

RESOLUTION NO. 917

CITY OF LACEY

A RESOLUTION RELATING TO THE PROVIDING OF SERVICES BY THE CITY'S WATER UTILITY SYSTEM.

WHEREAS, the City of Lacey has, and intends to continue to manage its water resources in a manner which will protect environmental quality, provide for the public health, protect fish and other aquatic habitat, provide for a vibrant local economy and account for anticipated growth mandated by the State Growth Management Act, and

WHEREAS, the City has set goals for reducing per capita water usage by adopting a tiered water rate schedule, mandating limitations on summer watering schedules, providing for the use of reclaimed water, providing water conservation services and water audits to its customers and establishing a leak detection program and a pipe replacement program, and

WHEREAS, the City has promoted water quality by acquiring land along the Woodland Creek corridor, consistently expending funds for habitat enhancement along Woodland Creek, entering into a lengthy process to eliminate untreated discharges of stormwater into service water bodies within the City's jurisdiction, adopting a low impact development ordinance and engaging in other activities designed to enhance water quality and salmon restoration, and

WHEREAS, the City has been an active participant in the preparation and implementation of the WRIA 11 Nisqually River Watershed Management Plan and the planning efforts of the WRIA 13 Deschutes River Watershed Management Plan, and has entered into partnerships with the LOTT Alliance and the partner jurisdictions of such Alliance for a Water Conservation Coordination Plan, supported the efforts of the inter-jurisdictional Stream Team and Project Green and cooperated with the City of Olympia for joint mitigation of potential impacts of water supply production, and

WHEREAS, the City has filed applications with the Washington State Department of Ecology for additional water rights and water right transfers and is engaged jointly with the Cities of Olympia and Tumwater in an attempt to acquire and transfer for municipal use existing water rights formerly held by the Brewery located in the City of Tumwater, and

Whereas, the City has secured over one-half of its existing water rights by purchase from private parties within and adjacent to the City's water service area, however, the availability of additional rights to purchase is nearly exhausted, and

WHEREAS, despite the efforts described in the previous recitals, the City has been unable to

secure water rights and water to provide for the health and safety of an expanding population mandated by the Washington State Growth Management Act and therefore the City staff, with the approval of the City Council, has instituted policies limiting the availability of water for future water customers and the City Council desires to officially adopt such policies,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

Section 1. Subject to the provisions of Section 2, hereof, the following policies shall govern the decisions of the City regarding the availability of services from the City's Water Utility System:

A. The City shall only commit to providing future water services pursuant to the provisions of Subsection B of this Section. Provided, however, that water services to properties located within the City shall be provided if both water rights and water production is available at the time that buildings located upon such properties are connected to the City's System.

B. Commitments for future water services shall be made by the City only if one of the following conditions applies:

(1) Sufficient water production is available and the owner or developer of the property provides water rights to the City sufficient to serve such property and the transfer of such water rights for municipal use is approved by the State Department of Ecology.

(2) The owner or developer of the property provides water rights to the City and facilitates an acceptable water supply agreement with another qualified water purveyor for furnishing to the City sufficient water to serve the subject property.

(3) The owner or developer of the property enters into an agreement acceptable to the City which commits such owner or developer to use reclaimed water for all irrigation and toilet flushing within the development and, in addition, where feasible and allowed by state law and regulation, use for other purposes within the development. The City shall not approve such an agreement unless a sufficient supply of reclaimed water beyond that needed for water right mitigation is available in the area in question and the agreement makes provision for the installation or advanced payment for the infrastructure necessary to store, distribute and convey such reclaimed water from LOTT reclaimed water facilities to the development.

C. The City Manager is authorized to enter into such agreements as may be necessary pursuant to the Coordinated Water System Plan for Thurston County for the providing of temporary water service by other public water purveyors or water purveyors meeting the requirements of the Washington State Department of Health and regulated by the Washington State Utilities and Transportation Commission to properties which are located within the City's service area but cannot currently be served by the City under the policies adopted herein.

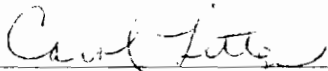
Section 2. The policies set forth in Section 1, hereof, shall be reviewed by the City Council on an annual, or, if necessary, a more frequent basis to determine whether such policies can or should be modified.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, this 21at day of DECEMBER, 2006.


CITY COUNCIL

By 
Mayor

Attest:


City Clerk

Approved as to form:


City Attorney