

AGENDA

**DES MOINES CITY COUNCIL
REGULAR MEETING
City Council Chambers
21630 11th Avenue S, Des Moines, Washington
Thursday, November 9, 2023 - 6:00 PM**

City Council meeting can be viewed live on the City's website, Comcast Channel 21/321 or on the City's [YouTube](#) channel.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CORRESPONDENCE NOT PREVIOUSLY RECEIVED BY COUNCIL

COMMENTS FROM THE PUBLIC

COMMITTEE CHAIR REPORT

- Environment Committee Meeting: Chair Jeremy Nutting

CITY MANAGER REPORT/PRESENTATIONS/BRIEFINGS

CONSENT AGENDA

Item 1. APPROVAL OF VOUCHERS

Motion is to approve the payment vouchers through October 27, 2023 and payroll transfers through October 20, 2023 in the attached list and further described as follows:

EFT Vendor Payments	#9080-9178	\$ 744,094.10
Wires	#2361-2374	\$2,086,873.58
Accounts Payable Checks	#165324-165415	\$ 316,238.68
Voided Checks sent to DOR		(\$1,340.63)
Payroll Checks	#19756-19756	\$ 1,013.65
Direct Deposit	#7198-7362	\$ 453,690.78

Total Checks and Wires for A/P & Payroll: \$3,600,570.16

[Approval of Vouchers](#)

Item 2. APPROVAL OF MINUTES

Motion is to approve the October 19, and October 26, 2023 City Council Regular Meeting Minutes.

[Approval of Minutes](#)

Item 3. SMALL BUSINESS SATURDAY PROCLAMATION

Motion is to approve the Proclamation recognizing the Saturday after Thanksgiving as Small Business Saturday.

[Small Business Saturday Proclamation](#)

Item 4. 2024 HUMAN SERVICES ADVISORY COMMITTEE - FUNDING RECOMMENDATIONS AMENDMENT

Motion is to approve the 2024 Human Services funding recommendations amendment and authorize the City Manager to sign a contract reflecting the amendment.

[2024 Human Services Advisory Committee funding recommendations amendment](#)

Item 5. DES MOINES CREEK BUSINESS PARK WEST MASTER PARK - HEARING EXAMINER REVIEW

Motion is to remand the Master Plan decision for the Des Moines Creek Business Park West Master Plan application filed under LUS2022-0044 to the Hearing Examiner pursuant to DMMC 18.240.160(3).

[Des Moines Creek Business Park West Master Plan - Hearing Examiner Review](#)

PUBLIC HEARING/CONTINUED PUBLIC HEARING

Item 1. 2024 PROPERTY TAX LEVIES

Staff Presentation by Finance Director Jeff Friend

[2024 Property Tax Levies](#)

[2024 Property Tax](#)

Item 2. 2024 PRELIMINARY ANNUAL BUDGET, SECOND READING

Staff Presentation by Finance Director Jeff Friend

[2024 Preliminary Budget Agenda Item 2nd Reading](#)

[2024 Preliminary Budget 2nd Reading](#)

Item 3. 2023 ANNUAL BUDGET AMENDMENTS

Staff Presentation by Finance Director Jeff Friend

[2023 Annual Budget Amendments](#)

[2023 Budget Amendments](#)

NEW BUSINESS

Item 1. DRAFT ORDINANCE 23-068 - SUSPENDING RESTRICTION ON USE OF ONE-TIME REVENUE FOR 2024

Staff Presentation by Finance Director Jeff Friend

[Draft Ordinance 23-068 - Suspending restriction on use of one-time revenue for 2024](#)

- Item 2. DRAFT ORDINANCE 23-055 ESTABLISHING AN ENTERPRISE FUND ENTITLED "EVENTS AND FACILITY RENTALS FUND"
Staff Presentation by Finance Director Jeff Friend
[Draft Ordinance 23-055 Establishing an Enterprise Fund Entitled "Events and Facility Rentals Fund."](#)
- Item 3. REALLOCATION OF AMERICAN RESCUE PLAN ACT FUNDS (ARPA)
Staff Presentation by Finance Director Jeff Friend
[Reallocation of American Rescue Plan Act Funds \(ARPA\)](#)
- Item 4. INTERFUND LOAN TO SUPPORT ESTABLISHMENT OF EVENTS AND FACILITY RENTALS FUND
Staff Presentation by Finance Director Jeff Friend
[Interfund Loan to support establishment of Events and Facility Rentals Fund](#)
- Item 5. NEW AGENDA ITEMS FOR CONSIDERATION – 10 Minutes

EXECUTIVE SESSION

PERFORMANCE OF A PUBLIC EMPLOYEE UNDER RCW
42.30.110(1)(g) - 30 Minutes

COUNCILMEMBER REPORTS

(4 minutes per Councilmember) - 30 minutes

PRESIDING OFFICER'S REPORT

NEXT MEETING DATE

November 16, 2023 City Council Regular Meeting

ADJOURNMENT

[Public Comment 11.09.2023](#)
[Michael Matthias](#)
[Interim City Manager Agreement 11.2023](#)

CITY OF DES MOINES
Voucher Certification Approval
November 9, 2023
Auditing Officer Certification

Voucher transfers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing, which has been made available to the City Council.

As of **November 9, 2023** the Des Moines City Council, by unanimous vote, does approve for payment those vouchers through October 27, 2023 and payroll transfers through October 20, 2023 included in the attached list and further described as follows:

The vouchers below have been reviewed and certified by individual departments and the City of Des Moines Auditing Officer:


 Jeff Friend, Finance Director

			# From	# To	Amounts	
Claims Vouchers:						
EFT's			9080		9178	744,094.10
Wires			2361		2374	2,086,873.58
Accounts Payable Checks			165324		165415	316,238.68
Voided Checks sent to DOR			See attached Report			(1,340.63)
Total Vouchers paid						3,145,865.73
Payroll Vouchers						
Payroll Checks		10/20/2023	19756		19759	1,013.65
Direct Deposit			7198		7362	453,690.78
Total Paychecks & Direct Deposits						454,704.43
Total checks and wires for A/P & Payroll						3,600,570.16

MINUTES

**DES MOINES CITY COUNCIL
REGULAR MEETING
City Council Chambers
21630 11th Avenue S, Des Moines, Washington
Thursday, October 19, 2023 - 6:00 PM**

CALL TO ORDER

Mayor Matt Mahoney called the Meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The flag salute was led by Mayor Matt Mahoney.

ROLL CALL

Council Present:

Mayor Matt Mahoney; Deputy Mayor Traci Buxton; Councilmember Gene Achziger; Councilmember JC Harris; Councilmember Jeremy Nutting; and Councilmember Harry Steinmetz

Council Absent:

Councilmember Vic Pennington

Direction/Action

Motion made by Councilmember Jeremy Nutting to excuse Councilmember Vic Pennington; seconded by Councilmember Harry Steinmetz.

Motion passed 6-0.

Staff Present:

City Manager Michael Matthias; City Attorney Tim George; Assistant City Attorney Matt Hutchins; Assistant City Manager Adrienne Johnson-Newton; Chief Administrative Officer Bonnie Wilkins; Finance Director Jeff Friend; Harbormaster Scott Wilkins; Assistant Police Chief Patti Richards; Judge Lisa Leone; Court Administrative Services Manager Melissa Patrick; Director of Emergency Management and Workplace Safety Shannon Kirchberg; Community Development Director Denise Lathrop; Planning & Development Services Manager Laura Techico; Public Works Director Andrew Merges; City Engineer Tommy Owen; Civil Engineer I Mike Kwispond; Civil Engineer I Khai Le; and Director of Parks, Recreation and Senior Services Nicole Nordholm

CORRESPONDENCE NOT PREVIOUSLY RECEIVED BY COUNCIL

- There were no additional correspondence outside of the emails already received by Council.

COMMENTS FROM THE PUBLIC

- Luisa Bangs; General Statement
- Chuck Coleman; Coffee with a Cop
- Rick Johnson; General Statement
- Norma Kelsey; Adrianna Senior Apartments

COMMITTEE CHAIR REPORT

- Mayor Matt Mahoney gave Council an update on the South King County Mayors and Governor Meeting regarding transportation.

CITY MANAGER REPORT/PRESENTATIONS/BRIEFINGS

- City Manager Michael Matthias gave Council an update on the Marina Bond.
- Public Works Director Andrew Merges gave Council an update on the Marina Steps process.
- City Manager Michael Matthias gave Council and update on the Speed Reduction on Pac Hwy.
- Director of Emergency Management and Workplace Safety Shannon Kirchberg introduced the recent Community Emergency Response Team Graduates.
- Director of Emergency Management and Workplace Safety Shannon Kirchberg gave Council an update on the Great Washington Shakeout.
- City Manager Michael Matthias gave Council an update on the Hydrofoil Ferry demonstration project.

[CERT Photos](#)

CONSENT AGENDA

Item 1: APPROVAL OF VOUCHERS

Motion is to approve the payment vouchers through October 05, 2023 and payroll transfers through October 05, 2023 in the attached list and further described as follows:

EFT Vendor	#8982-9079	\$ 509,737.17
Payments		
Wires	#2336-2360	\$2,492,417.59
Accounts Payable	#165303-165323	\$ 69,857.83

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Checks		
Payroll Checks	#19752-19755	\$ 2,200.39
Direct Deposit	#7026-7197	\$ 449,682.43

Total Checks and Wires for A/P & Payroll: \$3,523.895.41

Item 2: APPROVAL OF MINUTES

Motion is to approve the September 28, 2023 City Council Regular Meeting Minutes.

Item 3: 2023-2025 RECYCLING PROGRAM FUNDING

Motion is to authorize the City Manager to sign the 2023-2025 Local Solid Waste Financial Assistance Grant agreement between the City of Des Moines and the Washington State Department of Ecology, substantially in the form as attached.

Item 4: INTERLOCAL AGREEMENT WITH CITY OF NORMANDY PARK FOR MUNICIPAL COURT SERVICES

Motion is to approve the Interlocal Agreement between the City of Normandy Park and the City of Des Moines for Municipal Court Services for the years 2024-2028 and authorize the City Manager to sign the Interlocal Agreement substantially in the form at submitted.

Item 5: HEARING EXAMINER APPOINTMENT

Motion is to confirm the appointment of Alex Sidles as the City's Hearing Examiner and to authorize the City Manager to sign the professional services agreement with the Law Offices of Alex Sidles, PLLC substantially in the form as attached.

