

**COUNTY ENGINEER’S REPORT
FRANCHISE – WATER FACILITIES
CITY OF GRANITE FALLS**

Pursuant to chapter 36.55.010 Revised Code of Washington (RCW), Section 9.20 Snohomish County Charter, and Title 13 of the Snohomish County Code (SCC), the City of Granite Falls (the “City”) has applied to Snohomish County (the “County”) for a franchise to construct, maintain, operate, replace, and repair its water distribution facilities in County public rights-of-way, and for no other purpose or use whatsoever. Chapter 36.55 RCW and Snohomish County Charter Section 9.20 authorize the County to grant nonexclusive franchises for use of County public rights-of-way. Snohomish County’s franchise procedure is contained in Chapter 13.80 SCC. The County Engineer has examined the application and submits the following report to council in accordance with SCC 13.80.040.

FINDINGS

1. Applicant

The City of Granite Falls is a Washington municipal corporation that incorporated in 1903. Its corporate limits encompass an area of 2.2 square miles, and it has a population of approximately 4,775. The City is organized under the council-manager form of government. The five members of the City Council are elected by voters to serve staggered 4-year terms. The City Manager is appointed by the Council and oversees daily operations. The City operates a Group A Community Water System, ID 29050X, and provides water and wastewater services to customers within the city limits and adjacent urban growth area. Snohomish County has previously granted utility franchises to the Town of Granite Falls by order approved on June 16, 1941, and to the City of Granite Falls by Ordinance 99-040 approved on July 7, 1999, recorded under Auditors File Number 199908250296, with an expiration date of August 5, 2024.

2. Description of County Roads Included in the Proposed Franchise

The City's designated service area in the Snohomish County Coordinated Water System Plan encompasses an area of approximately 2.6 miles. The water service area and existing distribution system extend beyond the city limits to the southeast along Menzel Lake Road. The proposed franchise area covers approximately 2 square miles and includes all county rights-of-way located in the portions of unincorporated Snohomish County within the township, range, and section below:

<u>Township</u>	<u>Range</u>	<u>Sections</u>
30N	7E	18 & 19

The proposed franchise area has future land use designations of Urban Low Density Residential and Rural Residential in the Snohomish County Comprehensive Plan.

3. Description of Facilities

The City has approximately 32 miles of water main and provides service to more than 1,500 customer connections within its water service area. Most of the distribution system is of 8-inch ductile iron (DI) pipe. Some older pipe is made of asbestos-cement (AC) or other material. The majority of service lines are 3/4 inch. The Snohomish County Public Utility District No. 1 has been the sole source of water to the City's water system since 1996 when it discontinued use of its wells. Water is supplied by transmission mains owned and operated by the PUD.

The City's existing water facilities in the unincorporated Snohomish County right-of-way include approximately 1,300 LF of 4" asbestos-cement (AC) main along Menzel Lake Rd from the east edge of South Alder Avenue to the west edge of the Pilchuck Pine Plat, and approximately 900 LF of 4" PVC main along Menzel Lake Rd from the city limits southeasterly to 20832 Menzel Lake Rd. Both pipes were installed in the 1970s. The City's Capital Improvement Plan anticipates replacement of the existing 4" AC main with 8" DI beyond 2042.

Work proposed in the county right-of-way would consist of the construction, operation, and maintenance of water facilities such as water mains, water services, valves, fire hydrants, blow-offs, and sample stations. Facility access is needed for water quality monitoring; water main inspections and repair; water main flushing; control valve service and repair; system valve maintenance and repair; fire hydrant maintenance, testing and repair; meter reading; and water meter testing, repair, and replacement.

4. Insurance

The City has agreed to obtain and maintain insurance for the term of the franchise in accordance with SCC 13.10.100 and Section 18 of the franchise. The Risk Management Division has reviewed and approved the insurance requirements in the proposed franchise. The franchise will not take effect until the City provides evidence of insurance acceptable to the Risk Management Division, as provided in Section 33 of the franchise.

5. Term of Franchise

The initial term of the proposed franchise is for a period of ten (10) years (the "Initial Term"), beginning on the Effective Date as defined in Section 33 of the franchise, and automatically renew for an additional term of ten (10) years (the "Extended Term"). The County would have the right to unilaterally open negotiations with the City at any time after the Initial Term, as more fully described in franchise Section 3.3.

6. Provisions of Franchise

Under the proposed franchise, the City will:

- Obtain a right-of-way use permit pursuant to Title 13 SCC prior to commencing any work within the Public Rights-of-Way, as more fully described in franchise Section 4.

- Comply with all applicable federal, state and local laws, rules and regulations (including, but not limited to, the County’s comprehensive plan, zoning code, and other development regulations), as more fully described in franchise Section 6.
- Promptly, at its own expense, relocate or remove its facilities from county rights-of-way when the County Engineer determines that it is necessary due to: traffic conditions; public safety; dedications, improvements and vacations of rights-of-way; and other reasons more fully described in franchise Section 9.
- In no event abandon in place all or any portion of their facilities without the express written consent of the county as more fully described in franchise Section 14.
- Compensate the county for its expenses incurred in the examination and report of the proposed franchise, as more fully described in franchise Section 15.2.
- Indemnify, defend and hold harmless any County Party from any and all claims, demands, liability, suits, and judgments, including costs of defense thereof, for bodily injury to persons, death, or property damage arising out of its use of public rights-of-way under the proposed franchise, as more fully described in franchise Section 16.
- Be exempt from the requirement to secure the performance of a County-issued permit with a surety bond or other financial security device in accordance with RCW 36.32.590 and SCC 13.10.104(4), as more fully described in franchise Section 19.
- Not assign any franchise rights or obligations without prior written consent of the county, as more fully described in franchise Section 22.
- Comply with Title VI Assurances and Non-Discrimination requirements, as more fully described in franchise Section 30.

