



ORDINANCE NO. 3155

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, SUPERSEDING ORDINANCES 3067, 3081, 3089 AND 3119 ESTABLISHING PROJECT FUNDING FOR ENERGY /UTILITY CONSERVATION PROJECTS UTILIZING THE ENERGY SAVINGS PERFORMANCE CONTRACTING (ESPC) PROCEDURES WITH WASHINGTON STATE DEPARTMENT OF ENTERPRISE SERVICES AND AUTHORIZING EXPENDITURES IN PROJECT FUND 411; 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 of Lynnwood has previously entered into an agreement (No: K1289) with Washington State Department of Enterprise Services (DES) for the Statewide Energy Performance Contracting (ESPC) program; and

WHEREAS, the City of Lynnwood has previously approved expenditures for Phase 1, Investment Grade Audit, Design and Construction of new screw press, non-potable water modification and replacement of primary clarifier covers; and

WHEREAS, the City of Lynnwood has previously approved expenditures for Phase 2A, Investment Grade Audit, Design and Construction of new sewage lift station No 16; and

WHEREAS, the City of Lynnwood has previously approved expenditures for Phase 2B, Investment Grade Audit, Design and Construction of relocating and upsizing of lift station No 4 and upsizing of lift station No 8; and

WHEREAS, based on population and employment growth anticipated in the Lift Station #4 and #8 sewer drainage basins, additional sewer capacity is needed to accommodate this growth; and

WHEREAS, as a result of this additional necessary sewer capacity, additional funding is needed to complete Phase 2B; and

WHEREAS, the 2015-2016 City budget anticipated funding various capital improvements under Fund 411 and by sale of utility revenue bonds, of which the improvements to be completed by the Project are eligible expenses,

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 09/18/2015, and summarized as follows:

Project Phase	Amount
Phase 1 WWTP, Design/Construction, etc	3,866,548
Phase 2 Water Meters, IGA, etc	31,047
Phase 2A LS#16, Design/Construction, etc	11,382,545
Phase 2B LS#4&8 IGA, Permits, etc	1,062,205
Phase 3 WWTP Aeration, IGA, etc	204,695
Total	16,547,040

B. The sum of \$16,547,040 is hereby appropriated, to the extent not previously appropriated, for design, engineering, plans, specifications, and bid assistance for the Project as follows:

Prior Ord # / Current Activity	Fund No.	Revenue		Expenditures	
		Description	Amount	Description	Amount
3081	411	Utility Fund	1,030,173	Phase 1 WWTP, IGA, Design, Construction, and Constr. Mgmt.	1,030,173
3081	Bonds	Utility Fund Future Bonds	2,836,375	Phase 1 WWTP, IGA, Design, Construction, and Constr. Mgmt.	2,836,375
3089	411	Utility Fund	2,770,883	Phase 1 WWTP, IGA, Design, Construction, and Constr. Mgmt.	2,770,883
3089	111	Street Fund	5,428	Phase 1 WWTP, IGA, Design, Construction, and Constr. Mgmt.	5,428
3089	011-69	General Fund	60,064	Phase 1 WWTP, IGA, Design, Construction, and Constr. Mgmt.	60,064
3089	Bonds	Utility Fund Future Bonds	-2,836,375	Phase 1 WWTP, IGA, Design, Construction, and Constr. Mgmt.	-2,836,375
3119	411	Utility Fund	-3,761,712	Phase 1 WWTP, IGA, Design, Construction, and Constr. Mgmt.	-3,761,712
3119	Bonds	Utility Fund Future Bonds	3,761,712	Phase 1 WWTP, IGA, Design, Construction, and Constr. Mgmt.	3,761,712
3081	Bonds	Utility Fund Future Bonds	31,047	Phase 2 Water Meters, IGA	31,047
3089	Bonds	Utility Fund Future Bonds	-31,047	Phase 2 Water Meters, IGA	-31,047
3089	411	Utility Fund	31,047	Phase 2 Water Meters, IGA	31,047
3119	411	Utility Fund	-31,047	Phase 2 Water Meters, IGA	-31,047
3119	Bonds	Utility Fund Future Bonds	31,047	Phase 2 Water Meters, IGA	31,047
3081	Bonds	Utility Fund Future Bonds	571,076	Phase 2A LS#16, IGA, Design, Permits	571,076
3089	Bonds	Utility Fund Future Bonds	-571,076	Phase 2A LS #16, IGA, Design, Permits	-571,076
3089	411	Utility Fund	571,076	Phase 2A LS #16, IGA, Design, Permits	571,076
3119	411	Utility Fund	-571,076	Phase 2A LS #16, IGA, Design, Permits	-571,076
3119	Bonds	Utility Fund Future Bonds	11,382,545	Phase 2A LS #16, IGA, Design, Construction, and Constr. Mgmt.	11,382,545
3081	Bonds	Utility Fund Future Bonds	676,618	Phase 2B LS#4&8, IGA, Permits	676,618
3089	Bonds	Utility Fund Future Bonds	-676,618	Phase 2B LS#4&8, IGA, Permits	-676,618
3089	411	Utility Fund	676,618	Phase 2B LS#4&8, IGA, Permits	676,618
9/18/15 Update	411	Utility Fund	385,587	Phase 2B LS#4&8, IGA	385,587
3081	Bonds	Utility Fund Future Bonds	204,695	Phase 3 WWTP Aeration, IGA, Design, Permits	204,695
3089	Bonds	Utility Fund Future Bonds	-204,695	Phase 3 WWTP Aeration, IGA, Design, Permits	-204,695
3089	411	Utility Fund	204,695	Phase 3 WWTP Aeration, IGA, Design, Permits	204,695
		Current Appropriation	16,547,040		16,547,040

Section 2. Modifications of the 2015-2016 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, 2015 and 2016 are hereby modified and amended hereto and incorporated herein.

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.

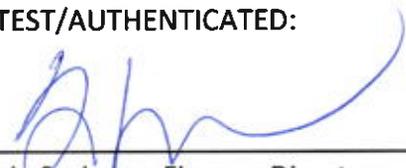
26th PASSED this 12th day of October, 2015, and signed in authentication of its passage this day of October, 2015.

APPROVED:



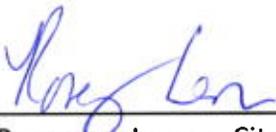
Nicola Smith, Mayor

ATTEST/AUTHENTICATED:



Sonja Springer, Finance Director

APPROVED AS TO FORM:



Rosemary Larson, City Attorney

FILED WITH ADMINISTRATIVE SERVICES: 09/24/2015
PASSED BY THE CITY COUNCIL: 10/12/2015
PUBLISHED: 10/26/2015
EFFECTIVE DATE: 10/31/2015
ORDINANCE NUMBER: 3155

