



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.

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 capital facilities improvement program as part of the City Capital Facilities Plan; and

WHEREAS, the City is prepared to proceed with an improvement project included in the Capital Facilities Plan as Project Number ST1997031A; and

WHEREAS, the 2013 Road Overlay and Rebuild will extend the pavement life and improve smoothness of 44th Avenue W;

WHEREAS, the City has obtained federal grant for the Project; and

WHEREAS, on October 10, 2012 the Lynnwood Transportation Benefit District Board adopted Ordinance 5, adopting the 2013 budget which allocated \$460,000 for the Project; and

WHEREAS, the City has previously approved a project financial plan in Ordinance 2979;

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 9/10/2013, and summarized as follows:

Project Phase	Amount
Design	145,599
Right of Way	-
Construction	2,090,401
Total	2,236,000

B. The sum of \$2,236,000.00 is hereby appropriated, to the extent not previously appropriated, for completion of the 2013 Road Overlay and Rebuild as follows:

Prior Ord # / Current Activity	Fund No.	Revenue		Expenditures	
		Description	Amount	Description	Amount
#2979	150/311	Transportation Benefit Dist.	460,000	Design/Construction	460,000
#2979	330/331/311	REET	359,500	Construction	359,500
#2979	311	Grant	676,000	Construction	676,000
#2979		SubTotal Prior Activity	1,495,500	SubTotal Prior Activity	1,495,500
Sept 2013 Update	330/331/311	REET	740,500	Construction	740,500
Sept 2013 Update		Current Total Appropriation	2,236,000		2,236,000

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
Design					
#2979	150/311	Transportation Benefit Dist.	116,500	Design	116,500
Sept 2013 Update	150/311	Transportation Benefit Dist.	29,099	Design	29,099
		Design - SubTotal	145,599		145,599
Construction					
#2979	150/311	Transportation Benefit Dist.	343,500	Construction	343,500
#2979	330/331/311	REET	359,500	Construction	359,500
#2979	311	Grant	676,000	Construction	676,000
Sept 2013 Update	150/311	Transportation Benefit Dist.	(29,099)	Construction	(29,099)
Sept 2013 Update	330/331/311	REET	740,500	Construction	740,500
		Construction - SubTotal	2,090,401		2,090,401
Sept 2013 Update		Current Appropriation	2,236,000		2,236,000

Section 2. Modifications of the 2013-2014 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, 2013 and 2014 are hereby modified and amended.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or word 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, subsection, sentence, clause, phrase or word of this ordinance.

Section 4. 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 this 23rd day of September, 2013 and signed in authentication of its passage this 25th day of September, 2013.

APPROVED:



Don Gough, Mayor

ATTEST/AUTHENTICATED:



Lorenzo Hines Jr., Finance Director

APPROVED AS TO FORM:



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 NUMBER: 3020

A	B	C	D	E	F	G	H	I	J	K	L	
1	Project Financial Plan										1	
2	2013 Road Overlay and Rebuild - 44th Avenue W Pavement Preservation Project										2	
3				Revenue								3
4	Project Fund: 311			Target/Actual		Target/Actual	TBD	REET	Grant		4	
5	Last update: 9/10/13			Expense	Diff	Revenue	Fund 150/311	Fund 330/331/311	Fund 311		5	
6	Prepared by: David Mach, P.E.										6	
7	Reviewed by: Bill Franz, P.E.			2,236,000	-	2,236,000	460,000	1,100,000	676,000		7	
8												8
9												9
10	Design											10
11	Plan/Specs			129,099	-	129,099	129,099	-	-		11	
12	Geotechnical Engineering			16,500	-	16,500	16,500	-	-		12	
13				145,599	-	145,599	145,599	-	-		13	
14	Right of Way											14
15	Right of Way			-	-	-	-	-	-		15	
16												16
17	Construction											17
18	Construction Contract			1,817,449	-	1,817,449	314,401	827,048	676,000		18	
19	Consultant CM and Testing			55,343	-	55,343	-	55,343	-		19	
20	CM Support			45,000	-	45,000	-	45,000	-		20	
21	Contingency			162,609	-	162,609	-	162,609	-		21	
22	Miscellaneous			10,000	-	10,000	-	10,000	-		22	
23				2,090,401	-	2,090,401	314,401	1,100,000	676,000		23	
24												24
25												25
26	Total Project			2,236,000	-	2,236,000	460,000	1,100,000	676,000		26	
27												27



On the, 23rd day of September, 2013 the City Council of the City of Lynnwood, Washington, passed Ordinance 3020. A summary of the content of this ordinance, consisting of the title, provides as follows:

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

DATED this 27th day of September, 2013.



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. 3020 of the City of Lynnwood, Washington, entitled as follows:

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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.



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

