

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Adoption of Ordinance No. 667 Extending the Seattle City Light Electric Franchise and Waiving Council Rule 3.5B Second Reading
<b>DEPARTMENT:</b>	CMO
<b>PRESENTED BY:</b>	John Norris, CMO Management Analyst
<b>ACTION:</b>	<input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion

**PROBLEM/ISSUE STATEMENT:**

In order for Seattle City Light (SCL) to make use of City streets and rights-of-way for the purpose of construction, operation and maintenance of their electric system, they must have a franchise with the City. The City's current franchise with Seattle City Light, which was granted by Shoreline Ordinance No. 187, expires on January 31, 2014.

While the City and Seattle City Light have been in discussions and negotiation for a new right-of-way franchise for over a year, the new proposed franchise had not yet been finalized. Furthermore, given the City of Seattle's lengthy legislative process to review Council-approved documents, which can take over six months, staff is concerned that there is not enough time to complete the negotiations for the proposed franchise and have the franchise routed through both the City of Shoreline's and City of Seattle's legislative process before January 31 of next year.

Staff is therefore requesting a six month extension of the current Seattle City Light electric franchise to July 31, 2014 so that the proposed franchise can be completed and vetted through the legislative process. The extended franchise will remain in place until July 31, 2014 or until the effective date of a new franchise, whichever occurs first.

Given that this extension is a routine issue to allow staff more time to finalize the franchise agreement and route the agreement through Seattle's lengthy legislative process, staff is also requesting that the second reading of this ordinance be waived.

**FINANCIAL IMPACT:**

This franchise extension will have no financial impact to the City. The contract fee payment that the City currently receives from Seattle City Light will continue under this extended franchise.

**RECOMMENDATION:**

Staff recommends that the City Council waive Council Rule 3.5B requiring a second reading and adopt Ordinance No. 667 granting Seattle City Light a franchise extension until July 31, 2014, or until the effective date of a replacement franchise, whichever occurs first.

Approved By:           City Manager **JU**   City Attorney **IS**

**ATTACHMENT:**

Attachment A: Ordinance No. 667

**ORDINANCE NO. 667**

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, EXTENDING THE NON-EXCLUSIVE FRANCHISE UNDER WHICH SEATTLE CITY LIGHT IS AUTHORIZED TO USE CITY STREETS AND RIGHTW-OF-WAY TO CONSTRUCT, MAINTAIN, OPERATE, REPLACE AND REPAIR THEIR ELECTRIC LIGHT AND POWER SYSTEM IN THE CITY OF SHORELINE**

WHEREAS, the City of Shoreline, by Ordinance No. 187, granted Seattle City Light, an electric utility owned and operated by the City of Seattle, a non-exclusive franchise to make use of City streets and rights-of-way for purposes of constructing, maintaining operating, replacing and repairing their electric light and power system, effective January 1, 1999 for a term of 15 years; and

WHEREAS, the franchise granted Seattle City Light is set to expire on January 1, 2014; and

WHEREAS, the City of Shoreline and Seattle City Light have been in negotiations for over one year on a new electric franchise; and

WHEREAS, extension of the current franchise for six additional months would provide the City and Seattle City Light with needed time to finalize negotiations of a new franchise and have the proposed franchise routed through the City's and the City of Seattle's legislative process;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1. Franchise Extension.** The Seattle City Light electric franchise granted pursuant to City Ordinance No. 187 is extended through July 31, 2014, or until the effective date of a replacement franchise, whichever occurs first.

**Section 2. Directions to City Clerk.** The City Clerk is hereby authorized and directed to forward certified copies of this ordinance to Seattle City Light.

**Section 3. Publication and Effective Date.** In accord with state law, this ordinance shall be published in full and shall take effect five days after said publication.

**PASSED BY THE CITY COUNCIL ON AUGUST 12, 2013**

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Mayor Keith McGlashan

**ATTEST:**

**APPROVED AS TO FORM:**

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Scott Passey, City Clerk

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Ian Sievers, City Attorney

Publication Date: August 14, 2013

Effective Date: August 19, 2013