



**LYNNWOOD**  
WASHINGTON

**ORDINANCE NO. 3019**

**AN ORDINANCE SUPERSEDING ORDINANCE #2960, WHICH SUPERSEDED ORDINANCE #2933, WHICH SUPERSEDED ORDINANCE #2784, ESTABLISHING PROJECT FUNDING FOR PROJECT FUND 318, AND PROVIDING FOR SPENDING AUTHORITY, BUDGET APPROPRIATIONS, AND TRANSFERS FROM FUNDS 411, 112, 330, 110, AND GRANTS, FOR THE 204<sup>TH</sup> STREET SW ROAD IMPROVEMENTS; FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY PUBLICATION.**

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WHEREAS, the City of Lynnwood is committed to a planned transportation and traffic improvement program, as indicated in the City's Comprehensive Plan and further defined in the Capital Facilities Plan and in the annual update of the Transportation Improvement Plan (TIP); and

WHEREAS, the 204<sup>th</sup> Street SW Road Improvements (68<sup>th</sup> Avenue W to SR 99) are necessary to accommodate the growing traffic demands and enhance public safety, by providing intersection enhancements with re-channelization at various locations around the project, roadway improvements that include but are not limited to: stormwater facilities, utility relocation/improvements, and pedestrian and bicycle safety features; and

WHEREAS, the Edmonds Community College has developed a Campus Master Plan that encourages access to 204<sup>th</sup> Street SW and has agreed to support these improvements; and

WHEREAS, the project financial plan needs to be updated to reflect current project cost estimates and new and available revenue funding sources; and

WHEREAS, the Transportation Improvement Board (TIB), a Washington State Agency who administers limited transportation grants to projects that meet specific requirements, and are competitive, has awarded funding, for the construction only phase of the project, and the City Council adopted a financial plan in January 2012 for this project, which avoided the requirement to return the awarded grant in the event a financial plan was not adopted; and

WHEREAS, the TIB funds now need to spent starting in 2014 for the construction phase of the project, and

WHEREAS, the City received a Community Development Block Grant for the construction phase only of the project, for the sidewalk portion of the project; and

WHEREAS, the City received a federal grant State Transportation Program (STP) Countywide for the construction phase only of the project; and

WHEREAS, the City received a State Grant from the Department of Commerce for the construction phase only of the project; and

WHEREAS, the City staff now anticipates that the project has all of the funding necessary to complete the project without the need for a the formation of a Local Improvement District, subject to actual bids and unforeseen issues that may arise;

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

**Section 1. Appropriation:**

A. The estimated costs of the project are provided in detail on the attached Financial Plan dated September, 2013, and summarized as follows:

Project Phase	Amount
Design	844,200
Right-of-Way	179,715
Construction	2,971,127
<b>Total</b>	<b>3,995,042</b>

B. The sum of \$3,995,042 is hereby appropriated, to the extent not previously appropriated, for design engineering for the Project as follows:

Prior Ord # / Current Activity	Fund No.	Revenue		Expenditures	
		Description	Amount	Description	Amount
2960	318	Design/ROW/Construction	3,318,125	Design and Right-of-way and Construction	3,318,125
Sept. 2013 Update	411/318	Utility Fund	188,241		188,241
Sept. 2013 Update	110/318	Transportation Impact Fees	238,676		238,676
Sept. 2013 Update	Grant	Dept. of Commerce - grant	250,000		250,000
		<b>Current Appropriation - SubTotal</b>	<b>3,995,042</b>		<b>3,995,042</b>

C. The Funding Appropriation(s) and related changes, modifications, adjustments, if any, are provided in detail as follows:

Prior Ord # / Current Activity	Fund No.	Revenue		Expenditures	
		Description	Amount	Description	Amount
<b>Design</b>					
2960	318	Design/ROW	1,041,125	Design and Right-of-way	1,041,125
Sept. 2013 Update	411/318	Utility Fund	130,047	Storm Drainage Design	130,047
		<b>Design - SubTotal</b>	<b>1,171,172</b>		<b>1,171,172</b>
<b>Construction</b>					
2960	318	Construction	2,277,000	Construction	2,277,000
Sept. 2013 Update	318	Grant - Dept. of Commerce	250,000	Construction	250,000
Sept. 2013 Update	110/318	Transportation Impact fees	238,676	Construction	238,676
Sept. 2013 Update	411/318	Utility Fund	58,194	Construction	58,194
		<b>Construction - SubTotal</b>	<b>2,823,870</b>		<b>2,823,870</b>
May 2013 Update		<b>Current Appropriation</b>	<b>3,995,042</b>		<b>3,995,042</b>

Note: The TIB grant award is for \$1,500,000 at a 50% match ratio for construction only. The current estimate for construction is such that \$1,268,552 is 50% of the current cost estimate.

