

ORDINANCE NO. **12389**

AN ORDINANCE extending water franchise numbers 318, 617, 5703 and 6289 for Seattle Water Department through October 31, 1996, authorizing the issuance of right of way construction permits in Council Districts 1, 5 and 8.

STATEMENT OF FACTS

1. Seattle Water Department's franchise numbers 318, 617, 5703 and 6289 to operate and maintain a water system on county roads in council districts 1, 5 and 8 have expired.
2. The City of Seattle has requested renewal of said franchises.
3. The Seattle Office of Management and Planning has conducted an interdepartmental review of the county's proposed franchise terms and conditions and has raised several issues which need to be negotiated to resolution.
4. The extension of the franchises through October 31, 1996 will allow sufficient time for Seattle to conclude negotiations on outstanding issues and obtain both city council and county council approval of the new franchise.
5. The extensions of water franchise numbers 318, 617, 5703 and 6289 have been referred to relevant county departments for review.
7. No objections have been raised to the granting of the extensions.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Notwithstanding any provision of K.C.C. Chapter 6.27 to the contrary, the King County executive is hereby authorized to grant an extension of water franchise numbers 318, 617, 5703 and 6289 for Seattle Water Department through October 31, 1996, in substantially the same form as Attachment "A". Notwithstanding any provision of K.C.C. Chapter 14.44 to the contrary, the executive is also authorized to issue right of way construction permits consistent with terms of the extended franchise. Right of way construction permits issued by the property services division and the roads services division between May 5, 1994 and the date of execution of the franchise extension agreements by King County and the City of Seattle shall be considered issued under the terms of the original franchises and the franchise extension agreements.

SECTION 2. If within sixty days after the granting of these extensions, the grantee shall have failed to sign the franchise extension agreements incorporated herein, then the

1 rights and privileges granted herein shall be forfeited and said franchises shall be null and
2 void.

3 SECTION 3. The county council finds as a fact and declares that an emergency exists and
4 that this ordinance is necessary for the immediate preservation of public peace, health or
5 safety or for the support of county government and its existing public institutions.

6 INTRODUCED AND READ for the first time this 12th day of February, 1996.

7 PASSED by a vote of 13 to 0 this 22nd day of

8 July, 1996.

9 KING COUNTY, COUNCIL
10 KING COUNTY, WASHINGTON

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13 Jane Hogue
14 Chair

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16 ATTEST:

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18 Gerald A. Peterson
19 Clerk of the Council

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21 APPROVED this 2nd day of Aug, 1996.

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24 Ray Lohr
25 King County Executive

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27 Attachments:

28 A. Extension Agreement

FRANCHISE EXTENSION AGREEMENT

RECITALS

WHEREAS, Seattle Water Department currently holds franchise number 318 granted by King County, Washington for the operation of a portion of its water system in unincorporated King County, and

WHEREAS, franchise number 318 expired on January 26, 1995, and

WHEREAS, the City of Seattle has requested renewal of said franchise, and

WHEREAS, the Seattle Office of Management and Planning has conducted an interdepartmental review of the County's proposed franchise terms and conditions and has raised several issues which need to be negotiated to resolution, and

WHEREAS, extension of the franchise through October 31, 1996 will allow sufficient time to conclude negotiations and obtain both City and County Council approval of the new franchise terms and conditions, and

WHEREAS, the Seattle Water Department's comprehensive plan was approved by King County Ordinance 11088 on October 25, 1993, and

WHEREAS, no objections have been raised to the extension of the franchise, and

WHEREAS, King County has approved the extension of this franchise through October 31, 1996 through passage of Ordinance 12389.

NOW THEREFORE, King County, Washington and the City of Seattle, Washington agree as follows:

1. The term of King County water system franchise number 318 is hereby approved and extended so that it will now expire on October 31, 1996.
2. All other conditions of King County water system franchise number 318 shall remain in full force and effect and are not modified by this agreement.

THIS AGREEMENT entered into this 21st day of August, 1996.

CITY OF SEATTLE, WASHINGTON

KING COUNTY, WASHINGTON

BY: Sharon King

BY: David Proppschat

TITLE: manager

TITLE: Manager, Property Services Division

DATE: Sept. 16, 1996

DATE: August 21, 1996

Approved as to Form:

BY: _____

DATE: _____

FRANCHISE EXTENSION AGREEMENT

RECITALS

WHEREAS, Seattle Water Department currently holds franchise number 617 granted by King County, Washington for the operation of a portion of its water system in unincorporated King County, and

WHEREAS, franchise number 617 expired on May 5, 1994, and

WHEREAS, the City of Seattle has requested renewal of said franchise, and

WHEREAS, the Seattle Office of Management and Planning has conducted an interdepartmental review of the County's proposed franchise terms and conditions and has raised several issues which need to be negotiated to resolution, and

WHEREAS, extension of the franchise through October 31, 1996 will allow sufficient time to conclude negotiations and obtain both City and County Council approval of the new franchise terms and conditions, and

WHEREAS, the Seattle Water Department's comprehensive plan was approved by King County Ordinance 11088 on October 25, 1993, and

WHEREAS, no objections have been raised to the extension of the franchise, and

WHEREAS, King County has approved the extension of this franchise through October 31, 1996 through passage of Ordinance 12389.

