



Whatcom County

COUNTY COURTHOUSE
311 Grand Avenue, Ste #105
Bellingham, WA 98225-4038
(360) 778-5010

Agenda Bill Master Report

File Number: AB2020-119

File ID:	AB2020-119	Version:	1	Status:	Adopted
File Created:	02/27/2020	Entered by:	MCaldwel@co.whatcom.wa.us		
Department:	Finance Division	File Type:	Ordinance		
Assigned to:	Council Finance and Administrative Services Committee			Final Action:	03/24/2020
Agenda Date:	03/24/2020			Enactment #:	ORD 2020-010

Primary Contact Email: mcaldwel@co.whatcom.wa.us

TITLE FOR AGENDA ITEM:

Ordinance establishing the Swift Creek Capital Projects Fund and establishing a project based budget for Swift Creek Capital Projects

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Request establishes the Swift Creek Capital Projects Fund and requests a project based budget to fund Swift Creek sediment management capital projects in the amount of \$5,217,159.

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
03/10/2020	Council	INTRODUCED	Council Finance and Administrative Services Committee
		Aye: 6	Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas
		Nay: 0	
		Absent: 1	Kershner
03/24/2020	Council	ADOPTED	
		Aye: 7	Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner
		Nay: 0	
		Absent: 0	

Attachments: Staff Memo, Proposed Ordinance

ORDINANCE NO. 2020-010

ORDINANCE ESTABLISHING THE SWIFT CREEK CAPITAL PROJECTS FUND AND ESTABLISHING A PROJECT BASED BUDGET FOR SWIFT CREEK CAPITAL PROJECTS

WHEREAS, Swift Creek, due to the Sumas Mountain landslide, transports large amounts of sediment containing naturally-occurring asbestos (NOA) and metals which poses flooding and health hazards to the surrounding community and environment; and

WHEREAS, the Washington State Legislature awarded Whatcom County an appropriation totaling \$6.4 million for the Sumas Mountain/Swift Creek Sediment Management Project to be distributed by the Department of Ecology (Ecology); and

WHEREAS, the Washington State Legislature has identified \$10.7 million of projected costs to be allocated in future biennia; and

WHEREAS, Ecology and Whatcom County have entered into a no-match grant agreement that will advance allotments of the state appropriation to the County; and

WHEREAS, \$1,182,841 of the state appropriation has been spent on preliminary engineering and maintenance; and

WHEREAS, in December of 2019, Ecology and Whatcom County entered into a Consent Decree which lays out the scope of work and overall schedule for this ongoing, multi-year project; 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; and

WHEREAS, this is a multi-year capital project requiring budget approval,

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that a project based budget fund is hereby established effective March 25th 2020, titled "Swift Creek Capital Projects Fund"

53 **BE IF FURTHER ORDAINED**, that the fund is approved with an initial project budget
54 of \$5,217,159, as presented in attached Exhibit A.
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58 **ADOPTED** this 24th day of March, 2020.
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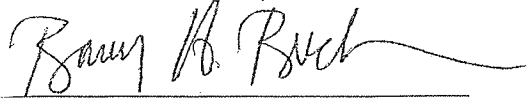
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62 ATTEST

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66 Dana Brown-Davis, Clerk of the Council
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72 APPROVED AS TO FORM:
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79 Christopher Quinn
80 Senior Deputy Prosecuting Attorney
81 Civil Division
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WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Barry Buchanan,
Chair of the Council

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

() Approved () Denied


Satpal Singh Sidhu
County Executive

Date Signed: 03.24.2020