



ORDINANCE NO. 3171

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, SUPERSIDING ORDINANCE 3147, ESTABLISHING PROJECT FUNDING FOR THE 60th AVENUE W UTILITY REPLACEMENT PROJECT; 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 is committed to the maintenance and repair of the City of Lynnwood's Water and Sanitary Sewer system in an ongoing and proactive basis; and

WHEREAS, the roadway at 60th Avenue W adjacent to the Lynnwood Operations and Maintenance Center (LOMC) has visible signs of settlement in the roadway along the limits of the center's frontage; and

WHEREAS, the City's maintenance department has found that the Sanitary Sewer located adjacent to the LOMC has a sag in the sewer line, which is most likely due to settlement of the utility; and

WHEREAS, the Sanitary Sewer line in this area requires frequent maintenance due to deposits accumulating in the location of the sewer line sag; and

WHEREAS, the water main in the project area broke in 2012 due to settlement of the storm system in the project area; and

WHEREAS, the roadway settlement affects proper ingress and egress of maintenance equipment and vehicles into and out of the LOMC due to vehicular clearance issues caused by steep differential slopes between the roadway and driveway apron at the site; and

WHEREAS, it is in the City's best interest to ascertain the viable engineering solutions, understand the respective costs associated with addressing the different utilities and roadway

settlement issues in the project area, and design the most cost effective option of repairing the problems with the roadway and utilities; and

WHEREAS, the design phase has been completed for the Project and the City now desires to have the project constructed

WHEREAS, the City of Lynnwood has Utility Fund, Fund 411, to address ongoing utility maintenance and repairs; now, therefore

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 January 12, 2016, and summarized as follows:

Project Phase	Amount
Design	141,500
Construction	1,335,900
Total	1,477,400

B. The sum of \$1,477,400 is hereby appropriated, to the extent not previously appropriated, for the project as follows:

Prior Ord# / Current Activity	Fund No.	Revenue		Expenditures	
		Description	Amount	Description	Amount
Ordinance #3147	411	Utility Fund	141,500	Design Support	141,500
January 2016 Update	411	Utility Fund	1,335,900	Construction Support	1,335,900
Current Appropriation					
January 2016 Update			1,477,400		1,477,400

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					
Ordinance #3147	411	Utility Fund	141,500	Design Support	141,500
Design - SubTotal			141,500		141,500
Construction					
January 2016 Update	411	Utility Fund	1,335,900	Construction Support	1,335,900
Construction - SubTotal			1,335,900		1,335,900
Current Appropriation					
January 2016 Update	411		1,477,400		1,477,400

D. The appropriation for the 60th Avenue W Utility and Roadway Repair project shall not lapse and shall be carried forward from year to year until fully expended or the purpose has been accomplished or abandoned without necessity of re-appropriation.

Section 2. Modification of the (2015-2016) Biennial Budget. The required expenditures for the operation of the various departments and funds of the City of Lynnwood for fiscal years ending December 31, (2015 and 2016), and hereby modified and amended, attached hereto and incorporated within.

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 this 25th day of January, 2016, and signed in authentication of its passage this 27th day of January, 2016.

APPROVED:



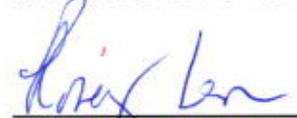
Nicola Smith, Mayor

ATTEST/AUTHENTICATED:



Sonja Springer, Finance Director

APPROVED AS TO FORM:



Rosemary Larson, City Attorney

FILED WITH ADMINISTRATIVE SERVICES: 01/25/2016
PASSED BY THE CITY COUNCIL: 01/25/2016
PUBLISHED: 01/29/2016
EFFECTIVE DATE: 02/03/2016
ORDINANCE NUMBER: 3171

