



**ORDINANCE NO. 3133**

**AN ORDINANCE SUPERSEDING ORDINANCE #3113, WHICH SUPERSEDED ORDINANCE #3075, WHICH SUPERSEDED ORDINANCE # 3019, WHICH SUPERSEDED #2960, WHICH SUPERSEDED ORDINANCE #2933, WHICH SUPERSEDED ORDINANCE #2784, AND ESTABLISHING PROJECT FUNDING FOR PROJECT FUND 318, AND PROVIDING FOR SPENDING AUTHORITY, BUDGET APPROPRIATIONS, AND TRANSFERS FROM FUNDS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 204th Street SW Road Improvements (68th 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 be 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, City staff now needs to award the construction contract, complete certain elements of the right-of-way phase, add elements for pedestrian safety to the project, consultant design support services during construction, and consultant construction management; and

WHEREAS, the City has a project known as Waste Water Lift Station 16 and accompanying Forcemain, which has separate utility funding, that is intended to address waste water capacity issues in the City; and

WHEREAS, the proposed lift station 16 forcemain runs through the proposed roundabout at 204<sup>th</sup> Street SW & 68<sup>th</sup> Avenue W; and

WHEREAS, the City intends to build a portion of forcemain from future lift station 16 runs through the proposed roundabout at 204<sup>th</sup> Street SW & 68<sup>th</sup> Avenue W to avoid having to disrupt the new construction at a later date, as well as several other small changes; and

WHEREAS, the City has determined that is necessary to redesign the storm vault which will reduce the construction traffic delays, and to provide for the design plans for the lift station 16 forcemain pipe to installed under the intersection of 204<sup>th</sup> Street SW and 68<sup>th</sup> Avenue W, and to provide additional on call construction management support services to address contractor issues during the construction of the project; and

**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 May 4, 2015, and summarized as follows:

Project Phase	Amount
Design	1,023,915
Right-of-Way	241,287
Construction	4,836,327
<b>Total</b>	<b>6,101,529</b>

B. The sum of \$6,101,529 is hereby appropriated, to the extent not previously appropriated, for the Project as follows:

Prior Ord # / Proposed Activity	Fund No.	Revenue		Expenditures	
		Description	Amount	Description	Amount
<b>Prior</b>					
Ordinance 3113	110/318	Transportation Impact Fees	81,463	Study and Design	81,463
Ordinance 3113	330/318	REET	146,060	Design	146,060
Ordinance 3113	411/318	Utility Fund	796,392	Design and Right of Way	796,392
Ordinance 3113	Grant	TIB	1,268,552	Construction	1,268,552
Ordinance 3113	Grant/318	HUD Block Grant	225,000	Construction	225,000
Ordinance 3113	Grant/318	STP Countywide	913,500	Construction	913,500
Ordinance 3113	Grant/318	Dept. of Commerce	250,000	Construction	250,000
Ordinance 3113	411/318	Utility Fund	75,400	Construction	75,400
Ordinance 3113	110/318	Transportation Impact Fees	238,675	Construction	238,675
		<b>Prior Appropriation - SubTotal</b>	<b>3,995,042</b>		<b>3,995,042</b>
<b>Prior</b>					
Ordinance 3113	411/318	Utility Fund	46,088	Design	46,088
Ordinance 3113	In-Kind	Edmonds Com. College	139,405	Right of Way	139,405
Ordinance 3113	In-Kind	Edmonds School District	45,815	Right of Way	45,815
Ordinance 3113	110/318	Transportation Impact Fees	9,979	Right of Way	9,979
Ordinance 3113	Grant/318	TIB	252,948	Construction	252,948
Ordinance 3113	Grant/318	HUD Block Grant	(133,067)	Construction	(133,067)
Ordinance 3113	411/318	Utility Fund	742,120	Construction	742,120
Ordinance 3113	330/318	REET	453,940	Construction	453,940
Ordinance 3113	110/318	Transportation Impact Fees	156,954	Construction	156,954
Ordinance 3113	411/318	Utility Fund	338,000	Construction	338,000
		<b>Prior Appropriation - SubTotal</b>	<b>2,052,182</b>		<b>2,052,182</b>
<b>Proposed</b>					
May 2015 Update	411/318	Utility Fund	54,305	Construction Mgmt Support	54,305
		<b>Proposed Appropriation - SubTotal</b>	<b>54,305</b>		<b>54,305</b>
		<b>Total Project Appropriation</b>	<b>6,101,529</b>		<b>6,101,529</b>

