

Project title: An Ordinance creating a special improvement project entitled "Everett Smelter Drainage" Fund 336, Program 028.

Council Bill #
CB 2203-12

Agenda dates requested:
April 6, 13 and 20, 2022

Briefing 4/6
Proposed action , 4/13
Consent
Action 4/20
Ordinance X
Public hearing
Yes X No

Budget amendment:
Yes X No

PowerPoint presentation:
Yes X No

Attachments:
Proposed Ordinance

Department(s) involved:
Public Works, Admin

Contact person:
Emily Coba

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Initialed by:

Department head

Administration

Council President

Consideration: Plans & Systems Ordinance

Project: Everett Smelter Drainage

Partner/Supplier: WA State Department of Ecology

Location: Riverside Road

Preceding action: One Time Grant Program Agreement 3/2/22

Fund: 336-Water & Sewer System Improvements Fund

Fiscal summary statement:

The funding source for this project will be a WA State Department of Ecology grant and local matching funds from Fund 401 Water and Sewer Utility Fund. The budget for the project is \$1,325,000.

Project summary statement:

The Department of Ecology’s Everett Smelter Cleanup site is located in the Riverside area of the city. In order to prevent the intrusion of contaminated ground water into City of Everett and privately-owned drainage pipes, which would then flow directly into the Snohomish River, Ecology would like the City of Everett to complete a project to repair and line the existing pipes using Cured-In-Place Pipe (CIPP). Ecology will fund the project using a one-time grant.

Recommendation (exact action requested of Council):

Adopt an Ordinance creating a special improvement project entitled "Everett Smelter Draining" Fund 336, Program 028.



ORDINANCE NO. _____

An ORDINANCE creating a special improvement project entitled “Everett Smelter Drainage” Fund 336, Program 028, to accumulate all costs for the improvement.

WHEREAS,

- A.** The City of Everett is committed to a planned drainage system infrastructure maintenance improvement and replacement program.
- B.** The City of Everett has identified the need and obtained funds to construct new facilities in partnership with the Washington State Department of Ecology.

NOW, THEREFORE, THE CITY OF EVERETT DOES ORDAIN:

Section 1. A special improvement project is hereby established as Fund 336, Program 028, entitled “Everett Smelter Drainage” to accumulate all costs for the improvement. Authorization is hereby given to accumulate costs and distribute payments for the improvement project.

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 \$1,325,000 is hereby appropriated to Fund 336, Program 028, “Everett Smelter Drainage” as follows:

A. Estimated Project Costs	\$1,325,000
B. Source of Funds	
WA State Department of Ecology Grant	\$ 1,055,000
Fund 401 – Water/Sewer Utility Fund	270,000
Total Funds	<u>\$ 1,325,000</u>

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: _____