

**ORDINANCE NO. \_\_\_\_\_**

**ORDINANCE AMENDING THE ACADEMY ROAD STORMWATER  
IMPROVEMENTS FUND, REQUEST NO. 3**

**WHEREAS**, Academy Road Stormwater Improvements project was constructed in 2015 as a priority capital project due to its listing on the county’s Lake Whatcom Comprehensive Stormwater Management Plan, and

**WHEREAS**, this project upgrade is listed as item number one on the 2023-2028 Six-Year Water Resources Improvement Program for the Lake Whatcom watershed, and

**WHEREAS**, the project was intended to treat runoff from approximately 80 acres and included a pretreatment unit, media filtration system, a high-flow bypass, and a vegetated buffer along the lake front, and

**WHEREAS**, this project was constructed jointly with the City of Bellingham, and

**WHEREAS**, the project has not performed up to original design expectations due to issues associated with original filtration media, sedimentation from offsite, and greater stormwater flows than anticipated, and

**WHEREAS**, the initial funding request in 2014 for \$1,109,000 (Ordinance 2014-080), which was amended in 2016 to add \$95,000 for staff labor costs (Ordinance 2016-057), was used to construct the original project, and

**WHEREAS**, a second supplemental funding request in 2021 for \$86,845 (Ordinance 2021-014) was used to cover Phase II engineering design costs required to evaluate options to improve system performance and to provide engineering plans, specifications and an estimate for system upgrades to achieve original design performance, and

**WHEREAS**, these additional expenses were funded by a transfer from the Lake Whatcom Stormwater Utility (LWSU) district funds and by remaining Phase I budget authority, and

1           **WHEREAS**, additional funds are needed to cover the construction  
2 costs associated with the proposed upgrades. The updated construction-  
3 related expenses for this project are estimated at \$688,500, and  
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5           **WHEREAS**, these additional expenses will be funded by a transfer  
6 from Real Estate Excise Tax II funds (\$268,500) and from the Lake Whatcom  
7 Stormwater Utility fund (\$420,000),  
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9           **NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County  
10 Council that Ordinance No. 2021-014 is hereby amended to add \$688,500 of  
11 expenditure authority, as described in Exhibit A, to the current project  
12 budget of \$1,290,835, for a total amended project budget of \$1,979,335.  
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14                   **ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2023.  
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19 ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

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23 \_\_\_\_\_  
Dana Brown-Davis, Clerk of the Council

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Barry Buchanan, Chair of the Council

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26 APPROVED AS TO FORM:

WHATCOM COUNTY EXECUTIVE  
WHATCOM COUNTY, WASHINGTON

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28  
29 Christopher Quinn approved via email  
30 Christopher Quinn  
31 Senior Deputy Prosecuting  
32 Attorney – Civil Division

\_\_\_\_\_  
Satpal Sidhu, County Executive

(    ) Approved      (    ) Denied

Date Signed: \_\_\_\_\_  
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