Item 6: 2024-2025 ON-CALL CONSULTANT AGREEMENTS FOR CIVIL ENGINEERING SERVICES

Motion is to approve the Consultant Services Contract for On-Call Civil Engineering Services (2024-2025) with Exeltech Consulting Inc., EBA Inc., KPFF Consulting Engineers., KPG PSOMAS, NV5, Parametrix, Perteet, and SCJ Alliance each up to \$1,250,000.00, and authorize the City Manager to sign the Consultant Services Contract substantially in the form as submitted.

Item 7: BLUEBERRY LANE III MODIFIED SHORT SUBDIVISION - FINAL PLAT

Motion is to concur with City staff approval of the final plat entitled "Blueberry Lane III", City File No. LUA2018-0067.

Item 8: DRAFT RESOLUTION 23-0061 SETTING A DATE FOR PUBLIC HEARING FOR VACATION OF RIGHT-OF-WAY KNOWN AS 10TH AVE SOUTH

Motion is to adopt Draft Resolution No. 23-061 setting a public hearing

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on November 16, 2023, for a street vacation request relating to public right-of-way within the City of Des Moines.

Item 9: NORTH HILL ELEMENTARY WALKWAY IMPROVEMENTS PROJECT

Motion 1 is to approve the Local Agency A&E Professional Services Consultant Agreement with Parametrix Inc. to provide engineering design and right-of-way acquisition services for the North Hill Elementary Walkway Improvements Project in the amount of \$723,704.24, and further authorize the City Manager to sign said Agreement substantially in the form as submitted.

Motion 2 is to accept the 2023-25 WSDOT Safe Routes to School Program grant for the North Hill Elementary Walkway Improvements project in the amount of \$3,000,000, and authorize the City Manager to sign the Local Programs State Funding Agreement and Project Prospectus substantially in the form as submitted.

Motion 3 is to direct staff to have all of the existing overhead utilities relocated aurally as needed for construction of the North Hill Elementary Walkway Improvements Project, waiving the requirement for undergrounding of utilities in accordance with DMMC 12.25.110.

Direction/Action

Motion made by Councilmember Jeremy Nutting to approve the Consent Agenda; seconded by Deputy Mayor Traci Buxton.

Councilmember JC Harris pulled Consent Agenda Item #5 and #7.

The remainder of the Consent Agenda passed 6-0.

Council discussed Consent Agenda Item #5.

Motion made by Councilmember Jeremy Nutting to approve the Consent Agenda Item #5 as presented; seconded by Deputy Mayor Traci Buxton.

Motion passed 6-0.

Council discusses Consent Agenda Item #7.

Motion made by Councilmember Jeremy Nutting to approve the Consent Agenda Item #7 as presented; seconded by Deputy Mayor Traci Buxton.

Motion passed 6-0.

PUBLIC HEARING/CONTINUED PUBLIC HEARING

SECOND READING OF DRAFT ORDINANCE NO. 23-042: PUBLIC HEARING ON PROPOSED LAND USE AND TEXT CODE AMENDMENTS FOR THE BUSINESS PARK MORATORIUM AREA AND ADOPTING FINDINGS OF FACT
Staff Presentation by Community Development Director Denise Lathrop

At 6:35 p.m. Mayor Matt Mahoney opened the Public Hearing.

- Community Director Denise Lathrop gave Council a PowerPoint Presentation related to the Land Use and Zoning Amendments in the Moratorium Study Area.

Mayor Matt Mahoney called those who signed up to speak.

- Simon Uppal

Mayor Matt Mahoney asked 3 times if anyone else wished to speak.

Seeing none, Mayor Matt Mahoney asked Council if they had any questions.

At 6:56 p.m. Mayor Matt Mahoney closed the Public Hearing.

Direction/Action

Motion made by Councilmember Jeremy Nutting to enact Draft Ordinance No. 23-042 adopting comprehensive plan and text code amendments and findings of fact for the moratorium area; seconded by Deputy Mayor Traci Buxton.

Amended Motion made by Councilmember JC Harris to postpone the item to the next Council meeting on October 26, 2023; seconded by Councilmember Gene Achziger.

Amended Motion failed 1-5

For: Councilmember JC Harris

Against: Mayor Matt Mahoney; Deputy Mayor Traci Buxton; Councilmember Gene Achziger, Councilmember Jeremy Nutting, Councilmember Harry Steinmetz.

Motion 1 made by Councilmember Jeremy Nutting to include proposed Amendment 1 to Draft Ordinance No. 23-042; seconded by Deputy Mayor Traci Buxton.

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Motion 1 passed 5-1.

For: Mayor Matt Mahoney; Deputy Mayor Traci Buxton; Councilmember Gene Achziger, Councilmember Jeremy Nutting, Councilmember Harry Steinmetz.

Against: Councilmember JC Harris

Motion 2 made by Councilmember Jeremy Nutting to include proposed Amendment 2 to Draft Ordinance No. 23-042; seconded by Deputy Mayor Traci Buxton.

Motion 2 passed 5-1.

For: Mayor Matt Mahoney; Deputy Mayor Traci Buxton; Councilmember Gene Achziger, Councilmember Jeremy Nutting, Councilmember Harry Steinmetz.

Against: Councilmember JC Harris

Motion made by Councilmember Jeremy Nutting to enact Draft Ordinance No. 23-042 adopting comprehensive plan and text code amendments and findings of fact for the moratorium area as amended in Amendments 1 and 2; seconded by Councilmember Harry Steinmetz.
Motion passed 6-0.

NEW BUSINESS

Item 1: NEW AGENDA ITEMS FOR CONSIDERATION – 10 Minutes

- There were no new items for future consideration.

COUNCILMEMBER REPORTS

(4 minutes per Councilmember) - 30 minutes

COUNCILMEMBER GENE ACHZIGER

- No Report

COUNCILMEMBER JEREMY NUTTING

- No Report

COUNCILMEMBER JC HARRIS

- Candidate Forums
- MRSC Seminar
- Commented on the Press Release

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COUNCILMEMBER HARRY STEINMETZ

- Candidate Forums
- Council Protocols

DEPUTY MAYOR TRACI BUXTON

- Participated in 25 engagement with the community
- Council Protocol
- Proposition 1 in King County Crisis Care Centers
- 2024 Session
 - Public Safety
 - Housing Requirements
 - Behavioral Health and Mental Health Issues
- Domestic Violence Awareness Month Events

PRESIDING OFFICER'S REPORT

- Councilmember Oath of Office

EXECUTIVE SESSION

NEXT MEETING DATE

October 26, 2023 City Council Regular Meeting

ADJOURNMENT

Direction/Action

Motion made by Councilmember Jeremy Nutting to adjourn; seconded by Councilmember Harry Steinmetz.
Motion passed 6-0.

The meeting adjourned at 7:13 p.m.

MINUTES

**DES MOINES CITY COUNCIL
REGULAR MEETING
City Council Chambers
21630 11th Avenue S, Des Moines, Washington
Thursday, October 26, 2023 - 6:00 PM**

CALL TO ORDER

Mayor Matt Mahoney called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The flag salute was led by Councilmember Harry Steinmetz.

ROLL CALL

Council Present:

Mayor Matt Mahoney; Deputy Mayor Traci Buxton; Councilmember Gene Achziger; Councilmember JC Harris; Councilmember Jeremy Nutting; Councilmember Vic Pennington; and Councilmember Harry Steinmetz

Staff Present:

City Manager Michael Matthias; City Attorney Tim George; Assistant City Attorney Matt Hutchins; Assistant City Manager Adrienne Johnson-Newton; Human Resource Analyst Shawna Thomas; Chief Administrative Officer Bonnie Wilkins; Harbormaster Scott Wilkins; Assistant Harbormaster Katy Bevegni; Assistant Police Chief Patti Richards; Finance Director Jeff Friend; Community Development Director Denise Lathrop; City Engineer Tommy Owen; Court Administrative Services Manager Melissa Patrick; Civil Engineer I Mike Kwispond; IT Manager Dale Southwick; Director of Parks, Recreation and Senior Services Nicole Nordholm; Management Analyst Rochelle Caton; and City Clerk Taria Keane

Direction/Action

Motion made by Councilmember Jeremy Nutting to send memorial flowers to the family of long time Des Moines Volunteer Wayne Corey; seconded by Councilmember Harry Steinmetz.
Motion passed 7-0.

CORRESPONDENCE NOT PREVIOUSLY RECEIVED BY COUNCIL

- There were no additional correspondence outside of the emails

already received by Council.

COMMENTS FROM THE PUBLIC

- Chuck Coleman; Support of Parking Equipment
- Bill Linscott; Marina Development
- Victoria Andrews; Budget/Communications
- Barbara McMichael; Business Park Development and Des Moines Masonic Home

COMMITTEE CHAIR REPORT

- Deputy Mayor Traci Buxton gave Council an update on the the Soundside Alliance Meeting.

CITY MANAGER REPORT/PRESENTATIONS/BRIEFINGS

- No Report

CONSENT AGENDA

- No Consent Agenda

PUBLIC HEARING/CONTINUED PUBLIC HEARING

2024 PRELIMINARY ANNUAL BUDGET
Staff Presentation by Finance Director Jeff Friend

At 6:16 p.m. Mayor Matt Mahoney opened the Public Hearing.

- City Manager Michael Matthias along with Finance Director Jeff Friend gave Council a PowerPoint Presentation on the 2024 Preliminary Annual Budget.

Mayor Matt Mahoney asked 3 times if anyone wished to speak.

Seeing none, Mayor Matt Mahoney asked Council if they had any questions.

At 6:59 p.m. Mayor Matt Mahoney closed the Public Hearing.

Direction/Action

Motion made by Councilmember Nutting to pass Draft Ordinance No. 23-051 to a second reading on November 9, 2023 for further City Council consideration and approval; seconded by Councilmember Vic Pennington.

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Motion passed 7-0.

PUBLIC HEARING FOR SV2023-01: STREET VACATION OF PUBLIC
ROAD EASEMENTS WITHIN CITY OF DES MOINES, KNOWN AS
18TH AVE SOUTH

Staff Presentation by Civil Engineer I Mike Kwispond

At 7:23 p.m. Mayor Matt Mahoney opened the Public Hearing.

- Civil Engineer I Mike Kwispond gave Council a PowerPoint Presentation regarding the Street Vacation of Public Road Easements within City of Des Moines, known as 18th Ave S.

