



ORDINANCE NO. 2949

AN ORDINANCE SUPERCEDING ORDINANCE 2774, WHICH SUPERCEDED ORDINANCE 2724, WHICH AMENDED ORDINANCE 2593, WHICH SUPERCEDED ORDINANCE 2561, ESTABLISHING PROJECT COMPLETION FUNDING FOR PROJECT FUND 307, OLYMPIC VIEW DRIVE IMPROVEMENTS; FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY PUBLICATION.

WHEREAS, the City of Lynnwood is committed to a planned transportation and traffic improvement program as a part of the City Transportation Improvement Program and Capital Facilities Plan; and

WHEREAS, the City of Lynnwood has received approval for the utilization of Transportation Improvement Board, (TIB) and from the Surface Transportation Plan (STP) Countywide funds for planned improvements to Olympic View Drive as an improvement project included in the Capital Facilities Plan as Project Number ST1997001A; and

WHEREAS, the City of Lynnwood shall construct the improvements in two phases, whereby Phase 1 construction limits are generally known as 178th Place SW to 168th Street SW and Phase 2 construction limits are generally known as 76th Avenue W to 178th Place SW; and

WHEREAS, the City of Edmonds and Snohomish County are project partners and will share in the cost of certain elements of the project; and

WHEREAS, the Olympic View Drive improvements will provide safety enhancements in the form of sidewalks with curb & gutter on both sides of the roadway, two way left turn-lanes at major intersections, as well as storm water quality & detention facilities; and

WHEREAS; Federal funding within the project requires a Maximum Extent Feasible Report be submitted to the FHWA which details how well the project has complied with applicable ADA, (Americans with Disabilities Act), requirements, and justifies areas that may not comply due to limiting site conditions NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Appropriation:

A. Design and Right of Way Phase: The current project cost estimate for the entire project is approximately \$11,268,650.12 as of 1/3/2012.

The cost for design and right of way phase of the project is \$1,036,944.00. The sum of \$1,036,944 is hereby appropriated revenue transfers and expenditures for the design and right of way phase of the project, to the extent not previously

appropriated by adoption of prior Capital Facilities Plans, for the completion of the project as follows:

Fund No.	Revenue Description	Revenue	Expenditures Description	Expenditures
Previous Activity:				
111	Streets	\$10,005	Design/Right-of-way	\$10,005
112	Arterial Streets	\$113,000	Design/Right-of-way	\$113,000
333	Capital Development	\$304,000	Design/Right-of-way	\$304,000
461	Stormwater Utility	\$41,380	Design/Right-of-way	\$41,380
TIB	TIB Grant	\$532,480	Design/Right-of-way	\$532,480
417/440	Utility Bond Fund	\$36,079	Design/Right-of-way	\$36,079
	Total	1,036,944		1,036,944

Total Revenue – Fund 307 \$ 1,036,944

B. Phase 1 Construction – 178th Street SW to 168th Street SW:

The cost for Phase 1 construction is estimated to be approximately \$4,766,228.25. This includes the costs for the construction, construction management, schedules of construction and construction management to be reimbursed by the City of Edmonds under a separate approved Interlocal Agreement, construction management using city resources and consultant support services, testing, and construction contingencies. The sum of \$4,766,228.25 is hereby appropriated with necessary transfers for revenues and expenditures for the Phase 1 construction project, to the extent not previously appropriated by adoption of prior Capital Facilities Plans, for the completion of the project as follows:

Fund No.	Revenue Description	Revenue	Expenditures Description	Expenditures
Previous Activity:				
City of Edmonds	Edmonds	\$125,000	Edmonds Sidewalks	\$125,000
City of Edmonds	Edmonds Water Utility	\$265,414	Edmonds Watermains	\$265,414
City of Edmonds	Edmonds Sewer Utility	\$27,660	Edmonds Sewer Laterals	\$27,660
Transportation Improvement Board	TIB Grant	\$1,500,000	Phase 1 Construction	\$1,500,000
STP Countywide	STP Federal Grant	\$877,000	Phase 1 Construction	\$877,000
Fund 326 ITS	ITS Federal Grant	\$107,800	Phase 1 Construction	\$107,800

