representative
N. Squaxin Island Indian Tribe Representative
O. Tacoma-Pierce County Board of Realtors Representative
P. U.S. Geological Service Representative
Q. Washington State Department of Ecology
R. Washington State Department of Health Representative

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Rules and Procedures for
Pierce County Water Utility Coordinating Committee (WUCC)

Purpose

The WUCC shall serve in an advisory capacity to recommend updates to the Coordinated Water System Plan (CWSP) for Pierce County and conduct review of the CWSP.

Function

In carrying out its general purpose, the WUCC may consider or make recommendations on:

1. Applicable state laws;
2. Implementation of the Washington State Watershed Management Act (RCW 90.82) for Water Resource Inventory Areas (WRIAs) located within Pierce County;
3. Establishment or modification of water service areas and reconciliation of any conflicts between claimed water service areas within Pierce County;
4. Water supply and demand forecasting within Pierce County and regional efforts that may impact Pierce County;
5. Identification of water sources and interties between purveyors in Pierce County;
6. Minimum standards and specifications for planning, design, and construction of water supply facilities in Pierce County;
7. Satellite System Management Program;
8. Dispute resolution process;
9. Well inspection and decommissioning permit process;
10. Implementation of the CWSP;
11. Resolution of any service area or timely and reasonable disputes; and
12. Other topics specifically identified by County Council Resolution to be addressed through a CWSP update process.

Membership Composition

1. The WUCC shall consist of one representative from each of the following:
   a. County legislative authority within the declared area (all of Pierce County);
   b. County planning agency having jurisdiction within the declared area;
   c. Health agency having jurisdiction within the declared area under Chapters 70.08, 70.05, and 43.20 RCW; and
   d. Water purveyor with over fifty (50) services within the declared area.
2. WAC 246-293-150 allows that other interested persons may also be appointed as nonvoting members of the WUCC. Exhibits A and B to Resolution No. R2018-39s2

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identify the voting and nonvoting membership of the WUCC. Each entity listed shall select its own representative to participate in WUCC activities and meetings.

3. New voting members and nonvoting members may only be added or deleted through County Council authorization.
4. WUCC voting members should designate a primary and alternate representative. In addition, other individuals who either work for, or are on the elected governing board of, that entity may also serve as a WUCC representative.

Officers

1. The WUCC shall elect a Chair and Vice Chair from the voting membership. The roles of the Chair and Vice Chair are as follows:
    a. The Chair shall serve as the presiding officer of the WUCC including: communicate with Pierce County Planning and Public Works (PPW) staff to propose meeting topics and agenda items, evaluate the implementation needs for the CWSP, and sign any formal WUCC correspondence regarding recommendations to the Pierce County Executive, County Council, or State agencies.
    b. The Vice Chair shall perform the duties of the Chair in the absence of the Chair.
2. The Chair and Vice Chair shall serve for a one-year term, and may be reappointed into those positions for consecutive years up to a total of four consecutive terms.
3. If the Chair is unable to fulfill a complete full annual term, the Vice Chair shall serve as Chair for the remainder of the year. The Vice Chair position shall be nominated and elected by the voting membership at the next regularly scheduled meeting to serve for the remainder of the year.
4. The Pierce County PPW staff shall serve as the secretary for the WUCC.
5. Should both the Chair and Vice Chair be absent from a meeting, the Pierce County PPW staff shall serve as Acting Chair during the meeting.

Meeting Notice, Agendas, Recording, and Meeting Summaries

1. A minimum of 5 business days' prior written notice of any meeting shall be provided to all members. When possible, meeting notice via electronic email shall be used in-lieu-of standard paper mailings.
2. The Pierce County PPW staff, in consultation with the WUCC Chair or Vice Chair, will prepare a proposed agenda for each scheduled meeting.
3. Each meeting agenda shall provide an opportunity, under Other Business, for the members or visitors to raise issues not already discussed at the meeting.
4. The Pierce County PPW staff shall record substantive motions in writing, record votes by a call for the vote and show of hands, and prepare a meeting summary which shall be considered, revised (if necessary), and adopted by the WUCC at its next regular meeting.
5. The Pierce County PPW staff shall maintain a written summary of WUCC business and meetings. Copies of the WUCC meeting materials shall be kept in the Pierce County PPW archives pursuant to a retention schedule approved by Records Specialist assigned to Planning and Public Works and the State Archivist.

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Rules of Operation

1. The WUCC shall adopt Rules and Procedures before it transacts any business. The rules contained in the current edition of "Robert's Rules of Order" shall govern the WUCC in all cases to which they are applicable and in which they are not inconsistent with these Rules and Procedures. In cases where Robert's Rules of Order are in conflict with, or contrary to these rules, these rules shall govern.

2. The Rules and Procedures may be amended by the WUCC at any regular or special meeting through a vote by a quorum of voting members. Amendments shall become effective at the next regularly scheduled meeting after the date of the meeting where the amendment was enacted.

Quorum

1. A quorum for the WUCC for the purpose of conducting a WUCC meeting shall be five (5) voting members. A quorum for the WUCC for the purpose of voting on formal actions or recommendations shall be 10 voting members. Decisions of the committee shall be by majority vote of those present at meetings of the committee.
2. In the event of a lack of a voting quorum at a regular, continued, or special meeting, the Chair or acting Chair may decide to continue the meeting discussion, but no formal votes on actions or recommendations may be conducted until such time a quorum of voting members is present.

