



ORDINANCE NO. 3202

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5 **AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON,**
6 **SUPERSEDING ORDINANCE 2843, ESTABLISHING PROJECT**
7 **FUNDING FOR 36TH/35TH AVENUE WEST ROAD IMPROVEMENT**
8 **PROJECT; AND AUTHORIZING EXPENDITURES IN PROJECT FUND**
9 **317; AND CONSISTENT WITH THE PROJECT FINANCIAL PLAN;**
10 **AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND**
11 **SUMMARY PUBLICATION.**
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14 WHEREAS, pursuant to Chapter 35A.33 RCW, the City of Lynnwood is required to
15 appropriate funds for City projects and to formally authorize the transfer of appropriations
16 from one fund to another fund; and

17 WHEREAS, the City is committed to a planned transportation and traffic improvement
18 program as a part of the City's Transportation Improvement Program and Capital Facilities Plan;
19 and

20 WHEREAS, the 36th/35th Avenue W Road Improvement Project from Maple Road to
21 Highway 99 (hereinafter "Project") is included in the City's Capital Facilities Plan as project
22 number ST2003056A; and

23 WHEREAS, the Project will accommodate the growing traffic demands and enhance
24 public safety by providing intersection enhancements and pavement, pedestrian and bicycle
25 improvements; and

26 WHEREAS, the City have received a total of \$1,646,826 STPUL Federal Grant for the
27 Project; of which \$871,756 is for the design phase and \$771,826 is for the right-of-way phase;
28 and

29 WHEREAS, ninety percent (90%) design has been completed for the Project and the City
30 now desires to complete design and the right-of-way phases for the portion of the Project
31 located within the City's jurisdiction; and

32 WHEREAS, the City has previously approved Project financial plans in Ordinances 2779,
33 2843, and 3109;

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 6/29/2016, and summarized as follows:

Project Phase	Amount
Design	2,460,588
Right of Way	1,665,380
Construction	10,000,000
Total	14,125,968

Note: Amounts shown in this table include yet to be determined funding sources (see columns in Financial Plan)

B. The sum of \$14,125,968 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 #3109		Prior Activity - SubTotal	2,460,588	Design	2,460,588
Ord #3109		Prior Activity - SubTotal	1,114,312	Right of Way	1,114,312
Ord #3109		Prior Activity - SubTotal	8,493,353	Construction	8,493,353
July 2016 Update	STP Grant	STP Grant	771,826	Right of Way	771,826
July 2016 Update	411	Storm Utility	(63,244)	Right of Way	(63,244)
July 2016 Update	110	Traffic Impact Fee	(157,514)	Right of Way	(157,514)
July 2016 Update	STP Grant	STP Grant	3,000,000	Construction	3,000,000
July 2016 Update	411	Storm Utility	63,244	Construction	63,244
July 2016 Update	110	Traffic Impact Fee	157,514	Construction	157,514
July 2016 Update	To-Be-Determined	To be Determined	(1,714,111)	Construction	(1,714,111)
		Current Activity - SubTotal	2,057,715		2,057,715
July 2016 Update		Current Total Appropriation	14,125,968		14,125,968

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					
Ord #3109	STP Grant	STP Grant	875,000	Design Activities	875,000
Ord #3109	411	Utility	905,688	Design Activities	905,688
Ord #3109	331	REET2	200,000	Design Activities	200,000
Ord #3109	440	Utility Bond	203,900	Design Activities	203,900
Ord #3109	Mall Mitigation	Mall Mitigation	276,000	Design Activities	276,000
		Design - SubTotal	2,460,588		2,460,588
Right of Way					
Ord #3109	411	Utility	614,312	ROW Activities	614,312
Ord #3109	110	Traffic Impact Fee	500,000	ROW Activities	500,000
July 2016 Update	STP Grant	STP Grant	771,826	ROW Activities	771,826
July 2016 Update	411	Utility	(63,244)	ROW Activities	(63,244)
July 2016 Update	110	Traffic Impact Fee	(157,514)	ROW Activities	(157,514)
		Right of Way - SubTotal	1,665,380		1,665,380
Construction					
Ord #3109	To-Be-Determined	To-Be-Determined	8,493,353	CN Activities	8,493,353
July 2016 Update	STP Grant	STP Grant	3,000,000	CN Activities	3,000,000
July 2016 Update	411	Utility	63,244	CN Activities	63,244
July 2016 Update	110	Traffic Impact Fee	157,514	CN Activities	157,514
July 2016 Update	To-Be-Determined	To-Be-Determined	(1,714,111)	CN Activities	(1,714,111)
		Construction - SubTotal	10,000,000		10,000,000
July 2016 Update		Current Total Appropriation	14,125,968		14,125,968

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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.

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.

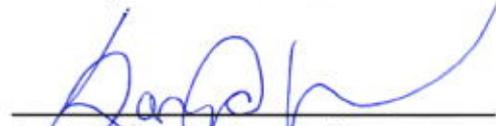
PASSED this 11th day of July, 2016, and signed in authentication of its passage this 12th day of July, 2016.

