

ORDINANCE NO. 1561

**AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON** adding a new chapter to Title 3 DMMC entitled "*Use of One-Time Revenues*", defining one-time revenue, creating phased-in expenditure requirements, and codifying a new chapter in Title 3 DMMC.

**WHEREAS**, the City of Des Moines has an important responsibility to its citizens to carefully account for public funds, manage municipal finances wisely, and plan adequate funding of services and facilities desired and needed by the public, and

**WHEREAS**, each year, the City receives revenue from a number of different sources which is then used to determine the next year's annual budget, and

**WHEREAS**, one-time revenues have historically been used to balance the budget and to pay for services that continue from year to year, and

**WHEREAS**, one-time revenues are by definition non-recurring and therefore should not be relied on in future budget periods, and

**WHEREAS**, the City Council finds that the continued use of one-time revenues for ongoing expenditures is not sustainable, and

**WHEREAS**, the City Council finds that by the year 2017, one-time revenues will be used solely for one-time expenditures and will not be used to fund ongoing services, now therefore,

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

**Sec. 1.** A new chapter shall be added to Title 3 DMMC, entitled *Use of One-Time Revenues*, as follows:

**(1) Definitions.**

(a) Use of words and phrases. As used in this ordinance, unless the context or subject matter clearly requires otherwise, the words or phrases defined in this section shall have the indicated meanings.

(b) "One-time revenue" means all corresponding sales tax and business and occupation tax revenues received by the City from development projects with a total value exceeding fifteen (15) million dollars. Revenues from permit fees are not considered one time revenues and are specifically excluded from the requirements of this Chapter.

**(2) Phased-In expenditure requirements created.**

(a) For the calendar year of 2014, the total amount of one time revenues to be used to fund the 2014 general fund budget shall not exceed 75% of the total one time revenues received by the City.

(b) For the calendar year of 2015, the total amount of one time revenues to be used to fund the 2015 general fund budget shall not exceed 50% of the total one time revenues received by the City.

(c) For the calendar year of 2016, the total amount of one time revenues to be used to fund the 2016 general fund budget shall not exceed 25% of the total one time revenues received by the City.

(d) For the calendar year of 2017 and beyond, no one time revenues shall be used to fund the general fund budget.

**(3) Expenditure of one time revenue.** All revenues designated as one-time revenues which are restricted from being used to fund the general fund budget shall be transferred to the Municipal Capital Improvements Fund to be used for projects consistent with the purposes of that fund.

**Sec. 2. Codification.** Section 1 of this Ordinance shall be codified as a new chapter in Title 3 DMMC.

**Sec. 3. 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. 4. Effective date.** This ordinance shall take effect and be in full force thirty (30) days after its passage and approval in accordance with law.

**PASSED BY** the City Council of the City of Des Moines this 13th day of December, 2012 and signed in authentication thereof this 13th day of December, 2012.

  
MAYOR

APPROVED AS TO FORM:

  
Assistant City Attorney

ATTEST:

  
City Clerk

Published: December 18, 2012

Effective Date: January 12, 2013

LEGAL NOTICE  
SUMMARY OF ADOPTED ORDINANCE  
CITY OF DES MOINES

ORDINANCE NO. 1561, Adopted December 13, 2012.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This ordinance adds a new chapter to Title 3 DMMC entitled "*Use of One-Time Revenues*", defines one-time revenue, creates phased-in expenditure requirements, and codifies a new chapter in Title 3 DMMC.

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

Sandy Paul  
City Clerk

Published: December 18, 2012