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October 28, 1996

BT:ts

Introduced by: GREG NICKELS

Proposed No.: 96-973

ORDINANCE NO. **12624**

AN ORDINANCE extending water system franchise 1030 for the Westside Water Association until May 1, 1998, and authorizing the issuance of right-of-way construction permits in Council District 8.

STATEMENT OF FACTS

1. Westside Water Association's Franchise 1030, to operate and maintain a water system on county road rights-of-way, will expire on November 8, 1996.
2. The Association will be filing an application for a water franchise in Council District 8 to construct, operate, and maintain their existing water system to serve primarily a single family residential area.
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's comprehensive plan, Seattle-King County health department and the State department of health regulations.
4. The Association is in the process of preparing and obtaining approval of its water comprehensive plan to bring it in compliance with the state and county regulations. The Association anticipates that this process will take eighteen months to complete.
5. In order to provide the Association with the time needed to complete its water plan and to allow the Association to continue to operate and maintain the existing water system on county road rights-of-way, the Association has requested that Franchise 1030 be extended.
6. The extension for Water Franchise 1030 has been referred to the relevant county departments for review. No objections to the franchise extension have been raised.
7. The county executive has recommended approval of the water franchise extension.

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BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Notwithstanding any provision of K.C.C. Chapter 13.24 to the contrary, the King County executive is hereby authorized to grant an extension of Water Franchise 1030 for the Westside Water Association until May 1, 1998 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 the terms of the extended franchise.

INTRODUCED AND READ for the first time this 25th day of November, 1996.

PASSED by a vote of 13 to 0 this 27th day of January 1997.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

[Signature]
Chair

ATTEST:

[Signature]
Clerk of the Council

APPROVED this 7 day of January, 1997.

[Signature]
King County Executive

Attachments:

A. Extension Agreement

FRANCHISE EXTENSION AGREEMENT

RECITALS

WHEREAS, the Westside Water Association currently holds water Franchise 1030 granted by King County, Washington for the operation of its water system in unincorporated King County; and

WHEREAS, the referenced Westside Water Association franchise will expire on November 8, 1996, and

WHEREAS, the Westside Water Association will request a renewal of said franchise when approval of their comprehensive plan is obtained, and

WHEREAS, the Westside Water Association, King County and the Utilities Technical Review Committee recommend that said franchise be extended until May 1, 1998 to give the association the opportunity to complete and obtain approval of its water comprehensive plan; and

WHEREAS, no objections have been raised to the granting of the request; and

WHEREAS, King County has approved the extension of this franchise until May 1, 1998 through the passage of Ordinance No. 12624 subject to the conditions contained in the ordinance and agreement.

NOW, THEREFORE, King County, Washington and the Westside Water Association, agree as follows:

1. The terms of King County Water Franchise 1030 is hereby approved and extended so that it will now expire on May 1, 1998.
2. All other conditions of King County Water Franchise 1030 shall remain in full force and effect and are not modified or amended by this agreement or Ordinance No. 12624.

THIS AGREEMENT entered into this _____ day of _____, 1997.

WESTSIDE WATER ASSOCIATION
A Washington State Corporation

KING COUNTY, WASHINGTON

BY: _____

BY: [Signature]

TITLE: _____

TITLE: County Executive

DATE: _____

DATE: 2-7-97