

ORIGINAL

ORDINANCE 2009 - 22

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYSIDE,
WASHINGTON, AUTHORIZING AN INTERFUND LOAN FROM THE GENERAL FUND
TO THE STORMWATER MANAGEMENT FUND, AND PROVIDING FOR THE
REPAYMENT THEREOF**

WHEREAS, the City of Sunnyside previously adopted Ordinance No. 2207 creating and implementing the City of Sunnyside Storm Water Management Utility, as codified at Chapter 13.30 of the Sunnyside Municipal Code; and

WHEREAS, pursuant to Ordinance No. 2009-6 adopted by the City Council on April 13, 2009, the stormwater service charges set forth in Section 13.30.070(A) were repealed as of and from January 1, 2009, with authorization and direction to refund all amounts collected thereafter pursuant to such repealed section; and

WHEREAS, the City of Sunnyside Stormwater Management Utility continues to incur costs of operation and maintenance without offsetting revenues; and

WHEREAS, the City Council finds and determines that it is necessary and appropriate to authorize an interfund loan in the amount of \$100,000 to replace the loss of budgeted revenue from the stormwater assessment fees, from the General Fund to the Stormwater Management Fund, which loan shall be made on November 1, 2009 to defray costs of operation and maintenance of the Stormwater Management Utility pending establishment and collection of revenues through stormwater service charges and any other appropriate revenues to fund such utility; and

WHEREAS, such interfund loan principal shall be repaid to the General Fund from the Stormwater Management Fund on or before October 31, 2010 with interest accruing on unpaid principal at a rate of 2.5% per annum; and

WHEREAS, the City Council finds and determines that such interfund loan is in the best interest of residents of the City of Sunnyside, will promote and preserve the

Stormwater Management Fund and the general health, safety and welfare, and that such funds can be loaned from the General Fund while maintaining the effectiveness, integrity and purposes of the General Fund,

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, as follows:


Section 1. That there is hereby authorized and approved an interfund loan in the principal amount of \$100,000 from the General Fund to the Stormwater Management Fund, to be loaned, paid and remitted on November 1, 2009, for the uses and purposes of paying and defraying expenses of operation and maintenance of the Stormwater Management Utility; and

Section 2. Such interfund loan principal shall be repaid to the General Fund from the Stormwater Management Fund on or before October 31, 2010 with interest accruing on unpaid principal at a rate of 2.5% per annum; and

Section 3. That the City Manager and the appropriate officers of the City of Sunnyside are hereby authorized to accomplish such interfund loan and repayment thereof in accordance with the provisions of this Ordinance.

Section 4. This ordinance shall be effective five days after passage, approval and publication by law.

PASSED this 12th day of October, 2009.




PABLO GARCIA, MAYOR

ATTEST:



DEBORAH A. ESTRADA, CITY CLERK

APPROVED AS TO FORM:



MENKE, JACKSON, BEYER, EHLIS & HARPER, LLP
ATTORNEYS AT LAW