Mayor Matt Mahoney asked 3 times if anyone wished to speak.

Seeing none, Mayor Matt Mahoney asked Council if they had any questions.

At 7:36 p.m. Mayor Matt Mahoney closed the Public Hearing.

Direction/Action

Motion made by Deputy Mayor Traci Buxton to enact Draft Ordinance No. 23-064 approving the vacation of public road easements known as 18th Avenue South, located within the City of Des Moines and more specifically identified and legally described in Draft Ordinance No. 23-064; seconded by Councilmember Jeremy Nutting.

Motion passed 7-0.

NEW BUSINESS

Item 1: DES MOINES MARINA, BEACH PARK AND REDONDO PARKING
REPLACEMENT EQUIPMENT

Staff Presentation by Harbormaster Scott Wilkins

- Harbormaster Scott Wilkins gave Council an update on the the Des Moines Marina, Beach Park and Redondo Parking Replacement Equipment.

Direction/Action

Motion made by Councilmember Jeremy Nutting to approve the selection of time Equipment (Tiba Machinery) for the purchase and installation of new parking equipment throughout the Marina, Beach Park and Redondo, and direct the City Manager to sign the goods and services agreement in an amount not to exceed \$583,716.07, substantially in the form as submitted; seconded by Councilmember Vic Pennington.

Amended motion made by Councilmember JC Harris to move this item to a second reading.
Amended motion died for a lack of a second.

The main motion passed 7-0.

- Item 2: NEW AGENDA ITEMS FOR CONSIDERATION – 10 Minutes
- There were no new items for future consideration.

COUNCILMEMBER REPORTS

(4 minutes per Councilmember) - 30 minutes

COUNCILMEMBER HARRY STEINMETZ

- Sound Cities Association Networking Dinner

COUNCILMEMBER GENE ACHIZER

- No Report

COUNCILMEMBER JEREMY NUTTING

- No Report

COUNCILMEMBER JC HARRIS

- (MRSC) Municipal Research and Services Center of Washington Meetings
- (StART) Sea-Tac Stakeholder Advisory Round Table Meeting
- Port Commission Meeting

COUNCILMEMBER VIC PENNINGTON

- Water District Commissioner
- Wage Comparison

DEPUTY MAYOR TRACI BUXTON

- Truck or Treat
- Trick or Treat Path
- Domestic Violence Awareness Month

PRESIDING OFFICER'S REPORT

- Coffee with the Mayor

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EXECUTIVE SESSION

NEXT MEETING DATE

November 09, 2023 City Council Regular Meeting

ADJOURNMENT

Direction/Action

Motion made by Councilmember Jeremy Nutting to adjourn; seconded by Councilmember Vic Pennington.
Motion passed 7-0.

The meeting adjourned at 8:17 p.m.

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Small Business Saturday Proclamation

FOR AGENDA OF: November 09, 2023

ATTACHMENTS:

1. Proclamation

DEPT. OF ORIGIN: Administration

DATE SUBMITTED: October 30, 2023

CLEARANCES:

- ☒ [X] City Clerk SK
☐ [] Community Development ____
☐ [] Courts ____
☐ [] Emergency Management ____
☐ [] Finance ____
☐ [] Human Resources ____
☐ [] Legal ____
☐ [] Marina ____
☐ [] Police ____
☐ [] Parks, Recreation & Senior Services ____
☐ [] Public Works ____

APPROVED BY CITY MANAGER

FOR SUBMITTAL: AG

Purpose and Recommendation

The purpose of this agenda item is to recognize November 25, 2023 as Small Business Saturday.

Suggested Motion

Motion: "I move to approve the Proclamation recognizing the Saturday after Thanksgiving as Small Business Saturday."

Background

Small Business Saturday was created in 2010 in response to small business owners' most pressing need, more customers. Falling between Black Friday and Cyber Monday, it's a day to support the local businesses that create jobs, boost the economy and preserve the neighborhoods around the country. It has since become a well-known, celebrated event on the nation's calendar with support from elected officials and public and private organizations.



Proclamation

WHEREAS, according to the United States Small Business Administration, there are currently 32.5 million small businesses in the United States; and

WHEREAS, small businesses employ 46.8 percent of the employees in the private sector in the United States; and

WHEREAS, 79% of consumers in the United States value the contributions small businesses make in their community; and

WHEREAS, 96% of consumers who plan to shop on Small Business Saturday® said the day inspires them to go to small, independently-owned retailers or restaurants that they have not been to before, or would not have otherwise tried; and

WHEREAS, 92% of companies planning promotions on Small Business Saturday said the day helps their business stand out during the busy holiday shopping season; and

WHEREAS, 59% of small business owners said Small Business Saturday contributes significantly to their holiday sales each year; and

WHEREAS, Des Moines supports our local businesses that create jobs, boost our local economy and preserve our neighborhoods; and

NOW THEREFORE, THE DES MOINES CITY COUNCIL HEREBY PROCLAIMS the Saturday after Thanksgiving as

SMALL BUSINESS SATURDAY

AND urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

SIGNED this 9th Day of November, 2023

Matt Mahoney, Mayor

The Waterland City

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT:
2024 Human Services Advisory Committee –
funding recommendations amendment

ATTACHMENTS:
1. 2024 Funding Recommendations
amendment

FOR AGENDA OF: November 9, 2023

DEPT. OF ORIGIN: Parks, Recreation and Senior
Services

DATE SUBMITTED: November 1, 2023

CLEARANCES:

☐ City Clerk _____
☐ Community Development _____
☐ Courts _____
☐ Emergency Management _____
☒ Finance *MM* _____
☐ Human Resources _____
☒ Legal */s/ TG* _____
☐ Marina _____
☐ Police _____
☒ Parks, Recreation & Senior Services *Bhn* _____
☐ Public Works _____

APPROVED BY CITY MANAGER
FOR SUBMITTAL: *AG* _____

Purpose and Recommendation

The purpose of this agenda item is to request City Council approval of the 2024 Human Services funding recommendation amendment.

Suggested Motion

Motion 1: “I move to approve the 2024 Human Services funding recommendations amendment and authorize the City Manager to sign a contract reflecting the amendment.”

Background

The Des Moines Human Services Advisory Committee carefully reads and reviews Human Services agencies grant applications for funding on a biennial basis. For the 2023-2024 funding cycle, 48 King County agencies requested funding. The Council awarded funding in November of 2022 for the years 2023-2024.

The City staff and Committee take into consideration a funding criteria, with priority given to agencies that:

Funding priority is given to programs that assist Des Moines community members to:

- Have secure, affordable housing and food adequate to their needs.
- Be safe from violence within their families, neighborhoods and communities.
- Be healthy, physically and mentally.
- Have the education and job skills that lead to employment in living wage jobs.
- Have early childhood education and youth success.

Discussion

In late 2022, the City Council awarded funds in the amount of \$250,000 per year for the calendar years 2023 and 2024 based on the recommendations of the Human Services Committee. Since that time, the Committee has made one proposed amendment to the 2024 awards.

At their meeting in September of 2023, the Committee unanimously decided to recommend an amendment to the 2024 funding awards. The Committee is now recommending transferring \$15,000 in funding from Catholic Community Services to St. Stephen Housing. St. Stephen Housing will facilitate those funds as originally intended through their rent assistance and eviction prevention program. St. Stephen Housing currently is contracted with the City to facilitate rent assistance and eviction prevention funds so this proposed amendment would increase the funds they already administer and provide a measure of consistency for those in need. Catholic Community Services has been notified of the recommendation and that they can refer individuals to St. Stephen housing.

Alternatives

Reject the proposed human services funding amendment recommended by the Human Services Committee. (Not recommended).

Financial Impact

\$250,000 has been allocated for funding for the selected nonprofit agencies for 2024. Approving this amendment would not change what has previously been budgeted and would only redirect \$15,000 of this amount to be used for similar services.

Recommendation

Staff recommends approval of the motion.

Council Committee Review

HUMAN SERVICES ADVISORY COMMITTEE 2023/24 FUNDING RECOMMENDATIONS w/ 2024 amendment

*2024 Subject to available funds.

Requesting Agency	2021-22 Allocation	Grant Summary	2023 Funding Request	2024 Funding Request	Funding Recommendation per year
1. Babies of Homelessness TO-DO		Diaper Bank program through direct service, partner distribution and mobile service	\$32,598	\$32,598	5,000
2. Backpack Brigade		Weekend hunger bag to homeless and food insecure students	\$50,000	\$50,000	17,500
3. Catholic Community Services –Emergency Assistance MOU Fed Way Committed		Emergency Assistance – rental and utility assistance	\$15,000	\$15,000	15,000 <u>in 2023</u> <u>\$0 in 2024</u>
4. Children’s Home Society of WA	\$10,000	Education and early learning services. Wrap around family support.	\$20,000	\$20,000	12,657
5. Children’s Therapy Center MOU: Tukwila Committed	\$4,000	Pediatric therapy for kids with special needs Paid to Tukwila for year.	\$6,750	\$6,750	6,750
6. Consejo Counseling & Referral Service		Community based DV advocacy counseling, sexual assault services, mental health services for Latino Community	\$10,000	\$10,000	10,000

Requesting Agency	2021-22 Allocation	Grant Summary	2023 Funding Request	2024 Funding Request	Funding Recommendation per year
<u>Crisis Clinic:</u> 7. - 211 Information Line MOU: Federal Way Committed 8. - Teen Link	\$4,000 \$3,000	Community info & referral line Paid for whole year to Fed way Teen Crisis Line & training	\$18,000 \$5,000	\$18,000 \$5,000	8,000 5,000
9. Des Moines Area Food Bank	\$50,000	Food Assistance	\$60,000	\$60,000	40,000
10. Eastside Legal Assistance		Medical / Legal partnership	\$10,000	\$10,000	10,000
<u>HealthPoint:</u> 11. -Primary Medical Care 12 -Primary Dental Care MOU:Covington COMMITED	\$10,000 \$10,000	Primary medical care to low income & uninsured families & individuals. Dental Care for low income	\$10,000 \$10,000	\$10,000 \$10,000	10,000 10,000
13. Hospitality House MOU Des Moines Contract	\$10,000	Homeless shelter for single women.	\$14,000	\$14,000	14,000
14. Kent Youth & Family Services	\$5,500	Behavioral Health programs	\$6,875	\$6,875	6,875
15. King County Bar Foundation MOU: Covington COMMITED	\$2,500	Neighborhood legal clinics	\$2,500	\$2,500	2,500

