

ORDINANCE NO. 2765

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO CUMULATIVE RESERVE FUNDS FOR THE CITY AND AMENDING CHAPTERS 5.36, 5.48, 5.50, 5.54, 5.56, 5.60, 5.68, AND 5.72 OF THE KIRKLAND MUNICIPAL CODE PURSUANT TO CHAPTER 173, WASHINGTON LAWS OF 1983.

Whereas, Chapter 173, Washington Laws of 1983 makes certain changes in the provisions relating to cumulative reserve funds for cities; and

Whereas, the Kirkland City Council finds that it is in the interest of responsible fiscal management to amend the provisions of the various Kirkland cumulative reserve funds in the manner authorized by Chapter 173 Washington Laws of 1983, now, therefore,

Be it ordained by the City Council of the City of Kirkland as follows:

Section 1. Section 5.36.020 of the Kirkland Municipal Code relating to the cemetery improvement fund, be and it hereby is amended to read as follows:

"5.36.020 Accumulation and Use of Moneys.
The moneys in the fund herein established may be allowed to accumulate from year to year until the City council determines to expend the moneys in the fund for the purpose or purposes hereinabove specified, provided that any moneys in the fund shall never be expended for any other purpose or purposes than those specified without an approving vote of a two-thirds majority of the ~~electors of the City at a general or special election voting on a proposal submitted to the electors to allow other specified uses to be made of the fund~~ members of the City Council of the City of Kirkland."

Section 2. Section 5.48.020 of the Kirkland Municipal Code relating to the library capital improvements cumulative reserve fund, be and it hereby is amended to read as follows:

"5.48.020 Accumulation and Use of Moneys.
The moneys in the fund herein established may be allowed to accumulate from year to year until the City council ~~[library board]~~ determines to expend the moneys in the fund for the purpose or

purposes hereinabove specified, provided that any moneys in the fund shall never be expended for any other purpose or purposes than those specified without an approving vote of a two-thirds majority of the [electors of the City at a general or special election voting on a proposal submitted to the electors to allow other specified uses to be made of the fund] members of the City Council of the City of Kirkland."

Section 3. There is hereby added to Chapter 5.50 of the Kirkland Municipal Code relating to the off-street parking fund, a new section to be known as Section 5.50.015 and to read as follows:

NEW
SECTION

"Limitation on fund expenditures. The moneys in the fund established by this chapter may be allowed to accumulate from year to year until the City council determines to expend the moneys in the fund for the purpose or purposes hereinabove specified: PROVIDED, that any moneys in the fund shall never be expended for any other purpose or purposes than those specified without an approving vote by a two-thirds majority of the members of the City council."

Section 4. Section 5.54.030 of the Kirkland Municipal Code relating to the pier and moorage facility improvement maintenance and repair account, be and it hereby is amended to read as follows:

"5.54.030 Expenditures. Authorization to expend moneys from said account shall be subject to approval by the City council. Such approval may be expressed by inclusion of an item therefore in the annual budget or such other appropriate action by the City council as may be permitted by law. Such authorization shall not lapse at the end of the budgetary year, but may be carried forward provided that such carried forward appropriation should be included and so identified in the budgets for succeeding years. Provided that any moneys in said account shall never be expended for any other purpose or purposes than those specified in this chapter without an approving vote by a two-thirds majority of the members of the City council."

Section 5. Section 5.56.020 of the Kirkland Municipal Code relating to the street cumulative reserve fund, be and it hereby is amended to read as follows:

"5.56.020 Accumulation and Use of Moneys. The moneys in the fund herein established may be allowed to accumulate from year to year until the City council determines to expend the moneys in the fund for the purpose or purposes hereinabove specified, provided that any moneys in the fund shall never be expended for any other purpose or purposes than those specified without an approving vote of a two-thirds majority of the [electors of the City at a general or special election voting on a proposal submitted to the electors to allow other specified uses to be made of the fund] members of the City Council of the City of Kirkland."

Section 6. Section 5.60.020 of the Kirkland Municipal Code relating to the water, sewer capital improvements cumulative reserve fund be and it hereby is amended to read as follows:

"5.60.020 Accumulation and Use of Moneys. The moneys in the fund herein established may be allowed to accumulate from year to year until the City council determines to expend the moneys in the fund for the purpose or purposes hereinabove specified, provided that any moneys in the fund shall never be expended for any other purpose or purposes than those specified without an approving vote of a two-thirds majority of the [electors of the City at a general or special election voting on a proposal submitted to the electors to allow other specified uses to be made of the fund] members of the City Council of the City of Kirkland."

Section 7. Section 5.68.020 of the Kirkland Municipal Code relating to the general municipal cumulative reserve fund be and it hereby is amended to read as follows:

"5.68.020 Accumulation and Use of Moneys. The moneys in the fund herein established may be allowed to accumulate from year to year until the City council determines to expend the moneys in the fund for the purpose or purposes herein-

above specified, provided that any moneys in the fund shall never be expended for any other purpose or purposes than those specified without an approving vote of a two-thirds majority of the [electors of the City at a general or special election voting on a proposal submitted to the electors to allow other specified uses to be made of the fund] members of the City Council of the City of Kirkland."

Section 8. Section 5.72.030 of the Kirkland Municipal Code relating to the park and municipal facilities cumulative reserve fund, be and it hereby is amended to read as follows:

"5.72.030 Accumulation and Use of Moneys. The moneys in the fund herein established may be allowed to accumulate from year to year until the City council determines to expend the moneys in the fund (or loan same) for the purpose or purposes hereinabove specified, provided that any moneys in the fund shall never be expended for any other purpose or purposes than those specified without an approving vote of a two-thirds majority of the [electors of the City at a general or special election voting on a proposal submitted to the electors to allow other specified uses to be made of the fund] members of the City Council of the City of Kirkland."

Section 9. Section 5.72.050 of the Kirkland Municipal Code relating to the park and municipal facilities cumulative reserve fund, and the proceeds of the fire insurance received as a result of the Civic Center fire on April 1, 1967, be and it hereby is repealed as obsolete.

Section 10. Severability. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 11. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and posting or publication, as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this _____ day of _____, 1983.

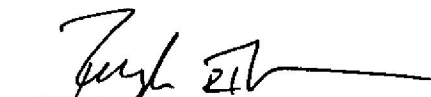
Signed in authentication thereof this 19th day of September, 1983.


MAYOR

ATTEST:


Director of Administration & Finance
(ex officio City Clerk)

APPROVED AS TO FORM:


City Attorney

CERTIFICATION OF POSTING

I hereby certify under penalty of perjury that the foregoing ordinance was posted on the 21st day of SEPTEMBER, 1983 in accordance with the provisions of RCW 35A.12.160 and City of Kirkland Ordinance No. 2600.


Clerk