

ORDINANCE NO. _____

**ORDINANCE TEMPORARILY AMENDING THE FUNDING LIMIT OF CASH FLOW
LOANS FROM THE ROAD FUND TO NORTH LAKE SAMISH BRIDGE NO. 107
REPLACEMENT FUND-3905**

WHEREAS, Ordinance 2013-022 was passed in order to provide inter-fund loans up to \$1,000,000 to Capital Project Funds from the Road Fund; and

WHEREAS, Ordinance 2024-022 was passed in order to increase the limit from \$1,000,000 to \$2,000,000 per Capital Project Fund; and

WHEREAS, on January 20, 2025, the Federal Government issued an Executive Order titled "Regulatory Freeze Pending Review" which implemented a 60-day pause on federal funding and financial assistance; and

WHEREAS, on January 21, 2025, the Office of Management and Budget issued memorandum "M-25-11" which clarifies that there will be an immediate pause on disbursement of funds appropriated under the Inflation Reduction Act of 2022 (Public Law 117-169) or the Infrastructure Investment and Jobs Act (Public Law 117-58); and

WHEREAS, the North Lake Samish Bridge No. 107 Replacement Fund-3905 has received \$10,972,210 of federal funding through the Department of Transportation's Highway Planning and Construction grant (grant #LA-10509/BRS-37VV(001)); and

WHEREAS, the County has demolished and removed the old bridge and is in the process of constructing the new bridge, which is set to be completed in August of 2025; and

WHEREAS, the County has \$1,400,273.27 of outstanding grant invoices due from the Department of Transportation and \$3,505,989.05 in unexpended grant balance; and

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WHEREAS, the Road Fund has already contributed a \$1,500,000 cash flow loan to allow for project continuation while grant invoices are processed by the Department of Transportation; and

WHEREAS, the construction of the North Lake Samish Bridge No. 107 replacement cannot be delayed and must be completed by August of 2025; and

WHEREAS, the County has determined it is vital to ensure there is adequate cash flow to complete the project and pay all contractors on a timely basis, regardless of the status of grant reimbursements from the Federal Government; and

WHEREAS, project-committed grant funds in the amount of \$4,906,262.32 are currently at risk of not being distributed to the County as a result of federal executive funding directives; and

WHEREAS, failure to sufficiently fund the project and complete bridge construction in a timely fashion will result in significant cost increases and other damage to Whatcom County tax payers; and

WHEREAS, it is necessary to provide for alternative and supplementay means of funding the North Lake Samish Bridge No. 107 Replacement Fund-3905 in order to ensure project completion, which is in the public interest; and

WHEREAS, the County has determined that increasing the current Road Fund loan limit from \$2,000,000 to \$6,656,262.32 is the most efficient and cost effective means to ensure sufficient cash flow to the North Lake Samish Bridge No. 107 Replacement Fund-3905 and completion of the project; and

1 **NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that the
2 Whatcom County Treasurer is hereby authorized to make inter-fund loans from the
3 County Road Fund to the North Lake Samish Bridge No. 107 Replacement Fund-3905
4 for cash flow purposes. The authorized loans shall not exceed a total of
5 \$6,656,262.32 and shall not be for a term exceeding two years. No interest shall be
6 charged on the loans.
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10 **ADOPTED** this ____ day of _____, 2025.

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14 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

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Cathy Halka, Clerk of the Council

Kaylee Galloway, Council Chair

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21 APPROVED AS TO FORM:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

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Christopher Quinn,
25 Chief Civil Deputy Prosecuting Attorney

Satpal Sidhu, County Executive

() Approved () Denied

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28 Date Signed: _____