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Introduced By: Brian Derdowski

Proposed No.: 98-503

ORDINANCE NO. **13388**

AN ORDINANCE extending water system franchise 1198 for the Fall City Water District until August 19, 1999 authorizing the issuance of right-of-way construction permits in Council District 12.

STATEMENT OF FACTS

1. The Fall City Water District's Franchise 1198, to operate and maintain a water system on county road rights-of-way, expired on July 16, 1998.
2. The Fall City Water District intends to file and apply for a water franchise in Council District 12 to construct, operate and maintain their existing water system when it obtains council approval of its comprehensive plan.
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, and Seattle-King County health department health regulations.
4. The District is in the process of preparing and obtaining approval of its water comprehensive plan to bring it in compliance with state and county regulations.

- 1 5. In order to provide the District with the time needed to complete
2 its water plan and allow the District to continue to operate and
3 maintain the existing water system on county road rights-of-way,
4 the District has requested that Franchise 1198 be extended.
- 5 6. The extension for water franchise 1198 has been referred to the
6 relevant county departments for review. No objection to the
7 franchise extension has been raised.
- 8 7. The county executive has recommended approval of the water
9 franchise extension for up to one year.
- 10 8. The Fall City Water District has a second franchise (No. 1722)
11 which will expire August 19, 1999 and at that time it will be
12 desirable to combine their two franchise agreements into one.
- 13 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:
- 14 SECTION 1. Notwithstanding any provision of K.C.C. Chapter 13.24 to the
15 contrary, the King County executive is hereby authorized to grant an extension of water

1 franchise 1198 for the Fall City Water District until August 19, 1999 substantially in the
2 same form as attachment A. Notwithstanding any provision of K.C.C. Chapter 14.44 to
3 the contrary, the executive is also authorized to issue right-of-way construction permits
4 consistent with the terms of the extended franchise.

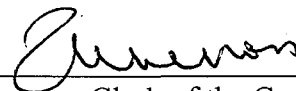
5 INTRODUCED AND READ for the first time this 2nd day of November, 1998.

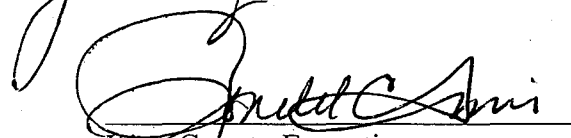
6 PASSED by a vote of 13 to 0 this 4th day of January
7 1999

8 KING COUNTY COUNCIL
9 KING COUNTY, WASHINGTON

10 
11 Chair

12 ATTEST:

13 
14 Clerk of the Council

15 APPROVED this 12 day of January, 1999
16 
17 King County Executive

18 Attachments: Extension Agreement

19 Legal Description

20

13388

LEGAL DESCRIPTION

The location and nature of the franchise being more particularly described as follows:

The South 1/2 of the N E 1/4 and the S E 1/4 of Section 22, Township 24 North, Range 7 East, W.M.

FRANCHISE EXTENSION AGREEMENT

13388

RECITALS

WHEREAS, the Fall City Water District currently holds water Franchise 1198 granted by King County, Washington for the operation of its water system in unincorporated King County; and

WHEREAS, the referenced Fall City Water District franchise will expire on July 16, 1998, and

WHEREAS, the Fall City Water District will request a renewal of said franchise and also for Franchise 1722 which will expire on August 19, 1999; and

WHEREAS, the Fall City Water District, King County and the Utilities Technical Review Committee recommend that said franchise be extended until August 19, 1999 to give the district the opportunity to complete and obtain approval of its water comprehensive plan and franchise; 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 August 19, 1999 through the passage of Ordinance No. 13388 subject to the conditions contained in the ordinance and agreement.

NOW, THEREFORE, King County, Washington and the Fall City Water District agree as follows:

1. The terms of King County Water Franchise 1198 is hereby approved and extended so that it will now expire on August 19, 1999.
2. All other conditions of King County Water Franchise 1198 shall remain in full force and effect and are not modified or amended by this agreement or Ordinance No. 13388.

THIS AGREEMENT entered into this 12 day of January, 1999.

FALL CITY WATER DISTRICT
A Washington State Corporation

KING COUNTY, WASHINGTON

BY: Jeri Davis
 TITLE: Office Manager
 DATE: 1/18/99

BY: [Signature]
 TITLE: King County Executive
 DATE: 1-12-99