Meeting Participation, Discussion, and Voting Privileges

1. The WUCC meetings serve as a forum for drinking water issues in Pierce County, and participation in WUCC meetings is voluntary.
2. Voting Members shall be entitled to participate in meeting discussions and voting, when necessary, as follows:
    a. Each voting member of the WUCC shall be entitled to one vote.
    b. A tie or a failure to vote on any motion shall be considered a failed motion.
    c. Failure to reach a formal recommendation shall not be cause to delay the County's decision on any related legislative or quasi-judicial action being reviewed, but rather, shall result in no recommendation being transmitted to the County.
    d. All votes shall be polled by a show of hands and recorded.
3. The nonvoting members may participate in all discussions and activities of the WUCC, but shall not be entitled to participate in the voting process on formal actions or recommendations.
4. Voting and nonvoting members and visitors at the meetings will treat each other with respect, will not monopolize meeting time, and will listen to and try to understand each other's views.
5. The Chair may reserve the right to limit the amount of time for discussion by each voting and nonvoting member and visitors.
6. All meetings are considered open public meetings pursuant to the Open Public Meetings Act of 1971.

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7. Subcommittees of the WUCC may be established to consider specific topics as assigned by the voting membership. Any subcommittee recommendation shall be referred to the WUCC for final action.

Recommendations

1. In the event the WUCC conducts a public meeting regarding an issue subject to the review authority of another body, any formal recommendation of the WUCC shall be forwarded to that body at least 10 business days prior to the date of the public hearing. Failure to do so shall not be cause to continue or delay the scheduled public hearing.
2. The WUCC's written recommendation must contain all concerns to be considered, including any minority positions. Any oral presentation by a WUCC member shall only be permitted to clarify the written recommendation, and any presentation by a WUCC member which goes beyond clarifying the written recommendation shall be considered a personal recommendation.
3. All written recommendations of the WUCC must contain a summary of the WUCC's action and specify the vote on said matters.

Coordination

The Planning and Public Works Department shall coordinate all matters relating to WUCC actions, including but not limited to: administration of the meetings, providing required notice for meetings, keeping records of meetings and decisions, documenting the WUCC's rules of procedure, forwarding recommendations of the WUCC to the County Executive and Council, processing any proposed amendments to the CWSP, maintaining current service area designation maps and resolution of any service area conflicts; and providing information needed to conduct its review and analysis.

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Pierce County Coordinated Water System Plan Update
Scope of Topics

Note: This is the first major update of the Coordinated Water System Plan (CWSP) adopted by Ordinance 2003-69 on September 23, 2003 as required by WUCC.

Required Topics to be Reviewed/Updated

- Individual water system plans (relationship to CWSP)
- Retail service area designations (function and process to establish/amend/appeal boundaries)
- Assessment of the feasibility of shared source (i.e. regional water sources including Pierce County's Chambers Creek properties)
- Assessment of the feasibility of shared transmission
- Assessment of the feasibility of shared storage facilities (wholesale vs fire flow)
- Emergency interties (existing and potential opportunities/benefits)
- Design standards (review/update of minimum design standards for water systems including emergency interties and fire flow requirements)

Additional Topics to be Reviewed/Discussed/Incorporated/Updated

- Intent of CWSP (why required)
- Population growth projections/sub-area growth rates encompassing Group A systems required to plan per WAC 246-290-100
- A countywide water supply/demand analysis (compilation of existing information)
- A review/revision of the utility service review procedure
- A review/revision of policies regarding satellite management agencies
- Incorporation of provisions of the State Municipal Water Law of 2003, including the definition of municipal water supplier, required water use efficiency measures, and water loss control
- The identification and explanation of relevance of all existing water resource management efforts, including but not limited to, water resource plans, water quality plans, sewer plans, watershed restoration and enhancement plans, and water pollution control plans which have been adopted by Pierce County or regional and State government within the Critical Water Supply Service Area (CWSSA) boundaries
- Failed water system receivership policies and process
- Identify strategies to encourage regionalization of water systems/discuss potential alternatives to consolidation
- Wholesale water (i.e. establishment of service areas and expansion of water rights)
- Permitted uses within wellhead protection areas
- Timely and reasonable water service

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- Relationship between RCW/WAC regulations and the Tacoma-Pierce County Health Department associated with individual wells within designated retail service areas
- Reference to governing structures for the different type of water systems/purveyors
- Background information explaining why proactive water system (capital) investments may be necessary
- Providing reclaimed water within another's retail service area
- Dispute Resolution Process

<u>Issues Not Within the Scope of Update</u>

- Water system charges and rates
- Modifications to retail water system service areas (note: these modifications can be made through the individual water system plan process)
- Water system connection, system development and membership charges and rates.

Note: In addition to RCW 70.116 – Public Water System Coordination Action of 1977, water purveyors are governed by various state statutes depending on their type. These statutes include:

- RCW 24.06 – Mutual Corporations
- RCW 35.92 – Municipal Utilities
- RCW 36.94 – Sewerage, Water, and Drainage Systems
- RCW 43.20 – Board of Health
- RCW 54.16 – Powers Public Utility Districts
- RCW 57.08 – Powers Water-Sewer Districts
- Title 70 RCW – Public Health and Safety
- RCW 80.28 – Gas, Electrical, and Water Companies
- RCW 90.03 – Water Code

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