

ORDINANCE O-4566

1 AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO BIENNIAL
2 BUDGETS.
3

4 WHEREAS, as part of a legal review of the Kirkland Municipal
5 Code ("KMC") by Code Publishing Company it was recommended that
6 the KMC be reviewed to ensure its budget-related provisions conform to
7 the City's practice of adopting biennial rather than annual budgets; and
8

9 WHEREAS, there are a number of instances where KMC
10 provisions reflect an annual rather than a biennial budget process that
11 should be amended to conform to City practice.
12

13 The City Council of the City of Kirkland do ordain as follows:
14

15 Section 1. Kirkland Municipal Code Section 3.28.030 is amended
16 to read as follows:
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18 **3.28.030 Support activities—Expenditures.**

19 The Kirkland library board may participate in and support activities
20 which promote the King County rural library system and its Kirkland
21 resource library and the use of the library district's facilities by the
22 residents of the city as well as programs to solicit contributions to the
23 King County rural library district fund. All expenditures for or on behalf
24 of the Kirkland library board to be paid by the city shall be included
25 within the city ~~annual~~ biennial budget for appropriation. Prior to
26 payment of any such expenditures, the invoice therefor shall be
27 submitted to and approved by the finance and administration
28 department for the city.
29

30 Section 2. Kirkland Municipal Code Section 3.49.080 is amended
31 to read as follows:
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33 **3.49.080 Court operation.**

34 As part of the ~~annual~~ preliminary biennial budget presentation, the
35 finance and administration department will assist the municipal court
36 judge in the creation of a budget for the court and the city manager will
37 make a recommendation to the city council. The ~~annual~~ biennial budget
38 for the municipal court shall be as approved by the city council. All
39 employees of the municipal court shall, for all purposes, be deemed
40 employees of the city. They shall be subject to applicable provisions of
41 city personnel rules, collective bargaining agreements, and state laws,
42 such as RCW 3.50.080.
43

44 Section 3. Kirkland Municipal Code Section 3.68.050 is amended
45 to read as follows:
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47 **3.68.050 Park and recreation department—Park budget.**

48 ~~Annually~~ Each even-numbered year, the department shall submit a
49 budget to the governing body of the city on or before the second
50 Monday in August for its approval.

51
52 Section 4. Kirkland Municipal Code Section 3.96.030 is amended
53 to read as follows:

54
55 **3.96.030 Plaza of Champions fund established.**

56 There is hereby established, pursuant to RCW Chapter 35A.37 and
57 RCW 35.21.070, et seq., a special fund which shall be identified as the
58 Plaza of Champions fund. Expenditures from said fund shall be made
59 only for the purpose of paying costs, expenses, maintenance and capital
60 improvements, if any, incurred in the carrying out of the program
61 adopted by Section 3.96.010. All gifts (except contributions of personal
62 services), made to the city, including all moneys and other gifts solicited
63 or received by the park board shall be deposited in said fund. The
64 moneys in said fund may be allowed to accumulate from year to year
65 until the city council determines to expend the moneys in the fund for
66 the purpose and purposes hereinabove specified; provided, that any
67 moneys in the fund shall never be expended for any other purpose or
68 purposes than those specified without an approving vote of a three-
69 quarters majority of the members of the city council. Any moneys in the
70 fund at the end of the fiscal year shall not lapse, nor shall the same be
71 a surplus available, or which may be used for any other purpose or
72 purposes than those specified in this chapter.

73
74 The city council may direct the transfer to or deposit in said fund of
75 such additional donations, gifts, or other moneys as it may authorize by
76 ordinance, resolution, or motion duly passed. Authorization to expend
77 moneys from said fund shall be subject to approval by the city council.
78 Such approval may be expressed by the inclusion of an item therefor in
79 the ~~annual~~ biennial budget or such other appropriate action by the city
80 council as may be permitted by law. Such authorization shall not lapse
81 at the end of the ~~budgetary year~~ biennial budget, but may be carried
82 forward; provided, that such carried-forward appropriation shall be
83 included and so identified in the biennial budget for succeeding years.

84
85 Section 5. Kirkland Municipal Code Section 5.24.060 is amended
86 to read as follows:

87
88 **5.24.060 Funds available for investment.**

89 Pursuant to Sections 5.24.040 and 5.24.050, moneys available for
90 investment may at the discretion of the finance committee be invested
91 in a common investment fund. All interest earned from the common
92 investment fund shall be deposited in an interest revolving fund. After
93 first providing for all costs and expenses incurred in the administration
94 of the common investment fund, the finance committee may annually
95 distribute from the interest revolving fund the interest earning
96 attributable to each fund participating in the common investment fund.

97
98 In determining the amount of earnings allocable to each
99 participating fund, the committee may take into consideration the
100 annual average balance (calculated upon monthly balances of each
101 participating fund), the minimum fund balance required to meet the

102 ongoing operations and expenses of said fund, or in the alternative, the
 103 amount designated by the appropriate department head as available on
 104 a monthly or annual basis for investment.

