

ORDINANCE NO. 1680

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to special revenue funds, amending DMMC 3.51.102, adding two new sections as DMMC 3.51.105 and DMMC 3.51.141, and codifying two new sections in chapter 3.51 DMMC.

WHEREAS, the Des Moines City Council expressed its intent with the adoption of the 2017 Operating and Capital Budget to add a new special revenue fund and to restrict certain funding sources, and

WHEREAS, certain public and private development revenues can significantly fluctuate from year to year, and

WHEREAS, certain development revenues are paid up front for services which may take several years to fully perform and may require the City to incur costs in excess of revenues received in a given year, and

WHEREAS, the Des Moines City Council desires to restrict certain revenues and maintain a fund balance separate from the general funds' fund balance by creating a new special revenue fund, and

WHEREAS, the City Council finds that the amendments contained in this Ordinance are appropriate and necessary for the preservation of the public health and welfare; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

Sec. 1. DMMC 3.51.102 and section 1 (part) of Ordinance No. 1638 are amended to read as follows:

Street pavement fund.

- (1) There is created a "street pavement fund."
- (2) The purpose of the street pavement fund is for the receipt and expenditure of moneys used to reconstruct or preserve (chip seal, micro seal, overlay, etc.) street pavement.
- (3) Moneys for the street pavement fund consist of funds received from the second \$20.00 of the car tab fee collected pursuant to chapter 36.73 RCW and chapter 12.30 DMMC, from water and sewer

franchise payments as new sources of funding effective January 2017, and from such other sources as the City Council may determine.

Sec. 2. A new section is added as DMMC 3.51.105 to read as follows:

Development fund.

(1) There is created a "Development fund."

(2) The purpose of the development fund is for the receipt and expenditures of moneys relating to provision of public and private development services by the Planning, Building, Inspection, Permitting, Business Licensing and Engineering functions.

Sec. 3. A new section is added as DMMC 3.51.141 as follows:

Waterfront zone fund.

(1) There is created a "waterfront zone fund".

(2) The purpose of the waterfront zone fund is for the receipt and expenditures relating to provision of services and public access to the fishing pier, the waterfront area of the Beach Park and related parking lots, and to the space on the upland areas not designated as part of the Marina enterprise fund.

(3) Moneys for the waterfront zone consist of parking revenue, rental revenue and other such activity revenues created from within this zone.

(4) The moneys created within this zone are to first be used to cover operating costs. Remaining moneys can be used for capital improvements within the zone, for capital improvements in the marina enterprise fund or for unrestricted transfer to the general fund.

Sec. 4. Codification.

(1) Section 2 of this Ordinance shall constitute a new section as DMMC 3.51.105 entitled "Development fund".

(2) Section 3 of this Ordinance shall constitute a new section as DMMC 3.51.141 entitled "Waterfront zone fund."

Sec. 5. Severability - Construction.

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

(2) If the provisions of this Ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this Ordinance is deemed to control.

Sec. 6. Effective date. This Ordinance shall take effect and be in full force five (5) days after its final passage by the Des Moines City Council in accordance to law and the changes contained herein are retroactive to January 1, 2017.

PASSED BY the City Council of the City of Des Moines this 13th day of April, 2017 and signed in authentication thereof this 13th day of April, 2017.


MAYOR

APPROVED AS TO FORM:


City Attorney

ATTEST:


City Clerk

Published: April 18, 2017

LEGAL NOTICE
SUMMARY OF ADOPTED ORDINANCE
CITY OF DES MOINES

ORDINANCE NO. 1680, Adopted April 13, 2017.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This Ordinance relates to special revenue funds, amends DMMC 3.51.102, adds two new sections as DMMC 3.51.105 and DMMC 3.51.141, and codifies two new sections in chapter 3.51 DMMC.

The full text of the Ordinance will be mailed without cost upon request.

Bonnie Wilkins, CMC
City Clerk

Published: April 18, 2017