

November 5, 1990  
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Introduced by: Kent Pullen

Proposed No.: 90 - 770

MOTION NO. 8094

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2  
3 A MOTION authorizing King County to enter into an  
4 agreement with the City of Black Diamond for a  
5 franchise to construct, operate and maintain a  
6 sewer transmission mainline in Council District  
7 9.

8 WHEREAS, the City of Black Diamond has filed an application  
9 for a franchise to construct, operate and maintain a sewer  
10 transmission mainline to serve the City of Black Diamond in  
11 accordance with RCW 36.55.010, and

12 WHEREAS, the Utilities Technical Review Committee  
13 recommended that this franchise be approved on January 24,  
14 1990, and

15 WHEREAS, in 1987 the City of Black Diamond's alternative  
16 sewer treatment plant was declared a failure by the State  
17 Environmental Protection Agency, and

18 WHEREAS, this Franchise will help to resolve the plant's  
19 failure by allowing the City to connect to Soos Creek Water and  
20 Sewer District's sanitary sewer system, and

21 WHEREAS, in order for the City of Black Diamond to obtain  
22 the assurance of funding necessary to construct this sewer  
23 transmission mainline, it must send the project out to bid by  
24 October 1, 1990. If this is not accomplished, the funding may  
25 be jeopardized, and

26 WHEREAS, the sewer transmission mainline between the city  
27 of Black Diamond and Soos Creek Water and Sewer District will  
28 not be available for any other residential or commercial  
29 connection, and

30 WHEREAS, the application has been referred to the relevant  
31 county executive departments for review;

32 NOW, THEREFORE, BE IT MOVED by the Council of King County:

33 A. The granting of a franchise to the City of Black Diamond  
34 to construct, operate and maintain a sewer transmission  
35 mainline within King County is hereby approved. The county

1 executive is authorized to enter into and execute the sewer  
2 system franchise, which by this reference is fully incorporated  
3 herein as part of the motion. Said franchise is granted to the  
4 City of Black Diamond to expire on October 1, 2015. Said  
5 franchise shall include all of the general and special  
6 conditions required by the county. Said franchise shall  
7 incorporate all conditions and limitations specified by the DOE  
8 and EPA funding grant.

9 B. The franchise and right-of-way construction permit will  
10 state that the sewer transmission mainline between the City of  
11 Black Diamond and the Soos Creek Water and Sewer District shall  
12 not be available for any other connection.

13 C. If within 30 days after the granting of this franchise,  
14 the applicant shall have failed to sign the written acceptance  
15 incorporated herein, then the herein rights and privileges  
16 granted shall be forfeited and said franchise shall be null and  
17 void.

18 PASSED this 5<sup>th</sup> day of November, 1990.

19 KING COUNTY COUNCIL  
20 KING COUNTY, WASHINGTON

21 Lois North  
22 Chair

23 ATTEST:

24 Gerald A. Peterson  
25 Clerk of the Council