APPROVED:


Nicola Smith, Mayor

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ATTEST/AUTHENTICATED:



Sonja Springer, Finance Director
Finance Director

APPROVED AS TO FORM:



Rosemary Larson, City Attorney

FILED WITH ADMINISTRATIVE SERVICES:	07/11/2016
PASSED BY THE CITY COUNCIL:	07/11/2016
PUBLISHED:	07/14/2016
EFFECTIVE DATE:	07/19/2016
ORDINANCE NUMBER:	3202

	B	C	D	E	F	G	H	I	J	K	L	M	N	O	
2	Project Financial Plan														
3	35th/36th Ave W Improvements Project (City Segment Only)														
4	GRANT# : STPUL-9931(009)														
5	Project# : PW0052400														
6	Last update : June 29, 2016														
7	Prepared by : Ngan Ha Yang, P.E.														
8	Reviewed by : Jeff Elekes, P.E.														
		Project Fund 317	Diff.	Revenue Fund Number	STPUL- 9931(009)	TBD	TBD	411	331	440	110	Mall	To Be		
		Target/Actual Expense		Target/Actual Revenue	STP Grant	STP Grant	STP Grant	Utility	REET 2	Utility Bond	Traffic Impact Fee	Mitigation	Determined		
8	Prior Ord./ Proposed Update			14,125,968	-	14,125,968	875,000	771,826	3,000,000	1,520,000	200,000	203,900	500,000	276,000	6,779,242
9	Design														
10	Prior Ord. 3109	PE PS&E Consultant Contract		2,456,838	-	2,456,838	871,756			905,688	200,000	203,394		276,000	
11	Prior Ord. 3109	PE WSDOT Admin		3,750	-	3,750	3,244					506			
12		Total PE		2,460,588	-	2,460,588	875,000			905,688	200,000	203,900	-	276,000	-
13	Right_of_Way														
14	Prior Ord. 3109	ROW Acquisitions		1,114,312	-	1,114,312				614,312			500,000		-
15	Proposed Update	ROW Acquisitions		551,068		551,068		771,826		(63,244)			(157,514)		
16		Total ROW		1,665,380	-	1,665,380	-	771,826	-	551,068	-	-	342,486	-	-
17	Construction														
18	Prior Ord. 3109	CN Contract		5,991,900	-	5,991,900									5,991,900
19	Prior Ord. 3109	CN Management (City Force)		58,000	-	58,000									58,000
20	Prior Ord. 3109	CN Inspection (Consultant Contract)		1,158,453	-	1,158,453									1,158,453
21	Prior Ord. 3109	CN On-call Contract (PE supports)		100,000	-	100,000									100,000
22	Prior Ord. 3109	CN Misc Permits/Fees		350,000	-	350,000									350,000
23	Prior Ord. 3109	CN Contingency		834,000	-	834,000									834,000
24	Prior Ord. 3109	WSDOT		1,000	-	1,000									1,000
25	Proposed Update	CN Contract		955,100	-	955,100			3,000,000	63,244			157,514		(2,265,658)
26	Proposed Update	CN Inspection (Consultant Contract)		551,547		551,547									551,547
27		Total CN		10,000,000	-	10,000,000	-	-	3,000,000	63,244	-	-	157,514	-	6,779,242
28	Total UPDATED Project Target Expense/Revenue			14,125,968	-	14,125,968	875,000	771,826	3,000,000	1,520,000	200,000	203,900	500,000	276,000	6,779,242
29	Difference			-	-	-	-	-	-	-	-	-	-	-	-
30															
31															
32															
33															



On the, 11th day of July, 2016 the City Council of the City of Lynnwood, Washington, passed ordinance 3202. A summary of the content of this ordinance, consisting of the title, provides as follows:

ORDINANCE NO. 3202

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, SUPERSEDING ORDINANCE 2843, ESTABLISHING PROJECT FUNDING FOR 36TH/35TH AVENUE WEST ROAD IMPROVEMENT PROJECT; AND AUTHORIZING EXPENDITURES IN PROJECT FUND 317; 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.



Debbie Karber, Deputy City Clerk

DATED this 11th day of July, 2016.

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 EDH710627 ORDINANCE 3202-3204 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 07/14/2016 and ending on 07/14/2016 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$51.16.

Kathleen Landis

Subscribed and sworn before me on this

14 day of July,
2016.

Debra Ann Grigg

Notary Public in and for the State of Washington.

City of Lynnwood - LEGAL ADS | 14127890
DEBBIE KARBER

LYNNWOOD
WASHINGTON

CITY OF LYNNWOOD

On the, 11th day of July, 2016 the City Council of the City of Lynnwood, Washington, passed ordinances 3202, 3203 and 3204. A summary of the content of these ordinances, consisting of the title, provides as follows:

ORDINANCE NO. 3202
AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, SUPERSEDING ORDINANCE 2843, ESTABLISHING PROJECT FUNDING FOR 36TH/35TH AVENUE WEST ROAD IMPROVEMENT PROJECT; AND AUTHORIZING EXPENDITURES IN PROJECT FUND 317; AND CONSISTENT WITH THE PROJECT FINANCIAL PLAN; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

ORDINANCE NO. 3203
AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, ADOPTING AMENDMENTS TO THE 2015-2016 BIENNIAL BUDGET; PROVIDING FOR TRANSMITTAL OF THE AMENDED BUDGET TO THE STATE; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

ORDINANCE NO. 3204
AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, ADOPTING AMENDMENTS TO THE 2015-2016 BIENNIAL BUDGET; PROVIDING FOR TRANSMITTAL OF THE AMENDED BUDGET TO THE STATE; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

The full text of these ordinances will be mailed upon request.
DATED this 14th day of July, 2016.

Debbie Karber, Deputy City Clerk
EDH710627

Published: July 14, 2016.

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



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. 3202 of the City of Lynnwood, Washington, entitled as follows:

ORDINANCE NO. 3202

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, SUPERSEDING ORDINANCE 2843, ESTABLISHING PROJECT FUNDING FOR 36TH/35TH AVENUE WEST ROAD IMPROVEMENT PROJECT; AND AUTHORIZING EXPENDITURES IN PROJECT FUND 317; 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 July 11, 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 July 14, 2016.

Debra Karber, Deputy City Clerk