COUNTY ENGINEER’S RECOMMENDATION

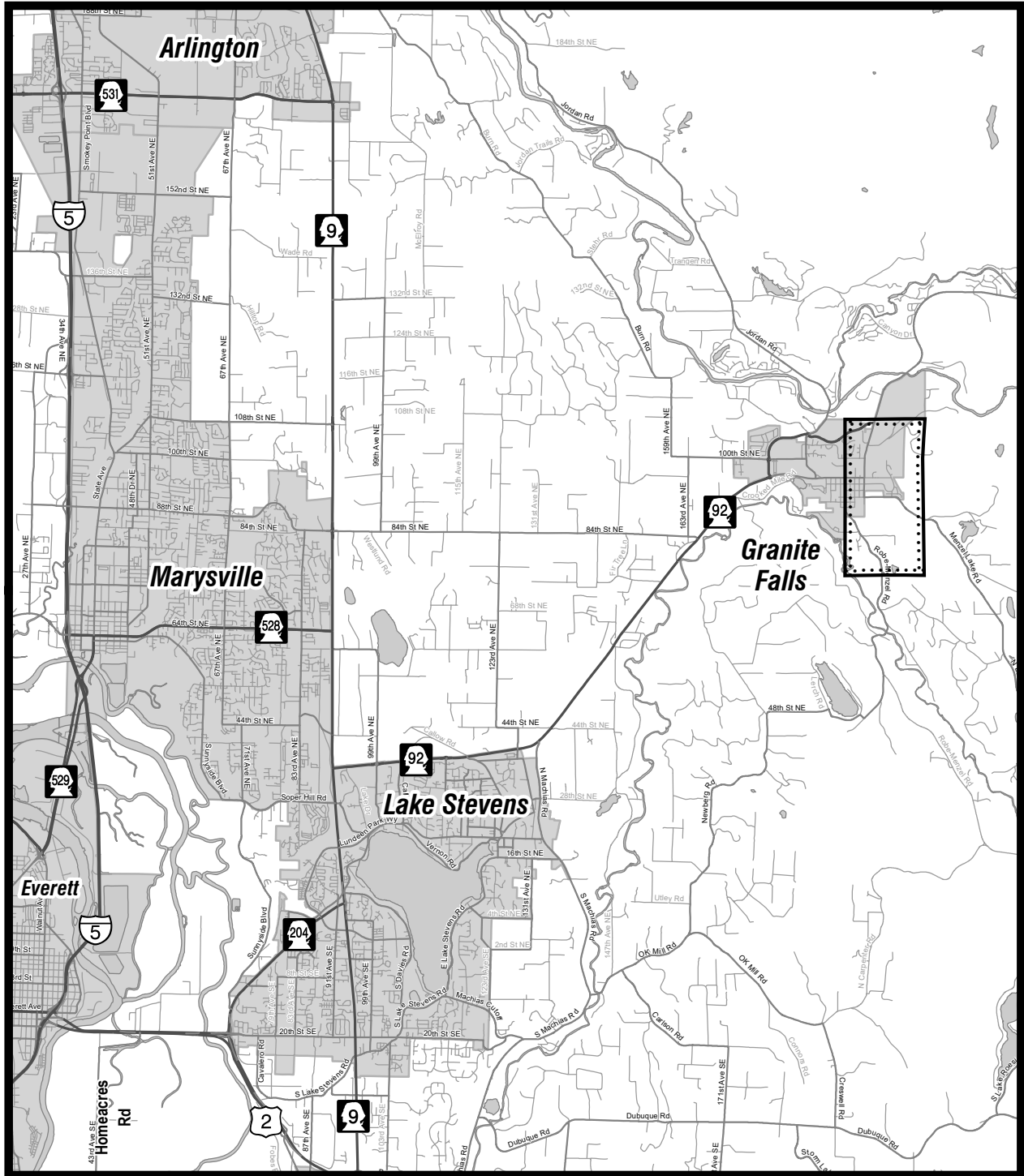
Based on the foregoing findings and pursuant to SCC 13.80.040, the County Engineer recommends the County Council grant a right-of-way franchise to the City of Granite Falls with an initial term of ten (10) years and an automatic renewal for an additional term of ten (10) years, under the terms and conditions of County Charter, County Code and the proposed ordinance granting a franchise.

SNOHOMISH COUNTY PUBLIC WORKS

Douglas W. McCormick, P.E. Date
Deputy Director/County Engineer

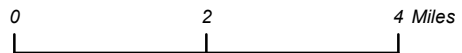
Prepared by:

Mary Madole Date
Senior Planner – Special Projects



Key to Features:

- Franchise Areas
- State Routes
- Roads
- Waterbodies
- Cities



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Exhibit A. City of Granite Falls Proposed Utility Franchise Area

(The proposed franchise applies exclusively to county rights-of-way located in the portions of unincorporated Snohomish County depicted above.)