

September 14, 1994

Introduced By: Derdowski

nbendord/jl

Proposed No.: 94-548

ORDINANCE NO. **11499**

AN ORDINANCE extending the water system franchise for the City of North Bend for one year, and declaring an emergency.

STATEMENT OF FACTS:

1. The city of North Bend's franchise #2199 to operate and maintain a water system on county road right-of-way has expired.
2. The city of North Bend, in compliance with King County Code 13.24, has revised its water comprehensive plan and has submitted it to the county for approval. An approved comprehensive plan is a prerequisite for obtaining a new franchise.
3. On August 22, 1994, the city of North Bend requested that its franchise be extended to allow Gregg Spears, one of its customers, to extend an 8-inch water main 576 feet along 436th Avenue Southeast and Southeast 87th Street. A valid franchise is necessary for the county to issue permits for this work.
4. The 8-inch main would replace existing inadequate connections to two homes owned by Mr. Spears. It would also be available to replace temporary service lines currently serving five other homes in the area and would provide two fire hydrants and adequate water pressure for fire flow in the neighborhood, as required by K.C.C. 17.08. It has been approved by the state Department of Health, but this approval will expire prior to the time when the county is able to approve the North Bend comprehensive water plan or renew its franchise.
5. The King County Utilities Technical Review Committee recommends that the franchise be extended for one year for this purpose.
6. North Bend has agreed to a condition being placed on the franchise extension requiring the city to grant a variance to its design criteria for the size of water mains where requested by an applicant from unincorporated King County if such criteria are not required by K.C.C. 17.08.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The King County executive is hereby

authorized to grant an extension of water franchise #2199 for the city of North Bend for one year, in substantially the same form as Attachment A.

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SECTION 2. The King County council finds as a fact and declares that an emergency exists and that this ordinance is necessary for the immediate preservation of public peace, health or safety or for the support of county government and its existing public institutions.

INTRODUCED AND READ for the first time this 29th day of August, 1994.

PASSED by a vote of 11 to 0 this 19th day of September, 1994.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Kent Pullen
Chair

ATTEST:

Gerald A. Peterson
Clerk of the Council

APPROVED this 28th day of September 1994.

Sam Lede
King County Executive

Attachments:

A. Extension Agreement

FRANCHISE EXTENSION AGREEMENT

RECITALS

WHEREAS, the City of North Bend Franchise Number 2199 to construct, operate and maintain a water system in County road right of way has expired, and

WHEREAS, the City of North Bend submitted a request for a new franchise on May 9, 1994, and

WHEREAS, the City of North Bend requested and the King County Utilities Technical Review Committee recommended, that the said franchise be extended to give the City the opportunity to obtain the necessary right of way construction permit to replace an inadequate water conveyance system along 436th Avenue Southeast and Southeast 87th Street (Attachment), and

WHEREAS, the City of North Bend and King County have initiated discussions to resolve possible conflicts between the design criteria established by the city for the size of water mains and the requirements of K.C.C. 17.08, concerning fire hydrants and water mains, and

WHEREAS, King County has approved the extension of this franchise for one year through the passage of Ordinance No. _____ subject to conditions contained in the ordinance and agreement.

NOW, THEREFORE, King County, Washington and the City of North Bend, Washington agree to the following:

1. The term of King County water franchise number 2199 is hereby extended so that it will expire one year from the date of this agreement.
2. During the term of this agreement, the City of North Bend shall grant a variance to the design criteria in North Bend Municipal Code 19.03 for the size of water mains where requested by an applicant from unincorporated King County if such criteria are not required under K.C.C. 17.08.

THIS AGREEMENT entered into this _____ day of _____ 1994.

CITY OF NORTH BEND, WASHINGTON

KING COUNTY, WASHINGTON

BY: _____

BY: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

Approved as to Form:

BY: _____

DATE: _____

