



**Project title:** An Ordinance closing a special improvement project entitled "Port of Everett Combined Sewer Main" Fund 336, Program 025, as established by Ordinance No. 3851-21.

**City Council Agenda Item Cover Sheet**

**Council Bill #**

CB 2212 - 62

**Agenda dates requested:**

12/7, 12/14, 12/21

Briefing

Proposed action 12/7 & 12/14

Consent

Action 12/21

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:**

Souheil Nasr

**Phone number:**

425-257-7210

**Email:**

snasr@everettwa.gov

**Initialed by:**

*RLS*

Department head

Administration

Council President

**Consideration:** Closing Ordinance

**Project:** Port of Everett Combined Sewer Main

**Partner/Supplier:** Northwest Construction, Inc.

**Location:** Everett waterfront

**Preceding action:** Ordinance No. 3851-21, approved 12/22/21, Change Order No. 3, approved 8/17/22

**Fund:** 336 – Water & Sewer System Improvements Fund

**Fiscal summary statement:**

The programmed available funding for this project was \$5,460,000.

The project was completed with design and construction costs of \$9,218,701. This Ordinance authorizes an additional \$3,758,701 from Fund 401 – Water and Sewer Utility Fund.

**Project summary statement:**

The City of Everett was under an agreed order to bring its combined sewer overflows (CSOs) into regulatory compliance by year end 2027. The Port of Everett Combined Sewer Main was a required project as identified in the Port Gardner Storage Facility (PGSF) Engineering report. The project consisted of 42" and 12" diameter combined sewer pressure pipes that connected Lift Station #3 to the Port Gardner Storage Facility.

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

Adopt an Ordinance closing a special improvement project entitled "Port of Everett Combined Sewer Main" Fund 336, Program 025, as established by Ordinance No. 3851-21.



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

**An ORDINANCE closing a special improvement project entitled “Port of Everett Combined Sewer Main” Fund 336, Program 025, as established by Ordinance No. 3851-21.**

**WHEREAS,**

- A.** The special improvement project entitled “Port of Everett Combined Sewer Main” Fund 336, Program 025, was established to provide for identified improvements.
- B.** The purpose of the project has been accomplished and there are neither outstanding obligations to be paid nor uncollected revenues to be received.

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

**Section 1.** That the special improvement project entitled “Port of Everett Combined Sewer Main” Fund 336, Program 025, as established by Ordinance No. 3851-21 be closed.

**Section 2.** That the final expenses and revenues for the “Port of Everett Combined Sewer Main” Fund 336, Program 025 are as follows:

**A. Expenses**

Design and Construction	\$5,460,000
Remaining Balance Transfer to Fund 401	<u>3,758,701</u>
Total Expenses	\$9,218,701

**B. Source of Funds**

Fund 401 – Water/Sewer Utility Fund	<u>9,218,701</u>
Total Funds	\$9,218,701

**Section 3.** There are no financial transactions remaining.

**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:

\_\_\_\_\_  
Marista Jorve, City Clerk

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

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

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

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