105
 106 After such distribution of interest earnings is made, all interest
 107 earnings remaining in the interest revolving fund shall be deemed to be
 108 interest earnings on treasurer's excess cash or excess funds in the
 109 current expense fund, and shall be for the benefit of the current expense
 110 fund. Provided, however, nothing in this section, nor Sections 5.24.040
 111 and 5.24.050, shall prevent the city council, in adopting the ~~annual~~
 112 biennial budget, from allocating all such earnings or interest income for
 113 the benefit of the current expense fund; provided further, that all
 114 earnings from the sale of general obligation bonds or revenue bonds, or
 115 similar instruments of indebtedness shall be invested or used in such
 116 manner as the initiating ordinances, resolutions or bond covenants may
 117 lawfully prescribe.

118
 119 Section 6. Kirkland Municipal Code Section 3.36.030 is amended
 120 to read as follows:

121
 122 **5.36.030 Inclusion of items in budget—Repetition—Surplus**
 123 **moneys.**

124 An item for the cemetery improvement fund may be included in the
 125 city's ~~annual~~ biennial budget or estimate of amounts required to meet
 126 public expense for the ensuing ~~year~~ biennium, and the item may be
 127 repeated ~~from year to year~~ each biennium until in the judgment of the
 128 city council the amount required for the purposes herein specified shall
 129 have been raised or accumulated. Any moneys in the fund at the end of
 130 the ~~fiscal year~~ biennium shall not lapse, nor shall the same be a surplus
 131 available or which may be used for any other purpose or purposes than
 132 those specified except as in this chapter provided.

133
 134 Section 7. Kirkland Municipal Code Section 5.76.030 is amended
 135 to read as follows:

136
 137 **5.76.030 Deposits and expenditures—Continuing**
 138 **appropriations.**

139 The city council may direct the transfer to or deposit in said fund
 140 such additional grants, gifts, moneys or general city revenues as it may
 141 authorize by ordinance, resolution or motion duly passed. Authorization
 142 to transfer or expend moneys from said fund shall be subject to approval
 143 by the city council. Such approval may be expressed by the inclusion of
 144 an item therefor in the ~~annual~~ biennial budget or such other appropriate
 145 action by the city council as may be permitted by law. Such authorization
 146 shall not lapse at the end of the ~~budgetary year~~ biennium but may be
 147 carried forward, provided that such carried forward appropriation should
 148 be included and so identified in the budget for succeeding years.

149
 150 Section 8. Kirkland Municipal Code Section 18.12.020 is
 151 amended to read as follows:

152
 153 **18.12.020 Budget and tax levy.**

154 From time to time hereafter for the purpose of maintaining the local
 155 improvement guaranty fund the city shall at the time of making its


156 annual biennial budget and annual tax levy provide for the levy of a sum
157 sufficient, with other resources of the fund, to meet the financial
158 requirements of such fund, provided that the levy in any one year shall
159 not exceed five percent of the outstanding obligations guaranteed by
160 the fund.

161
162 Section 9. If any provision of this ordinance or its application to
163 any person or circumstance is held invalid, the remainder of the
164 ordinance or the application of the provision to other persons or
165 circumstances is not affected.

166
167 Section 10. This ordinance shall be in force and effect five days
168 from and after its passage by the Kirkland City Council and publication
169 pursuant to Section 1.08.017, Kirkland Municipal Code in the summary
170 form attached to the original of this ordinance and by this reference
171 approved by the City Council.

172
173 Passed by majority vote of the Kirkland City Council in open
174 meeting this 21st day of March, 2017.

175
176 Signed in authentication thereof this 21st day of March, 2017.


MAYOR

Attest:


City Clerk

Publication Date: March 27, 2017

Approved as to Form:


City Attorney

PUBLICATION SUMMARY
OF ORDINANCE O-4566

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO BIENNIAL BUDGETS.

SECTION 1. Amends Kirkland Municipal Code ("KMC") Section 3.28.030 by amending annual budget to biennial budget.

SECTION 2. Amends KMC Section 3.49.080 by amending annual budget to biennial budget.

SECTION 3. Amends KMC Section 3.68.050 to amend annually to even-numbered year preliminary budget presentations.

SECTION 4. Amends KMC Section 3.96.030 by amending annual budget to biennial budget.

SECTION 5. Amends KMC 5.24.060 by amending annual budget to biennial budget.

SECTION 6. Amends KMC Section 5.36.030 by amending annual budget to biennial budget and year or fiscal year to biennium.

SECTION 7. Amends KMC 5.76.030 by amending annual budget to biennial budget and budgetary year to biennium.

SECTION 8. Amends 18.12.020 by amending annual budget to biennial budget.

SECTION 9. Provides a severability clause for the ordinance.

SECTION 10. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 21st day of March, 2017.

I certify that the foregoing is a summary of Ordinance O-4566 approved by the Kirkland City Council for summary publication.



City Clerk