



**LYNNWOOD**  
WASHINGTON

**ORDINANCE NO. 2964**

**AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON,  
SUPERCEDING ORDINANCE #2889, UPDATING THE  
FINANCIAL PLAN FOR THE POPLAR WAY EXTENSION BRIDGE  
PROJECT (33<sup>RD</sup> AVE W TO POPLAR WAY) AND CONTRACT  
AWARD FOR PHASE 2 DESIGN; 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 is committed to a planned transportation and traffic improvement program as a part of the City Transportation Program and Capital Facilities Plan; and

WHEREAS, the Poplar Way Extension Bridge project is included in the City's Capital Facilities plan as project number ST2006088A; and

WHEREAS, one of the City's goals for the transportation system, as identified in the Transportation Element of the City's Comprehensive plan, is to provide mobility options for residents, visitors and commuters through a balanced transportation system that supports the City's land use vision; and

WHEREAS, a critical element of the City's overall land use plan and vision to accommodate growth as required by the Growth Management Act (GMA) of 1990, while also preserving and protecting the character of existing residential neighborhoods, has been to develop and implement a planned City Center; and

WHEREAS, the GMA includes a "concurrency" requirement that requires the City to provide the necessary transportation improvements to support the planned development as it occurs; and

WHEREAS, one of the major transportation issues facing the City of Lynnwood in the future identified in the Transportation Element of the City's Comprehensive Plan, is the impediment to circulation in the vicinity of Alderwood Mall/City Center area created by the physical location of I-5; and

WHEREAS, the Poplar Way Extension Bridge will provide an additional crossing of I-5 that will both alleviate traffic demand on the 196<sup>th</sup> Street SW Bridge and increase circulation within the vicinity of the Alderwood Mall/City Center area; and

WHEREAS, the City of Lynnwood performed a City Center Access Study to develop and prioritize a system of regional and local transportation infrastructure improvements to support, increase access to, and increase circulation within, the planned City Center; and

WHEREAS, the Poplar Way Extension Bridge project was identified as one of the highest priority local projects developed during the performance of the City Center Access Study; and

WHEREAS, as the City of Lynnwood has secured Federal STP and IMD grants for the project, in order to meet the City's provisional financing requirements of the Comprehensive Plan and Capital Facilities Plan in accordance with RCW 36.70A.070(c); and

WHEREAS, the City has established Fund 324 for the Poplar Way Extension Bridge project and has authorized the transfer of \$133,115 from Fund 325 and \$340,000 from Fund 411 by way of Ordinance #2889 in order to provide grant matching funds for the project; and

WHEREAS, the financial plan for the project will be updated to reflect the latest funding and cost information for the Poplar Way Extension Bridge project and includes revisions to grant funding amounts available and the most recent cost estimate information; and

WHEREAS, the City entered into contract #1883 with Perteet Inc., to complete the first of two phases of design for the Poplar Way Extension Bridge Contract; and

WHEREAS, it is in the City's best interest to continue and complete the design of the project by awarding the second of two phases for design of the Poplar Way Extension Bridge to Perteet Inc., ; and

WHEREAS, the City plans to spend the appropriations for this project over the next 3 to 4 years; now, therefore

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

**Section 1. Appropriation:**

A. The sum of \$3,426,014 is hereby appropriated, to the extent not previously appropriated, for design engineering, design documentation, environmental documentation and permitting, surveying and basemapping, geotechnical investigation, utility coordination, preparation of plans, specifications and estimates (PS&E), right-of-way documents and acquisition services, project management and administration, and all other necessary and related project costs, and appropriate project contingencies for the Poplar Way Extension Bridge project, as follows:

<b>Fund No.</b>	<b>Revenue Description</b>	<b>Revenue</b>	<b>Expenditures Description</b>	<b>Expenditures</b>
325	Fund Balance	\$133,116	Poplar Way Extension Bridge	\$133,116
411	Utilities Fund per Rate Study	\$340,000	Poplar Way Extension Bridge	\$340,000
Grant	Federal IMD (80%/20%)	\$493,053	Poplar Way Extension Bridge	\$493,053
Grant	Federal IMD (100%)	\$559,845	Poplar Way Extension Bridge	\$559,845
Grant	Federal STP, Design (86.5% / 13.5%)	\$1,900,000	Poplar Way Extension Bridge	\$1,900,000
	<b>Total</b>	<b>\$3,426,014</b>		<b>\$3,426,014</b>

