

# ORIGINAL

## ORDINANCE NO. 164

### **AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, EXTENDING THE FRANCHISE AGREEMENT BETWEEN THE CITY OF SHORELINE AND THE SHORELINE WATER DISTRICT FOR THE PROVISION OF WATER SERVICES.**

WHEREAS, Shoreline Water District (formerly known as King County Water District No. #42) has owned and operated a potable water system since 1931 in an area of King County located generally east of Interstate 5, west of Lake Washington, north of the City of Seattle, and south of the Snohomish County line, and presently serves approximately 32,000 residents of unincorporated King County and the cities of Shoreline and Lake Forest Park; and

WHEREAS, Shoreline Water District currently operates in the City of Shoreline pursuant to Ordinance No. 45, adopted August 14, 1995. Ordinance No. 45 adopted the terms and conditions of King County Franchise Agreement No. 1178, dated June 18, 1973, which has a term of 25 years; and

WHEREAS, pursuant to Ordinance No. 45, Shoreline Water District's Franchise is scheduled to expire on June 18, 1998; and

WHEREAS, the Shoreline Water District and the City wish to continue the franchise relationship on the same terms and conditions as provided in the Franchise while a new franchise is considered and negotiated; and

WHEREAS, it is in the public interest to extend the current Franchise agreement for an additional period of time in order to allow discussions and negotiations to proceed;

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

**Section 1. Franchise Grant.** The Franchise granted Shoreline Water District #42 by Shoreline City Ordinance No. 45 to lay down, construct, operate and maintain a water distribution system as set forth in more particularity in Franchise Agreement No. 1178 granted by King County on June 18, 1973, is extended, hereby, through December 31, 1999, or until a substitute franchise ordinance is passed, whichever first occurs.

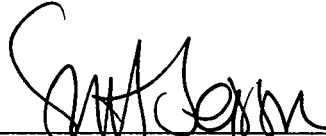
**Section 2. Directions to City Clerk.** The City Clerk is hereby authorized and directed to forward certified copies of this ordinance to the franchisee set forth in this ordinance. The Franchisee shall have 45 days from receipt of the certified copy of this ordinance to accept in writing the terms of the franchise granted hereby.

**Section 3. Application to Annexed Territory.** The Franchise extended by this ordinance shall, without further action, apply to any territory added to the City of Shoreline by annexation within the term of its operation.

**Section 4. Severability.** If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

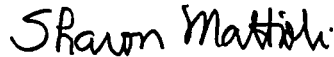
**Section 5. Effective Date.** This ordinance shall take effect and be in full force **thirty** (30) days after passage. The City Clerk is hereby directed to publish this ordinance in full.

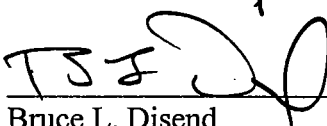
**PASSED BY THE CITY COUNCIL ON JUNE 8, 1998.**

  
\_\_\_\_\_  
Mayor Scott Jepsen

**ATTEST:**

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Sharon Mattioli, CMC  
City Clerk

  
\_\_\_\_\_  
Bruce L. Disend  
City Attorney

Date of Publication: June 12, 1998  
Effective Date: July 8, 1998