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

Prior Ord # / Proposed Activity	Fund No.	Revenue		Expenditures	
		Description	Amount	Description	Amount
<b>Prior</b>					
<b>Design Phase</b>					
Ordinance 3113	110/318	Transportation Impact Fees	59,910	Study	59,910
Ordinance 3113	330/318	REET	146,060	Design	146,060
Ordinance 3113	411/318	Utility Fund	635,140	Design	635,140
Ordinance 3113	411/318	Utility Fund	161,252	Right of Way	161,252
Ordinance 3113	110/318	Transportation Impact Fees	21,553	Right of Way	21,553
		<b>Design Phase SubTotal</b>	<b>1,023,915</b>		<b>1,023,915</b>
<b>Design R/W Phase</b>					
Ordinance 3113	411/318	Utility Fund	46,088	Design - Landscape/Ped Signal	46,088
Ordinance 3113	In-Kind	Edmonds Com. College	139,405	Right of Way	139,405
Ordinance 3113	In-Kind	Edmonds School District	45,815	Right of Way	45,815
Ordinance 3113	110/318	Transportation Impact Fees	9,979	Right of Way	9,979
		<b>Design Phase SubTotal</b>	<b>241,287</b>		<b>241,287</b>
<b>Construction Phase</b>					
Ordinance 3113	Grant/318	HUD Block Grant	91,933	Constr - Advanced Purchase Signal Equipment	91,933
Ordinance 3113	Grant/318	TIB	1,225,943	Constr - Bid Award	1,225,943
Ordinance 3113	Grant/318	STP Countywide	913,500	Constr - Bid Award	913,500
Ordinance 3113	Grant/318	Dept. of Commerce	250,000	Constr - Bid Award	250,000
Ordinance 3113	411/318	Utility Fund	550,932	Constr - Bid Award	550,932
Ordinance 3113	330/318	REET	26,046	Constr - Bid Award	26,046
Ordinance 3113	110/318	Transportation Impact Fees	166,933	Constr - Bid Award	166,933
Ordinance 3113	411/318	Utility Fund	13,335	Construction Contingency	13,335
Ordinance 3113	330/318	REET	300,000	Construction Contingency	300,000
Ordinance 3113	110/318	Transportation Impact Fees	25,000	City Staff - Construction Mgmt	25,000
Ordinance 3113	110/318	Transportation Impact Fees	75,000	City Staff - Removal Existing Signal	75,000
Ordinance 3113	110/318	Transportation Impact Fees	50,000	Design Support - On Call Consultant	50,000
Ordinance 3113	Grant/318	TIB	295,557	Construction Mgmt - Consultant	295,557
Ordinance 3113	411/318	Utility Fund	253,253	Construction Mgmt - Consultant	253,253
Ordinance 3113	330/318	REET	127,894	Construction Mgmt - Consultant	127,894
Ordinance 3113	110/318	Transportation Impact Fees	78,696	Construction Mgmt - Consultant	78,696
Ordinance 3113	411/318	Utility Fund	338,000	Construction - Change Orders 1 thru 6	338,000
<b>Proposed</b>					
May 2015 Update	411/318	Utility Fund	54,305	Construction Mgmt - Consultant	54,305
		<b>Construction Phase SubTotal</b>	<b>4,836,327</b>		<b>4,836,327</b>
		<b>Total Project Appropriation</b>	<b>6,101,529</b>		<b>6,101,529</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.