3171

	A	B	C	D	E	F	G	H
2	Project Financial Plan							
3	60th Ave W Utility Replacement Project							
4	Project# PWWC000500							
5							Fund Number	411
6	Project Fund: 411 Last update: January 12, 2016 Prepared by: Ngan Ha Yang, P.E. Reviewed by: Jeff Elekes, P.E.				Target/Actual Expense	Diff	Target/Actual Revenue	Utility Fund
7								
8					1,477,400	-	1,477,400	1,477,400
9								
10	Ord.							
11	Prior Ordinance(s) Ord. #3147	Design						
12		Design Contract (PS&E)			138,500	-	138,500	138,500
13		Environmental Review/Permitting & Bidding			3,000	-	3,000	3,000
16		Total			141,500	-	141,500	141,500
28	Total Prior Ordinance(s)			141,500	-	141,500	141,500	
29	Jan 2016 Update	Construction						
30		Contract			1,117,184	-	1,117,184	1,117,184
31		City CM			50,000	-	50,000	50,000
32		On-call Engineering			47,000	-	47,000	47,000
33		Contract Miscellaneous			10,000	-	10,000	10,000
34		Contingency			111,716	-	111,716	111,716
35	Total			1,335,900	-	1,335,900	1,335,900	
36	Total Jan 2016 Update			1,335,900	-	1,335,900	1,335,900	
37	Total Project Target Expense/Revenue				1,477,400	-	1,477,400	1,477,400



On the, 25th day of January, 2016 the City Council of the City of Lynnwood, Washington, passed ordinance 3171. A summary of the content of this ordinance consisting of the title, provides as follows:

ORDINANCE NO. 3171

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, SUPERSEDING ORDINANCE 3147, ESTABLISHING PROJECT FUNDING FOR THE 60th AVENUE W UTILITY REPLACEMENT PROJECT; 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 29th day of January, 2016.



Debbie Karber, Deputy City Clerk

Everett Daily Herald

Affidavit of Publication

State of Washington }
County of Snohomish } ss

Dicy Sheppard 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 EDH680247 ORDS 3171/3172 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 01/29/2016 and ending on 01/29/2016 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$41.50.

Dicy Sheppard

Subscribed and sworn before me on this

29 day of Jan,
2016

Debra Ann Grigg

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

Notary Public in and for the State of
Washington.



On the 25th day of January, 2016 the City Council of the City of Lynnwood, Washington, passed ordinances 3171 and 3172. A summary of the content of these ordinances, consisting of the title, provides as follows:

ORDINANCE NO. 3171

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, SUPERSEDING ORDINANCE 3147, ESTABLISHING PROJECT FUNDING FOR THE 60th AVENUE W UTILITY REPLACEMENT PROJECT; AND AUTHORIZING EXPENDITURES IN PROJECT FUND 411; AND CONSISTENT WITH THE PROJECT FINANCIAL PLAN; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

ORDINANCE NO. 3172

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, GRANTING A NON-EXCLUSIVE FRANCHISE TO ZAYO GROUP LLC TO INSTALL, OPERATE, MAINTAIN, REPAIR AND REMOVE A MULTIPLE CONDUIT FIBER OPTIC TELECOMMUNICATIONS SYSTEM WITHIN THE CITY; PRESCRIBING RIGHTS, DUTIES, TERMS, AND CONDITIONS WITH RESPECT TO THE FRANCHISE; AND PROVIDING FOR AN EFFECTIVE.

The full text of these ordinances will be mailed upon request.

DATED this 29th day of January, 2016.

Debbie Karber, Deputy City Clerk
EDH680247

Published: January 29, 2016.

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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. 3171 of the City of Lynnwood, Washington, entitled as follows:

ORDINANCE NO. 3171

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, SUPERSEDING ORDINANCE 3147, ESTABLISHING PROJECT FUNDING FOR THE 60th AVENUE W UTILITY REPLACEMENT PROJECT; 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 January 25, 2016 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 January 29, 2016.

D. Karber

Debra Karber, Deputy City Clerk