

**Project title:** An Ordinance Creating a Special Construction Project Entitled "Downtown Public Restrooms", Fund 342, Program 037, to Accumulate All Costs for the Project

**Council Bill #**

CB 2211 – 47

**Agenda dates requested:**

Briefing  
Proposed action 11/2/2022  
Proposed action 11/9/2022  
Consent  
Action 11/16/2022  
Ordinance   
Public hearing  
Yes  No

**Budget amendment:**

Yes  No

**PowerPoint presentation:**

Yes  No

**Attachments:**

Funding Ordinance

**Department(s) involved:**

Parks and Facilities  
Administration

**Contact person:**

Bob Leonard

**Phone number:**

425-257-8335

**Email:**

bleonard@everettwa.gov

**Initialed by:**

*RML*

Department head

Administration

Council President

**Project:** Downtown Public Restrooms

**Partner/Supplier:** n/a

**Location:** Multiple Selected Sites

**Preceding action:** ARPA Resolution 7817

**Fund:** ARPA Funding

**Fiscal summary statement:**

The proposed Funding Ordinance will provide funding for the design, installation, and construction of the Downtown Public Restrooms. The source of funds for this project is Fund 155 – ARPA (ALN 21.027; FAIN SLFRP0494). The ARPA funds will be appropriated to Fund 342, Program 037 (CIP 1). Design and all related installation costs are estimated at \$1,500,000.

The source of funds is a combination of American Rescue Plan Act (ARPA) funds in the amount of \$1,250,000 in addition to a Snohomish County Interlocal Agreement (ILA) contribution of \$250,000 for a total of \$1,500,000.

**Project summary statement:**

Four Downtown area sites that service the City’s diverse populations have been selected for six owner-supplied prefabricated ADA compliant restroom units for public use and their associated utility infrastructure. The City administration has identified an urgent need for public restrooms in the downtown area that service visitors, tourists, and patrons.

**Recommendation (exact action requested of Council):**

Adopt an Ordinance to create a special construction Project entitled "Downtown Public Restrooms", Fund 342, Program 037, to accumulate all costs for the project.



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

**An Ordinance creating a special construction project entitled “Downtown Public Restrooms,” Fund 342, Program 037, to accumulate all costs for the project.**

**WHEREAS,**

- A.** The City Council recognizes the absence of public restrooms in the Downtown core.
- B.** The City Council has prioritized the need to provide restroom services for general access and to increase the amenities for the vitality of the community.
- C.** The City Council adopted Resolution No. 7817, which identified the public restroom project as an approved use of American Rescue Plan Act (ARPA) funds.

**NOW, THEREFORE, THE CITY OF EVERETT DOES ORDAIN:**

**Section 1.** A special construction project is hereby established as Fund 342, Program 037 and shall be entitled “Downtown Public Restrooms” to accumulate all costs for the project.

**Section 2.** Authorization is hereby given to accumulate costs and distribute payments from Fund 342, Program 037 for the special construction project.

**Section 3.** Authorization is hereby granted to the Parks and Facilities Director, under the direction of the Mayor, to assume full and complete responsibility for conducting all tasks and all necessary steps to accomplish the actions authorized in this ordinance.

**Section 4.** The sum of \$1,500,000.00 is hereby appropriated to Fund 342, Program 037, “Downtown Public Restrooms” as follows:

<b>A. Use of Funds</b>	
<u>Design and Construction</u>	<u>\$1,500,000.00</u>
Total	\$1,500,000.00
<b>B. Source of Funds</b>	
Fund 155 – ARPA (ALN 21.027; FAIN SLFRP0494)	\$1,250,000.00
<u>SNOCO ILA Funds</u>	<u>\$250,000.00</u>
Total	\$1,500,000.00

**Section 5.** 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 6.** 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 7.** 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 8.** 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:

\_\_\_\_\_  
City Clerk

PASSED: \_\_\_\_\_

VALID: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_