

December 14, 1995

Introduced By: Bruce Laing

maplewoo:kn

Proposed No.: 95-808

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ORDINANCE NO. **12110**

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AN ORDINANCE extending water system franchise number 290 for the Maplewood Addition Water Cooperative until December 1, 1996, authorizing the issuance of right-of-way construction permits in Council District No. 6.

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STATEMENT OF FACTS:

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1. The Maplewood Addition Water Cooperative franchise No. 290, to operate and maintain a water system on county road right-of-way, has expired.

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2. The Cooperative filed an application for a water franchise in Council District No. 6 on November 3, 1995 to construct, operate, and maintain their existing water system to serve primarily a single family residential area in accordance with R.C.W. 36.55.010.

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3. King County Code Chapter 6.27 requires that the utility franchise application be approved by the Utilities Technical Review Committee (UTRC) and be consistent with the county comprehensive plan and regulations of the Seattle-King County Health Department and the Washington State Department of Health.

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4. The Cooperative is in the process of preparing and obtaining approval of its water comprehensive plan to bring it in compliance with King County Code Chapter 13.24 - Sewer and Water Comprehensive Plans. The Cooperative anticipates that this process could take a year to complete.

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5. In order to provide the Cooperative with the time needed to complete its water plan and to allow the Cooperative to continue to obtain the necessary right-of-way construction permits to maintain and operate the existing water system on county road right-of-way, the Cooperative has requested that franchise No. 290 be extended.

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6. The extension of Water franchise No. 290 has been referred to the relevant county departments for review.

7. The county executive has recommended approval of the water franchise extension.

1 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

2 SECTION 1. Notwithstanding any provision of K.C. 13.24

3 to the contrary, the King County executive is hereby
4 authorized to grant an extension of Water franchise No. 290
5 for the Maplewood Addition Water Cooperative until December
6 1, 1996, in substantially the same form as Attachment "A".
7 Notwithstanding any provision of K.C.C. 14.44 to the
8 contrary, the executive is also authorized to issue right-of-
9 way construction permits consistent with the terms of the
10 extended franchise.

11 INTRODUCED AND READ for the first time this 27th
12 day of November, 1995.

13 PASSED by a vote of 12 to 0 this 8th day of
14 January, 1996.

15 KING COUNTY COUNCIL
16 KING COUNTY, WASHINGTON

17 Steve Hague
18 Chair

19 ATTEST:

20 Gerald A. Peterson
21 Clerk of the Council

22 APPROVED this 19th day of January, 1996.

23 Ray Lube
24 King County Executive

25 Attachments:

26 A. Substitute Extension Agreement dated 12/14/95

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FRANCHISE EXTENSION AGREEMENT

RECITALS

WHEREAS, the Maplewood Addition Water Cooperative Franchise Number 290 to construct, operate and maintain a water system in County road right-of-way has expired, and

WHEREAS, the Maplewood Addition Water Cooperative submitted a request for a new franchise on November 2, 1995, and

WHEREAS, the Maplewood Addition Water Cooperative and the King County Utilities Technical Review Committee recommend that the said franchise be extended until December 1, 1996 to give the Cooperative the opportunity to complete their water comprehensive plan and obtain the County approval of their plan and water franchise as required by King County Code 13.24 and 6.27, and

WHEREAS, the extension will also allow the Cooperative to obtain the necessary right-of-way construction permits to operate and maintain its water system on portion of County road right-of-way, and

WHEREAS, King County has approved the extension of this franchise until December 1, 1996 through the passage of Ordinance No. 12110 subject to conditions contained in the ordinance and agreement.

NOW THEREFORE, King County, Washington and the Maplewood Addition Cooperative agree to the following:

1. The term of King County water franchise number 290 is hereby extended so that it will expire on December 1, 1996.
2. All other conditions of King County water franchise number 290 shall remain in full force and effect and are not modified or amended by this agreement or Ordinance No. 12110.

THIS AGREEMENT entered into this _____ day of _____, 1995.

Maplewood Addition Water Cooperative

KING COUNTY, WASHINGTON

BY: Dennis K Wood

BY: [Signature]

TITLE: President MAWC

TITLE: Executive

DATE: 22 Jan 96

DATE: Jan 19, 1996

Approved as to Form:

BY: _____

DATE: _____