

**POULSBO DISTRIBUTION SCHEDULE**

**ORDINANCE NO. 2018-18**

**SUBJECT: Puget Sound Energy Franchise Agreement Extension**

**CONFORM AS TO DATES & SIGNATURES**

- Filed with the City Clerk: 7/27/18
- Passed by the City Council: 8/1/18
- Signature of Mayor
- Signature of City Clerk
- Publication: 8/10/18
- Effective: 8/15/18
- Recorded: \_\_\_\_\_

**DISTRIBUTED COPIES AS FOLLOWS:**

- NK Herald: 8/3/18
- Code Publishing
- City Attorney
- Clerk's Department: Original
- City Council
- Finance:
- Posted to Library Drive and Website
- \_\_\_\_\_

Rhiannon Fernandez  
City Clerk

9/12/18  
Date

**ORDINANCE NO. 2018-18**

AN ORDINANCE GRANTING TO PUGET SOUND ENERGY, A WASHINGTON CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT AND PRIVILEGE TO USE AND OCCUPY THE STREETS, AVENUES, LANES, ALLEYS, HIGHWAYS AND OTHER PUBLIC PLACES OF THE CITY OF POULSBO, STATE OF WASHINGTON, FOR THE PURPOSE OF TRANSMISSION, DISTRIBUTION AND SALE OF ENERGY FOR POWER, HEAT, LIGHT AND ANY OTHER PURPOSE FOR WHICH ENERGY CAN BE USED; AND TO CHARGE AND COLLECT TOLLS, RATES AND COMPENSATION FOR SUCH ENERGY AND SUCH USES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

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**WHEREAS**, on January 15th, 1992, the City Council passed Ordinance No. 92-02 which granted a franchise to Puget Sound Power and Light Company, and on January 27th, 1992, the franchise became effective (the "Franchise"); and

**WHEREAS**, the Franchise established by Ordinance No. 92-02 expired on January 27<sup>th</sup>, 2017; and

**WHEREAS**, Puget Sound Power and Light Company changed its corporate name to Puget Sound Energy without any change to its obligations under Ordinance No. 92-02;

**WHEREAS**, the City is in negotiations with Puget Sound Energy, formerly Puget Sound Power and Light Company, for the execution of a new franchise agreement; and

**WHEREAS**, it is necessary to grant a short-term franchise to Puget Sound Energy until the new franchise agreement becomes effective;

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

**Section 1. Short Term Franchise.** The franchise terms contained in Poulsbo City Council Ordinance No. 92-02 are hereby adopted in full with the exception of the expiration date, which is modified to July 31, 2020, and the Franchisee, which is Puget Sound Energy. Except as provided herein, all of the privileges, provisions, terms, conditions, regulations and requirements contained in the Franchise granted through Ordinance No. 92-02 are hereby included in this short-term franchise and all such rights and obligations under the Franchise inure to the benefit of and are binding on both parties.

**Section 2. 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 3. Acceptance.** Puget Sound Energy shall signify its acceptance of the terms of this franchise by signing the attached Acceptance (Exhibit One to this Ordinance) and submitting the signed Acceptance to the City of Poulsbo within thirty (30) days of the effective date.

**Section 4. Effective Date.** This ordinance shall take effect five (5) days after the passage and publication of an approved summary thereof consisting of the title.

PASSED by the City Council and APPROVED by the Mayor on this 1st day of August, 2018.

APPROVED:

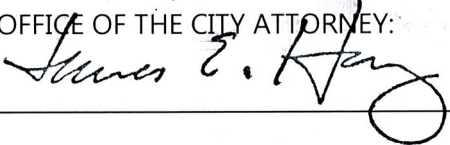
  
\_\_\_\_\_  
MAYOR REBECCA ERICKSON

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
RHIANNON FERNANDEZ, CITY CLERK

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY:

  
\_\_\_\_\_

FILED WITH THE CITY CLERK: 07/27/2018  
PASSED BY THE CITY COUNCIL: 08/01/2018  
PUBLISHED: 08/10/2018  
EFFECTIVE DATE: 08/15/2018  
ORDINANCE NO. 2018-18

**EXHIBIT ONE**

**ACCEPTANCE**

The undersigned hereby accepts all rights and privileges of the franchise granted pursuant to City of Poulsbo Ordinance No. 2018-18, subject to all the terms, conditions and obligations contained therein.

DATED this 10<sup>th</sup> day of September, 2018.

Puget Sound Energy

By: Catherine Koch  
Its: Director Planning

SUMMARY OF ORDINANCE NO. 2018-18  
of the City of Poulsbo

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On the August 1, 2018, the City Council of the City of Poulsbo, passed Ordinance No. 2018-18, the main point of which may be summarized by its title as follows:

AN ORDINANCE GRANTING TO PUGET SOUND ENERGY, A WASHINGTON CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT AND PRIVILEGE TO USE AND OCCUPY THE STREETS, AVENUES, LANES, ALLEYS, HIGHWAYS AND OTHER PUBLIC PLACES OF THE CITY OF POULSBO, STATE OF WASHINGTON, FOR THE PURPOSE OF TRANSMISSION, DISTRIBUTION AND SALE OF ENERGY FOR POWER, HEAT, LIGHT AND ANY OTHER PURPOSE FOR WHICH ENERGY CAN BE USED; AND TO CHARGE AND COLLECT TOLLS, RATES AND COMPENSATION FOR SUCH ENERGY AND SUCH USES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

APPROVED by the City Council at their meeting of August 1, 2018.



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CITY CLERK, RHIANNON FERNANDEZ CMC