

Project title: An Ordinance creating a special improvement project entitled “40th Place Landslide Repair” Fund 303, Program 122, to accumulate all costs for the improvement

Council Bill #

CB 2104-12

Agenda dates requested:

April 28, 2021

Briefing

Proposed action 4.28,5.5

Consent

Action 5.12.

Ordinance

Public hearing

Yes No

Budget amendment:

Yes No

PowerPoint presentation:

Yes No

Attachments:

Proposed Ordinance

Department(s) involved:

Public Works, Parks, Admin

Contact person:

Tom Hood

Phone number:

(425) 257-8809

Email:

thood@everettwa.gov

Initialed by:

Department head

Administration

Council President

Project: 40th Place Landslide Repair

Partner/Supplier : N/A

Location: 40th Place

Preceding action: None

Fund: 303 – Public Works Improvements

Fiscal summary statement:

The budget for this project is \$350,000. The funding source will be Fund 154 – Capital Improvement Program 3.

Project summary statement:

This project will provide for the design and construction of roadway and adjacent slope repair measures along 40th Place within the plat of the Reserve at Forest Park. The slope adjacent to 40th Place is Parks-owned property which has been slowly settling for years and is beginning to impact the roadway.

The project will include a consultant geotechnical study, followed by in-house design work in 2021. The construction phase will be a small works construction contract in 2022.

Recommendation (exact action requested of Council):

Adopt an Ordinance creating a special improvement project entitled “40th Place Landslide Repair” Fund 303, Program 122.



ORDINANCE NO. _____

An ORDINANCE creating a special improvement project entitled “40th Place Landslide Repair” Fund 303, Program 122, to accumulate all costs for the improvement.

WHEREAS,

- A.** The City of Everett is committed to maintaining roadway infrastructure.
- B.** The City of Everett has identified the need and obtained funds for the design and construction of improvements to the roadway and adjacent slope along 40th Place.

NOW, THEREFORE, THE CITY OF EVERETT DOES ORDAIN:

Section 1. A special improvement project is hereby established as Fund 303, Program 122, entitled “40th Place Landslide Repair” to accumulate all costs for the work. Authorization is hereby given to accumulate costs and distribute payments for the study.

Section 2. Authorization is hereby granted for the “Public Works Director” or “City Engineer” under the direction of the Mayor, to assume full and complete responsibility for conducting all tasks and doing all things to accomplish the actions authorized in this ordinance.

Section 3. The sum of \$350,000 is hereby appropriated to Fund 303, Program 122, “40th Place Landslide Repair” as follows:

A. Estimated Project Costs	\$ 350,000
B. Source of Funds	
Fund 154 – Capital Improvement Program 3	\$ 350,000

Section 4. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener’s/clerical errors, references, ordinance numbering, section/subsection numbers, and any internal references.

Section 5. The City Council hereby declares that should any section, paragraph, sentence, clause or phrase of this ordinance be declared invalid for any reason, it is the intent of the City Council that it

would have passed all portions of this ordinance independent of the elimination of any such portion as may be declared invalid.

Section 6. The enactment of this Ordinance shall not affect any case, proceeding, appeal or other matter currently pending in any court or in any way modify any right or liability, civil or criminal, which may be in existence on the effective date of this Ordinance.

Section 7. It is expressly the purpose of this Ordinance to provide for and promote the health, safety and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this Ordinance. It is the specific intent of this Ordinance that no provision or any term used in this Ordinance is intended to impose any duty whatsoever upon the City or any of its officers or employees. Nothing contained in this Ordinance is intended nor shall be construed to create or form the basis of any liability on the part of the City, or its officers, employees or agents, for any injury or damage resulting from any action or inaction on the part of the City related in any manner to the enforcement of this Ordinance by its officers, employees or agents.

Cassie Franklin, Mayor

ATTEST:

Sharon Fuller, City Clerk

PASSED: _____

VALID: _____

PUBLISHED: _____

EFFECTIVE DATE: _____