

ORDINANCE NO. 1735

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to the use of one-time revenues, and amending DMMC 3.100.020.

WHEREAS, the City Council of the City of Des Moines has found that using one-time revenues rather than structural ongoing revenue streams to support ongoing expenses in the City general fund was an unsustainable practice, and

WHEREAS, the City Council enacted Ordinance No. 1561 on December 13, 2012, defining one-time revenue, creating phased-in restrictions on the use of one-time revenue in the budget, and codifying a new chapter in Title 3 DMMC, and

WHEREAS, the City Council enacted Ordinance No. 1607 in 2014, amending the new DMMC chapter 3.100 to alter the phase-in schedule for the year 2015 to address budget issues, and

WHEREAS, the City Council enacted Ordinance No. 1637 in 2015 to waive the restriction on the use of one-time revenue for the year 2016 to address the continuing budget issues, and

WHEREAS, the City Council, following the adoption of Ordinance 1637, pursued multiple strategies to correct the structural issues that created the increasing budget crisis that required the continued use of one-time revenue for ongoing expenses, and

WHEREAS, the budgets for the year 2017 and each year thereafter have been strong, solid, and sustainable, and have complied with the City Council's codified policy decision to have structural expenses completely funded by structural revenue, and

WHEREAS, it is the City Council's intent to continue to budget responsibly and sustainably, using structural revenue to fund structural expenses, under all ordinary circumstances, and

WHEREAS, in early 2020, an outbreak of the virus SARS-CoV-2 and its associated disease COVID-19 struck the United States, quickly giving rise to emergency declarations by the federal government, the State of Washington, King County, City of Des Moines, and countless other jurisdictions, and

WHEREAS, on March 23, 2020, Governor Jay Inslee issued Proclamation 20-25 "Stay Home - Stay Healthy", requiring every individual in the State to not leave home except for conducting

certain essential functions or to provide certain essential business services until no sooner than April 6, 2020, and

WHEREAS, the disruption to lives and employment caused by the stay home order and other effects of the COVID-19 pandemic can be expected to be significant and will cause impacts to the local, state, national, and worldwide economies that cannot be accurately predicted at this time, and

WHEREAS, despite the solid state of the City's budget which includes healthy reserves, the effects on projected City revenues may be significant, and

WHEREAS, if the financial effects of the COVID-19 pandemic are significant enough, the City may not be able to provide essential services without the use of one-time revenues, and

WHEREAS, the City Council finds that the flexibility to use one-time revenues to combat the collateral effects of the one-time event that is the COVID-19 pandemic is necessary to be able to continue providing vital City services without interruption in a time of crisis, 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 3.100.020 and section 1 (part) of Ordinance No. 1561 as amended by section 1 of Ordinance No. 1607 as amended by section 1 of Ordinance No. 1637 are amended to read as follows:

3.100.020. Phased-in expenditure requirements created.

(1) For the calendar year of 2020, the total amount of one-time revenues to be used to fund the 2020 general fund budget shall not be restricted.

(2) For the calendar year of 2021 and beyond, no one-time revenues shall be used to fund the general fund budget.

Sec. 2. 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. 3. Effective date. This ordinance shall take effect and be in full force five (5) days after its passage, approval, and publication in accordance with law.

PASSED BY the City Council of the City of Des Moines this 9th day of April, 2020 and signed in authentication thereof this 9th day of April, 2020.



M A Y O R

APPROVED AS TO FORM:

/s/ Tim George
City Attorney

ATTEST:



City Clerk

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