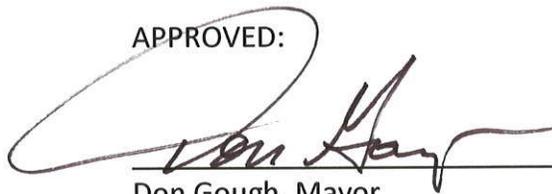
- A. An updated financial plan and ordinance(s) will periodically come back to Council as appropriate to reflect changes in project expenditure/revenue information.
- B. The appropriations for the 204<sup>th</sup> Street SW Improvements shall not lapse and shall be carried forward from year to year until fully expended or the purpose has been accomplished or abandoned without the necessity of reappropriation.

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 this 23rd day of September, 2013 and signed in authentication of its passage this 25<sup>th</sup> day of September, 2013.

APPROVED:




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Don Gough, Mayor

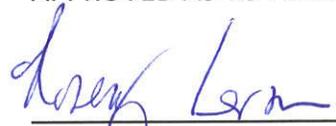
ATTEST/AUTHENTICATED




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Lorenzo Hines, Jr., Finance Director

APPROVED AS TO FORM:




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Rosemary Larson, City Attorney

FILED WITH ADMINISTRATIVE SERVICES:	09/17/2013
PASSED BY THE CITY COUNCIL:	09/23/2013
PUBLISHED:	09/27/2013
EFFECTIVE DATE:	10/02/2013
ORDINANCE NO.:	3019