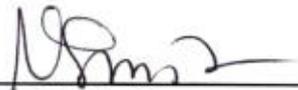
- A. An updated financial plan and ordinance(s) will periodically come back to Council as appropriate to reflect changes in project expenditure/revenue information.
- B. The appropriations for the 204<sup>th</sup> Street SW Improvements shall not lapse and shall be carried forward from year to year until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

**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 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 26<sup>th</sup> day of May, 2015 and signed in authentication of its passage this 27<sup>th</sup> day of May, 2015.

APPROVED:

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

ATTEST/AUTHENTICATE:

  
\_\_\_\_\_  
Art Ceniza, Interim Finance Director/  
City Clerk

APPROVED AS TO FORM:

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

FILED WITH THE CITY CLERK: 05/27/2015  
PASSED BY THE CITY COUNCIL: 05/26/2015  
PUBLISHED: 05/29/2015  
EFFECTIVE DATE: 06/03/2015  
ORDINANCE NO. 3133

204th Street SW Transportation Improvement Project Financial Plan Update				Grants				Project Partners		City Sources					
May 4, 2015 Prepared by: Jeff Elekes Reviewed by: Brian Delp				Target/Actual Expenses	Exp/Rev Diff	Revenue Anticipated	TIB Grant 50% of Constr. Costs	HUD Grant to Fund 318 Sidewalk Only	STP Cntywide to Fund 318 Constr. Only	WA State DOC Grant Const. Only	Edmonds CC	Edmonds School Dist	Fund 411 to Fund 318	SIP/REET Fund 330 to Fund 318	Tr. Imp. Fee Fund 110 to Fund 318
10	Revenue - Ord. # 3019 - Sept 2013		3,995,042	-	3,995,042	1,268,552	225,000	913,500	250,000			871,792	146,060	320,138	
11	Revenue - Ord. #3075 - July 2014		1,714,182	-	1,714,182	252,948	(133,067)			139,405	45,815	788,208	453,940	166,933	
12	Revenue - Ord. # 3113 - March 2015		338,000	-	338,000							338,000			
13	Revenue - Proposed Updates - March 2015		54,305	-	54,305							54,305			
14	UPDATE PROJECT FINANCIAL PLAN -May 2015		6,101,529	-	6,101,529	1,521,500	91,933	913,500	250,000	139,405	45,815	2,052,305	600,000	487,071	
15															
16	PRIOR APPROVAL - Ord. # 3019 - Sept 2013														
17	Study		59,910	-	59,910									59,910	
18	Design		781,200	-	781,200							635,140	146,060		
19	Right of Way		182,805	-	182,805							161,252		21,553	
20	LID Study/Design/Right of Way		1,023,915	-	1,023,915	-	-	-	-	-	-	796,392	146,060	81,463	
21															
22	Construction														
23	Advance Purchase Signal Equip		91,933	-	91,933		91,933								
24	Construction Bid Award		2,214,694	-	2,214,694	1,107,347		679,788	223,248					204,311	
25	Construction Contingency		253,800	-	253,800		72,786	95,800	11,350			39,500		34,364	
26	City Staff - Construction Mgmt		-	-	-										
27	City Staff - Removal Existing Signal		75,000	-	75,000		1,600	37,500				35,900			
28	Design Support - On Call Consultant		50,000	-	50,000	18,355	25,532	6,113							
29	Construction Mgmt - Consultant		285,700	-	285,700	142,850	33,149	94,299	15,402						
30	Construction		2,971,127	-	2,971,127	1,268,552	225,000	913,500	250,000	-	-	75,400	-	238,675	
31															
32	Project Totals - Ordinance #3019 - Sept 2013		3,995,042	-	3,995,042	1,268,552	225,000	913,500	250,000	-	-	871,792	146,060	320,138	
33															
34	PRIOR APPROVAL - Ord. # 3075 - JULY 2014														
35	Study		-	-	-										
36	Design		46,088	-	46,088							46,088			
37	Right of Way														
38	Donations - Edmonds Com. College		139,405	-	139,405					139,405					
39	Donations - Edmonds School Distr.		45,815	-	45,815						45,815				
40	Settlement - Heather Ridge Apartments		9,979	-	9,979									9,979	
41	LID Study/Design/Right of Way		241,287	-	241,287	-	-	-	-	139,405	45,815	46,088	-	9,979	
42															
43	Construction														
44	Advance Purchase Signal Equip		(91,933)	-	(91,933)		(91,933)								
45	Construction Bid Award		(2,214,694)	-	(2,214,694)	(1,107,347)		(679,788)	(223,248)					(204,311)	
46	Construction Contingency		(253,800)	-	(253,800)		(72,786)	(95,800)	(11,350)			(39,500)		(34,364)	
47	City Staff - Construction Mgmt		-	-	-										
48	City Staff - Removal Existing Signal		(75,000)	-	(75,000)		(1,600)	(37,500)				(35,900)			
49	Design Support - On Call Consultant		(50,000)	-	(50,000)	(18,355)	(25,532)	(6,113)							
50	Construction Mgmt - Consultant		(285,700)	-	(285,700)	(142,850)	(33,149)	(94,299)	(15,402)						
51															
52	Advance Purchase Signal Equip		91,933	-	91,933		91,933								
53	Construction Bid Award		3,133,353	-	3,133,353	1,225,943		913,500	250,000			550,932	26,046	166,933	
54	Construction Contingency		313,335	-	313,335							13,335	300,000		
55	City Staff - Construction Mgmt		25,000	-	25,000									25,000	
56	City Staff - Removal Existing Signal		75,000	-	75,000									75,000	
57	Design Support - On Call Consultant		50,000	-	50,000									50,000	
58	Construction Mgmt - Consultant		755,400	-	755,400	295,557						253,253	127,894	78,696	
59															
60	PRIOR APPROVAL - Ord. #3113 - March 2015														
61	Change Orders 1-6		338,000	-	338,000							338,000			
62															
63	PROPOSED FINANCIAL PLAN UPDATE - May 2015		54,305	-	54,305							54,305			
64															
65	Construction		1,865,200	-	1,865,200	252,948	(133,067)	-	-	-	-	1,134,425	453,940	156,954	
66															
67	UPDATED PROJECT FINANCIAL PLAN - MARCH 2015		6,101,529	-	6,101,529	1,521,500	91,933	913,500	250,000	139,405	45,815	2,052,305	600,000	487,071	
68															
69	Revenue Diff					-	(0)	-	-	-	-	-	-	0	