Requesting Agency	2021-22 Allocation	Grant Summary	2023 Funding Request	2024 Funding Request	Funding Recommendation per year
16. King Co. Sexual Assault Resource Center MOU: Renton Committed	\$4,480	Comprehensive sexual assault advocacy services.	\$4,800	\$4,800	4,800
17. Lighthouse NW		Rise: Survivor Services	\$20,786	\$20,786	7,500
18. Pediatric Interim Care Center	\$3,500	Infant Withdrawal Program	\$3,750	\$3,750	3,750
Sound Generation: 19.*Meals on Wheels MOU: Renton Committed	\$3,875 \$3,000	Meals on Wheels Program. Volunteer Transportation Program.	\$4,108 \$3,090	\$4,108 \$3,090	4,108 3,090
20. Volunteer Trans					
21. St Stephen Housing Association TO-DO		Housing Stability Program	\$7,500	\$7,500	7,500 <u>in 2023</u> \$22,500 <u>in 2024</u>
22. The Genesis Project TO-DO		Drop-in Center Operations – serving survivors of sexual exploitation	\$3,765	\$3,765	3,765
23. The YMCA of Greater Seattle		Kindergarten Readiness in Des Moines	\$30,000	\$30,000	30,000
24. WA Poison Center MOU Covington Committed	\$2,273	Emergency services	\$1,605	\$1,605	1,605

Requesting Agency	2021-22 Allocation	Grant Summary	2023 Funding Request	2024 Funding Request	Funding Recommendation per year
25. WestSide Baby	\$5,000	Children's basic essentials program. Q.1		\$15,000	10,000
Share1app.culturegrants.org	\$600	City of Des Moines participation in ONLINE human services applications, reports, reviews, etc.	\$600	\$600	\$600
Total Funds Budgeted	\$175,000		\$631,419	\$631,419	\$250,000

*Note: No job training programs are supported in this cycle because the City entered into a contract with ANEW from 2022-2024 with the use of ARPA dollars for 125k

48 Agencies requested 2023-2024 funding

***bold indicates agencies Des Moines has not previously funded**

Did not apply 2023/2024, were previously funded

- International Rescue Committee \$6,822 – ICHS Medical
- Northwest Parkinson's Foundation \$1,950- Business Training
- Somali Family Safety Task Force \$5,000 – Navigation support services for Somali families

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Des Moines Creek Business Park
West Master Plan - Hearing Examiner Review

ATTACHMENTS:

FOR AGENDA OF: November 9, 2023

DEPT. OF ORIGIN: Community Development

DATE SUBMITTED: October 18, 2023

CLEARANCES:

- ☐ City Clerk _____
- ☒ Community Development **DEL**
- ☐ Courts _____
- ☐ Emergency Management _____
- ☐ Finance _____
- ☐ Human Resources _____
- ☒ Legal /s/TG
- ☐ Marina _____
- ☐ Police _____
- ☐ Parks, Recreation & Senior Services _____
- ☐ Public Works _____

APPROVED BY CITY MANAGER
FOR SUBMITTAL: 

Purpose and Recommendation

The purpose of this agenda item is to seek City Council approval to remand the Master Plan decision for the Des Moines Creek Business Park West Master Plan application filed under LUA2022-0044 from the City Council to the Hearing Examiner. The decision on the underlying permit requires technical analysis of land use issues related to environmentally critical areas, the Des Moines Comprehensive Plan, and zoning, performance, and design standards that are appropriate for the Hearing Examiner. Additionally, the Hearing Examiner will be required to review the subject project as part of a variance so a consolidation of the matters is appropriate pursuant to Des Moines Municipal Code (DMMC) 18.20.030 and RCW 36.70B. Staff recommends City Council approve the following motion:

Suggested Motion

Motion: I move to remand the Master Plan decision for the Des Moines Creek Business Park West Master Plan application filed under LUA2022-0044 to the Hearing Examiner pursuant to DMMC 18.240.160(3).

Background

The Des Moines Creek Business Park West Master Plan application (LUA2022-0044) relates to two parcels numbered 0922049042 and 0922049303 west of 20th Avenue South and north of South 216th Street. The property is located in the Business Park Zone (B-P) and equals 30 acres in size. The proposed project is to construct a 402,380 SF industrial building with site improvements for approximately 386 parking stalls, separate truck and car driveways, and a new trail.

Per DMMC 18.105.050, all development within the B-P Zone shall be consistent with an approved master plan. Staff review of the application determined that a Title 16 DMMC Variance is also required. The Title 16 DMMC Variance is required because the applicants propose to fill ravine sidewalls and realign a stream if allowed by the Department of Fish and Wildlife, Department of Ecology, and U.S. Army Corps of Engineers. In addition to the Master Plan and Variance approvals, a Critical Areas Review, SEPA Review, Lot Line Adjustment, Design Review, and Grading Permit are required for approval of the subject project scope.

Discussion

The primary purpose and objective of the Business Park (B-P) Zone is to provide areas of the City for development of compatible business, professional office, light industrial, research and development, service uses, wholesale trade, and limited retail uses. The zone's development standards ensure compatibility between business parks and adjacent uses; mitigate potential adverse environmental impacts and nuisance effects on-site and off-site; provide for the planned economic development of the City; ensure that business park development is coordinated with the provision of adequate infrastructure by private applicants and the City; require that business park developments pay their fair share of the costs of needed services and facilities; and ensure that development occurs consistent with the goals and policies of the Des Moines Comprehensive Plan. Further, the development standards ensure that development occurs in a manner that is compatible with the Des Moines Creek Park, Des Moines Creek Trail, Steven J. Underwood Memorial Park, Des Moines Activity Center and adjacent residential-designated properties.

Approval of a business park master plan is a Type IV land use decision made by City Council. In accordance with the review process for a Type IV land use action (DMMC 18.20.190), upon conclusion of the 15-day comment period, the City Council may approve, approve with conditions, or deny a Type IV land use action upon compliance with the procedural requirements of chapter 18.240 DMMC. Pursuant to DMMC 18.20.190, the City Council's decision is appealable to the Superior Court of Washington for King County.

Per DMMC 18.240.160, specifically, the Hearing Examiner conducts public hearings (where applicable) and renders final decisions on the following:

1. Type III land use actions as specified by chapter 18.20 DMMC, Land Use Review Procedures;
2. Appeals of administrative decisions as further provided in this code; and
3. *Such other matters as the City Council may from time to time refer.*

Alternatives

The alternative to the recommendation would be that City Council maintains authority for the underlying permit decision.

Financial Impact

The City would pay the associated Hearing Examiner fees for the matter that is remanded.

Recommendation

Given the complexity of the land use and environmental aspects of the project, and the fact that the Hearing Examiner will be reviewing the Title 16 DMMC Variance, staff recommends that City Council remand the decision for the Master Plan to the Hearing Examiner.

Concurrence

The City Attorney concurs with the staff recommendation.

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Public Hearing:
2024 Property Tax Levies

FOR AGENDA OF: November 9, 2023

DEPT. OF ORIGIN: Finance

ATTACHMENTS:

DATE SUBMITTED: November 2, 2023

1. Draft Ordinance 23-053
2. Draft Ordinance 23-052
3. 2024 Preliminary Property Tax Worksheet

CLEARANCES:

- ☐ City Clerk _____
- ☐ Community Development _____
- ☐ Courts _____
- ☐ Emergency Management _____
- ☒ Finance *ML RL*
- ☐ Human Resources _____
- ☒ Legal */s/TG*
- ☐ Marina _____
- ☐ Police _____
- ☐ Parks, Recreation & Senior Services _____
- ☐ Public Works _____

APPROVED BY CITY MANAGER

FOR SUBMITTAL: *AG*

Purpose and Recommendation

RCW 84.52.020 requires taxing districts to certify the amount to be raised through property taxation to the county legislative authority. The certification should include the regular levy amount, and if applicable, any lid-lifts approved by the voters, plus amounts for new construction, improvements to property and so forth. Draft Ordinance No. 23-053 satisfies the requirement of RCW 84.52.020.

RCW 84.55.120 requires all taxing districts to adopt a resolution or ordinance in order to realize any increase in their regular property tax levy other than increases due to new construction, improvements to property, increased value of state-assessed property annexations, and refunds. Draft Ordinance No. 23-052 satisfies the requirements of RCW 84.55.120.

Suggested Motion

Motion 1: “I move to enact Draft Ordinance No. 23-053, determining the amount of funds to be raised by ad valorem taxes for the year 2024 for general City expenditures.”

AND

Motion 2b: “I move to enact Draft Ordinance No. 23-052 authorizing the increase in ad valorem taxes for the year 2024 for general City expenditures.”

Background

General Property Tax Levies must be adopted by the City Council on or before December 1, 2023. (RCW 84.52.020 and RCW 84.52.070).

General Property Taxes

The property tax levy rate is estimated to be \$.9075 per \$1,000 of assessed value; up from \$.8647 in 2023. The levy rate is less than the City's statutory allowable maximum of \$1.60 due effects of the 1% maximum levy increase limitation. The total citywide preliminary assessed valuation used for the 2024 Tax Roll is \$6,214,112,635 as compared to \$6,434,133,095 for 2023's Tax Roll, which is a decrease of 3.42%. The County's 2024-limit factor of a 1% increase is \$55,331 and is included in the 2024 Proposed Annual Budget. Also included in the 2024 Proposed Annual Budget is the levy on new construction of \$27,486, and a re-levy of \$23,657 for prior year refunds. The actual increase for 2024 will vary depending on any increase in utility value.

Recommendation

It is recommended that the City Council pass the motions as stated above.

CITY ATTORNEY'S FIRST DRAFT 11/9/2023

DRAFT ORDINANCE NO. 23-053

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON determining and fixing the amount of taxes levied, and certifying the estimated amounts of funds to be raised by taxes on the assessed valuation of property within the City for the year 2024, for general City budget expenditures.