417/440	Utility Bond Fund	\$936,000	Phase 1 Construction	\$936,000
Fund 330	CPSIP	\$591,004	Phase 1 Construction	\$591,004
Fund 330	CPSIP	\$336,350.25	Phase 1 Construction	\$336,350.25
	Total	\$4,766,228.25		\$4,766,228.25

Total Revenue – Fund 307 \$ 4,766,228.25

C. Phase 2 Construction – 76th Avenue W to 178th Place SW:

The cost for Phase 2 construction is estimated to be approximately \$5,465,477.87. This includes the costs for the construction, construction management, schedules of construction and construction management to be reimbursed by the City of Edmonds under a separate approved Interlocal Agreement, construction management using city resources and consultant support services, testing, and construction contingencies. The sum of \$5,465,477.87 is hereby appropriated with necessary transfers for revenues and expenditures for the Phase 2 construction project, to the extent not previously appropriated by adoption of prior Capital Facilities Plans, for the completion of the project as follows:

Fund No.	Revenue Description	Revenue	Expenditures Description	Expenditures
Previous Activity:				
City of Edmonds	Edmonds	\$125,000	Edmonds Sidewalks	\$125,000
City of Edmonds	Edmonds Water Utility	\$181,055	Edmonds Watermain Const.	\$181,055
City of Edmonds	Edmonds Water Utility	\$15,390	Const. Mgmt. Edmonds Water	\$15,390
City of Edmonds	Edmonds Sewer Utility	\$15,519	Edmonds Sewer Const.	\$15,519
City of Edmonds	Edmonds Sewer Utility	\$1,319	Const. Mgmt. Edmonds Sewer	\$1,319
City of Edmonds	Edmonds Stormwater Utility	\$110,919	Edmonds Drainage Const.	\$110,919
Snohomish Co.	Snohomish Co.	\$150,000	Perrinville Improvements	\$150,000
Transportation Improvement Board	TIB Grant	\$1,500,000	Street Improvements	\$1,500,000
STP Countywide	STP Federal Grant	\$877,000	Street Improvements	\$877,000
440	Utility Bond Fund	\$800,000	Street Improvements	\$800,000
New Activity:				

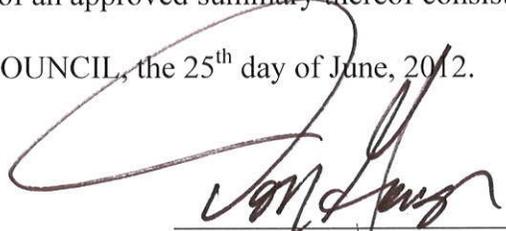
330	CPSIP	\$980,310	Street Improvements	\$980,310
330	CPSIP	\$336,350.25	Street Improvements	\$336,350.25
112	Arterial Street Fund	\$270,000	Defend Plats Plus Claim	\$270,000
112	Arterial Street Fund	\$775,000	Claim Settlement	\$775,000
112	Arterial Street Fund	\$316.12	Balance of ADA Compliance Report	\$316.12
	Total	\$5,465,477.87		\$5,465,477.87

Total Revenue – FUND 307 \$5,465,477.87

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase or word of this ordinance.

Section 3. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

PASSED BY THE CITY COUNCIL, the 25th day of June, 2012.



DON GOUGH, MAYOR

ATTEST:



LORENZO HINES
Finance Director

APPROVED AS TO FORM:



ROSEMARY A. LARSON
Lynnwood City Attorney

FILED WITH ADMINISTRATIVE SERVICES: *June 21 - 2012*
PASSED BY THE CITY COUNCIL: *June 25 - 2012*
PUBLISHED: *July 2, 2012*
EFFECTIVE DATE: *July 7, 2012*
ORDINANCE NUMBER: *2949*

Affidavit of Publication

STATE OF WASHINGTON,
COUNTY OF SNOHOMISH

} S.S.

The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice

Summary of Ordinance No. 2949

a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

July 02, 2012

and that said newspaper was regularly distributed to its subscribers during all of said period.

Karen E. Zomer

Principal Clerk

Subscribed and sworn to before me this

2nd

day of July, 2012

Diana Hendrix

Notary Public in and for the State of Washington, residing at Everett, Snohomish County.