B. The estimated costs of the Poplar Way Extension Bridge Project are provided in detail in the financial plan dated 09/11/2012 and are summarized as follows:

Design Engineering	\$2,920,110
Right-of-Way	\$2,146,500
Construction	\$25,535,800
<b>Total</b>	<b>\$30,602,410</b>

C. The appropriation for the Poplar Way Extension Bridge project 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.

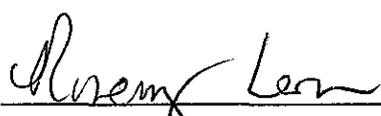
Section 3. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. This ordinance, passed by a majority plus one of the whole membership of the City Council in accordance with RCW 35A.33.120 and 35A.34.200, and upon the Council's finding that it is in the best interests of the City to make the fund appropriation decreases, increases, and transfers set forth in this ordinance, shall take effect and be in full force five (5) days after publication. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City.

PASSED BY THE CITY COUNCIL, the 22<sup>nd</sup> day of October, 2012 and approved by the Mayor this ~~25<sup>th</sup>~~ day of October, 2012.

APPROVED:  
  
\_\_\_\_\_  
Don Gough, Mayor

ATTEST/AUTHENTICATED:  
  
\_\_\_\_\_  
Lorenzo Hines, Finance Director

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
Rosemary Larson, City Attorney

FILED WITH ADMINISTRATIVE SERVICES: 10/17/2012  
PASSED BY THE CITY COUNCIL: 10/22/2012  
PUBLISHED: 10/27/2012  
EFFECTIVE DATE: 11/01/2012  
ORDINANCE NUMBER: 2964

**Exhibit A**

	A	B	C	D	F	AN	AO
				<b>2011-2012</b>			
				<b>Biennial</b>	<b>Poplar Way</b>	<b>Poplar Way</b>	
				<b>Budget (Ord.</b>	<b>Extension</b>	<b>Ext Bridge</b>	<b>Budget</b>
				<b>2873)</b>	<b>(Ord. 2889)</b>	<b>(Ord. )</b>	<b>Amendment</b>
1							
2	011		GENERAL FUND				
3		00	NON DEPARTMENTAL	3,605,913			6,105,934
4		20	ADMINISTRATIVE SERVICES	8,779,658			8,743,158
5		30	COMMUNITY DEVELOPMENT	4,083,393			4,272,928
6		18	ECONOMIC DEVELOPMENT	<del>740,438</del>			795,181
7		10	EXECUTIVE	585,674			555,059
8		40	FIRE	17,769,066			17,241,451
9		15	HUMAN RESOURCES	1,099,198			1,099,198
10		13	LEGAL	1,820,000			1,820,000
11		16	LEGISLATIVE	749,357			749,357
12		14	MUNICIPAL COURT	2,826,833			2,826,833
13		17	OFFICE OF NEIGHBORHOODS	-			-
14		50	PARKS & RECREATION	11,569,587			11,569,587
15		70	POLICE	34,596,513			33,203,577
16		60	PUBLIC WORKS	7,202,215			7,407,215
17			<b>GENERAL FUND Total</b>	<b>\$ 95,427,545</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 96,389,478</b>
18			101-HOTEL/MOTEL FUND	2,319,794			2,319,794
19			104-DRUG ENFORCEMENT	547,009			547,009
20			105-CRIMINAL JUSTICE RESERVE	1,910,658			2,060,658
21			106-JUSTICE PROGRAMS	-			-
22			110-TBD FUND	<del>600,000</del>			-
23			111-STREET FUND	4,325,191			4,325,191
24			112-ARTERIAL STREET FUND	734,000			864,086
25			114-CUMULATIVE PK RES & DEV	39,000			39,000
26			116-CUMULATIVE ART RESERVE	128,500			128,500
27			120-EMS PROPERTY TAX RESERVE	4,791,375			4,791,375
28			121-TREE FUND RESERVE	44,000			44,000
29			128-PATHS AND TRAILS	-			-
30			144-SOLID WASTE MANAGEMENT	90,512			90,512
31			198-REVENUE STABILIZATION FUND	-			-
32			199-PROGRAM DEVELOPMENT FUND	<del>270,543</del>			334,784
33			201-2001 GO REFUNDING BONDS	330,563			330,563
34			202-2009 LIMITED TAX GO REF BONDS	1,371,650			1,371,650
35			215-800 MZH DEBT SERVICE	283,290			283,290
36			216-STATE LOCAL LOAN	92,624			92,624
37			217-ENERGY CONSERVATION	130,736			130,736
38			330-REAL ESTATE EXCISE TAX 2	-			1,401,805
39			331-REAL ESTATE EXCISE TAX 1	<del>222,750</del>			775,950
40			333-CAPITAL DEVELOPMENT FUND	-			484,752
41			411-S/W UTILITY	36,383,092	<u>340,000</u>		37,786,068
42			417-2008 UTILITY SYSTEM BONDS	2,861,100			5,014,854
43			448- <del>419</del> -2010 UTILITY SYSTEM BONDS	582,496			6,153,112
44			460-GOLF COURSE	2,662,455			2,662,455
45			510-EQUIP RENTAL RESERVE	1,287,574			1,336,074
46			511-EQUIPMENT RENTAL	2,378,337			2,459,369
47			512-CENTRAL STORES	4,368			4,368
48			513-JOINT SHOP OPERATIONS	460,506			460,506
49			515-SELF-INSURANCE	1,326,250			4,126,250
50			519-RESERVE RETIREMENT CNTRB	130,000	-	-	130,000
51			<b>2011 - 2012 Total Budget</b>	<b>\$ 161,735,918</b>	<b>\$ 340,000</b>	<b>\$ -</b>	<b>\$ 176,938,813</b>
52							
53							
54			<b>Capital Budget Changes</b>				
55			307-OLYMPIC VIEW DRIVE	1,052,581			775,000
56			311-OVERLAYS	-			1,372,395
57			312-SIDEWALKS	-			1,005,000
58			321 I-5 PEDESTRIAN BRIDGE	-			148,478
59			322 PARK ACQUISITION & DEVELOPMENT	-			775,000
60			324-POPLAR WAY EXTENSION BRIDGE	-	<u>4,326,014</u>	<u>(1,240,000)</u>	3,086,014
61			325-I-5 CITY CENTER EXIT	298,993	<u>(165,877)</u>		133,116
62			350-INTERURBAN TRAIL	-			2,200,000
63			440-2008 UTILITY BOND CONSTRUCTION	-			2,181,914
64			441-2010 UTILITY BOND CONSTRUCTION	-			4,667,624

