1213-ORD
04/14/11

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5996

AN ORDINANCE relating to construction of non-motorized improvements and a new stormwater pipe on 108th Avenue SE authorizing the City Manager or his designee to: 1) execute an agreement (and supplements, if necessary) with Comcast Corporation (Comcast), for the acceptance of a private funding contribution; 2) execute an agreement (and supplements, if necessary) with the Qwest Corporation (Qwest), for the acceptance of a private funding contribution; 3) amend the 2011-2012 General Capital Investment Program (CIP) fund to increase the appropriation by $60,000 in private contribution funds; and 4) amend of the 2011-2017 Bellevue CIP fund by increasing the project budget for 108th Avenue SE/Bellevue Way to I-90 (CIP Plan No. PW-W/B-71) by $60,000.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Manager or his designee is authorized to execute an agreement (and supplements, if necessary) with Comcast, for the acceptance of a private fiunding contribution for the 108th Avenue SE/Bellevue Way to I-90 Project, a copy of which agreement in substantial form has been given Clerk's Receiving No. 47443

Section 2. The City Manager or his designee is authorized to execute an agreement with Qwest Corporation (and supplements, if necessary), for the acceptance of a private funding contribution for the 108th Avenue SE/Bellevue Way to I-90 Project, a copy of which agreement in substantial form has been given Clerk's Receiving No. 47444

Section 3. The City's 2011-2012 General Capital Investment Program (CIP) Fund appropriation adopted by Ordinance No. 5978 on December 6, 2010 as may have been previously amended, is hereby further amended to increase the appropriation to said fund by $60,000 to recognize the funding from the following:

Funding Source	Amount
Comcast Corporation	$30,000
Qwest Corporation	$30,000
Total from Anticipated Sources	$60,000

Provided, however, if the actual revenue received from the anticipated sources specified shall be more or less than the anticipated amount set forth in herein, the appropriation shall be adjusted to equal the amount actually received.

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Section 4. The City's 2011-2017 General CIP Plan adopted by Ordinance No. 5978 on December 6, 2010, as may have been previously amended, is hereby further amended by increasing the project budget for 108th Avenue SE/Bellevue Way to I-90 (CIP Plan No. PW-W/B-71) by $60,000 in private funding contributions from Comcast and Qwest Corporations to reflect these additional funds.

Section 5. The City Manager or his designee shall have responsibility for the administration and expenditure of said funds and shall have all authority necessary to enter into agreements regarding the use thereof.

Section 6. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

Passed by the City Council this 18th day of April, 2011, and signed in authentication of its passage this 18th day of April, 2011.

(SEAL)

Don Davidson, DDS
Mayor

Approved as to form:

Lori M. Riordan, City Attorney

Jerome Y. Roaché, Assistant City Attorney

Attest:

Myrna L. Basich, City Clerk

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