

ORDINANCE NO. 4309

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE PROVISION OF STREET LIGHTING IN THE JFK ANNEXATION AREA OF THE CITY OF KIRKLAND.

WHEREAS, on June 1, 2011, the City of Kirkland annexed the North Juanita, Finn Hill and Kingsgate area legally described in Ordinance No. 4229 and the Wild Glen area legally described in Ordinance No. 4296 (collectively referred to herein as "JFK Annexation Area"); and

WHEREAS, prior to annexation, certain residential developments in the JFK Annexation Area established street lighting districts to pay the costs associated with providing street lighting within the respective district; and

WHEREAS, the City intends for the existing street lighting districts in the JFK Annexation Area to continue to pay the costs associated with street lighting in their respective district until such time as the City assumes responsibility for providing and paying for street light utility services in the JFK Annexation Area; and

WHEREAS, the City intends for new residential development in the JFK Annexation Area to establish street lighting districts to pay the costs associated with providing street lighting until such time as the City assumes responsibility for providing and paying for street light utility services in the JFK Annexation Area; and

WHEREAS, the City intends to assume the costs associated with street lighting in the JFK Annexation Area in accordance with a phasing plan that will be developed by no later than 2014.

NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. The cost of providing and maintaining street light service in existing street light districts in the JFK Annexation Area and street light districts subsequently created in the JFK Annexation Area shall be borne by the lots and lot residents within the street light districts who are billed for utility services provided to the lots.

Section 2. The electric utility provider shall, by agreement with the applicable utility district, bill each lot within the boundary of a street light district for street light utility services. The charge for street light service shall be determined by the applicable utility district after consultation with the electric utility provider.

Section 3. The City shall develop a phasing plan by no later than 2014 which identifies how and when the City shall assume

responsibility for providing and paying for street light utility services in the portions of the JFK Annexation Area currently or hereafter served by a street light district. The street light districts in the JFK Annexation Area shall be disbanded at such time as the City assumes responsibility for providing and paying for street light utility services in the portions of the JFK Annexation Area served by street light districts.

Section 4. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 5. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this 7th day of June, 2011.


Signed in authentication thereof this 7th day of June, 2011.


MAYOR

Attest:


City Clerk

Approved as to Form:


City Attorney