

0020.170.005  
JEH/are  
06/29/94

Utility Reimbursement  
Agreements

ORDINANCE NO. 1798

ORIGINAL

AN ORDINANCE OF THE CITY OF REDMOND,  
WASHINGTON, AMENDING CHAPTER 13.12 OF THE  
REDMOND MUNICIPAL CODE RELATING TO  
REIMBURSEMENT AGREEMENTS FOR UTILITY  
IMPROVEMENTS.

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WHEREAS, the Redmond City Council finds that reimbursement agreements should be administratively approved by the Mayor instead of requiring Council approval, NOW, THEREFORE,

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

Section 1. Review of Applications. Section 13.12.060 of the Redmond Municipal Code entitled Director's Determination - Review by City Council is hereby amended to read as follows:

13.12.060 Director's Determination - Review by Mayor

- A. The Director shall review all applications and shall approve the application only if the following requirements are met:
1. The project satisfies the minimum size requirement, Section 13.12.030; and
  2. The proposed improvements fall within the description of water or sewer facilities as those terms are described in RCW Chapter 35.91; and
  3. The proposed improvements are not constructed or currently under construction.

- B. In the event all of the above criteria are not satisfied, the Director may condition approval as necessary in order for the application to conform to such criteria, or shall deny the application. The final determination of the Director shall be in writing. The applicant may obtain a review of the final determination by filing a request therefor with the City Clerk no later than ten (10) days after mailing a copy of the final determination to the applicant at the address listed on the application.
- C. In reviewing a final determination, the Mayor shall apply the criteria set forth above, and shall uphold the decision of the Director unless evidence presented by the applicant clearly demonstrates that the criteria have been satisfied.

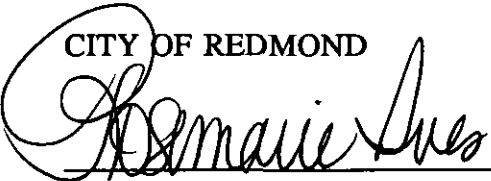
Section 2. Agreements. Section 13.12.100 of the Redmond Municipal Code entitled Written Agreement - Payment of City Costs in Excess of Application Fee is hereby amended to read as follows:

13.12.100 Written Agreement - Payment of City Costs in Excess of Application Fee

- A. Upon approval of the application, determination of the estimated costs of construction, the reimbursement area and estimated fees by the Director, the applicant shall sign a reimbursement agreement in the form supplied by the City. The signed agreement, the application and supporting documents, together with the Director's estimate of cost of construction, and determination of reimbursement area and estimated fees shall be presented to the Mayor. The Mayor is hereby granted the authority to sign reimbursement agreements on behalf of the City.
- B. In the event that costs incurred by the City for engineering or other professional consultant services required in processing the application exceed the amount of the application fee, the Director shall so advise the Mayor and Mayor's approval shall be conditioned upon receipt of payment by the applicant of an additional amount sufficient to compensate the City for its costs in excess of the application fee.

Section 3. 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 or constitutionality of any other section, sentence, clause or phrase of this ordinance.

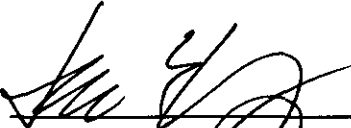
Section 4. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

CITY OF REDMOND  
  
MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:

  
CITY CLERK, DORIS SCHAIBLE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

By: 

FILED WITH THE CITY CLERK:	06/29/94
PASSED BY THE CITY COUNCIL:	08/16/94
SIGNED BY THE MAYOR:	08/16/94
PUBLISHED:	08/24/94
EFFECTIVE DATE:	08/29/94
ORDINANCE NO. <u>1798</u>	