



**ORDINANCE NO. 3050**

**AN ORDINANCE OF THE CITY OF LYNNWOOD WASHINGTON, ESTABLISHING PROJECT FUNDING FOR THE SCHONER SQUARE EASEMENT SEWER LINE REPAIR PROJECT AND THE 76TH AVENUE W SEWER AND WATER IMPROVEMENT PROJECT; AND SUPERSEDING ORDINANCES 3000, 2987, 2967, 2913, 2826 AND 2767; AND AUTHORIZING EXPENDITURES IN FUNDS 440, 417, 441, 419, AND FUND 411; AND AUTHORIZING FUNDING TRANSFERS, ALLOCATIONS, AND REIMBURSEMENTS FROM FUND 440, 417, 441 AND 419; AND AS IS CONSISTENT WITH THE PROJECT FINANCIAL PLAN, AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.**

---

WHEREAS, the City of Lynnwood is committed to a planned sewerline replacement program as part of the Wastewater Comprehensive Plan and Capital Facilities Plan; and

WHEREAS, the City of Lynnwood has received approval for planned sewerline replacement as an improvement project included in the Capital Facilities Plan as Project Number SE2006053A; and

WHEREAS, the City of Lynnwood has adopted a Utility Rate structure that includes funding for Capital Projects in Fund 411; and

WHEREAS, the Sewerline Replacement Program will provide for the ongoing repair, replacement and rehabilitation of sewer mains throughout the City; and

WHEREAS, the City of Lynnwood has previously obtained municipal revenue bonds in Fund 440/417 to provide funding for sewerline replacement projects ; and

WHEREAS, the City of Lynnwood has also obtained municipal revenue bonds in in Fund 441/419 to provide funding for utility projects; and

WHEREAS, this financial plan is intended to cover: the Schoner Square (aka Kinko's) Easement Sewer Repair Project; and the 76<sup>th</sup> Avenue W Sewerline project (S3 & S4 from the Comprehensive Plan), and

WHEREAS, the Schoner Square Easement Sewer Repair Project work was completed in 2010; and

WHEREAS, the financial plan has been updated based on updated costs at the time of bid award for the 76<sup>th</sup> Avenue W Sewerline project; and

WHEREAS, the City of Edmonds desires to install a new water line main in 76<sup>th</sup> Avenue W concurrent with this project, and shall reimburse the City of Lynnwood for related and appropriate expenses as defined in the 76<sup>TH</sup> AVENUE WEST WATER MAIN INSTALLATION DESIGN AND CONSTRUCTION INTERLOCAL AGREEMENT dated 10/06/11 and as approved by City Council; and

WHEREAS, the City of Lynnwood and the City Edmonds agreed to amend the Interlocal agreement to provide for temporary paving and the installation of the a side sewer repair, of which work was performed by the City Edmonds and will be reimbursed by the City of Lynnwood, and current portions of the water line phase of the project were deleted by City of Lynnwood and said remaining work was performed by the City of Edmonds; and

WHEREAS, the current ordinance and update to the financial plan include anticipated cost increases based on recent cost-to-complete analysis for construction.

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

SECTION 1. Appropriation:

- A. The estimated costs of the project are provided in detail in the attached financial plan dated 03/17/2014, and summarized as follows:

Project Phase	Amount
Design	<b>527,197</b>
Right of Way	-
Construction	<b>4,628,449</b>
<b>Total</b>	<b>5,155,646</b>

- B. The Sum of \$5,155,646 is hereby appropriated, to the extent not previously appropriated for design, construction, project management, administration,

testing, permitting, bidding, and construction contingencies, for the projects as follows:

