



Project title: An Ordinance relating to a special improvement project entitled "Casino Road & 5th Avenue W Pedestrian Safety" Fund 303, Program 117, AMENDING Ordinance No. 3702-19.

City Council Agenda Item Cover Sheet

Council Bill #

CB1917-64

Agenda dates requested:

12/4/19, 12/11/19, 12/18/19

Briefing

Proposed action

Consent

Action

Ordinance

Public hearing

Yes No

Budget amendment:

Yes No

PowerPoint presentation:

Yes No

Attachments:

Proposed Ordinance

Department(s) involved:

Public Works, Admin

Contact person:

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Consideration: Plans & Systems Ordinance

Project: Citywide Safety Improvements: Casino Road & 5th Avenue W

Partner/Supplier : WA State Department of Transportation

Location: Casino Road & 5th Avenue W

Preceding action: Ordinance No. 3702-19, approved 9/25/19

Fund: 303

Fiscal summary statement: The budget for this project is \$1,126,700 and the sources of funds are:

City Safety – Federal Funds	\$ 976,700
Fund 119 – Street Improvements	<u>150,000</u>
Total Funds	<u>\$ 1,126,700</u>

The original funding Ordinance had the two funding sources correct but incorrectly listed the amount of the appropriation as \$760,400 instead of \$1,126,700. This amending Ordinance makes the necessary correction to the appropriated amount.

Project summary statement:

This project will install upgrades at the Casino Road & 5th Avenue W traffic signal. Upgrades include accessible pedestrian pushbuttons, flashing yellow left turn phasing, fiber optic connectivity, traffic monitoring cameras and lighting. Work also includes Americans with Disabilities Act (ADA) improvements in the project area.

Recommendation (exact action requested of Council):

Adopt an Ordinance relating to a special improvement project entitled "Casino Road & 5th Avenue W Pedestrian Safety" Fund 303, Program 117, AMENDING Ordinance No. 3702-19.

Initialed by:

Department head

Administration

Council President



ORDINANCE NO. _____

An **ORDINANCE** Relating to a special improvement project entitled “Casino Road & 5th Avenue W Pedestrian Safety Improvements” Fund 303, Program 117, **AMENDING Ordinance No. 3702-19**

WHEREAS,

- A. The City of Everett is committed to a planned pedestrian safety program.
- B. The City has identified the need and obtained funds to construct certain pedestrian safety improvements.
- C. The budget established by Ordinance No. 3702-19 needs to be amended to correct a clerical error.

NOW, THEREFORE, THE CITY OF EVERETT DOES ORDAIN:

Section 1. Section 4 of Ordinance 3702-19 which reads as follows:

The sum of \$760,400 is hereby appropriated to Fund 303, Program 117, “Casino Road & 5th Avenue W Pedestrian Safety Improvements” as follows:

is hereby repealed.

Section 2. Section 4 of Ordinance 3702-19 is amended as follows, with strikeouts deleted and underlining added:

The sum of \$1,126,700 ~~\$760,400~~ is hereby appropriated to Fund 303, Program 117, “Casino Road & 5th Avenue W Pedestrian Safety Improvements” as follows:

Section 3. 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 4. 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 5. 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 6. 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: _____