

**CLARK COUNTY
STAFF REPORT**

DEPARTMENT/DIVISION: Public Works / Salmon Creek Wastewater Treatment Plant

DATE: September 30, 2014

REQUEST: Approve the Clark County and Discovery Clean Water Alliance Salmon Creek Wastewater Management System Transfer and Franchise Agreements.

CHECK ONE: _____ Consent _____ CAO _____ X Hearing

PUBLIC WORKS GOALS:

- ☐ Provide safe and efficient transportation systems within Clark County
- ☒ Continue responsible stewardship of public funds
- ☒ Promote family-wage job creation and economic development to support a thriving community
- ☒ Maintain a desirable quality of life
- ☒ Improve environmental stewardship and protection of natural resources
- ☒ Increase partnerships and foster an engaged, informed community
- ☐ Make Public Works a great place to work

BACKGROUND: These agreements were approved via Consent on June 24, 2014. Staff was recently advised by the Prosecuting Attorney's Office that the Franchise Agreement must to be approved via Public Hearing, per RCW 36.55.040. For simplicity and consistency, both the Transfer and Franchise Agreements are included in this hearing. All documents are identical to those approved via Consent.

Clark County, Clark Regional Wastewater District, the City of Battle Ground and the City of Ridgefield created the Discovery Clean Water Alliance (DCWA) to serve as a regional wastewater transmission and treatment agency. As part of the DCWA Interlocal Formation Agreement approved in 2012, Clark County committed to transferring ownership of the Salmon Creek system to the Alliance. The proposed agreements make good on that commitment. DCWA will commence operation on January 1, 2015. An Operator Agreement was approved last year which provides for Clark County to operate the plant through at least December 2019 (see Exhibit B).

The Salmon Creek Wastewater Treatment Plant and other assets of the Salmon Creek Wastewater Management System (SCWWMS) will transfer to the DCWA with the Transfer Agreement. The Franchise Agreement establishes the legal framework for DCWA to own and operate DCWA infrastructure in the Clark County public right-of-way.

COMMUNITY OUTREACH: Numerous public meetings have been held to brief the partners' elected officials. News Releases and Community Outreach Meetings have been conducted. In addition, Clark County and the other Alliance members were recipients of a 2013 Governor's Smart Communities award.

BUDGET AND POLICY IMPLICATIONS: The asset and transfer agreements are the implementation portion of the Interlocal Formation Agreement previously approved. These agreements detail assets to be transferred and operating guidelines for the associated infrastructure. The implementation of the DCWA will create a regional sewer system benefiting

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multiple agencies, the public, and help ensure capacity for future growth. The net value of these assets is approximately \$122,572,387.

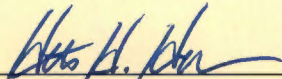
FISCAL IMPACTS:

☐ Yes (See Attached Fiscal Impacts Form)

☒ No

ACTION REQUESTED: Approve the Clark County and Discovery Clean Water Alliance Salmon Creek Wastewater Management System Transfer and Franchise Agreements.

DISTRIBUTION: Please send the approved agreement copies to Public Works Administration. Public Works will provide the original document copies to DCWA for their approval. A fully-executed document will be returned to the BOCC after DCWA's approval.



Heath H. Henderson, PE
Public Works Director/County Engineer

HHH/at

APPROVED: _____
CLARK COUNTY, WASHINGTON
BOARD OF COMMISSIONERS

DATE: _____

SR#: _____

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