



ORDINANCE NO. 3056

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, SUPERSIDING ORDINANCE #2889, AND SUPERSIDING ORDINANCE #2964, UPDATING THE FINANCIAL PLAN FOR THE POPLAR WAY EXTENSION BRIDGE PROJECT (33RD AVE W TO POPLAR WAY); 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 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 196th 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 City entered into contracts #1883 and #2193 with Perteet Inc., to complete two phases of design for the Poplar Way Extension Bridge Contract; and

WHEREAS, the City received substantial material comments during the 30% plan review for the bridge which will require supplementing the second phase of the design contract #2193 with Perteet Inc. in the amount of \$180,835 to include additional design and engineering, not included in the original contract scope of work, in order to incorporate requested changes from WSDOT and City Departments; and

WHEREAS, Public Utility District #1 (PUD) has requested that the City of Lynnwood reimburse PUD for engineering staff time associated with plan review and redesign of the power distribution system needed to accommodate the Poplar Way Extension Bridge project on existing PUD property. This will require that the City execute a service agreement with PUD in the amount of \$45,955.00; and

WHEREAS, the Washington Department of Transportation has fully expended all administrative grant dollars allocated to their review of the Poplar Way Extension Bridge project and has requested that the City of Lynnwood supplement the Local Agency agreement to provide additional grant funds for administration in the amount of \$49,641; and

WHEREAS, the financial plan for the project has been updated to reflect these additional costs and the most recent cost estimates for each phase of the project and final expense information after completion of phase 1 design; and

WHEREAS, sufficient fund balances remain in existing IMD grants, STP grants and local match funds to cover these additional costs. The previously appropriated sum of \$3,426,014 will remain the same and remaining balances will be reallocated as detailed in the financial plan dated 03/18/2014; and

WHEREAS, the City plans to spend the appropriations for this project over the next 1 to 2 years; 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 (03/18/2014), and are summarized as follows:

Project Phase	Amount
Design	3,180,468
Right of Way	3,522,000
Construction	25,535,800
Total	32,238,268

B. 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 base mapping, geotechnical investigation, utility coordination and design, 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 contingencies for the Poplar Way Extension Bridge project, as follows:

Prior Ord # / Current Activity	Fund No.	Revenue		Expenditures	
		Description	Amount	Description	Amount
#2964	324/325	Local Match Fund	133,116	Design - Local Match	133,116
#2964	411	Utility Fund	340,000	Design, City PM & Admin, WSDOT Admin & ROW - Local Match	340,000
#2964	IMD-STPUL-2004 (037)	80%/20% IMD Grant	493,053	Design, City PM & Admin & WSDOT Admin	493,053
#2964	IMD-STPUL-2004 (037)	100% IMD Grant	559,845	Design, PUD Contract, and WSDOT Admin	559,845
#2964	IMD-STPUL-2004 (037)	86.5%/13.5% STP Grant	1,900,000	Design	1,900,000
March 2014 Update		Current Appropriation - SubTotal	3,426,014		3,426,014