WHEREAS, by law, the King County Assessor is responsible for determining the assessed valuation of all taxable property situated within the boundaries of the City of Des Moines for the year 2023, and

WHEREAS, the City Council and the City Manager have considered the anticipated budget requirements of the City of Des Moines for the fiscal year 2024, and

WHEREAS, notice of public hearing was provided as required by law, and

WHEREAS, RCW 84.52.010 allows the City to use any unused capacity from the authorized levy amounts of the King County Library district and South King Fire and Rescue, and

WHEREAS, the City Council, after hearing and after duly considering all relevant evidence and testimony presented, determined that the City of Des Moines requires a total levy in an amount not greater than \$5,639,570, in order to discharge the expected expenses and obligations of the City and in its best interest, and

WHEREAS, pursuant to chapter 84.52 RCW, the City Council is required to determine and fix by ordinance the amount of taxes levied, and to certify the estimated amounts of funds to be raised by taxes on the assessed valuation of property within the City; now therefore,

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

Sec. 1. Findings. The recitals set forth above are adopted in full as findings of the City Council in support of enactment of this Ordinance.

Sec. 2. The following amount is determined and fixed as the amount of funds to be raised by taxes on the assessed valuation of property within the City for the year 2024 for general City budget expenditures:

The sum of not greater than \$5,639,570, which represents the relevy of the prior year tax levy and \$75,928 increase for 2024, including \$27,486 for new construction and \$23,657 as relevy for prior year refunds and \$0 amounts authorized by the voters for excess or special levies, for the fiscal year 2023 in the City of Des Moines.

Sec. 3. The actual amounts levied pursuant to section 1 of this Ordinance shall be calculated after the value of state-assessed property (increase in utility value) is provided by King County.

Sec. 4. Upon adoption, the City Clerk shall certify and forward a copy of this Ordinance to the Metropolitan King County Council and County Assessor for King County, Washington.

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 in full force five (5) days after its passage, approval and publication according to law.

Ordinance No. 23-053
Page 3 of 3

PASSED BY a majority of the City Council of the City of Des Moines this 17th day of November, 2023 and signed in authentication thereof this 9th day of November, 2023.

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

Published: _____

CITY ATTORNEY'S FIRST DRAFT 11/9/2022

DRAFT ORDINANCE NO. 23-052

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON authorizing an increase in the regular property tax levy for the year 2024 for general City expenditures.

WHEREAS, the City Council and the City Manager of the City of Des Moines has met and considered its budget for the calendar year 2024; and

WHEREAS, the City Council, of the City of Des Moines after hearing and after duly considering all relevant evidence and testimony presented, determined that the City of Des Moines requires a regular levy in the amount of \$5,639,570 which includes a \$75,928 increase in property tax revenue from the previous year, and amounts resulting from the addition of new construction and improvements to property and any increase in the value of state-assessed property, and amounts authorized by law as a result of any annexations that have occurred and refunds made, in order to discharge the expected expense and obligations of the City and in its best interest; now therefore,

WHEREAS, pursuant to RCW 84.55.120 the City Council is required to adopt a separate ordinance specifically authorizing an increase in the regular property tax levy in terms of both dollars and percentage increase from the previous year's levy; now therefore,

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

Sec. 1. Consistent with RCW 84.55.120, the City Council of the City of Des Moines finds that an increase in the regular property tax levy is hereby authorized for the 2024 levy in the amount of \$55,331 which is a percentage increase of one percent (1.00%) from the previous year. This increase is exclusive of additional revenue resulting from the addition of new construction and improvements to property and any increase in the value of state assessed property, and any additional amounts resulting from any annexations that have occurred and refunds made.

Sec. 2. The actual amounts levied pursuant to the one percent (1.00%) increase set forth in section 1 of the Ordinance shall be calculated after the value of state-assessed property (increase in utility value) is provided by King County.

Ordinance No. 23-052
Page 2 of 2

Sec. 3. Upon adoption, the City Clerk shall certify and forward a copy of this Ordinance to the Metropolitan King County Council and County Assessor for King County, Washington.

Sec. 4. 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. 5. Effective date. This Ordinance shall take effect in full force five (5) days after its passage, approval and publication according to law.

PASSED BY a majority of the City Council of the City of Des Moines this 9th day of November, 2023 and signed in authentication thereof this 9th day of November, 2023.

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

Published: _____

WS Utilized by District

1/0/1900

PRELIMINARY LEVY LIMITATIONS WORKSHEET 10.19.2023

TAXING DISTRICT	Des Moines	2023	Levy for	2024	Taxes	IPD: 1.03670
A. Highest regular tax which could have been lawfully levied beginning with the 1985 levy (refund levy not included).						
Year	2023	\$5,533,096	×	101.000%	=	\$5,588,427
		Highest Lawful Levy Since 1985		Limit Factor/Max Increase 101%		
B. Current year's assessed value of new construction, improvements, and wind turbines, solar, biomass, and geothermal facilities in original districts before annexation occurred times last year's levy rate (if an error occurred or an error correction was made in the previous year, use the rate that would have been levied had no error occurred).						
	\$32,299,525	×	0.85096	÷	\$1,000	= \$27,486
	A.V.		Last Year's Levy Rate			
C. Tax Increment finance area increment AV increase (RCW 84.55.010(1)€) (value included in B & D cannot be included in C)						
	\$0	×	0.85096	÷	\$1,000	= \$0
	A.V.		Last Year's Levy Rate			
D. Current year's state assessed property value less last year's state assessed property value. The remainder is to be multiplied by last year's regular levy rate (or the rate that should have been levied).						
	\$56,007,110	-	\$56,007,110	=	\$	-
	Current Year's A.V.		Previous Year's A.V.		Remainder	
	\$0	×	0.85096	÷	\$1,000	= \$0.00
	Remainder from Line C		Last Year's Levy Rate			
E. Regular property tax limit: A+B+C+D = \$5,615,913						
Parts F through H are used in calculating the additional levy limit due to annexation.						
F. To find the rate to be used in F, take the levy limit as shown in Line E above and divide it by the current assessed value of the district, excluding the annexed area.						
	\$5,615,913	÷	\$6,214,036,064	×	\$1,000	= 0.90374
	Total in Line E		Assessed Value Less Annexed AV			
G. Annexed area's current assessed value including new construction and improvements, times the rate in Line E.						
	\$0	×	0.90374	÷	\$1,000	= \$0.00
	Annexed Area's A.V.		Rate in Line F			
H. Regular property tax limit including annexation E+G = \$5,615,913						
I. Statutory maximum calculation						
Only enter fire/RFA rate, library rate, & firefighter pension fund rate for cities annexed to a fire/RFA or library, or has a firefighters pension fund.						
	3.60000	-	1.50000	-	0.26093	+ 0.00000 = 1.83907
	District base levy rate		Fire or RFA Rate		Library Rate	Firefighter Pension Fund
	\$6,214,036,064	×	1.83907	÷	\$1,000	= \$11,428,047
	A.V. of District		Statutory Rate Limit			Statutory Amount
J. Highest Lawful Levy For This Tax Year (Lesser of H and I) = \$5,615,913						
K. New highest lawful levy since 1985 (Lesser of H & I minus C, unless A (before limit factor increase) is greater than I or H minus C, then A before the limit factor increase) \$5,615,913						
L. Lesser of I and J \$5,615,913						
M. Refunds \$23,657						
N. Levy Corrections Year of Error: 0						
1. Minus amount over levied (if applicable) \$0.00						
2. Plus amount under levied (if applicable) \$0.00						
O. Total: L+M+/-N (unless voted rate)..... \$5,639,569						
P. Tax Base For Regular Levy						
1. Total district taxable value (including state-assessed property, and excluding boats, timber assessed value, and the senior citizen exemption for the regular levy) \$6,214,036,064						
Q. Tax Base for Excess and Voted Bond Levies						
2. Less assessed value of the senior citizen exemption of less than \$40,000 income or 65% of the median household income for the county based on lower of frozen or market value. \$85,541,607						
3. Plus Timber Assessed Value (TAV) \$0						
4. Tax base for excess and voted bond levies (1-2+3) \$6,128,494,457						
R. Increase Information						
1. Levy rate based on allowable levy 0.90755						
2. Last year's ACTUAL regular levy \$5,480,627						
3. Dollar Increase over last year other than New Construction (-) Annexation \$107,800						
4. Percent Increase over last year other than New Construction (-) Annexation 1.96693%						

