

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Ordinance Extending the Shoreline Water District Franchise
DEPARTMENT: City Manager's Office
PRESENTED BY: Bob Olander, City Manager, Ian Sievers, City Attorney

PROBLEM/ISSUE STATEMENT:

On April 30, 2008, the Shoreline Water District franchise agreement will expire. Staff is currently working with the Shoreline Water District to either extend the agreement for two more years or negotiate new terms. Since those negotiations are still ongoing, this report provides a placeholder on the agenda. Staff will forward to Council a revised ordinance prior to the meeting on April 28th.

DISCUSSION:

An initial franchise to operate the water system owned by the Shoreline Water District, generally east of I-5, was granted by the City of Shoreline in June of 2001 through Ordinance No. 274. An automatic two-year extension was invoked in 2004 providing for the current expiration date of December 31, 2006. In December of 2006, the City adopted an extension of four months providing a new expiration date of April 30, 2007. In April of 2007, the City adopted another extension of one year providing a new expiration date of April 30, 2008, to allow additional time to negotiate this agreement, however additional work remains.

RECOMMENDATION

It is recommended that the City Council pass the ordinance amending and/or extending the franchise with the Shoreline water District.

Approved By: City Manager  City Attorney ____

ORDINANCE NO. 503

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, EXTENDING THE FRANCHISE UNDER WHICH THE SHORELINE WATER DISTRICT IS AUTHORIZED TO PROVIDE WATER WITHIN THE CITY OF SHORELINE.

WHEREAS, the City of Shoreline, by Shoreline City Ordinance No. 274, granted the Shoreline Water District a non-exclusive franchise for the operation of a water system within the City right-of-way effective June 19, 2001; and

WHEREAS, the franchise granted to the Shoreline Water District by the City in Ordinance No. 274 was automatically renewed on December 31, 2004 for an additional two years, providing a new expiration date of December 31, 2006; and

WHEREAS, the City of Shoreline adopted Ordinance No. 455 to extend the term of the franchise by four months until April 30, 2007 to allow additional time for negotiations; and

WHEREAS, the City of Shoreline adopted Ordinance No. 468 to extend the term of the franchise for an additional year until April 30, 2008 to allow additional time for negotiations; and

WHEREAS, additional time is needed to negotiate the terms of a new franchise;

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

Section 1. Franchise Extension. The franchise granted pursuant to City Ordinance No. 274 and extended by Ordinance Nos. 455 and 468 to April 30, 2008 is further extended through the earlier of June 30, 2008, or the effective date of a replacement franchise (whichever first occurs).

Section 2. Directions to City Clerk. The City Clerk is hereby authorized and directed to forward certified copies of this ordinance to the Grantee set forth in this ordinance. The Grantee shall have fifteen (15) days from receipt of the certified copy of this ordinance to accept in writing the extension of the franchise granted to the Grantee in this ordinance.

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 passage, publication, and acceptance by the Grantee.

PASSED BY THE CITY COUNCIL ON APRIL 28, 2008.

Mayor Cindy Ryu

ATTEST:

APPROVED AS TO FORM:

Scott Passey, CMC
City Clerk

Ian Sievers, City Attorney

Date of Publication:
Effective Date: