

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

**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 \_\_\_\_\_ day of \_\_\_\_\_, 2021.  
6

7  
8 ATTEST:  
9

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

10 \_\_\_\_\_  
11 Dana Brown-Davis, Clerk of the Council

\_\_\_\_\_  
Barry Buchanan, Chair of the Council

12  
13 APPROVED AS TO FORM:

( ) Approved ( ) Denied

14  
15 Approved by email/C Quinn/M Caldwell

16 Christopher Quinn  
17 Civil Deputy Prosecutor  
18

\_\_\_\_\_  
Satpal Sidhu, County Executive  
Date Signed: \_\_\_\_\_

## 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><u>\$425,000</u></u></b>

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

\* Funds committed, but not yet obligated

\*FBRB = Fish Barrier Removal Board