REV 64 007

Page 1

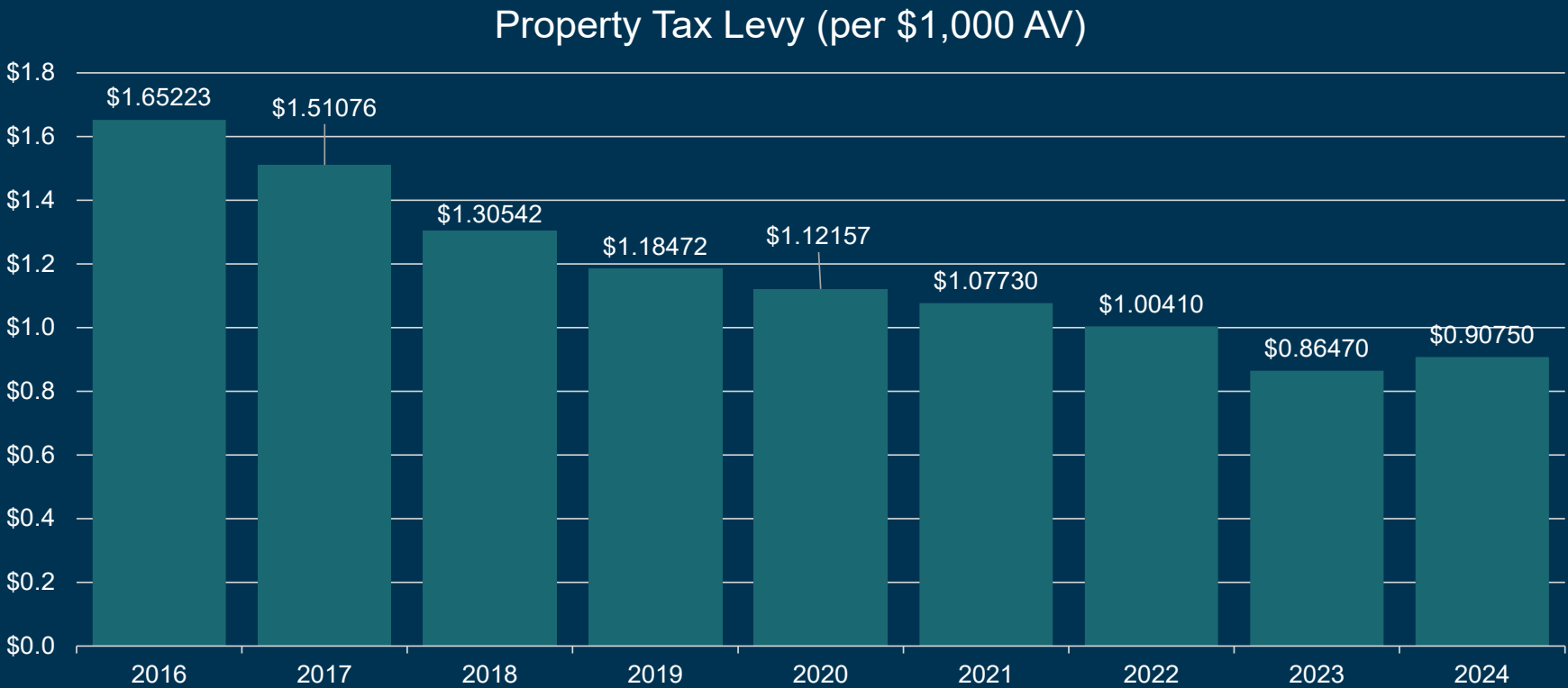
2024 Property Tax Levy

New for 2024

- Proposed Property Tax Levy amount of \$5,639,570.
- The proposed levy includes a 1% allowable increase of \$55,331.
- Overall Assessed Valuation within the City of Des Moines decreased by about \$219 million to \$6,214,112,635*; a decrease of 3.42%.
- The City had an additional \$32 million in new construction, adding \$27,486 to the overall property tax base.
- The proposed tax rate for 2024 is an estimated \$.9075, an increase of 4.2% from the current levy for 2023 (\$.8647).

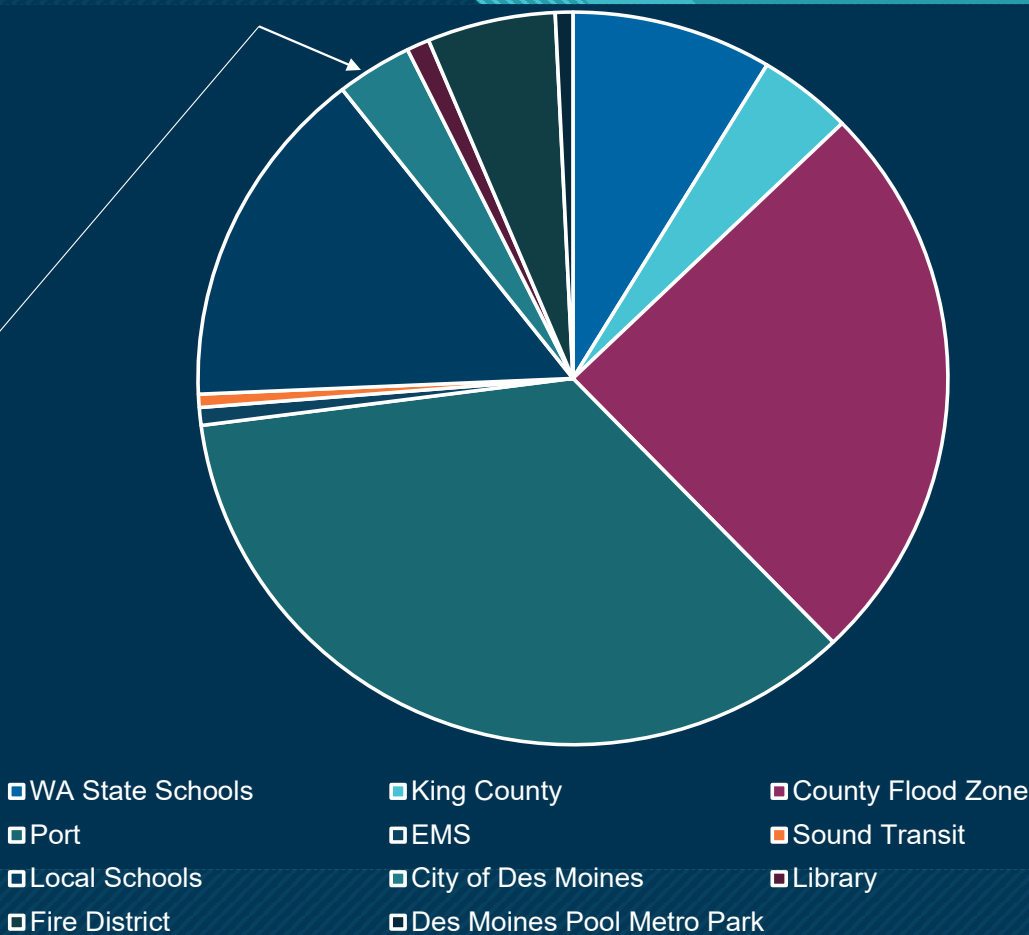
*Estimate of the King County Assessor, as of 11/6/2023

History of Des Moines Property Tax Levy



City Levy vs Total Levy (2023)

Taxing Authority	2023 Levy	% of Total
School District	4.20205	37.48%
WA State Schools	2.40289	21.43%
Fire District	1.53567	13.70%
King County	1.13355	10.11%
City of Des Moines	0.90750	8.09%
Library	0.27265	2.43%
EMS (voted)	0.21753	1.94%
Des Moines Pool Metro Park	0.20912	1.87%
Sound Transit	0.16194	1.44%
Port	0.09804	0.87%
County Flood Zone	0.06985	0.62%
	11.21079	100.00%



Suggested Motions

Motion 1: “I move to enact Draft Ordinance No. 23-053, determining the amount of funds to be raised by ad valorem taxes for the year 2024 for general City expenditures.”

AND

Motion 2: “I move to enact Draft Ordinance No. 23-052, determining the amount of funds to be raised by ad valorem taxes for the year 2024 for general City expenditures.”

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: Public Hearing:
2024 Preliminary Annual Budget

ATTACHMENTS:

1. Draft Ordinance 23-051
2. Appendix A 2024 Annual Budget
3. Updated Pages for the 2024 Budget

FOR AGENDA OF: November 9, 2023

DEPT. OF ORIGIN: Finance

DATE SUBMITTED: October 31, 2023

CLEARANCES:

- ☐ City Clerk _____
- ☐ Community Development _____
- ☐ Courts _____
- ☐ Emergency Management _____
- ☒ Finance *[Signature]*
- ☐ Human Resources _____
- ☒ Legal /s/ TG
- ☐ Marina _____
- ☐ Police _____
- ☐ Parks, Recreation & Senior Services _____
- ☐ Public Works _____

APPROVED BY CITY MANAGER

FOR SUBMITTAL: *[Signature]*

Purpose and Recommendation

The purpose of this agenda item is to hold the second reading of the 2024 Annual Budget for City Council consideration and approval. The first public hearing was held on October 26, 2023.

Suggested Motion

Motion 1: “I move to pass Draft Ordinance No 23-051, establishing the 2024 Annual Budget for the fiscal year ending December 31, 2024.”

Background

The 2024 Preliminary Annual Budget document was filed with the City Clerk and made available to the public on October 20, 2022. The Finance Director gave a budget presentation during the October 26, 2023 public hearing.

Budget adoption requires two public hearings. The first public hearing was held on October 26, 2023 and the final public hearing is scheduled for November 9, 2023. Notice of these public hearings were provided to the public on October 6, 2023 and October 13, 2023.

City Council and staff have reviewed the 2024 Preliminary Annual Budget and pointed out some needed corrections in certain schedules within the book.

The most significant changes to the 2024 Preliminary Annual Budget are:

- **Page 29** – Corrected FTE amount for Municipal Court Judge
- **Page 31** – Updated title of “Parks, Recreation, and Senior Services Director” to “Community Events and Services Director” and corrected 2024 FTE amount for this position. Corrected total FTE count for Community Events and Services
- **Page 34** – Corrected Grand Total of FTEs and other related totals
- **Page 35** – Updated title of “Parks, Recreation, and Senior Services Director” to “Community Events and Services Director” on salary table
- **Pages 49-50** – Corrected amounts for “Total Special Revenue Funds” and related “Total Budget – All Funds”
- **Page 81** – Corrected the Comprehensive Summary by removing \$3.5 million in revenue from the FY2023 Projected column as ARPA revenue was received prior to 2023. Also corrected the Beginning Fund Balance amounts in the schedule.
- **Page 192** – Updated General Fund 5-year Forecast.
- **Page 227** – Corrected job title of “Cummmunity Events and Venue Management Director” to “Community Events and Services Director”.

Recommendation

Staff recommends that the City Council enact Draft Ordinance 23-051.

CITY COUNCIL'S DRAFT 10/18/2023

DRAFT ORDINANCE NO. 23-051

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON adopting the final annual budget for the City of Des Moines, Washington, for the fiscal year ending December 31, 2024, in summary form, ratifying and confirming revenues and expenditures previously implemented for fiscal year 2023, as such revenues and expenditures form the basis for development of the budget for fiscal year 2024, approving revenues and expenditures for fiscal year 2024, and temporarily suspending the effect of any ordinance, code provision or other City requirement with which the fund adjustments and transfers proposed by the City Manager for the 2023 budget might be inconsistent.

WHEREAS, the City Manager for the City of Des Moines has prepared and submitted the preliminary annual budget for the fiscal year ending December 31, 2024 to the City Council and has filed these budgets with the City Clerk, and

WHEREAS, the City Council finds that the City Manager's proposed budget for fiscal year 2024 reflects revenues and expenditures that are intended to ensure provision of vital municipal services at acceptable levels, and

WHEREAS, the City Council finds that the City Manager's proposed annual budget for fiscal year 2024 appropriately relies upon anticipated year-end balances derived from revenues and expenditures previously approved and authorized by the City Council as part of the City's budget for fiscal year 2023, and

WHEREAS, the City Council finds that the fund adjustments and transfers proposed by the City Manager for fiscal year 2024 are necessary and in the public's interest, and

WHEREAS, a preliminary public hearing was held on October 26, 2023, to take public comment with respect to the proposed 2024 annual budget, and

WHEREAS, notice of the public hearing was given to the public in accordance with law and the preliminary public hearing was held on the 26th day of October, 2023, and all persons wishing to be heard were heard, and

WHEREAS, by motion regularly passed, the Des Moines City Council scheduled the final public hearing for November 9, 2023, to take public comment with respect to the proposed 2024 annual budget, and

WHEREAS, notice of the public hearing was given to the public in accordance with law and the final public hearing was held on the 9th day of November, 2023, and all persons wishing to be heard were heard; now therefore,

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

Sec. 1. The findings set forth in the preamble to this Ordinance are hereby adopted and incorporated by reference.