Prior Ord # / Current Activity	Fund No.	Revenue		Expenditures	
		Description	Amount	Description	Amount
Ord #2967	440/417	Utility Bonds	574,554	Lynnwood Design/Construction	574,554
Ord #2967	411	Utility Fund	410,500	Lynnwood Design/Construction	410,500
Ord #2987	411	Utility Fund / Interlocal	721,500	Edmonds Design/ Construction - Reimbursed by Interlocal	721,500
Ord #2987	441/419	Utility Bonds	1,500,000	Lynnwood Design/Construction	1,500,000
Ord #3000	411	Utility Fund	475,000	Lynnwood Construction	475,000
		<b>Subtotal - Prior</b>	<b>3,681,554</b>		<b>3,681,554</b>
Update 03/17/2014	411	Utility Fund	-227,218	Edmonds Design/ Construction - Reimbursed by Interlocal	-227,218
Update 03/17/2014	411	Utility Fund	1,701,310	Lynnwood Construction	1,701,310
<b>Update 03/17/2014</b>	<b>All</b>	<b>Current Appropriations - Total</b>	<b>5,155,646</b>		<b>5,155,646</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>					
Ord #2767	440/417	Design - Lynnwood Sewer	424,587	Design - Sewerline Replacement Program	424,587
Ord #2767	440/417	Env. Permit - 76th Ave Swr	1,510	Environmental Permitting - 76th Ave Sewer	1,510
Ord #2826	440/417	SUE - 76th Ave Swr	45,800	Subsurface Utility Engineering - 76th Ave Sewer	45,800
Ord #2913	411	Design & CA - Edmonds Wtr	55,300	Design & Construction Assistance - Edmonds Water	55,300
		<b>Design - Subtotal</b>	<b>527,197</b>		<b>527,197</b>
<b>Construction</b>					
Ord #2767	440/417	Construction - Lynnwood	102,657	Construction - Schonher Square Sewer Repair	102,657
Ord #2913	411	Construction - Lynnwood	1,991,112	Construction - 76th Ave - Lynnwood Sewer - Initial Budget	1,991,112
Ord #2967	411	Construction - Lynnwood	(1,991,112)	Construction - 76th Ave Sewer - Adjustments/Updates	(1,991,112)
Ord #2967	411	Construction - Lynnwood	1,364,500	Construction - 76th Ave - Lynnwood Sewer - Contract Amt	1,364,500
Ord #2967	411	Contingency - Lynnwood	272,900	Project Contingency - Lynnwood Sewer - 76th	272,900
Ord #2967	411	CA & Testing - Lynnwood	131,600	Engineering CA & Mat'l Testing - Lynnwood Sewer - 76th	131,600
Ord #2967	411	Permits & Bidding - Lynnwood	5,000	Permitting & Bidding - 76th Ave W	5,000
Ord #2967	411	Construction Mgmt - Lynnwood	136,500	Construction Mgmt & Admin - Lynnwood Sewer - 76th	136,500
Ord #2913	411	Construction - Edmonds	435,300	Construction - 76th Ave - Edmonds Water - Initial Budget	435,300
Ord #2967	411	Construction - Edmonds	(435,300)	Construction - 76th Ave Water - Adjustments/Updates	(435,300)
Ord #2967	411	Construction - Edmonds	525,800	Construction - 76th Ave - Edmonds Water - Contract Amt	525,800
Ord #2967	411	Proj. Conting. - Edmonds	52,600	Project Contingency - Edmonds Water - 76th Ave	52,600
Ord #2967	411	CA & Testing - Edmonds	34,600	Engineering CA & Mat'l Testing - Edmonds Water - 76th	34,600
Ord #2967	411	Construction Mgmt - Edmonds	53,200	Construction Mgmt & Admin - Edmonds Water - 76th	53,200
Ord #2987	411	Construction - Lynnwood	(1,500,000)	Construction - 76th Ave Sewer - Transfer from 411 budget	(1,500,000)
Ord #2987	441/419	Construction - Lynnwood	1,500,000	Construction - 76th Ave Sewer - Transfer to 441/419 bonds	1,500,000
Ord #3000	411	Construction - Lynnwood	450,000	Construction - 76th Ave Sewer - Constr. Budget Increase	450,000
Ord #3000	411	Construction - Lynnwood	25,000	Special Legal Services	25,000
		<b>Construction - Subtotal</b>	<b>3,154,357</b>		<b>3,154,357</b>
Update 03/17/2014	411	Construction - Edmonds	(237,561)	Construction - Edmonds - Deauthorize Remaining Schedule B - Waterline	(237,561)
Update 03/17/2014	411	Construction - Edmonds	10,342	Construction - Edmonds - Equitable Adjustment - Handling Contaminated Soils - Water Line	10,342
		<b>Subtotal - Edmonds</b>	<b>(227,218)</b>		<b>(227,218)</b>
Update 03/17/2014	411	Construction - Lynnwood	(25,000)	Special Legal Services - Correction to Ordinance #3000	(25,000)
Update 03/17/2014	411	Construction - Lynnwood	15,000	Special Legal Services - Base Contract	15,000
Update 03/17/2014	411	Construction - Lynnwood	25,000	Special Legal Services - Supplement #1	25,000
Update 03/17/2014	411	Construction - Lynnwood	25,000	Special Legal Services - Supplement #2	25,000
Update 03/17/2014	411	Construction - Lynnwood	50,000	Special Legal Services - Supplement #3	50,000
Update 03/17/2014	411	Construction - Lynnwood	90,000	Special Legal Services - Supplement #4	90,000
Update 03/17/2014	411	Construction - Lynnwood	103,500	2013 Temporary Overlay for Winter Season	103,500
Update 03/17/2014	411	Construction - Lynnwood	26,600	Emergency Repair - Side Sewer Connection	26,600
Update 03/17/2014	411	Construction - Lynnwood	78,400	Consultant Construction Management Services - Design for Repair of Roadway	78,400
Update 03/17/2014	411	Construction - Lynnwood	11,400	Consultant Construction Management Services - Additional Design Contingency	11,400
Update 03/17/2014	411	Construction - Lynnwood	90,000	Construction Undermuns/Overmuns	90,000
Update 03/17/2014	411	Construction - Lynnwood	5,375	Construction - Equitable Adjustment Add Work (pavement removal, erosion control)	5,375
Update 03/17/2014	411	Construction - Lynnwood	(74,874)	Construction - Equitable Adjustment Credits (overpayments, credits)	(74,874)
Update 03/17/2014	411	Construction - Lynnwood	29,547	Construction - Equitable Adjustment increases (contract days)	29,547
Update 03/17/2014	411	Construction - Lynnwood	165,150	Construction - Equitable Adjustment - Force Account Events	165,150
Update 03/17/2014	411	Construction - Lynnwood	116,604	Construction - Equitable Adjustment - Handling Contaminated Soils - Sewer Line	116,604
Update 03/17/2014	411	Construction - Lynnwood	150,000	Special Legal Services - Future Placeholder	150,000
Update 03/17/2014	411	Construction - Lynnwood	208,508	Contingency	208,508
Update 03/17/2014	411	Construction - Lynnwood	611,100	Future Construction	611,100
		<b>03/17/2014 Update - Subtotal</b>	<b>1,701,310</b>		<b>1,701,310</b>
		<b>Construction Subtotal</b>	<b>4,628,449</b>		<b>4,628,449</b>
		<b>Current Total Appropriation</b>	<b>5,155,646</b>		<b>5,155,646</b>