204th Street SW Transportation Improvement Project Financial Plan Update			Target/Actual Expenses	Exp/Rev Diff	Revenue Anticipated	Grants				City Sources				Previous UD Plan
						TIB Grant 50% of Constr. Costs	HUD Grant to Fund 318 Sidewalk Only	STP Citywide to Fund 318 Constr. Only	WA State DOC Grant Const. Only	Fund 411 to Fund 318	Fund 112 to Fund 318	SIF/REET Fund 330 to Fund 318	Tr. Imp. Fee Fund 110 to Fund 318	LID Funding
8/23/2013 Prepared by: Jesse Perrault Reviewed by: Bill Franz			3,995,042	1	3,995,043	1,268,552	225,000	913,500	250,000	871,792	-	146,060	320,139	-
<b>Design</b>														
Ordinance #2784	Design		150,000	-	150,000					150,000				
Ordinance #2784	Design		466,285	-	466,285					354,311	111,974			
FP Update Aug 2012	Design - NEPA, Traffic Calming/ Public Outreach		34,868	-	34,868					34,868				
FP Update & Ord. Sept. 2013	Design - Storm vault relocation		130,047	-	130,047					130,047				
<b>LID Studies</b>														
Ordinance #2784	LID Formation Study (2009)		61,455	-	61,455						14,000		47,455	
Ordinance #2784	LID Bond Council		30,000	-	30,000								30,000	
Ordinance #2784	LID Final Assessment Roll		15,000	-	15,000								15,000	
Financial Plan Update 1/5/2012	LID Study Update (2012)		30,000	-	30,000					28,455	1,545			
FP Update Sept 2012	LID Bond Council		(30,000)	-	(30,000)								(30,000)	
FP Update Sept 2012	LID Final Assessment Roll		(15,000)	-	(15,000)								(15,000)	
FP Update Sept 2012	LID Study Update (2012)		(30,000)	-	(30,000)					(28,455)	(1,545)			
FP Update Sept 2012	LID Study (2009) - Underspent		1,545	-	1,545						1,545			
<b>Right of Way</b>														
Ordinance #2784	Right of Way Acquisition		150,000	-	150,000					117,234	32,766			
Ordinance #2784	Right of Way Acquisition		29,715	-	29,715						29,715			
<b>Adjustments</b>														
FP Update Sept 2012	Transfer Back to Fund 112			(190,000)	(190,000)									
FP Update Sept 2012	Use Fund 330/110 for This Phase			180,068	180,068							146,060	34,008	
FP Update Sept 2012	Additional Fund 411			9,932	9,932					9,932				
<b>Design/Right of Way/Study Phase</b>			1,023,915	-	1,023,915					798,392	-	146,060	81,463	-
<b>Construction</b>														
Financial Plan Update 1/5/2012	Construction Bid Award		1,948,003	-	1,948,003	974,002			103,300			111,974	7,545	751,183
Financial Plan Update 1/5/2012	Construction Management	10.0%	194,800	-	194,800	97,400			10,350					87,050
Financial Plan Update 1/5/2012	Construction Contingency	10.0%	214,300	-	214,300	107,150			14,350					95,800
Financial Plan Update 1/5/2012	City Forces to Remove Signal		75,000	-	75,000	37,500								37,500
Financial Plan Update 1/5/2012	On Call Engineering Support		50,000	-	50,000	25,000					18,888			6,113
Financial Plan Update 1/5/2012	Record Drawings		15,000	-	15,000	7,500					7,500			-
Financial Plan Update 1/5/2012	Testing		40,000	-	40,000	20,000			5,052		7,699			7,250
Financial Plan Update 1/5/2012	LID Guaranty Fund/Contingency		191,665	-	191,665									191,665
FP Update Sept 2012	Construction Bid Award			153,605	153,605		225,000	679,788						(751,183)
FP Update Sept 2012	Construction Management			-	-			87,050						(87,050)
FP Update Sept 2012	Construction Contingency			-	-			95,800						(95,800)
FP Update Sept 2012	City Forces to Remove Signal			-	-			37,500						(37,500)
FP Update Sept 2012	On Call Engineering Support			-	-			6,113						(6,113)
FP Update Sept 2012	Record Drawings			-	-									-
FP Update Sept 2012	Testing			-	-			7,250						(7,250)
FP Update Sept 2012	LID Guaranty Fund/Contingency		(191,665)	-	(191,665)									(191,665)
FP Update & Ord. Sept. 2013	Construction Bid Award		358,624	-	358,624				119,948					238,676
FP Update & Ord. Sept. 2013	Construction Management	10.0%	35,900	-	35,900					35,900				
FP Update & Ord. Sept. 2013	Construction Contingency	10.0%	39,500	-	39,500					39,500				
FP Update & Ord. Sept. 2013	City Forces to Remove Signal			-	-									
FP Update & Ord. Sept. 2013	On Call Engineering Support			-	-									
FP Update & Ord. Sept. 2013	Record Drawings			-	-									
FP Update & Ord. Sept. 2013	Testing			-	-									
<b>Adjustments</b>														
FP Update Sept 2012	Use in Design/Right of Way			(146,050)	(146,060)							146,060		
FP Update Sept 2012	Return to Fund 110			(7,545)	(7,545)									(7,545)
<b>Construction</b>			2,971,127	-	2,971,127	1,268,552	225,000	913,500	250,000	75,400	-	-	238,676	-
<b>Total Project</b>			3,995,042	-	3,995,042	1,268,552	225,000	913,500	250,000	871,792	-	146,060	320,139	-
Revenue Diff ----->						(1)	-	-	-	-	-	-	-	-



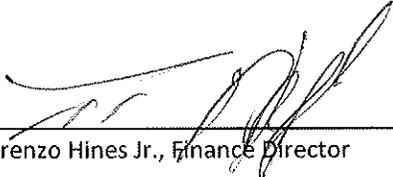
On the, 23rd day of September, 2013 the City Council of the City of Lynnwood, Washington, passed Ordinance 3019. A summary of the content of this ordinance, consisting of the title, provides as follows:

**ORDINANCE NO. 3019**

**AN ORDINANCE SUPERSEDING ORDINANCE #2960, WHICH SUPERSEDED ORDINANCE #2933, WHICH SUPERSEDED ORDINANCE #2784, ESTABLISHING PROJECT FUNDING FOR PROJECT FUND 318, AND PROVIDING FOR SPENDING AUTHORITY, BUDGET APPROPRIATIONS, AND TRANSFERS FROM FUNDS 411, 112, 330, 110, AND GRANTS, FOR THE 204TH STREET SW ROAD IMPROVEMENTS; FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY PUBLICATION.**

The full text of these ordinances will be mailed upon request.