**Exhibit A**

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			<b>2011-2012</b> <b>Biennial</b> <b>Poplar Way</b> <b>Poplar Way</b> <b>Budget (Ord.</b> <b>Extension</b> <b>Ext Bridge</b> <b>2873)</b> <b>(Ord. 2889)</b> <b>(Ord. )</b> <b>Budget</b> <b>65</b> <b>2011 2012 Capital Budget Total</b> <b>1,351,574</b> <b>4,160,137</b> <b>(1,240,000)</b> <b>16,344,541</b> <b>Amendment</b>				

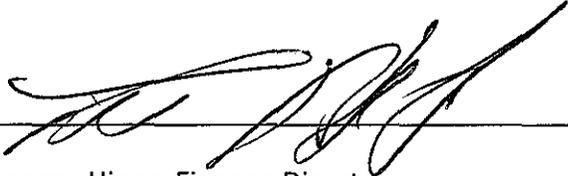


On the 22<sup>nd</sup> day of October, 2012, the City Council of the City of Lynnwood, Washington, passed Ordinance No. 2964. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, SUPERCEDING ORDINANCE #2889, UPDATING THE FINANCIAL PLAN FOR THE POPLAR WAY EXTENSION BRIDGE PROJECT (33<sup>RD</sup> AVE W TO POPLAR WAY) AND CONTRACT AWARD FOR PHASE 2 DESIGN; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

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

DATED this 27th day of August, 2012.



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Lorenzo Hines, Finance Director

# Affidavit of Publication

STATE OF WASHINGTON,  
COUNTY OF SNOHOMISH

} S.S.

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

DATED this 27th day of October, 2012.

Lorenzo Hines, Finance Director

Published, October 27, 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

Ordinance No. 2964

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:

October 27, 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

29th

day of October, 2012

*Diana Hendrix*

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

