



**ORDINANCE NO. 3079**

**AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, ESTABLISHING PROJECT FUNDING FOR THE 33<sup>RD</sup> AVENUE W EXTENSION PROJECT; AND SUPERSEDING ORDINANCE 3002; AND AUTHORIZING EXPENDITURES IN PROJECT FUND 355; AND AUTHORIZING FUNDING TRANSFERS, ALLOCATIONS, AND REIMBURSEMENTS FROM FUND 011, FUND 110, FUND 121, FUND 411, GRANT FUNDS AND DEVELOPER FUNDS; AND CONSISTENT WITH THE PROJECT FINANCIAL PLAN; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.**

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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 33<sup>rd</sup> Avenue W Extension Project (hereinafter "Project") is included in the City's Capital Facilities plan as project number ST2006087A; and

WHEREAS, the Project will provide a much needed second route to the western side of Alderwood Mall from the north; and

WHEREAS, the Project will provide critical access to Lynnwood Place, a significant mixed-use development project planned for construction adjacent to the Project; and

WHEREAS, the Lynnwood Place Environmental Impact Statement identified the Project as necessary traffic mitigation; and

WHEREAS, starting on January 1, 2011, the City began levying transportation impact fees in order to fund various transportation capacity projects, one of which is the Project; and

WHEREAS, the City has obtained a Transportation Improvement Board (TIB) grant for the Project;

WHEREAS, the City has previously approved a Project financial plan in Ordinance 3002;

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 07/21/2014, and summarized as follows:

Project Phase	Amount
Design	<b>1,233,000</b>
Right of Way	<b>2,530,400</b>
Construction	<b>7,140,067</b>
<b>Total</b>	<b>10,903,467</b>

B. The sum of \$10,903,467 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. 3002	-	Developer	4,557,638	Design and Construction	4,557,638
Ord. 3002	In kind	Edmonds School District	1,435,877	Right of Way	1,435,877
Ord. 3002	Grant	TIB	3,000,000	Design, Right of Way, and Construction	3,000,000
Ord. 3002	110/355	Traffic Impact Fees	210,000	Design and Construction	210,000
Ord. 3002	121/355	Tree Fund	45,485	Construction	45,485
Ord. 3002	411/355	Storm Utility	350,000	Construction	350,000
Ord. 3002	-	SubTotal Prior Activity	9,599,000	SubTotal Prior Activity	9,599,000
July 2014 Update	-	Developer	(764,123)	Design and Construction	(764,123)
July 2014 Update	In kind	Edmonds School District	1,094,523	Right of Way	1,094,523
July 2014 Update	011/355	General Fund	1,000,000	Construction	1,000,000
July 2014 Update	Grant	TIB	(25,933)	Design, Right of Way, and Construction	(25,933)
July 2014 Update		<b>Current Total Appropriation</b>	<b>10,903,467</b>		<b>10,903,467</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. 3002	-	Developer	759,561	Design	759,561
Ord. 3002	Grant	TIB	391,680	Design	391,680
Ord. 3002	110/355	Traffic Impact Fees	81,759	Design	81,759
July 2014 Update	-	Developer	(24,485)	Design	(24,485)
July 2014 Update	Grant	TIB	56,688	Design	56,688
July 2014 Update	411/355	Traffic Impact Fees	(32,203)	Design	(32,203)
		<b>Design - SubTotal</b>	<b>1,233,000</b>		<b>1,233,000</b>
<b>Right of Way</b>					
Ord. 3002	In kind	Edmonds School District	1,435,877	Compensation	1,435,877
Ord. 3002	Grant	TIB	764,123	Compensation	764,123
July 2014 Update	In kind	Edmonds School District	1,094,523	Compensation	1,094,523
July 2014 Update	Grant	TIB	(764,123)	Compensation	(764,123)
		<b>Right of Way - SubTotal</b>	<b>2,530,400</b>		<b>2,530,400</b>
<b>Construction</b>					
Ord. 3002	-	Developer	3,798,077	Construction	3,798,077
Ord. 3002	Grant	TIB	1,844,197	Construction	1,844,197
Ord. 3002	110/355	Traffic Impact Fees	128,241	Construction	128,241
Ord. 3002	121/355	Tree Fund	45,485	Construction	45,485
Ord. 3002	411/355	Storm Utility	350,000	Construction	350,000
July 2014 Update	-	Developer	(739,638)	Construction	(739,638)
July 2014 Update	Grant	TIB	681,502	Construction	681,502
July 2014 Update	011/355	General Fund	1,000,000	Construction	1,000,000
July 2014 Update	411/355	Traffic Impact Fees	32,203	Construction	32,203
		<b>Construction - SubTotal</b>	<b>7,140,067</b>		<b>7,140,067</b>
July 2014 Update		<b>Current Appropriation</b>	<b>10,903,467</b>		<b>10,903,467</b>

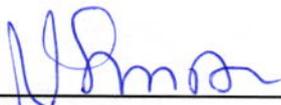
**Section 2. Modifications of the 2013-2014 Biennial Budget.** The required expenditures for operation of the various departments and funds of the City of Lynnwood for the fiscal years ending December 31, 2013 and 2014, are hereby modified and amended.

**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 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 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, the 11th day of August, 2014 and approved by the Mayor this \_\_\_\_ day of August, 2014.

