

ORDINANCE NO. _____

ORDINANCE ESTABLISHING A PROJECT BASED BUDGET FOR CEDAR HILLS CULVERT REPLACEMENT PROJECT FUND; SWP #SWLW23-05

WHEREAS, this project upgrade is listed as item number six on the 2024-2029 Six-Year Water Resources Improvement Program for the Lake Whatcom watershed, and

WHEREAS, the culvert failed as a result of the storm event of 2021, and

WHEREAS, the project was inspected by Federal Emergency Management Agency (FEMA) and considered for repair and/or mitigation, and

WHEREAS, the initial funding was received by FEMA (FEMA Contract No. D22-108) in the amount of \$72,667.40 (October 9, 2023);

WHEREAS, the initial FEMA funding will be obligated to the preliminary design, and

WHEREAS, expenses in excess of the initial FEMA funding will be funded using Real Estate Excise Tax II (REET) funds (\$103,824.60), and

WHEREAS, this request includes costs associated with contracted professional services, county survey and permit assistance, permit fees and staff time for project management, and

WHEREAS, additional funds are needed to cover the construction costs associated with the proposed upgrades, which will require an additional request for funds in the 2025, and

WHEREAS, Section 6.80 of the Whatcom County Home Rule Charter allows for project-based capital budget appropriation ordinances that lapse when the project has been completed or abandoned or when no expenditure or encumbrance has been made for three (3) years,

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that a new fund is hereby established, effective immediately, titled Cedar Hills Culvert Replacement Project Fund. This fund shall be used to

1 account for the revenues and expenditures of the improvement project
2 described above, and

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4 **BE IT FURTHER ORDAINED** by the Whatcom County Council that the
5 Cedar Hills Culvert Replacement Project Fund is approved with an initial
6 project budget of \$176,492.00 as described in Exhibit A.

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9 **ADOPTED** this _____ day of _____, 2024.

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13 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

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17 _____
Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Chair of the Council

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20 APPROVED AS TO FORM:

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

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23 Approved by Chris Quinn via email 12-15-2023

24 Christopher Quinn
25 Senior Deputy Prosecuting
26 Attorney – Civil Division

Satpal Sidhu, County Executive

() Approved () Denied

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28 Date Signed: _____