**SECTION 2. Modification of the Budget.** The required expenditures for operation of the various departments and funds of the City of Lynnwood are hereby modified and amended as shown in Exhibit A attached hereto and incorporated herein.

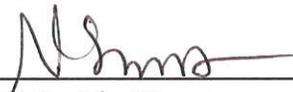
**SECTION 3. Severability.** If any section, subsection, sentence, clause, phrase or word of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality therefore, shall not affect the validity or

constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

SECTION 4. Effective Date. This ordinance shall take effect and be in force five (5) days after its passage, approval and publication.

PASSED THIS 24<sup>th</sup> day of March, 2014, and signed in authentication of its passage this \_\_\_\_ day of March, 2014.

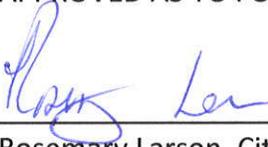
APPROVED:

  
\_\_\_\_\_  
Nicola Smith, Mayor

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
Lorenzo Hines, Jr. Finance Director

APPROVED AS TO FORM

  
\_\_\_\_\_  
Rosemary Larson, City Attorney

FILED WITH ADMINISTRATIVE SERVICES: 03/19/2014  
PASSED BY THE CITY COUNCIL: 03/24/2014  
PUBLISHED: 03/28/2014  
EFFECTIVE DATE: 04/02/2014  
ORDINANCE NUMBER: 3050

Financial Plan  
 Project: Sewer Line Replacement Program - 2009  
 Last Update: 03/17/2014  
 Prepared by: Jeff Elekes, P.E.  
 Reviewed by: Robert Victor, P.E.