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

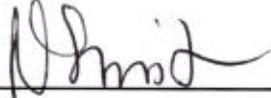
Prior Ord # / Current Activity	Fund No.	Revenue		Expenditures	
		Description	Amount	Description	Amount
Design					
#2889	324/325	Project Fund	133,116	Design, Local Match	133,116
#2889	411	Utilities Fund	134,074	Design, Local Match	134,074
#2889	411	Utilities Fund	6,000	WSDOT Admin, Local Match, Design	6,000
#2889	411	Utilities Fund	10,400	City PM & Admin, Local Match, Design	10,400
#2889	IMD-STPUL-2004 (037)	Federal IMD Grant (80%/20%)	194,770	Design	194,770
#2889	IMD-STPUL-2004 (037)	Federal IMD Grant (80%/20%)	24,000	WSDOT Admin, Design	24,000
#2889	IMD-STPUL-2004 (037)	Federal IMD Grant (80%/20%)	41,600	City PM & Admin, Design	41,600
#2889	IMD-STPUL-2004 (037)	Federal STP Grant, Design (86.5%/13.5%)	1,400,000	Design	1,400,000
#2964	411	Utilities Fund	136,204	Design, Local Match	136,204
#2964	IMD-STPUL-2004 (037)	Federal IMD Grant (80%/20%)	232,683	Design	232,683
#2964	IMD-STPUL-2004 (037)	Federal IMD Grant (100%)	107,263	Design	107,263
#2964	IMD-STPUL-2004 (037)	Federal STP Grant, Design (86.5%/13.5%)	500,000	Design	500,000
March 2014 Update	IMD-STPUL-2004 (037)	Federal IMD Grant (100%)	164,762	Design	164,762
March 2014 Update	IMD-STPUL-2004 (037)	Federal IMD Grant (100%)	45,955	PUD Design Customer Service Contract	45,955
March 2014 Update	IMD-STPUL-2004 (037)	Federal IMD Grant (100%)	49,641	WSDOT Admin, Design	49,641
Design SubTotal =			3,180,468		3,180,468
Right of Way					
#2889	411	Utilities Fund	153,526	ROW Acquisition, Local Match	153,526
#2889	411	Utilities Fund	18,000	ROW Administration, Local Match	18,000
#2889	411	Utilities Fund	7,600	WSDOT Admin, Local Match, ROW	7,600
#2889	411	Utilities Fund	10,400	City PM & Admin, Local Match, ROW	10,400
#2889	IMD-STPUL-2004 (037)	Federal IMD Grant (80%/20%)	88,683	ROW Acquisition	88,683
#2889	IMD-STPUL-2004 (037)	Federal IMD Grant (80%/20%)	72,000	ROW Administration	72,000
#2889	IMD-STPUL-2004 (037)	Federal IMD Grant (80%/20%)	30,400	WSDOT Admin, ROW	30,400
#2889	IMD-STPUL-2004 (037)	Federal IMD Grant (80%/20%)	41,600	City PM & Admin, ROW	41,600
#2889	IMD-STPUL-2004 (037)	Federal IMD Grant (100%)	559,845	ROW Acquisition	559,845
#2889	IMD-STPUL-2004 (037)	Federal STP Grant, ROW (86.5%/13.5%)	841,647	ROW Acquisition	841,647
#2964	411	Utilities Fund	(100,204)	ROW Acquisition, Local Match	(100,204)
#2964	411	Utilities Fund	(18,000)	ROW Administration, Local Match	(18,000)
#2964	411	Utilities Fund	(7,600)	WSDOT Admin, Local Match, ROW	(7,600)
#2964	411	Utilities Fund	(10,400)	City PM & Admin, Local Match, ROW	(10,400)
#2964	IMD-STPUL-2004 (037)	Federal IMD Grant (80%/20%)	(88,683)	ROW Acquisition	(88,683)
#2964	IMD-STPUL-2004 (037)	Federal IMD Grant (80%/20%)	(72,000)	ROW Administration	(72,000)
#2964	IMD-STPUL-2004 (037)	Federal IMD Grant (80%/20%)	(30,400)	WSDOT Admin, ROW	(30,400)
#2964	IMD-STPUL-2004 (037)	Federal IMD Grant (80%/20%)	(41,600)	City PM & Admin, ROW	(41,600)
#2964	IMD-STPUL-2004 (037)	Federal IMD Grant (100%)	(107,263)	ROW Acquisition	(107,263)
#2964	IMD-STPUL-2004 (037)	Federal STP Grant, ROW (86.5%/13.5%)	(841,647)	ROW Acquisition - Returned Portion of ROW Grant	(841,647)
March 2014 Update	IMD-STPUL-2004 (037)	Federal IMD Grant (100%)	(260,358)	ROW Acquisition	(260,358)
Right of Way SubTotal =			245,546		245,546
Construction					
#2889	IMD-STPUL-2004 (037)	Federal STP Grant, ROW (86.5%/13.5%)	558,353	Construction	558,353
#2964	IMD-STPUL-2004 (037)	Federal STP Grant, ROW (86.5%/13.5%)	(558,353)	Construction - Returned Portion of ROW Grant	(558,353)
Construction SubTotal =			-		-
Current Appropriation			3,426,014		3,426,014

Section 2. 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 therefore, shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, 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 this 28th day of April, 2014, and signed in authentication of its passage this 29
day of April, 2014.

APPROVED:



Nicola Smith, Mayor

ATTEST/AUTHENTICATED:



Lorenzo Hines Jr., Finance Director

APPROVED AS TO FORM:



Rosemary, Larson, City Attorney

FILED WITH ADMINISTRATIVE SERVICES: 04/21/2014
PASSED BY THE CITY COUNCIL: 04/28/2014
PUBLISHED: 05/12/2014
EFFECTIVE DATE: 05/17/2014
ORDINANCE NUMBER: 3056



LYNNWOOD
WASHINGTON

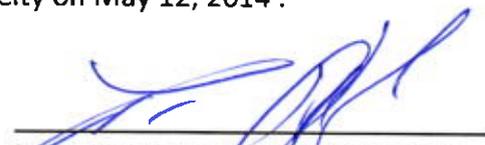
CERTIFICATE

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. 3056 of the City of Lynnwood, Washington, entitled as follows:

ORDINANCE NO. 3056

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, SUPERSEDING ORDINANCE #2889, AND SUPERSEDING ORDINANCE #2964, UPDATING THE FINANCIAL PLAN FOR THE POPLAR WAY EXTENSION BRIDGE PROJECT (33RD AVE W TO POPLAR WAY); AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

That said ordinance was passed by the Council on April 28, 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 May 12, 2014 .



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



On the, 28th day of April, 2014 the City Council of the City of Lynnwood, Washington, passed ordinance 3056. A summary of the content of these ordinances, consisting of the title, provides as follows:

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

DATED this 12th day of May, 2014.



Lorenzo Hines Jr., Finance Director

Everett Daily Herald

Affidavit of Publication

State of Washington }
County of Snohomish } ss

Karen Van Horn being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of 561533 Ordinance No. 3056 EDH as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 05/12/2014 and ending on 05/12/2014 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$29.08.

Karen Van Horn

Subscribed and sworn before me on this 12 day of May, 2014.

Susan L. Stoltz

Notary Public in and for the State of Washington.

City of Lynnwood - LEGAL ADS | 14127890
DEBBIE KARBEL
ORD NO. 3056

*** SUSAN L. STOLTZ ***
STATE OF WASHINGTON
NOTARY --- PUBLIC
My Commission Expires 12-20-2017

