



**ORDINANCE NO. 2954**

AN ORDINANCE SUPERCEDING ORDINANCE #2895, AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, UPDATING PROJECT FUNDING FOR THE DESIGN AND CONSTRUCTION FOR THE WASTEWATER TREATMENT PLANT HEAT EXCHANGER REPLACEMENT PROJECT; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

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WHEREAS, pursuant to Chapter 35A.33 RCW, the City of Lynnwood is required to appropriate funds for City projects and to formally authorize the transfer of appropriations from one fund to another fund; and

WHEREAS, the City of Lynnwood is committed to the implementation of facility improvements to, and maintenance of, the Wastewater Treatment Plant (WWTP) as part of the Wastewater Comprehensive Plan and Capital Facilities Plan; and

WHEREAS, the City of Lynnwood has received approval for the planned replacement of the Heat Exchanger as an improvement included in the Capital Facilities Plan as project number SE2006051A; and

WHEREAS, the City of Lynnwood has adopted a Utility Rate structure that includes funding for Capital Projects; and

WHEREAS, the City of Lynnwood has previously obtained municipal bonds as a means to provide funding for Capital Projects which includes \$1,348,246.00 for the replacement of the Heat Exchangers at the WWTP; now, therefore

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

Section 1. Appropriation:

A. The sum of \$1,348,246.00 is hereby appropriated, to the extent not previously appropriated, for the design, procurement and installation of replacement Heat Exchangers at the WWTP as follows:

Fund No.	Revenue Description	Revenue	Expenditures Description	Expenditures
441/419 (Ord. 2895)	Utility Construction Bonds (per Utility Rate Study)	\$ 811,200	Wastewater Treatment Plant Heat Exchanger Replacement	\$ 811,200
441/419 (Cost Increases)	Utility Construction Bonds (per Utility Rate Study)	\$ 537,046	Wastewater Treatment Plant Heat Exchanger Replacement	\$ 537,046
Total		\$1,348,246		\$1,348,246

B. The estimated project costs for the WWTP Heat Exchanger Replacement project are provided in the financial plan dated 07/24/2012 and are summarized as follows:

Project Phase	Initial Estimate (Ord. 2895)	Cost Increases (per Procurement Bid and Engineer's Estimate for Installation)	Updated Project Costs
Design Phase	\$ 153,600	0	\$ 153,600
Procurement Phase	\$ 301,400	\$ 428,246	\$ 729,646
Installation Phase	\$ 356,200	\$ 108,800	\$ 465,000
Total	\$811,200	\$537,046	\$1,348,246

C. The appropriation for the WWTP Heat Exchanger Replacement shall not lapse and shall be carried forward from year to year until fully expended or the purpose has been accomplished or abandoned without necessity of re-appropriation.

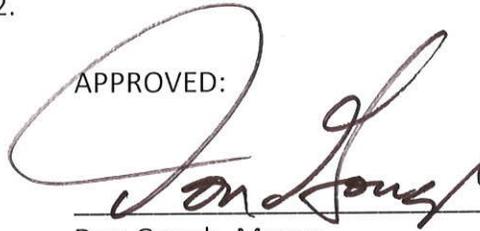
Section 2. Modification of the 2011-2012 Biennial Budget. The required expenditures for operation of the various departments and funds of the City of Lynnwood for the fiscal years ending December 31, 2011 and 2012, are hereby modified and amended as shown in **Exhibit A** attached hereto and incorporated herein.

Section 3. 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 of this ordinance.

Section 4. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

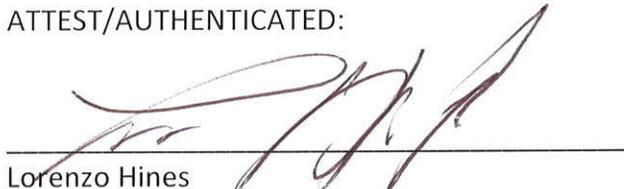
PASSED BY THE CITY COUNCIL, the 13th day of August, 2012 and signed in authentication of its passage this 20<sup>th</sup> day of August, 2012.

APPROVED:



Don Gough, Mayor

ATTEST/AUTHENTICATED:

  
Lorenzo Hines  
Finance Director

APPROVED AS TO FORM:

  
Rosemary Larson  
City Attorney

FILED WITH ADMINISTRATIVE SERVICES:	08/14/2012
PASSED BY THE CITY COUNCIL:	08/13/2012
PUBLISHED:	08/17/2012
EFFECTIVE DATE:	08/22/2012
ORDINANCE NUMBER:	2954



On the 13<sup>th</sup> day of August, 2012, the City Council of the City of Lynnwood, Washington, passed Ordinance No. 2954. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE SUPERCEDING ORDINANCE #2895, AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, UPDATING PROJECT FUNDING FOR THE DESIGN AND CONSTRUCTION FOR THE WASTEWATER TREATMENT PLANT HEAT EXCHANGER REPLACEMENT PROJECT; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

The full text of this Ordinance will be mailed upon request.

DATED this 15th day of August, 2012.

  
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Lorenzo Hines, Finance Director

# Affidavit of Publication

STATE OF WASHINGTON,  
COUNTY OF SNOHOMISH

} S.S.

**LYNNWOOD**  
WASHINGTON

On the 13 day of August, 2012, the City Council of the City of Lynnwood, Washington, passed Ordinance No. 2954. A summary of the content of said ordinance, consisting of the title, provides as follows:

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The full text of this Ordinance will be mailed upon request.  
DATED this 15th day of August, 2012.  
Lorenzo Hines, Finance Director  
Published: August 17, 2012.

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. 2954

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:

August 17, 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

17th

day of August, 2012

*Diana Hendrix*

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