76th Sewer and Water Line Project

	Target / Actual Expenses	Diff	Target / Actual Revenue	Fund 440/417	Fund 411	Interlocal Agr. City of Edmonds	Fund 441/419
Revenues	5,155,646	-	\$ 5,155,646	\$ 574,554	\$ 2,586,810	\$ 494,282	\$ 1,500,000
Expenses							
<b>PRIOR ACTIVITY - See Ordinance #3000</b>							
Design							
Construction	527,197	-	527,197	471,897	-	55,300	-
Prior Activity Total	3,681,554	-	3,681,554	574,554	885,500	721,500	1,500,000
<b>PROPOSED FINANCIAL PLAN UPDATE - 03/17/2014</b>							
Construction Activity							
Construction - Edmonds - Deauthorize Remaining Schedule B - Waterline	(237,561)	-	(237,561)			(237,561)	
Construction - Edmonds - Equitable Adjustment - Handling Contaminated Soils - Water Line	10,342	-	10,342			10,342	
Special Legal Services - Correction to Ordinance #3000	(25,000)	-	(25,000)		(25,000)		
Special Legal Services - Base Contract	15,000	-	15,000		15,000		
Special Legal Services - Supplement #1	25,000	-	25,000		25,000		
Special Legal Services - Supplement #2	25,000	-	25,000		25,000		
Special Legal Services - Supplement #3	50,000	-	50,000		50,000		
Special Legal Services - Supplement #4	90,000	-	90,000		90,000		
2013 Temporary Overlay for Winter Season	103,500	-	103,500		103,500		
Emergency Repair - Side Sewer Connection	26,600	-	26,600		26,600		
Consultant Construction Management Services - Design for Repair of Roadway	78,400	-	78,400		78,400		
Consultant Construction Management Services - Additional Design Contingency	11,400	-	11,400		11,400		
Construction Underruns/Overruns	90,000	-	90,000		90,000		
Construction - Equitable Adjustment Add Work (pavement removal, erosion control)	5,375	-	5,375		5,375		
Construction - Equitable Adjustment Credits (overpayments, credits)	(74,874)	-	(74,874)		(74,874)		
Construction - Equitable Adjustment Increases (contract days)	29,547	-	29,547		29,547		
Construction - Equitable Adjustment - Force Account Events	165,150	-	165,150		165,150		
Construction - Equitable Adjustment - Handling Contaminated Soils - Sewer Line	116,604	-	116,604		116,604		
Special Legal Services - Future Placeholder	150,000	-	150,000		150,000		
Contingency	208,508	-	208,508		208,508		
Future Construction	611,100	-	611,100		611,100		
Construction Cost Increase	1,474,092	-	1,474,092		1,701,310	(227,218)	
Expenses Total	5,155,646	-	5,155,646	574,554	2,586,810	494,282	1,500,000
Difference =	(0)	-	0	-	(0)	0	-

A. The estimated costs of the project are provided in detail on the attached Financial Plan dated 06/26/2013, and summarized as follows:

Project Phase	Amount
Design	527,197
Right of Way	-
Construction	3,154,357
<b>Total</b>	<b>3,681,554</b>

B. The sum of \$3,681,554 is hereby appropriated, to the extent not previously appropriated for completion of the Project as follows:

Prior Ord # / Current Activity	Fund No.	Revenue		Expenditures	
		Description	Amount	Description	Amount
Ord #2987	440/417	Utility Bonds	574,554	Lynnwood Design/Construction	574,554
Ord #2987	411	Utility Fund	410,500	Lynnwood Design/Construction	410,500
July 2013 Update	411	Utility Fund	475,000	Lynnwood Design/Construction	475,000
Ord #2987	411	Utility Fund / Interlocal	721,500	Edmonds Design/ Construction - Reimbursed by Interlocal	721,500
Ord #2987	441/419	Utility Bonds	1,500,000	Lynnwood Design/Construction	1,500,000
<b>July 2013 Update</b>	<b>All</b>	<b>Current Appropriations - Total</b>	<b>3,681,554</b>		<b>3,681,554</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>					
Ord #2767	440/417	Design - Lynnwood Sewer	424,587	Design - Sewerline Replacement Program	424,587
Ord #2767	440/417	Env. Permit - 76th Ave Swr	1,510	Environmental Permitting - 76th Ave Sewer	1,510
Ord #2826	440/417	SUE - 76th Ave Swr	45,800	Subsurface Utility Engineering - 76th Ave Sewer	45,800
Ord #2913	411	Design & CA - Edmonds Wtr	55,300	Design & Construction Assistance - Edmonds Water	55,300
		<b>Design - Subtotal</b>	<b>527,197</b>		<b>527,197</b>
<b>Right-of-Way</b>					
		<b>Right-of-Way Subtotal</b>	<b>-</b>		<b>-</b>
<b>Construction</b>					
Ord #2767	440/417	Construction - Lynnwood	102,657	Construction - Schoner Square Sewer Repair	102,657
Ord #2913	411	Construction - Lynnwood	1,991,112	Construction - 76th Ave - Lynnwood Sewer - Initial Budget	1,991,112
Ord #2967	411	Construction - Lynnwood	(1,991,112)	Construction - 76th Ave Sewer - Adjustments/Updates	(1,991,112)
Ord #2967	411	Construction - Lynnwood	1,364,500	Construction - 76th Ave - Lynnwood Sewer - Contract Amt	1,364,500
Ord #2967	411	Contingency - Lynnwood	272,900	Project Contingency - Lynnwood Sewer - 76th	272,900
Ord #2967	411	CA & Testing - Lynnwood	131,600	Engineering CA & Mat'l Testing - Lynnwood Sewer - 76th	131,600
Ord #2967	411	Permits & Bidding - Lynnwood	5,000	Permitting & Bidding - 76th Ave W	5,000
Ord #2967	411	Construction Mgmt - Lynnwood	136,500	Construction Mgmt & Admin - Lynnwood Sewer - 76th	136,500
Ord #2913	411	Construction - Edmonds	435,000	Construction - 76th Ave - Edmonds Water - Initial Budget	435,000
Ord #2967	411	Construction - Edmonds	(435,000)	Construction - 76th Ave Water - Adjustments/Updates	(435,000)
Ord #2967	411	Construction - Edmonds	525,800	Construction - 76th Ave - Edmonds Water - Contract Amt	525,800
Ord #2967	411	Proj. Conting. - Edmonds	52,600	Project Contingency - Edmonds Water - 76th Ave	52,600
Ord #2967	411	CA & Testing - Edmonds	34,600	Engineering CA & Mat'l Testing - Edmonds Water - 76th	34,600
Ord #2967	411	Construction Mgmt - Edmonds	53,200	Construction Mgmt & Admin - Edmonds Water - 76th	53,200
Ord #2987	411	Construction - Lynnwood	(1,500,000)	Construction - 76th Ave Sewer - Transfer from 411 budget	(1,500,000)
Ord #2987	441/419	Construction - Lynnwood	1,500,000	Construction - 76th Ave Sewer - Transfer to 441/419 bonds	1,500,000
July 2013 Update	411	Construction - Lynnwood	450,000	Construction - 76th Ave Sewer - Constr. Budget Increase	450,000
July 2013 Update	411	Construction - Lynnwood	25,000	Special Legal Services	25,000
		<b>Construction Subtotal</b>	<b>3,154,357</b>		<b>3,154,357</b>
		<b>Current Total Appropriation</b>	<b>3,681,554</b>		