NOW THEREFORE, King County, Washington and the City of Seattle, Washington agree as follows:

1. The term of King County water system franchise number 617 is hereby approved and extended so that it will now expire on October 31, 1996.
2. All other conditions of King County water system franchise number 617 shall remain in full force and effect and are not modified by this agreement.

THIS AGREEMENT entered into this 21st day of August, 1996.

CITY OF SEATTLE, WASHINGTON

KING COUNTY, WASHINGTON

BY: Sharon King

BY: David Proppert

TITLE: manager

TITLE: Manager, Property Services Division

DATE: Sept. 16, 1996

DATE: August 21, 1996

Approved as to Form:

BY: _____

DATE: _____

FRANCHISE EXTENSION AGREEMENT

RECITALS

WHEREAS, Seattle Water Department currently holds franchise number 5703 granted by King County, Washington for the operation of a portion of its water system in unincorporated King County, and

WHEREAS, franchise number 5703 expired on May 9, 1994, and

WHEREAS, the City of Seattle has requested renewal of said franchise, and

WHEREAS, the Seattle Office of Management and Planning has conducted an interdepartmental review of the County's proposed franchise terms and conditions and has raised several issues which need to be negotiated to resolution, and

WHEREAS, extension of the franchise through October 31, 1996 will allow sufficient time to conclude negotiations and obtain both City and County Council approval of the new franchise terms and conditions, and

WHEREAS, the Seattle Water Department's comprehensive plan was approved by King County Ordinance 11088 on October 25, 1993, and

WHEREAS, no objections have been raised to the extension of the franchise, and

WHEREAS, King County has approved the extension of this franchise through October 31, 1996 through passage of Ordinance 12389.

NOW THEREFORE, King County, Washington and the City of Seattle, Washington agree as follows:

1. The term of King County water system franchise number 5703 is hereby approved and extended so that it will now expire on October 31, 1996.
2. All other conditions of King County water system franchise number 5703 shall remain in full force and effect and are not modified by this agreement.

THIS AGREEMENT entered into this 21st day of August, 1996.

CITY OF SEATTLE, WASHINGTON

KING COUNTY, WASHINGTON

BY: Sharon King

BY: David Prupchat

TITLE: manager

TITLE: Manager, Property Services Division

DATE: Sept. 16, 1996

DATE: August 21, 1996

Approved as to Form:

BY: _____

DATE: _____

FRANCHISE EXTENSION AGREEMENT

RECITALS

WHEREAS, Seattle Water Department currently holds franchise number 6289 granted by King County, Washington for the operation of a portion of its water system in unincorporated King County, and

WHEREAS, franchise number 6289 expired on May 5, 1994, and

WHEREAS, the City of Seattle has requested renewal of said franchise, and

WHEREAS, the Seattle Office of Management and Planning has conducted an interdepartmental review of the County's proposed franchise terms and conditions and has raised several issues which need to be negotiated to resolution, and

WHEREAS, extension of the franchise through October 31, 1996 will allow sufficient time to conclude negotiations and obtain both City and County Council approval of the new franchise terms and conditions, and

WHEREAS, the Seattle Water Department's comprehensive plan was approved by King County Ordinance 11088 on October 25, 1993, and

WHEREAS, no objections have been raised to the extension of the franchise, and

WHEREAS, King County has approved the extension of this franchise through October 31, 1996 through passage of Ordinance 12389.

NOW THEREFORE, King County, Washington and the City of Seattle, Washington agree as follows:

1. The term of King County water system franchise number 6289 is hereby approved and extended so that it will now expire on October 31, 1996.
2. All other conditions of King County water system franchise number 6289 shall remain in full force and effect and are not modified by this agreement.

THIS AGREEMENT entered into this 21st day of August, 1996.

CITY OF SEATTLE, WASHINGTON

KING COUNTY, WASHINGTON

BY: Sharon King

BY: David Puget

TITLE: manager

TITLE: Manager, Property Services Division

DATE: Sept. 16. 1996

DATE: August 21, 1996

Approved as to Form:

BY: _____

DATE: _____