



LYNNWOOD
WASHINGTON

ORDINANCE NO. 2971

AN ORDINANCE AMENDING THE FOLLOWING CAPITAL PROJECT FINANCIAL PLANS APPROVED BY THE CITY COUNCIL: CITY CENTER STORMWATER BASIN MANAGEMENT PLAN, ORDINANCE #2900; INTERURBAN TRAIL NORTH SEGMENT, ORDINANCE #2903; INTERURBAN TRAIL SOUTH SEGMENT, ORDINANCE #2906; UTILITY SYSTEM SCADA UPGRADE, ORDINANCE #2923; SCRIBER LAKE AERATION RETROFIT & FLOATING ISLAND, ORDINANCE #2953; FOR THE PURPOSE OF INSERTING THE APPROPRIATION CARRY FORWARD LANGUAGE AS PROVIDED IN RCW 35A.34.270 SO THAT THE APPROPRIATION SHALL NOT LAPSE UNTIL THE PROJECTS ARE COMPLETED; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

WHEREAS, pursuant to Chapter 35A.34 RCW, the City of Lynnwood is required to appropriate monies or future anticipated funding authority into special funds for City capital projects and to formally authorize the transfer of appropriations from one fund to another fund; and

WHEREAS, RCW 35A.34.270 provides that all appropriations in a special fund authorized by ordinance or by state law to be used only for the purpose or purposes therein specified "shall not lapse, but shall be carried forward from biennium to biennium until fully expended or the purpose has been accomplished or abandoned, without necessity of reappropriation;" and

WHEREAS, the City's project financial plan ordinances historically contain standard language stating the application of RCW 35A.34.270 to city capital project special funds; and

WHEREAS, the above named projects' ordinances did not contain this necessary clarification of continuing-appropriation language; and

WHEREAS, the City plans to spend the appropriations for the various project(s) now and into the future after approval of the financial plan and ordinance by the City Council; and

WHEREAS, the action by the City Council in this ordinance merely incorporates state budget law language and does not change any other provisions of the previously adopted financial and plan ordinances;

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

The following language and clarification which is virtually a direct quotation of state law, to wit: "The appropriation for this 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." is added to each of the following project financial plan(s) and ordinance(s):

- A. City Center Stormwater Basin Management Plan, Ordinance #2900, Section 1, new subsection B, at line 4.
- B. Interurban Trail North Segment, Ordinance #2903, Section 1, new subsection C, at line 5.
- C. Interurban Trail South Segment, Ordinance #2906, Section 1, new subsection C, at line 9.
- D. Utility System SCADA Upgrade, Ordinance #2923, Section 1, new subsection D, at line 16.
- E. Scriber Lake Aeration Retrofit & Floating Island, Ordinance #2953, Section 1, new subsection C, (no line numbers in approved ordinance).

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 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.

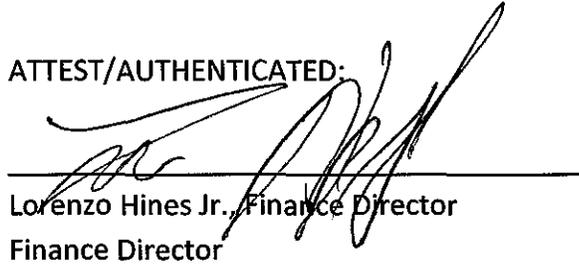
PASSED BY THE CITY COUNCIL, this 10th day of December, 2012, and signed and executed this 12th day of December, 2012.

APPROVED:

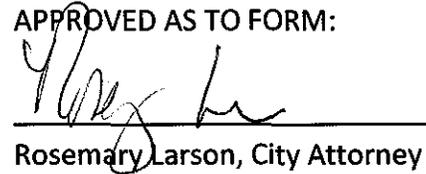


Don Gough, Mayor

ATTEST/AUTHENTICATED:


Lorenzo Hines Jr., Finance Director
Finance Director

APPROVED AS TO FORM:


Rosemary Larson, City Attorney

FILED WITH ADMINISTRATIVE SERVICES:	12/05/2012
PASSED BY THE CITY COUNCIL:	12/10/2012
PUBLISHED:	12/14/2012
EFFECTIVE DATE:	12/19/2012
ORDINANCE NUMBER:	2971



On the 10th day of December 2012, the City Council of the City of Lynnwood, Washington, passed Ordinance No. 2971. A summary of the content of said ordinance, consisting of the title, provides as follows:

ORDINANCE NO. 2971

AN ORDINANCE AMENDING THE FOLLOWING CAPITAL PROJECT FINANCIAL PLANS APPROVED BY THE CITY COUNCIL: CITY CENTER STORMWATER BASIN MANAGEMENT PLAN, ORDINANCE #2900; INTERURBAN TRAIL NORTH SEGMENT, ORDINANCE #2903; INTERURBAN TRAIL SOUTH SEGMENT, ORDINANCE #2906; UTILITY SYSTEM SCADA UPGRADE, ORDINANCE #2923; SCRIBER LAKE AERATION RETROFIT & FLOATING ISLAND, ORDINANCE #2953; FOR THE PURPOSE OF INSERTING THE APPROPRIATION CARRY FORWARD LANGUAGE AS PROVIDED IN RCW 35A.34.270 SO THAT THE APPROPRIATION SHALL NOT LAPSE UNTIL THE PROJECTS ARE COMPLETED; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

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

DATED this 14th day of December, 2012



Lorenzo Hines Jr., Finance Director

CERTIFICATE

I, the undersigned, Lorenzo Hines Jr., the duly appointed City Clerk of the City of Lynnwood, Washington, hereby certify that the Ordinance hereto attached is a full, true and correct copy of Ordinance No. 2971 of the City of Lynnwood, Washington, entitled as follows:

AN ORDINANCE AMENDING THE FOLLOWING CAPITAL PROJECT FINANCIAL PLANS APPROVED BY THE CITY COUNCIL: CITY CENTER STORMWATER BASIN MANAGEMENT PLAN, ORDINANCE #2900; INTERURBAN TRAIL NORTH SEGMENT, ORDINANCE #2903; INTERURBAN TRAIL SOUTH SEGMENT, ORDINANCE #2906; UTILITY SYSTEM SCADA UPGRADE, ORDINANCE #2923; SCRIBER LAKE AERATION RETROFIT & FLOATING ISLAND, ORDINANCE #2953; FOR THE PURPOSE OF INSERTING THE APPROPRIATION CARRY FORWARD LANGUAGE AS PROVIDED IN RCW 35A.34.270 SO THAT THE APPROPRIATION SHALL NOT LAPSE UNTIL THE PROJECTS ARE COMPLETED; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

That said ordinance was passed by the Council of said City and was published and posted according to law; that said ordinance was duly published in the official newspaper of said City on December 14, 2012.

DATE: _____

12/17/12

Lorenzo Hines Jr. City Clerk of the
City of Lynnwood, Washington