APPROVED:

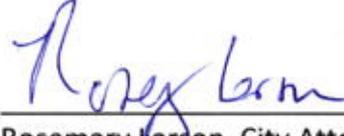
  
 \_\_\_\_\_  
 Nicola Smith, Mayor

ATTEST/AUTHENTICATED:



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Lorenzo Hines Jr., Finance Director  
Finance Director

APPROVED AS TO FORM:



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Rosemary Larson, City Attorney

FILED WITH ADMINISTRATIVE SERVICES: 08/12/2014  
PASSED BY THE CITY COUNCIL: 08/11/2014  
PUBLISHED: 08/15/2014  
EFFECTIVE DATE: 08/20/2014  
ORDINANCE NUMBER: 3079

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
1	<b>Project Financial Plan</b>						<b>Grading Phase</b>			<b>Roadway Phase</b>							
2	<b>33rd Avenue W Extension Project</b>						Developer			City Sources				Edm Sch Dist	TIB	Total	
3	Project Fund: 355		Target/Actual	Diff	Target/Actual	Total	Grading Ph.	Roadway Ph.	Total	General	Tree	Traffic	Utility	In-Kind	Grant	Total	
4	Last update: 7/21/14		Expense		Revenue	Developer			City Sources	Fund 011	Fund 121	Impact Fee	Storm	Right of Way	9-P-140(006)-1	Roadway	
5	Prepared by: David Mach, P.E.											Fund 110	Fund 411			Phase	
6	Reviewed by: Jeff Elekes, P.E.																
7			10,903,467	-	10,903,467	3,793,515	3,631,439	162,076	1,605,485	1,000,000	45,485	210,000	350,000	2,530,400	2,974,067	7,272,028	
8																	
9	<b>Design</b>																
10	Developer - Soft Costs		573,000	-	573,000	573,000	573,000	-	-	-	-	-	-	-	-	-	
11	City - Plan/Specs		660,000	-	660,000	162,076	-	162,076	49,556	-	-	49,556	-	-	448,368	660,000	
12			1,233,000	-	1,233,000	735,076	573,000	162,076	49,556	-	-	49,556	-	-	448,368	660,000	
13	<b>Right Way</b>																
14	In-kind Ed Sch Dist/TIB		2,530,400	-	2,530,400	-	-	-	-	-	-	-	-	2,530,400	-	2,530,400	
15			2,530,400	-	2,530,400	-	-	-	-	-	-	-	-	2,530,400	-	2,530,400	
16	<b>Construction</b>																
17	Developer - Grading Ph. Constr. Contract		3,058,439	-	3,058,439	3,058,439	3,058,439	-	-	-	-	-	-	-	-	-	
18	City - Construction Contract		2,772,667	-	2,772,667	-	-	-	889,070	333,141	45,485	160,444	350,000	-	1,883,597	2,772,667	
19	City - City Provided Signal Equipment		295,000	-	295,000	-	-	-	94,593	94,593	-	-	-	-	200,407	295,000	
20	City - Consultant CM and Testing		532,200	-	532,200	-	-	-	170,653	170,653	-	-	-	-	361,547	532,200	
21	City - Consult. Design On-Call During Const.		86,540	-	86,540	-	-	-	27,749	27,749	-	-	-	-	58,791	86,540	
22	City - CM Support		41,040	-	41,040	-	-	-	19,683	19,683	-	-	-	-	21,357	41,040	
23	City - Misc. (interest, copies...)		20,000	-	20,000	-	-	-	20,000	20,000	-	-	-	-	-	20,000	
24	Contingency		334,181	-	334,181	-	-	-	334,181	334,181	-	-	-	-	-	334,181	
25			7,140,067	-	7,140,067	3,058,439	3,058,439	-	1,555,929	1,000,000	45,485	160,444	350,000	-	2,525,699	4,081,628	
26																	
27																	
28	<b>Total Project</b>		<b>10,903,467</b>	<b>-</b>	<b>10,903,467</b>	<b>3,793,515</b>	<b>3,631,439</b>	<b>162,076</b>	<b>1,605,485</b>	<b>1,000,000</b>	<b>45,485</b>	<b>210,000</b>	<b>350,000</b>	<b>2,530,400</b>	<b>2,974,067</b>	<b>7,272,028</b>	
29																	
30																	



On the, 11th day of August, 2014 the City Council of the City of Lynnwood, Washington, passed ordinance: 3079. A summary of the content of this ordinance, consisting of the title, provides as follows:

**ORDINANCE NO. 3079**

**AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, ESTABLISHING PROJECT FUNDING FOR THE 33<sup>RD</sup> AVENUE W EXTENSION PROJECT; AND SUPERSEDING ORDINANCE 3002; AND AUTHORIZING EXPENDITURES IN PROJECT FUND 355; AND AUTHORIZING FUNDING TRANSFERS, ALLOCATIONS, AND REIMBURSEMENTS FROM FUND 011, FUND 110, FUND 121, FUND 411, GRANT FUNDS AND DEVELOPER FUNDS; AND 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 15 day of August, 2014.

  
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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. 3079 of the City of Lynnwood, Washington, entitled as follows:

**AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, ESTABLISHING PROJECT FUNDING FOR THE 33<sup>RD</sup> AVENUE W EXTENSION PROJECT; AND SUPERSEDING ORDINANCE 3002; AND AUTHORIZING EXPENDITURES IN PROJECT FUND 355; AND AUTHORIZING FUNDING TRANSFERS, ALLOCATIONS, AND REIMBURSEMENTS FROM FUND 011, FUND 110, FUND 121, FUND 411, GRANT FUNDS AND DEVELOPER FUNDS; AND 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 August 11, 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 August 15, 2014.



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

