



# Whatcom County

COUNTY COURTHOUSE  
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## Agenda Bill Master Report

File Number: AB2021-638

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<b>File ID:</b>	AB2021-638	<b>Version:</b>	1	<b>Status:</b>	Adopted
<b>File Created:</b>	10/28/2021	<b>Entered by:</b>	MCaldwel@co.whatcom.wa.us		
<b>Department:</b>	Finance Division	<b>File Type:</b>	Ordinance		
<b>Assigned to:</b>	Council Finance and Administrative Services Committee			<b>Final Action:</b>	11/23/2021
<b>Agenda Date:</b>	11/23/2021			<b>Enactment #:</b>	ORD 2021-080

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

### TITLE FOR AGENDA ITEM:

Ordinance Establishing the North Fork Road/Kenney Creek Fish Passage Fund and Establishing a Project Based Budget for the North Fork Road/Kenney Creek Fish Passage Fund; CRP #919007

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Request establishes the North Fork Road/Kenney Creek Fish Passage Fund and requests a project based budget of \$425,000 for the preliminary engineering and right-of-way phases of the project.

### HISTORY OF LEGISLATIVE FILE

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<b>Date:</b>	<b>Acting Body:</b>	<b>Action:</b>	<b>Sent To:</b>
11/09/2021	Council	INTRODUCED	Council Finance and Administrative Services Committee
		Aye: 6	Browne, Buchanan, Byrd, Donovan, Elenbaas, and Frazey
		Nay: 0	
		Absent: 1	Kershner
11/23/2021	Council Finance and Administrative Services Committee	RECOMMENDED FOR ADOPTION	
		Aye: 3	Browne, Byrd, and Frazey
		Nay: 0	
		Absent: 0	
11/23/2021	Council	ADOPTED	
		Aye: 7	Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner
		Nay: 0	

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Absent: 0

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**Attachments:** Proposed Ordinance, Supplemental Budget Request, Six-Year Transportation Improvement Program

**ORDINANCE NO.** 2021-080

**ORDINANCE ESTABLISHING THE NORTH FORK ROAD/KENNEY CREEK FISH PASSAGE FUND AND ESTABLISHING A PROJECT BASED BUDGET FOR THE NORTH FORK ROAD/KENNEY CREEK FISH PASSAGE FUND; CRP #919007**

**WHEREAS**, the North Fork Road/Kenney Creek Fish Passage project is item number B11 on the 2022-2027 Six Year Transportation Improvement Program (STIP), and item number 37 on the 2022 Annual Construction Program, with anticipated right-of-way and preliminary engineering (PE) costs of \$770,000 over multiple years; and

**WHEREAS**, Washington State Department of Transportation requirements for the STIP include construction engineering in the PE line item; and

**WHEREAS**, this request for funding is for preliminary engineering, not to include construction engineering, and right-of-way phases of the project, which are anticipated to be \$320,000; and

**WHEREAS**, it is appropriate to include a contingency amount in the project, knowing that unused budget will flow into the construction effort; and

**WHEREAS**, the Brian Abbott Fish Barrier Removal Board has committed \$2,975,000 of state funding for the construction phase of this project, with a local cost share from the Road Fund; 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 January 1<sup>st</sup>, 2022, titled North Fork Road/Kenney Creek Fish Passage Fund. This fund shall be used to account for the revenues and expenditures of the improvement project described above, and

1 **BE IT FURTHER ORDAINED** by the Whatcom County Council that the North  
2 Fork Road/Kenney Creek Fish Passage Fund is approved as described in Exhibit A  
3 with an initial project budget of \$425,000.

4  
5 **ADOPTED** this 23rd day of November, 2021.

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7  
8 ATTEST:

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11 Dana Brown-Davis, Clerk of the Council

12  
13 APPROVED AS TO FORM:

14  
15 Approved by email/C Quinn/M Caldwell  
16 Christopher Quinn  
17 Civil Deputy Prosecutor  
18

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

  
Barry Buchanan, Chair of the Council

() Approved ( ) Denied

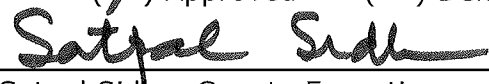
  
Satpal Sidhu, County Executive  
Date Signed: November 29, 2021

Exhibit "A"

**Project Based Budget - Budget Request Tracking Sheet**

Project Title: **North Fork Road/Kenney Creek Fish Passage**

Project Codes: **CRP No. 919007**

Project Based Budget Request: **Initial Request**

Duration Requested: **3 yrs (2021, 2022, 2023)**

Budget Account	Project Activity	New Approved Project Budget
595110	Preliminary Engineering (In-House & Consultant)	\$300,000
595110	Contingency for Project	\$105,000
595200	Right of Way	\$20,000
595300	Construction	\$0
595120	Construction Engineering (In-House & Consultant)	\$0
<b>TOTAL</b>		<b><u>\$425,000</u></b>

Object Account	Project Funding	New Approved Project Revenue
8301	Local Funds (transfer from Road Fund)	\$425,000
4334	State FBRB Funds	\$0
<b>TOTAL</b>		<b><u>\$425,000</u></b>

\* Funds committed, but not yet obligated

\*FBRB = Fish Barrier Removal Board