

Project title: An Ordinance creating a Special Improvement Project entitled “41st Street to Rucker Avenue Corridor Phase 2” Fund 303, Program 123 and repealing Ordinance No. 3836-21.

Council Bill # CB 2203-09

March 23, 30, April 6

Agenda dates requested:

Briefing 3/23

Proposed action 3/30

Consent

Action 4/6

Ordinance

Public hearing

Yes No

Budget amendment:

Yes No

PowerPoint presentation:

Yes No

Attachments:

Proposed Ordinance

Department(s) involved:

Public Works, Admin

Contact person:

Ryan Sass

Phone number:

(425) 257-8942

Email:

rsass@everettwa.gov

Initialed by:

Department head

Administration

Council President

Consideration: Plans & Systems Ordinance

Project: 41st Street to Rucker Avenue Corridor Phase 2

Partner/Supplier: Washington State Department of Transportation

Location: 41st Street to W. Marine View Drive

Preceding action: Ordinance No. 3836-21, approved 11/24/21

Fund: 303 – Public Works Improvements

Fiscal summary statement:

The funding sources are a Washington State LEAP Transportation grant in the amount of \$2,500,000 and local matching funds of \$165,200.

Project summary statement:

This project is the second phase of a multi-phased project that began with improvements to three intersections that included signal improvements, expanded turn lanes, and increased radii to better accommodate freight traffic.

This second phase of work may include additional intersection improvements and possible roadway realignments between 41st Street and West Marine View Drive.

The current project schedule, approved in the State’s funding, is for preliminary engineering to conclude by June 30, 2023. The Right of Way phase would begin July 1, 2023 and conclude by June 30, 2025. Lastly, the Construction phase would begin July 1, 2025 and be completed by June 30, 2027.

Ordinance No. 3836-21 provided funding for the pre-design feasibility study of this project. This new funding ordinance will provide funding for engineering design and preparation of construction documents. After design completion, Public Works will return with a new ordinance that will include Right of Way funding for Council consideration.

Recommendation (exact action requested of Council):

Adopt an Ordinance creating a Special Improvement Project entitled “41st Street to Rucker Avenue Corridor Phase 2” Fund 303, Program 123 and repealing Ordinance No. 3836-21.



ORDINANCE NO. _____

An ORDINANCE creating a special improvement project entitled “41st Street to Rucker Avenue Corridor Phase 2” Fund 303, Program 123, to accumulate all costs for the improvement and repealing Ordinance No. 3836-21.

WHEREAS,

- A.** The City of Everett is committed to maintaining and expanding roadway infrastructure to facilitate access to the Port of Everett.
- B.** The City of Everett has identified the need and obtained funds for the design and construction of improvements to the corridor from 41st Street to West Marine View Drive.

NOW, THEREFORE, THE CITY OF EVERETT DOES ORDAIN:

Section 1. A special improvement project is hereby established as Fund 303, Program 123, entitled “41st Street to Rucker Avenue Corridor Phase 2” to accumulate all costs for the improvement. Authorization is hereby given to accumulate costs and distribute payments for the improvement project. Ordinance No. 3836-21 is hereby repealed.

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 \$2,665,200 is hereby appropriated to Fund 303, Program 123, “41st Street to Rucker Avenue Corridor Phase 2” as follows:

A. Estimated Project Design Costs	\$2,665,200
B. Source of Funds	
Washington State LEAP Transportation Funds	\$2,500,000
Fund 119 – Street Improvements	<u>165,200</u>
Total Funds	\$2,665,200

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:

Ashleigh Scott, Deputy City Clerk

PASSED: _____

VALID: _____

PUBLISHED: _____

EFFECTIVE DATE: _____