

March 26, 1998

Introduced By: Christopher Vance

mc

Proposed No.: 98-180

ORDINANCE NO. **13085**

AN ORDINANCE extending sewer system franchises 947, 1118 and 5303 for the City of Kent until October 9, 1999, and authorizing the issuance of right-of-way construction permits in Council Districts 9 and 13.

STATEMENT OF FACTS

1. The city of Kent's Franchises 947, 1118 and 5303, to operate and maintain a system on County road rights-of-way, have or/will expire on August 23, 1996, April 9, 1998 and June 24, 1998 respectively
2. The city of Kent will file and apply for a sewer franchise in Council Districts 9 and 13 to construct, operate and maintain its existing sewer system when it obtains council approval of its comprehensive plan.
3. K.C.C. 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 city is in the process of preparing and obtaining approval of its sewer comprehensive plan to bring it in compliance with the state and county regulations. The city anticipates that this process will take eighteen months to complete.
5. In order to provide the city with the time needed to complete its sewer plan and allow the city to continue to operate and maintain the existing sewer system on county road rights-of-way, the city has requested that Franchises 947, 1118 and 5303 be extended.
6. The extensions for sewer Franchises 947, 1118 and 5303 have been referred to the relevant county departments for review. No objection to the franchise extension has been raised
7. The county executive has recommended approval of the sewer franchise extension.

1 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

2 SECTION 1. Notwithstanding any provision of K.C.C. Chapter 13.24 to the
3 contrary, the King County executive is hereby authorized to grant an extension of Sewer
4 Franchises 947, 1118 and 5303 for the CITY OF KENT until October 9, 1999, in
5 substantially the same form as Attachment "A". Notwithstanding any provision of K.C.C.
6 Chapter 14.44 to the contrary, the executive is also authorized to issue right-of-way
7 construction permits consistent with the terms of the extended franchise

8 INTRODUCED AND READ for the first time this 16th day of

9 March, 1998.

10 PASSED by a vote of 13 to 0 this 20th day of April

11 1998

12 KING COUNTY COUNCIL
13 KING COUNTY, WASHINGTON

14 Louise Miller
15 Chair

16 ATTEST:

17 [Signature]
18 Clerk of the Council

19 APPROVED this 1 day of May, 1998.

20 [Signature]
21 King County Executive

22 Attachments:

FRANCHISE EXTENSION AGREEMENT

RECITALS

WHEREAS, the City of Kent currently holds sewer Franchises 947, 1118 and 5303 granted by King County, Washington for the operation of its sewer system in unincorporated King County; and

WHEREAS, the referenced City of Kent's franchises has expired/will expire on August 23, 1996, April 9, 1998 and June 24, 1998 respectively, and

WHEREAS, the City of Kent will request a renewal of said franchises, and

WHEREAS, the City of Kent, King County and the Utilities Technical Review Committee recommend that said franchises be extended until October 9, 1999 to give the city 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 October 9, 1999 through the passage of Ordinance No. 13085 subject to the conditions contained in the ordinance and agreement.

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

1. The terms of King County Sewer Franchises 947, 1118 and 5303 is hereby approved and extended so that it will now expire on October 9, 1999.
2. All other conditions of King County Sewer Franchises 947, 1118 and 5303 shall remain in full force and effect and are not modified or amended by this agreement or Ordinance No. 13085.

THIS AGREEMENT entered into this _____ day of _____, 1998.

CITY OF KENT
A Political Subdivision

BY: Merrill K. Vespa
TITLE: Senior Design Engineer
DATE: 6/5/98

KING COUNTY, WASHINGTON

BY: [Signature]
TITLE: King County Executive
DATE: 5/1/98