1	TRANE FINANCIAL PLAN		Target Exp	Diff	Target Rev	Fund 411	Fund 111	Fund 011-69	Future Bond
2									
3	Project:	Energy / Utility Conservation Proj., PHASE 1, 2 A, 2B, 3							
4	Last Update:	09/18/15							
5	Prepared by:	David Mach, P.E.	16,547,040.00	-	16,547,040.00	1,306,244.00	5,428.00	60,064.00	15,175,304.00
6	Checked by:	Jeff Elekes, P.E.							
7									
8	PHASE 1 CONSTRUCTION, DESIGN, CM, PERMITS								
60	Total Proposed Phase 1 Screw Press, ETC.		3,866,548.00	-	3,866,548.00	39,344.00	5,428.00	60,064.00	3,761,712.00
61	PHASE 2 - Water Meters								
68	Total Proposed Phase 2 Water Meters		31,047.00	-	31,047.00	-	-	-	31,047.00
69	PHASE 2 A - LS #16								
96	Total Phase 2 A LS 16		11,382,545.00	-	11,382,545.00	-	-	-	11,382,545.00
97	PHASE 2 B - LS #4 and LS #8								
98	Ord. # 3081	LS #4 and LS #8 - IGA		(566,318.00)	566,318.00				566,318.00
99	Ord. # 3081	Taxes (all of above)		(53,800.00)	53,800.00				53,800.00
100	Ord. # 3081	WSDOT JA Agreement		(15,000.00)	15,000.00				15,000.00
101	Ord. # 3081	WSDOT Permit Fee		(500.00)	500.00				500.00
102	Ord. # 3081	Right of Way Permit		(5,000.00)	5,000.00				5,000.00
103	Ord. # 3081	Building Permit		(10,000.00)	10,000.00				10,000.00
104	Ord. # 3081	Electrical Permit		(5,000.00)	5,000.00				5,000.00
105	Ord. # 3081	LS #8 Appraisal Fee		(4,000.00)	4,000.00				4,000.00
106	Ord. # 3081	LS #4 Boundary Line Adjustment		(1,500.00)	1,500.00				1,500.00
107	Ord. # 3081	LS #4 Street Vacation App Fee		(1,500.00)	1,500.00				1,500.00
108	Ord. # 3081	LS #4 Street Vacation Surveyor		(4,000.00)	4,000.00				4,000.00
109	Ord. # 3081	Contingency		(10,000.00)	10,000.00				10,000.00
110	Ord. # 3089	LS #4 and LS #8 - IGA	566,318.00	566,318.00	-	566,318.00			(566,318.00)
111	Ord. # 3089	Taxes (all of above)	53,800.00	53,800.00	-	53,800.00			(53,800.00)
112	Ord. # 3089	WSDOT JA Agreement	15,000.00	15,000.00	-	15,000.00			(15,000.00)
113	Ord. # 3089	WSDOT Permit Fee	500.00	500.00	-	500.00			(500.00)
114	Ord. # 3089	Right of Way Permit	5,000.00	5,000.00	-	5,000.00			(5,000.00)
115	Ord. # 3089	Building Permit	10,000.00	10,000.00	-	10,000.00			(10,000.00)
116	Ord. # 3089	Electrical Permit	5,000.00	5,000.00	-	5,000.00			(5,000.00)
117	Ord. # 3089	LS #8 Appraisal Fee	4,000.00	4,000.00	-	4,000.00			(4,000.00)
118	Ord. # 3089	LS #4 Boundary Line Adjustment	1,500.00	1,500.00	-	1,500.00			(1,500.00)
119	Ord. # 3089	LS #4 Street Vacation App Fee	1,500.00	1,500.00	-	1,500.00			(1,500.00)
120	Ord. # 3089	LS #4 Street Vacation Surveyor	4,000.00	4,000.00	-	4,000.00			(4,000.00)
121	Ord. # 3089	Contingency	10,000.00	10,000.00	-	10,000.00			(10,000.00)
122	9/18/15 Update	LS #4 and LS #8 - IGA	385,587.00	-	385,587.00	385,587.00			
123	Total Phase 2B LS 4 & 8		1,062,205.00	-	1,062,205.00	1,062,205.00	-	-	-
124	PHASE 3 - WWTP Aeration								
125	Total Phase 3 Aeration		204,695.00	-	204,695.00	204,695.00	-	-	-
126									
127			16,547,040.00	-	16,547,040.00	1,306,244.00	5,428.00	60,064.00	15,175,304.00
128									

NOTE: Phases 1, 2, 2A and 3 have been compressed in this view for simplification.