On the, 26th day of May, 2015 the City Council of the City of Lynnwood, Washington, passed ordinance 3133. A summary of the content of these ordinances, consisting of the title, provides as follows:

**ORDINANCE NO. 3133**

**AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, SUPERSEDING ORDINANCE 3113, WHICH SUPERSEDED ORDINANCE 3075, WHICH SUPERSEDED ORDINANCE 3019, WHICH SUPERSEDED 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; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE, AND SUMMARY PUBLICATION.**

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

DATED this 29<sup>th</sup> day of May, 2015.

  
\_\_\_\_\_  
Debbie Karber, Deputy City Clerk



**LYNNWOOD**  
WASHINGTON

## **CERTIFICATE**

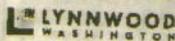
I, the undersigned, Debra Karber, the duly appointed Deputy City Clerk of the City of Lynnwood, Washington, hereby certify that the Ordinance hereto attached is a full, true and correct copy of Ordinance No. 3133 of the City of Lynnwood, Washington, entitled as follows:

**AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, SUPERSEDING ORDINANCE 3113, WHICH SUPERSEDED ORDINANCE 3075, WHICH SUPERSEDED ORDINANCE 3019, WHICH SUPERSEDED 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; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE, AND SUMMARY PUBLICATION.**

That said ordinance was passed by the Council on May 26, 2015 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 29, 2015.