Sec. 2. Based on the findings adopted herein, the City Council temporarily suspends the effect of any ordinance, code provision or other City requirement with which the fund adjustments and transfers proposed by the City Manager for the 2024 annual budget might be inconsistent.

Sec. 3. The fund adjustments and transfers proposed by the City Manager for fiscal year 2023 which are incorporated in the annual budget for fiscal year 2024, are hereby authorized and approved by the City Council.

Sec. 4. Because the City's annual budget for fiscal year 2024 rely upon anticipated year-end fund balances or shortages derived from revenues collected and expenditures incurred in fiscal year 2023, the City Council hereby ratifies and confirms all revenues, from whatever source derived, and expenditures incurred by the City to the extent such revenues and expenditures are in accordance with the City's annual budget for fiscal year 2023 or any subsequent budget amendments formally approved by the City Council.

Sec. 5. The City Council hereby adopts, affirms and approves any and all revenues, from whatever source derived, and expenditures as referenced in the attached annual budget for fiscal year 2024.

Ordinance No. 23-051
Page 3 of 6

Sec. 6. The final annual budget for the City of Des Moines' fiscal year 2024 is hereby adopted and approved in summary form as set forth in the attached Appendix "A", which is by this reference incorporated herein

Sec 7. 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 the other provisions of the Des Moines Municipal Code, this Ordinance is deemed to control.

Sec 8. Effective date. This Ordinance shall take effect and be in full force (5) five days after its final passage by the Des Moines City Council.

PASSED BY the City Council of the City of Des Moines this 9th day of November, 2023 and signed in authentication thereof this 9th day of November, 2023.

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

Published: _____

**2024 PRELIMINARY BUDGET SUMMARY OF SOURCES AND USES
DRAFT ORDINANCE 23-051
APPENDIX A**

	Fund	Projected Beginning Fund Balance	Revenues	Total Resources
Special Revenue	General Fund	\$ 5,210,847	\$ 26,153,182	\$ 31,364,029
	Street Maintenance Fund	665,191	2,400,331	3,065,522
	Street Pavement Fund	2,936,917	1,122,500	4,059,417
	Development Fund	1,402,794	2,778,462	4,181,256
	Police Drug Seizure Fund	138,868	26,000	164,868
	Hotel-Motel Tax Fund	179,297	110,750	290,047
	Affordable Housing Sales Tax Fund	88,874	30,000	118,874
	American Rescue Plan Act (ARPA)	4,393,322	1,750	4,395,072
	Redondo Zone	114,485	69,500	183,985
	Waterfront Zone	95,811	260,750	356,561
	Pbpw Automation Fee	624,283	141,500	765,783
	Urban Forestry Fund	-	5,000	5,000
	Abatement Fund	65,070	5,500	70,570
	Ase-Automated Speed Enf	366,229	381,500	747,729
	Transport Benefit District	3,249,291	959,000	4,208,291
	Total Special Revenue Funds	14,320,432	8,292,543	22,612,975
Debt Service	Reet 2 Eligible Debt Service	6,377	234,576	240,953
	2023 LTGO Bond Debt Service	12,360,000	800,000	13,160,000
	2018 Ltgo & Refunding Bonds	113,352	226,600	339,952
	Total Debt Service Funds	12,479,729	1,261,176	13,740,905
Capital Projects	Reet 1st Quarter %	2,256,606	560,000	2,816,606
	Reet 2Nd Quarter	1,401,643	552,500	1,954,143
	Park Levy	427,465	195,500	622,965
	Park In Lieu	367,667	100,750	468,417
	One-Time Tax Revenues	1,684,873	5,000	1,689,873
	Municipal Capital Improvements	2,880,300	15,626,000	18,506,300
	Transportation Cap Imp	1,885,827	8,008,000	9,893,827
	Traffic In Lieu	140,866	452,500	593,366
	Traffic Impact - City Wide	616,725	301,250	917,975
	Traffic Impact Pac Ridge	602,702	100,750	703,452
	Total Capital Projects Funds	12,264,674	25,902,250	38,166,924
Enterprise	Marina Fund	28,959,052	5,163,967	34,123,019
	Events and Facility Rentals Fund	-	1,234,135	1,234,135
	Surface Water Fund	30,272,432	6,162,436	36,434,868
	Total Enterprise Funds	59,231,484	12,560,538	71,792,022
Internal Service	Equipment Rental Operations	205,981	1,238,024	1,444,005
	Equipment Rental Replacement	4,566,172	753,280	5,319,452
	Facility Repair & Replacement	430,793	461,150	891,943
	Computer Equip Capital Fund	1,523,954	412,800	1,936,754
	Self-Insurance Fund	874,620	1,286,315	2,160,935
	Unemployment Insurance Fund	496,907	51,950	548,857
	Total Internal Service Funds	8,098,427	4,203,519	12,301,946
TOTAL BUDGET - ALL FUNDS		\$ 111,605,593	\$ 78,373,208	\$ 189,978,801

**2024 PRELIMINARY BUDGET SUMMARY OF SOURCES AND USES
DRAFT ORDINANCE 23-051
APPENDIX A**

	Fund	Expenditures	Projected Ending Fund Balance	Total Uses
	General Fund	\$ 26,250,236	\$ 5,113,793	\$ 31,364,029
Special Revenue	Street Maintenance Fund	2,198,602	866,920	3,065,522
	Street Pavement Fund	1,308,000	2,751,417	4,059,417
	Development Fund	3,582,824	598,432	4,181,256
	Police Drug Seizure Fund	20,500	144,368	164,868
	Hotel-Motel Tax Fund	130,000	160,047	290,047
	Affordable Housing Sales Tax Fund	30,000	88,874	118,874
	American Rescue Plan Act (ARPA)	3,973,617	421,455	4,395,072
	Redondo Zone	102,151	81,834	183,985
	Waterfront Zone	356,204	357	356,561
	Pbpw Automation Fee	77,924	687,859	765,783
	Urban Forestry Fund	5,000	-	5,000
	Abatement Fund	2,500	68,070	70,570
	Ase-Automated Speed Enf	442,000	305,729	747,729
	Transport Benefit District	1,450,000	2,758,291	4,208,291
	Total Special Revenue Funds	13,679,322	8,933,653	22,612,975
Debt Service	Reet 2 Eligible Debt Service	234,576	6,377	240,953
	2023 LTGO Bond Debt Service	9,808,000	3,352,000	13,160,000
	2018 Ltgo & Refunding Bonds	226,600	113,352	339,952
	Total Debt Service Funds	10,269,176	3,471,729	13,740,905
Capital Projects	Reet 1St Quarter %	1,545,000	1,271,606	2,816,606
	Reet 2Nd Quarter	1,585,576	368,567	1,954,143
	Park Levy	285,000	337,965	622,965
	Park In Lieu	46,000	422,417	468,417
	One-Time Tax Revenues	660,000	1,029,873	1,689,873
	Municipal Capital Improvements	16,558,359	1,947,941	18,506,300
	Transportation Cap Imp	8,320,641	1,573,186	9,893,827
	Traffic In Lieu	540,000	53,366	593,366
	Traffic Impact - City Wide	473,000	444,975	917,975
	Traffic Impact Pac Ridge	-	703,452	703,452
	Total Capital Projects Funds	30,013,576	8,153,348	38,166,924
Enterprise	Marina Fund	13,160,007	20,963,012	34,123,019
	Events and Facility Rentals Fund	1,011,899	222,236	1,234,135
	Surface Water Fund	7,657,981	28,776,887	36,434,868
	Total Enterprise Funds	21,829,887	49,962,135	71,792,022
Internal Service	Equipment Rental Operations	811,082	632,923	1,444,005
	Equipment Rental Replacement	1,122,000	4,197,452	5,319,452
	Facility Repair & Replacement	546,000	345,943	891,943
	Computer Equip Capital Fund	939,985	996,769	1,936,754
	Self-Insurance Fund	1,266,927	894,008	2,160,935
	Unemployment Insurance Fund	42,500	506,357	548,857
	Total Internal Service Funds	4,728,494	7,573,452	12,301,946
	TOTAL BUDGET - ALL FUNDS	\$ 106,770,691	\$ 83,208,110	\$ 189,978,801

Ordinance No. 23-051
Page 6 of 6

STAFFING LEVELS					
POSITION	NUMBER OF EMPLOYEES				
	2021	2022	2023	2023 ADJ	2024
INFO TECHNOLOGY					
IT Director	-	-	-	1.00	1.00
IT Operations Supervisor	-	-	-	1.00	1.00
Information Services Manager	1.00	1.00	1.00	-	-
IT Systems Administrator	1.00	1.00	2.00	1.00	1.00
Business Support Analyst	-	-	-	1.00	1.00
IT Technician	1.00	1.00	1.00	-	-
Total Info Technology	3.00	3.00	4.00	4.00	4.00
LEGAL					
City Attorney	1.00	1.00	1.00	1.00	1.00
Assistant City Attorney	1.00	1.00	1.00	1.00	1.00
Prosecuting Attorney	1.00	1.00	1.00	1.00	1.00
Deputy Prosecuting Attorney	-	1.00	1.00	1.00	1.00
Domestic Violence Advocate	0.40	0.40	0.40	0.40	0.40
Paralegal(s)	1.17	0.42	0.42	0.42	0.42
Legal Intern	0.25	-	-	-	-
Total Legal	4.82	4.82	4.82	4.82	4.82
MUNICIPAL COURT					
Judge	0.80	0.80	0.80	0.80	0.80
Director of Court Administration	-	1.00	1.00	1.00	1.00
Court Administrator	1.00	-	-	-	-
Court Operations Supervisor	1.00	1.00	1.00	1.00	1.00
Lead Court Clerk	1.00	-	-	-	-
Court Clerks	4.00	4.00	4.00	5.00	5.00
Court Clerk (Limited Term)	1.00	1.00	1.00	-	-
Court Marshal	0.60	1.60	1.60	1.60	2.00
Support Services Administrator	1.00	1.00	1.00	-	-
Support Services Specialist	1.00	1.00	1.00	2.00	2.00
Total Municipal Court	11.40	11.40	11.40	11.40	11.80