On the 12th day of October 12, 2015 the City Council of the City of Lynnwood, Washington, passed ordinance 3155. A summary of the content of this ordinance, consisting of the title, provides as follows:

ORDINANCE NO. 3155

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, SUPERSEDING ORDINANCES 3067, 3081, 3089 AND 3119 ESTABLISHING PROJECT FUNDING FOR ENERGY /UTILITY CONSERVATION PROJECTS UTILIZING THE ENERGY SAVINGS PERFORMANCE CONTRACTING (ESPC) PROCEDURES WITH WASHINGTON STATE DEPARTMENT OF ENTERPRISE SERVICES AND AUTHORIZING EXPENDITURES IN PROJECT FUND 411; 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 26th day of October, 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. 3155 of the City of Lynnwood, Washington, entitled as follows:

ORDINANCE NO. 3155

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, SUPERSEDING ORDINANCES 3067, 3081, 3089 AND 3119 ESTABLISHING PROJECT FUNDING FOR ENERGY /UTILITY CONSERVATION PROJECTS UTILIZING THE ENERGY SAVINGS PERFORMANCE CONTRACTING (ESPC) PROCEDURES WITH WASHINGTON STATE DEPARTMENT OF ENTERPRISE SERVICES AND AUTHORIZING EXPENDITURES IN PROJECT FUND 411; 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 October 12, 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 October 26, 2015.

Debra Karber, Deputy City Clerk

Everett Daily Herald

Affidavit of Publication

State of Washington }
County of Snohomish } ss

Kathleen Landis 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 EDH665220 ORDINANCE SUMMARIES 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 10/26/2015 and ending on 10/26/2015 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$92.56.

Kathleen Landis

Subscribed and sworn before me on this

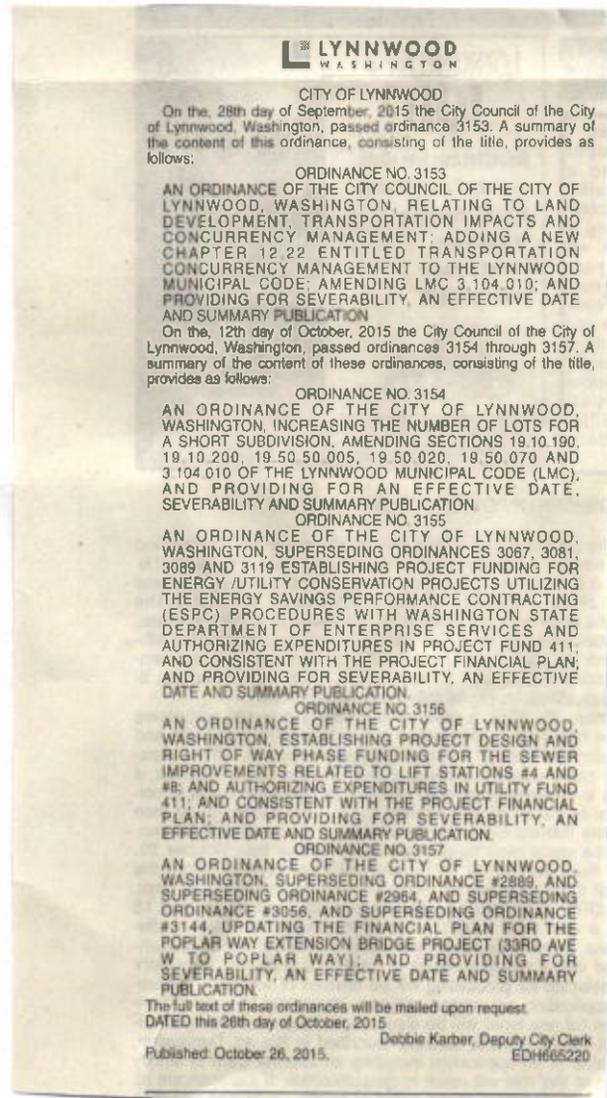
27 day of October

2015.

Debra Ann Grigg

Notary Public in and for the State of Washington.

City of Lynnwood - LEGAL ADS | 14127890
DEBBIE KARBER



DEBRA ANN GRIGG
Notary Public
State of Washington
My Commission Expires
October 31, 2017