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Debra Karber, Deputy City Clerk

## Public Notices



### CITY OF LYNNWOOD

On the 26th day of May, 2015 the City Council of the City of Lynnwood, Washington, passed ordinances, 3128 through 3135. A summary of the content of these ordinances, consisting of the title, provides as follows:

#### ORDINANCE NO. 3128

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO SPECIAL EVENTS AND SPECIAL EVENT PERMITTING, ADOPTING A NEW CHAPTER 5.30 LMC, REPEALING CHAPTER 5.32 LMC AND CHAPTER 5.34 LMC, AMENDING CHAPTER 3.104 LMC, AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE, AND SUMMARY PUBLICATION.

#### ORDINANCE NO. 3129

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, ESTABLISHING PROJECT FUNDING FOR THE WASTEWATER TREATMENT PLANT CHLORINATION AND HEADWORKS SCREENING UPGRADES, AUTHORIZING EXPENDITURES IN UTILITY FUND 411, AND CONSISTENT WITH THE PROJECT FINANCIAL PLAN, AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE, AND SUMMARY PUBLICATION.

#### ORDINANCE NO. 3130

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, ESTABLISHING PROJECT FUNDING FOR THE WASTEWATER TREATMENT PLANT BIO SOLIDS INCINERATION CONTROLS PROJECT, AND SUPERSEDING ORDINANCE 3021, AUTHORIZING EXPENDITURES IN UTILITY FUND 411, AND CONSISTENT WITH THE PROJECT FINANCIAL PLAN, AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE, AND SUMMARY PUBLICATION.

#### ORDINANCE NO. 3131

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, SUPERSEDING ORDINANCE 3083, UPDATING THE FINANCIAL PLAN FOR THE 53RD AVENUE W (208th STREET SW TO 206th STREET SW) STORMWATER AND ROADWAY MODIFICATIONS PROJECTS, AUTHORIZING EXPENDITURES IN UTILITY FUND 411, AND CONSISTENT WITH THE PROJECT FINANCIAL PLAN, AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

#### ORDINANCE NO. 3132

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, SUPERSEDING ORDINANCE 2996, ESTABLISHING PROJECT FUNDING FOR THE WASTE WATER TREATMENT PLANT (WWTP) BUILDING REPAIR AND RENOVATIONS, AUTHORIZING EXPENDITURES IN UTILITY FUND 411, AND CONSISTENT WITH THE PROJECT FINANCIAL PLAN, AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

#### ORDINANCE NO. 3133

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, SUPERSEDING ORDINANCE 3113, WHICH SUPERSEDED ORDINANCE 3075, WHICH SUPERSEDED ORDINANCE 3019, WHICH SUPERSEDED ORDINANCE 2960, WHICH SUPERSEDED ORDINANCE 2933, WHICH SUPERSEDED ORDINANCE 2794, 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, AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE, AND SUMMARY PUBLICATION.

#### ORDINANCE NO. 3134

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE FEE SCHEDULE, AMENDING FEES AND CHARGES FOR SINGLE-FAMILY RESIDENTIAL SOLAR ENERGY SYSTEMS, AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE, AND SUMMARY PUBLICATION.

#### ORDINANCE NO. 3135

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, MODIFYING ORDINANCE 3091, A TWO YEAR BIENNIAL BUDGET FOR THE YEARS ENDING DECEMBER 31, 2015 AND 2016, BY CARRYING FORWARD APPROPRIATIONS THAT WERE NOT COMPLETED IN 2014, AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE, AND SUMMARY PUBLICATION.

The full text of this ordinance will be mailed upon request.  
DATED this 29th day of May, 2015.

Published: May 29, 2015

Debbie Karber, Deputy City Clerk  
EDH835894