On the 24<sup>th</sup> day of March, 2014 the City Council of the City of Lynnwood, Washington, passed Ordinance No. 3050. A summary of the content of said ordinance, consisting of the title, provides as follows:

**ORDINANCE NO. 3050**

**AN ORDINANCE OF THE CITY OF LYNNWOOD WASHINGTON, ESTABLISHING PROJECT FUNDING FOR THE SCHONER SQUARE EASEMENT SEWER LINE REPAIR PROJECT AND THE 76TH AVENUE W SEWER AND WATER IMPROVEMENT PROJECT; AND SUPERSEDING ORDINANCES 3000, 2987, 2967, 2913, 2826 AND 2767; AND AUTHORIZING EXPENDITURES IN FUNDS 440, 417, 441, 419, AND FUND 411; AND AUTHORIZING FUNDING TRANSFERS, ALLOCATIONS, AND REIMBURSEMENTS FROM FUND 440, 417, 441 AND 419; AND AS IS CONSISTENT WITH THE PROJECT FINANCIAL PLAN, AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.**

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

DATED this 2<sup>nd</sup> day of April, 2014.

  
\_\_\_\_\_  
Lorenzo Hines Jr., Finance Director



**LYNNWOOD**  
WASHINGTON

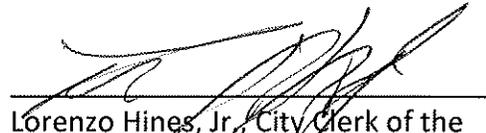
## **CERTIFICATE**

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. 3050 of the City of Lynnwood, Washington, entitled as follows:

### **ORDINANCE NO. 3050**

**AN ORDINANCE OF THE CITY OF LYNNWOOD WASHINGTON, ESTABLISHING PROJECT FUNDING FOR THE SCHONER SQUARE EASEMENT SEWER LINE REPAIR PROJECT AND THE 76TH AVENUE W SEWER AND WATER IMPROVEMENT PROJECT; AND SUPERSEDING ORDINANCES 3000, 2987, 2967, 2913, 2826 AND 2767; AND AUTHORIZING EXPENDITURES IN FUNDS 440, 417, 441, 419, AND FUND 411; AND AUTHORIZING FUNDING TRANSFERS, ALLOCATIONS, AND REIMBURSEMENTS FROM FUND 440, 417, 441 AND 419; AND AS IS CONSISTENT WITH THE PROJECT FINANCIAL PLAN, AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.**

That said ordinance was passed by the Council on March 24, 2014 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 April 2, 2014.

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