

COUNTY ENGINEER'S REPORT
FRANCHISE – WATER FACILITIES
CITY OF GOLD BAR

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 Gold Bar ("City") has applied to Snohomish County ("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 Gold Bar was incorporated in 1910 and operates as a non-charter code city with a Mayor - Council form of government under Chapter 35A RCW. The mayor and city council members are elected to serve 4-year terms. The mayor has significant administrative authority and oversees the day-to-day operations of the city. The five-member city council maintains legislative power to shape policies and make decisions for the community. The city limits comprise an area of one square mile with an estimated population of 2,305.

The City owns and operates a Group A – Community – Public Water System, ID 28300Y, with 645 residential connections and 34 commercial/multi-family connections providing service to 2,211 residents in the city limits, UGA, and unincorporated Snohomish County. The system was installed in 1970 by the Gold Bar Community Water Association, Inc. and was purchased by the City in 1983. Snohomish County previously granted a utility franchise to Gold Bar Community Water Association, Inc., for construction and maintenance of water system facilities in the county rights-of-way by order approved on November 2, 1970, recorded in V50 P205, which expired on November 2, 1995.

2. Description of County Roads Included in the Proposed Franchise

The City's water service area extends beyond city limits to the north and west encompassing adjacent rural residential lands. A storage tank site is located north of the city limits. The proposed franchise area includes all county rights-of-way located in the portions of unincorporated Snohomish County within the township, range, and sections below:

<u>Township</u>	<u>Range</u>	<u>Sections</u>
27N	8E	1
27N	9E	5, 6, 8
28N	8E	36
28N	9E	31, 32

3. Description of Facilities

The City's existing water distribution facilities in county rights-of-way consist of approximately 1,300 LF of 6" asbestos cement (AC), 1,525 LF of 8" ductile iron (DI) and 1,550 LF of 12" diameter DI pipe. Water is supplied from wells located within the city. Treated water is pumped from the sources to a storage tank site located north of the city limits. There are 67 single family residential connections in unincorporated Snohomish County which provide service to an estimated 168 residents.

Work proposed in the county right-of-way would consist of the construction, operation, and maintenance of water distribution facilities such as water mains, fire hydrants, blow-off valves, sample stations, and customer water services. Facility access is needed for water main inspections and flushing, fire hydrants usage, valve exercising, water quality monitoring, meter reading, routine maintenance, and emergency repairs.

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 beginning on the effective date as defined in Section 33 of the proposed franchise, and automatically renews for an extended term of an additional ten (10) years. 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 County Parties from any and all claims 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 29.

COUNTY ENGINEER'S RECOMMENDATION

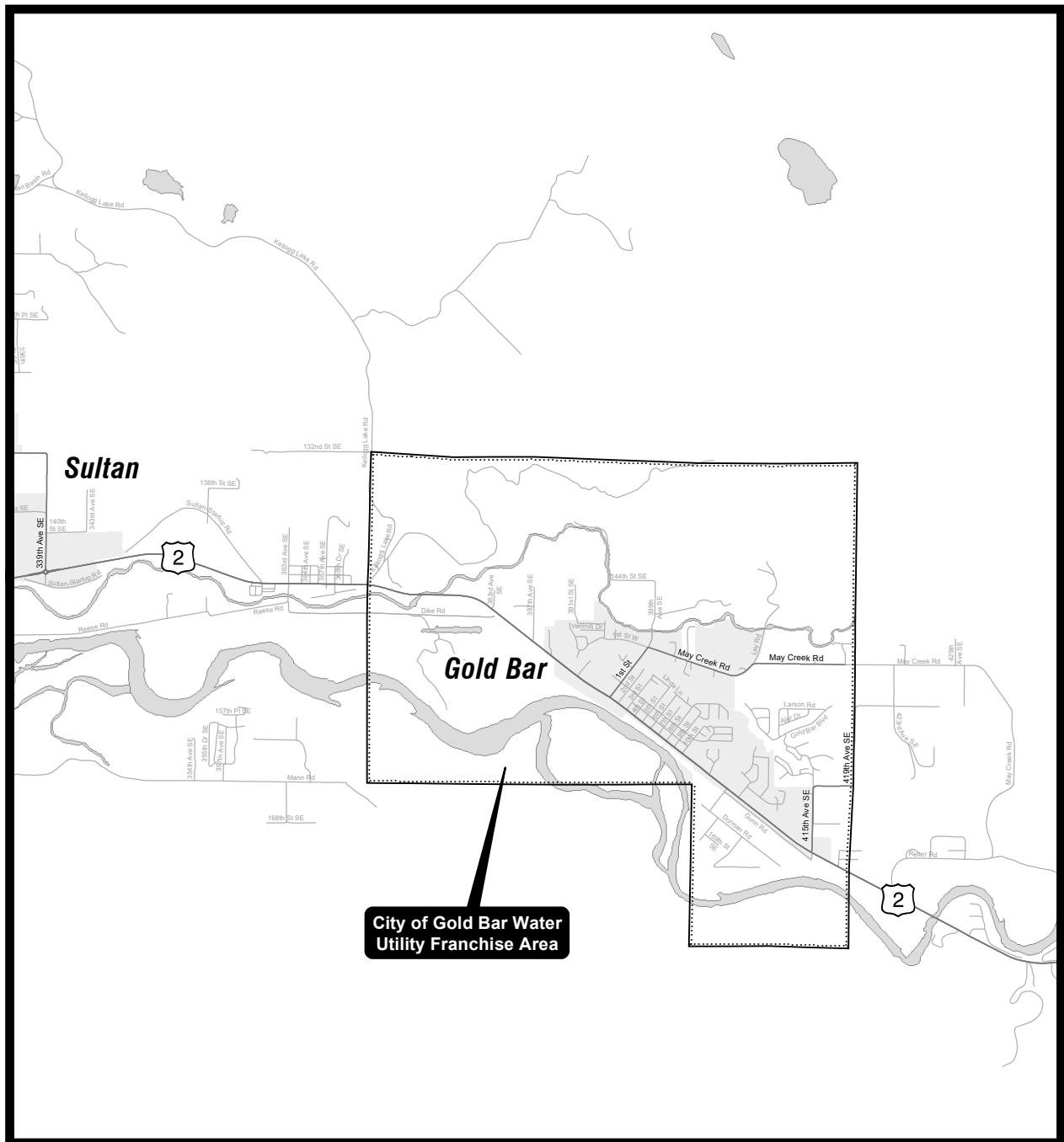
Based on the foregoing findings and pursuant to SCC 13.80.040, the County Engineer recommends the County Council grant a right-of-way franchise to the City of Gold Bar with an initial term of ten (10) years and an automatic renewal for an additional term of ten (10) years, under the terms and conditions 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

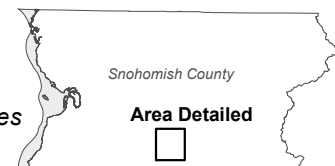
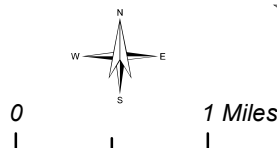
Prepared by:

Mary Madole Date
Senior Planner – Special Projects



Key to Features:

.....	Franchise Area	—	Local Roads
—	Arterial Roads	■	Waterbodies
□	Unincorporated Snohomish County	■	Cities



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Exhibit A. City of Gold Bar Water Utility Proposed Franchise Area

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