



# Snohomish County Council

## Legislation Details (With Text)

**File #:** 2023-0311      **Version:** 1

**Type:** Ordinance      **Status:** Approved

**File created:** 3/22/2023      **In control:** Public Hearings

**On agenda:** 5/10/2023      **Final action:** 5/10/2023

**Title:** Ordinance 23-027, granting a non-exclusive franchise authorizing limited use of the public road rights-of-way in portions of unincorporated Snohomish County, Washington to Kackman Creek Homeowners' Association

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance 23-027, 2. Staff Report, 3. Engineer's Report, 4. Certificate of Liability Insurance, 5. Ordinance Introduction Slip, 6. Hearing Notice & Affidavit of Publication, 7. Enactment Notice & Affidavit of Publication, 8. Email from Public Works - Fees Paid

Date	Ver.	Action By	Action	Result
5/10/2023	1	Public Hearings	Approved	Pass
4/12/2023	1	General Legislative Session	Set time/date for Public Hearing	
4/4/2023	1	Public Infrastructure and Conservation Committee	Moved to Administrative Matters	
4/4/2023	1	Administrative Session	Assigned	

### Executive/Council Action Form (ECAF)

**ITEM TITLE:**

Ordinance 23-027, granting a non-exclusive franchise authorizing limited use of the public road rights-of-way in portions of unincorporated Snohomish County, Washington to Kackman Creek Homeowners' Association

**DEPARTMENT:** Public Works

**ORIGINATOR:** Lori Ericsson

**EXECUTIVE RECOMMENDATION:** Ken Klein 3/24/23

**PURPOSE:** Set public hearing time and date to hear and act upon the County Engineer's recommendation to grant a non-exclusive water distribution facilities franchise to Kackman Creek Homeowners' Association.

**BACKGROUND:** Kackman Creek Homeowners' Association., a Washington State non-profit corporation, has applied to Snohomish County for a non-exclusive franchise to construct, operate and maintain a water distribution system in public rights-of-way in unincorporated Snohomish County. The Franchise will encompass unincorporated rights-of-way in Snohomish County as specified in Section 1.3 of the Franchise and as depicted on Exhibit A to the attached Engineer's Report. The maximum term of the proposed Franchise is twenty-five (25) years. In accepting this Franchise, Kackman Creek Homeowners' Association. agrees to comply with the requirements of Federal Law, State Law, County Charter, County Code, the EDDS, the

County's Utility Accommodation Policy, and all right-of-way use permit application, review and construction standards. See attached Engineer's Report for additional conditions and background.

**FISCAL IMPLICATIONS:**

EXPEND: FUND, AGY, ORG, ACTY, OBJ, AU	CURRENT YR	2ND YR	1ST 6 YRS
102 50630471011 Admin. Salary and Benefits	\$1,000.00		\$1,000.00
<b>TOTAL</b>	\$1,000.00		\$1,000.00

REVENUE: FUND, AGY, ORG, REV, SOURCE	CURRENT YR	2ND YR	1ST 6 YRS
102 3064443895 Reimbursable Revenue	\$1,000.00		\$1,000.00
<b>TOTAL</b>	\$1,000.00		\$1,000.00

**DEPARTMENT FISCAL IMPACT NOTES:** County expenses are for the preparation and processing of the Franchise. All costs are to be reimbursed by the applicant prior to acceptance of the Franchise. Budget authority at program level.

**CONTRACT INFORMATION:**

ORIGINAL \_\_\_\_\_ CONTRACT# \_\_\_\_\_ AMOUNT \_\_\_\_\_  
 AMENDMENT \_\_\_\_\_ CONTRACT# \_\_\_\_\_ AMOUNT \_\_\_\_\_

**Contract Period**

ORIGINAL START \_\_\_\_\_ END \_\_\_\_\_  
 AMENDMENT START \_\_\_\_\_ END \_\_\_\_\_

**OTHER DEPARTMENTAL REVIEW/COMMENTS:** Reviewed/Approved by: Prosecuting Attorney (as to Form by DPA C. Richmond 3/2/23), Risk management (Sheila Barker 3/22/23) and Finance (Nathan Kennedy 3/23/23).