

CODE

**CITY OF REDMOND
ORDINANCE NO. 2867**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, ADOPTING REDMOND MUNICIPAL CODE (RMC) 3.95 COMMUNITY FACILITY DISTRICT (CFD) NO. 2014-1 FUND AND RMC 3.98 COMMUNITY FACILITY DISTRICT NO. 2016-1 FUND AND AUTHORIZING EXPENDITURES FROM THE NEWLY CREATED FUNDS

WHEREAS, the City of Redmond City Council approved the creation of two Community Facility Districts Nos. 2014-1 and 2016-1 to carry out capital improvements in partnership with Microsoft and Sound Transit; and

WHEREAS, the State Auditor has recommended each Community Facility District be set up as a separate fund; and

WHEREAS, City of Redmond staff also recommends setting up the CFD funds for ease of administration and to consistently account for the CFD revenue and project expenditures.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City code.

Section 2. Adoption of Chapter. RMC 3.95, Community Facility District No. 2014-1 Fund is hereby adopted to read as follows:

Chapter 3.95

Community Facility District No. 2014-1

Sections:

- 3.95.010 Fund Created.**
- 3.95.020 Purpose.**
- 3.95.030 Expenditures Authorized**
- 3.95.040 Unexpended Funds**

3.95.010 Fund created.

(A) A fund to be known as the "Community Facility District No. 2014-1" is hereby created as a capital improvement fund and shall be specifically provided for in the city's budget for reporting purposes.

3.95.020 Purpose.

The purpose of the Community Facility District No. 2014-1 fund shall be to manage and account for the financial activity related to the improvements specified in the Overlake Transit Center (OTC) Agreement between the City, Microsoft, Sound Transit and Community Facility District No. 2014-1 as authorized by the Revised Code of Washington (RCW) 36.145.

3.95.030 Expenditures authorized.

(A) Expenditures from the fund shall be authorized in the budget for the following purposes:

(1) Deferred inflows related to Microsoft's investment in the CFD and specified in the Overlake Transit Center Agreement and Community Facility District No. 2014-1 authorizing documents,

(2) Expenditures related to project reimbursements to design and construct project elements, including a Ped-Bike Bridge and expanded canopy coverage for transit waiting areas as included in the Sound Transit East Link project or administrative expenses related to the community facilities district operations, or

(3) Transfer to a capital fund as directed by the Community Facility District Board of Supervisors.

3.95.040 Unexpended Funds.

(A) Any unexpended funds remaining in the Community Facility District No. 2014-1 Fund at the end of any fiscal year shall remain in said fund and shall not lapse; but shall be carried forward from year to year until expended for the purpose set forth in Subsection 3.95.030(A).

(B) Any unexpended funds remaining in the Community Facility District No. 2014-1 Fund after termination of the CFD and after payment of all obligations and assessments, those funds shall be delivered to Microsoft.

Section 3. Adoption of Chapter. RMC 3.98 Community Facility District No. 2016-1 Fund, is hereby adopted to read as follows:

Chapter 3.98

Community Facility District No. 2016-1

Sections:

- 3.98.010 Fund Created.**
- 3.98.020 Purpose.**
- 3.98.030 Expenditures Authorized**
- 3.98.040 Unexpended Funds**

3.98.010 Fund created.

(A) A fund to be known as the "Community Facility District No. 2016-1" is hereby created as a capital improvement fund and shall be specifically provided for in the city's budget for reporting purposes.

3.98.020 Purpose.

The purpose of Community Facility District No. 2016-1 Fund shall be to manage and account for the financial activity related to the improvements specified in the construction agreement between the City and Community Facility District No. 2016-1, as authorized by the Revised Code of Washington (RCW) 36.145.

3.98.030 Expenditures authorized.

(A) Expenditures from the fund shall be authorized in the budget for the following purposes:

(1) Deferred inflows related to Microsoft's investment in the CFD and specified in the Community Facility District No. 2016-1 authorizing documents,

(2) Expenditures related to project reimbursements to design and construct multi-modal street improvements or administrative expenses related to the community facilities district operations, or

(3) Transfers to a capital fund as directed by the Community Facility District Board of Supervisors.

3.98.040 Unexpended Funds.

(A) Any unexpended funds remaining in the Community Facility District No. 2016-1 Fund at the end of any fiscal year shall remain in said fund and shall not lapse; but shall be carried forward from year to year until expended for the purpose set forth in Subsection 3.98.030(A).

(B) Any unexpended funds remaining in the Community Facility District No. 2016-1 Fund after termination of the CFD and after payment of all obligations and assessments, those funds shall be delivered to Microsoft.

Section 4. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such

invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this ordinance.

Section 5. Effective Date. This ordinance shall take effect five days after passage and publication of an approved summary thereof consisting of the title.


ADOPTED by the Redmond City Council this 21st day of February, 2017.

CITY OF REDMOND



JOHN MARCHIONE, MAYOR


ATTEST:



MICHELLE M. HART, MMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:



JAMES HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK: February 7, 2017
PASSED BY THE CITY COUNCIL: February 21, 2017
SIGNED BY THE MAYOR: February 24, 2017
PUBLISHED: February 27, 2017
EFFECTIVE DATE: March 4, 2017
ORDINANCE NO.: 2867

YES: BIRNEY, CARSON, MARGESON, MYERS, SHUTZ, STILIN