DATED this 27<sup>th</sup> day of September, 2013.

  
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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. 3019 of the City of Lynnwood, Washington, entitled as follows:

### **ORDINANCE 3019**

**AN ORDINANCE SUPERSEDING ORDINANCE #2960, WHICH SUPERSEDED ORDINANCE #2933, WHICH SUPERSEDED ORDINANCE #2784, ESTABLISHING PROJECT FUNDING FOR PROJECT FUND 318, AND PROVIDING FOR SPENDING AUTHORITY, BUDGET APPROPRIATIONS, AND TRANSFERS FROM FUNDS 411, 112, 330, 110, AND GRANTS, FOR THE 204TH STREET SW ROAD IMPROVEMENTS; FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY PUBLICATION..**

That said ordinance was passed by the Council on September 23, 2013 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 September 27, 2013.



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

# Everett Daily Herald

## Affidavit of Publication

STATE OF WASHINGTON }  
COUNTY OF SNOHOMISH } ss

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 is a true copy of City Ordinances - Ordinance Nos: 3019, 3020 and 3021 516167

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:

2 issue(s), such publication commencing on 09/27/2013 and ending on 09/27/2013 and that said newspaper was regularly distributed to its subscribers during all of said period. The amount of the fee for such publication is \$ 57.96.

Karen E. Zeman

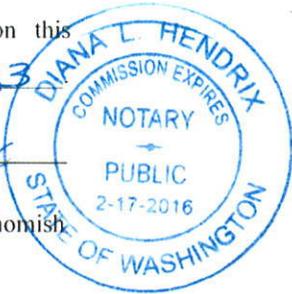
Subscribed and sworn before me on this

30th day of Sept 2013

Diana Hendrix

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

City of Lynnwood EDH127890 - PO: ORD. 3019-3021



**LYNNWOOD**  
WASHINGTON

On the, 23rd day of September, 2013 the City Council of the City of Lynnwood, Washington, passed Ordinances 3019, 3020 and 3021. A summary of the content of these ordinances, consisting of the title, provides as follows:

**ORDINANCE NO. 3019**  
AN ORDINANCE SUPERSEDING ORDINANCE #2960, WHICH SUPERSEDED ORDINANCE #2933, WHICH SUPERSEDED ORDINANCE #2784, ESTABLISHING PROJECT FUNDING FOR PROJECT FUND 318, AND PROVIDING FOR SPENDING AUTHORITY, BUDGET APPROPRIATIONS, AND TRANSFERS FROM FUNDS 411, 112, 330, 110, AND GRANTS, FOR THE 204TH STREET SW ROAD IMPROVEMENTS; FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY PUBLICATION.

**ORDINANCE NO. 3020**  
AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, ESTABLISHING PROJECT FUNDING FOR THE 2013 ROAD OVERLAY AND REBUILD PROGRAM ON 44TH AVENUE W BETWEEN THE 192ND PLACE SW AND 172ND STREET SW, AND SUPERSEDING ORDINANCE 2979; AND AUTHORIZING EXPENDITURES IN PROJECT FUND 311; AND AUTHORIZING FUNDING TRANSFERS, ALLOCATIONS AND REIMBURSEMENTS FROM GRANT FUNDS, FUND 150 AND REET FUNDS 330 AND 331; AND CONSISTENT WITH THE PROJECT FINANCIAL PLAN; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

**ORDINANCE NO. 3021**  
AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, ESTABLISHING PROJECT FUNDING FOR THE BIO SOLIDS INCINERATION CONTROLS 2013 PROJECT; AND AUTHORIZING EXPENDITURES IN UTILITY FUND 411; AND CONSISTENT WITH THE PROJECT FINANCIAL PLAN; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

The full text of these ordinances will be mailed upon request.  
DATED this 27th day of September, 2013.  
Lorenzo Hines Jr., Finance Director  
Published: September 27, 2013.