STAFFING LEVELS					
POSITION	NUMBER OF EMPLOYEES				
	2021	2022	2023	2023 ADJ	2024
Engineering & CIP Services					
Public Works Director	0.20	0.20	0.20	0.20	0.20
City Engineer	0.25	0.25	0.25	0.25	0.25
Principal Engineer	-	-	-	-	0.50
Engineering Inspector	0.05	0.05	0.05	0.05	0.05
Civil Engineer I	0.90	0.90	0.90	-	-
Civil Engineer II	0.10	0.10	0.10	0.50	-
Admin Assistant II	0.06	0.06	0.06	0.06	0.06
Total Engineering & CIP Services	1.56	1.56	1.56	1.06	1.06
Total Planning, Building & Public Works Tax Based	13.88	15.08	15.08	14.25	14.55
COMMUNITY EVENTS AND SERVICES					
Administration					
Community Events and Services Director	-	-	-	-	0.25
Parks, Recreation, and Senior Services Director	1.00	1.00	1.00	1.00	-
Assistant Parks & Recreation Director	0.50	0.40	0.40	-	-
Program Coordinator - Recreation	-	-	-	1.00	1.00
Program Support Specialist	-	-	-	1.00	1.00
Recreation Manager	-	0.40	0.40	1.00	1.00
Assistant Recreation Manager	-	-	-	1.00	1.00
Field Supervisor - Extra Hire	-	-	-	0.50	0.50
Office Attendant	-	-	-	0.50	0.50
Total Administration	1.50	1.80	1.80	6.00	5.25
Recreation Program					
Assistant Parks Director	0.10	0.30	0.30	-	-
Recreation Manager	1.00	0.30	0.30	-	-
Assistant Recreation Manager	1.00	1.00	1.00	-	-
Office Specialist	1.00	1.00	1.00	-	-
Recreation Specialist	1.00	1.00	1.00	-	-
Recreation Instructor	-	-	-	0.48	0.48
Extra-Hire Recreation Leader	3.28	3.28	3.28	3.28	3.28
Extra-Hire Referees	0.79	0.79	0.79	0.79	0.79
Extra-Hire Scorekeepers	-	-	-	1.00	1.00
Extra-Hire Office/Field Attendant	1.51	1.51	1.51	-	-
Total Recreation Program	9.68	9.18	9.18	5.55	5.55
Senior Services					
Assistant Parks Director	0.40	0.30	0.30	-	-
Recreation Manager	-	0.30	0.30	-	-
Program Assistant	1.00	1.00	1.00	-	-
Program Support Specialist	-	-	-	1.00	1.00
Department Aide - Kitchen Assistant - Extra Hire	-	-	-	1.00	1.00
Management Analyst - Human Svcs	0.60	0.60	0.60	-	-
Total Senior Services	2.00	2.20	2.20	2.00	2.00
Total Community Events and Services	13.18	13.18	13.18	13.55	12.80
Total General Fund	115.88	123.18	124.43	121.85	122.80

STAFFING LEVELS					
POSITION	NUMBER OF EMPLOYEES				
	2021	2022	2023	2023 ADJ	2024
EQUIPMENT RENTAL FUND					
Public Works Director	0.05	0.05	0.05	0.05	0.05
Administrative Assistant II	0.07	0.07	0.07	0.07	0.07
Maintenance Superintendent	0.10	0.10	0.10	0.10	0.10
Assistant Maintenance Superintendent	-	-	-	-	0.10
Lead Mechanic	1.00	1.00	1.00	1.00	1.00
Mechanic	0.50	1.00	1.00	1.00	1.00
Total Equipment Rental Fund	1.72	2.22	2.22	2.22	2.32
Total Other Funds	53.25	55.44	55.72	53.97	55.42
GRAND TOTAL	169.13	178.62	180.15	175.82	178.22
Total Regular & Part-time FTEs	156.67	166.27	167.52	164.28	166.68
Total Extra Hires/Seasonal FTEs	12.46	12.35	12.63	11.54	11.54
	169.13	178.62	180.15	175.82	178.22

Index of Positions and Pay Schedules

2024 City of Des Moines - Index of Positions and Pay Schedule Directors and City Manager					
Grade/ Rank	Positions	Step/Level	Hourly Rate	Semi- Monthly Salary	Annual Salary
D-30	Director of Emergency Management	Step 1	53.8739	4,677.92	112,270.00
		Step 2	56.6762	4,912.04	117,889.00
		Step 3	59.5117	5,157.88	123,789.00
		Step 4	62.4909	5,416.08	129,986.00
		Step 5	65.6187	5,687.17	136,492.00
D-31		Step 1	58.1334	4,885.08	118,782.00
		Step 2	58.9429	5,108.58	122,606.00
		Step 3	61.6885	5,363.86	128,733.00
		Step 4	64.9821	5,632.00	135,168.00
		Step 5	68.2320	5,913.67	141,928.00
D-32		Step 1	58.3742	5,059.29	121,423.00
		Step 2	61.2924	5,312.21	127,493.00
		Step 3	64.3595	5,578.04	133,873.00
		Step 4	67.5753	5,856.75	140,562.00
		Step 5	70.8540	6,148.58	147,580.00
D-33		Step 1	60.7102	5,261.75	126,282.00
		Step 2	63.7433	5,524.63	132,591.00
		Step 3	66.9320	5,801.00	139,224.00
		Step 4	70.2767	6,090.88	146,181.00
		Step 5	73.7905	6,395.42	153,490.00
D-34	Director of Court Administration	Step 1	63.1409	5,472.42	131,338.00
		Step 2	66.2961	5,745.86	137,901.00
		Step 3	69.6132	6,033.36	144,801.00
		Step 4	73.0933	6,335.00	152,040.00
		Step 5	76.7495	6,651.88	159,645.00
D-35	Community Events and Services Director	Step 1	65.6662	5,691.29	136,591.00
		Step 2	68.9498	5,975.88	143,421.00
		Step 3	72.3958	6,274.54	150,589.00
		Step 4	76.0182	6,588.50	158,124.00
		Step 5	79.8162	6,917.67	166,024.00
D-36	Chief Administrative Officer Information Technology Director	Step 1	68.2931	5,918.96	142,055.00
		Step 2	71.7054	6,214.71	149,153.00
		Step 3	75.2938	6,525.71	156,617.00
		Step 4	79.0580	6,851.96	164,447.00
		Step 5	83.0118	7,194.63	172,671.00
D-37	Harbormaster Community Development Director	Step 1	71.0285	6,156.04	147,745.00
		Step 2	74.5827	6,484.08	155,138.00
		Step 3	78.3134	6,787.42	162,898.00
		Step 4	82.2266	7,126.58	171,038.00
		Step 5	86.3361	7,482.75	179,586.00

2024 PRELIMINARY BUDGET SUMMARY OF SOURCES AND USES

	Fund	Projected Beginning Fund Balance	Revenues	Total Resources
Special Revenue	General Fund	\$ 5,210,847	\$ 26,153,182	\$ 31,364,029
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	Park Levy	427,465	195,500	622,965
	Park In Lieu	367,667	100,750	468,417
	One-Time Tax Revenues	1,684,873	5,000	1,689,873
	Municipal Capital Improvements	2,880,300	15,626,000	18,506,300
	Transportation Cap Imp	1,885,827	8,008,000	9,893,827
	Traffic In Lieu	140,866	452,500	593,366
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TOTAL BUDGET - ALL FUNDS		\$ 106,770,691	\$ 83,208,110	\$ 189,978,801

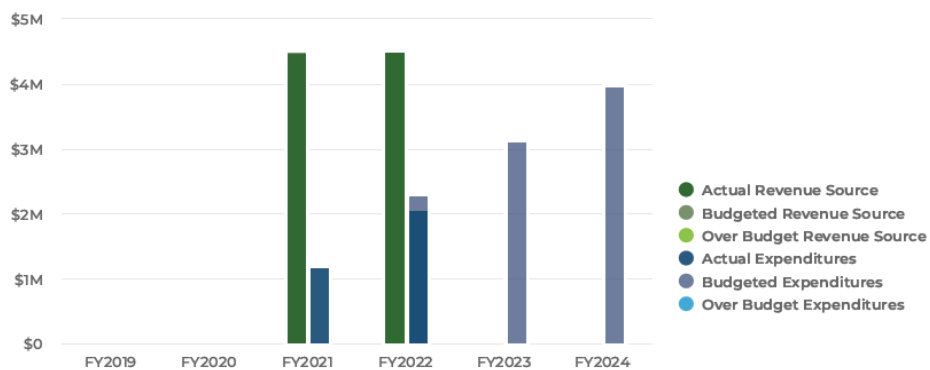


American Rescue Plan Act (ARPA) Fund

The purpose of the American Rescue Plan Act Fund is to account for the receipt and expenditure of the amount awarded to the City of Des Moines from the United States Department of the Treasury.

Summary

The City of Des Moines is projecting \$1.75K of revenue in FY2024, which represents a 0% increase over the prior year. Budgeted expenditures are projected to increase by 26% or \$818.86K to \$3.97M in FY2024.

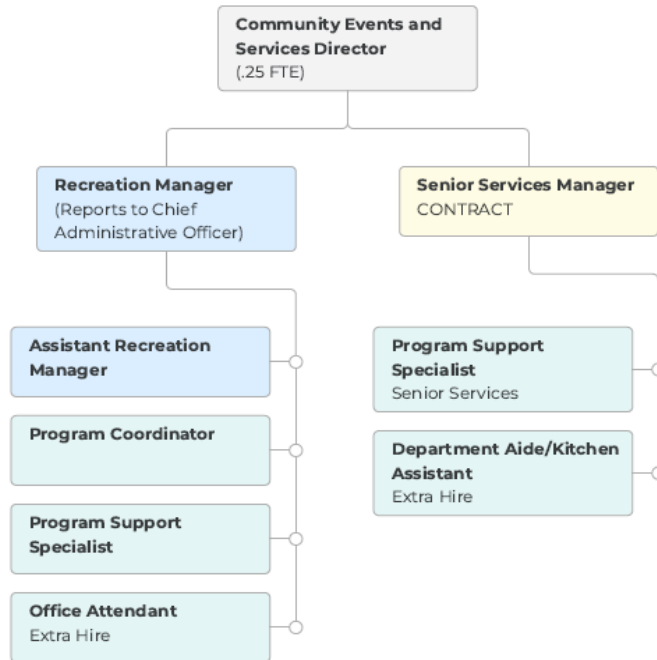


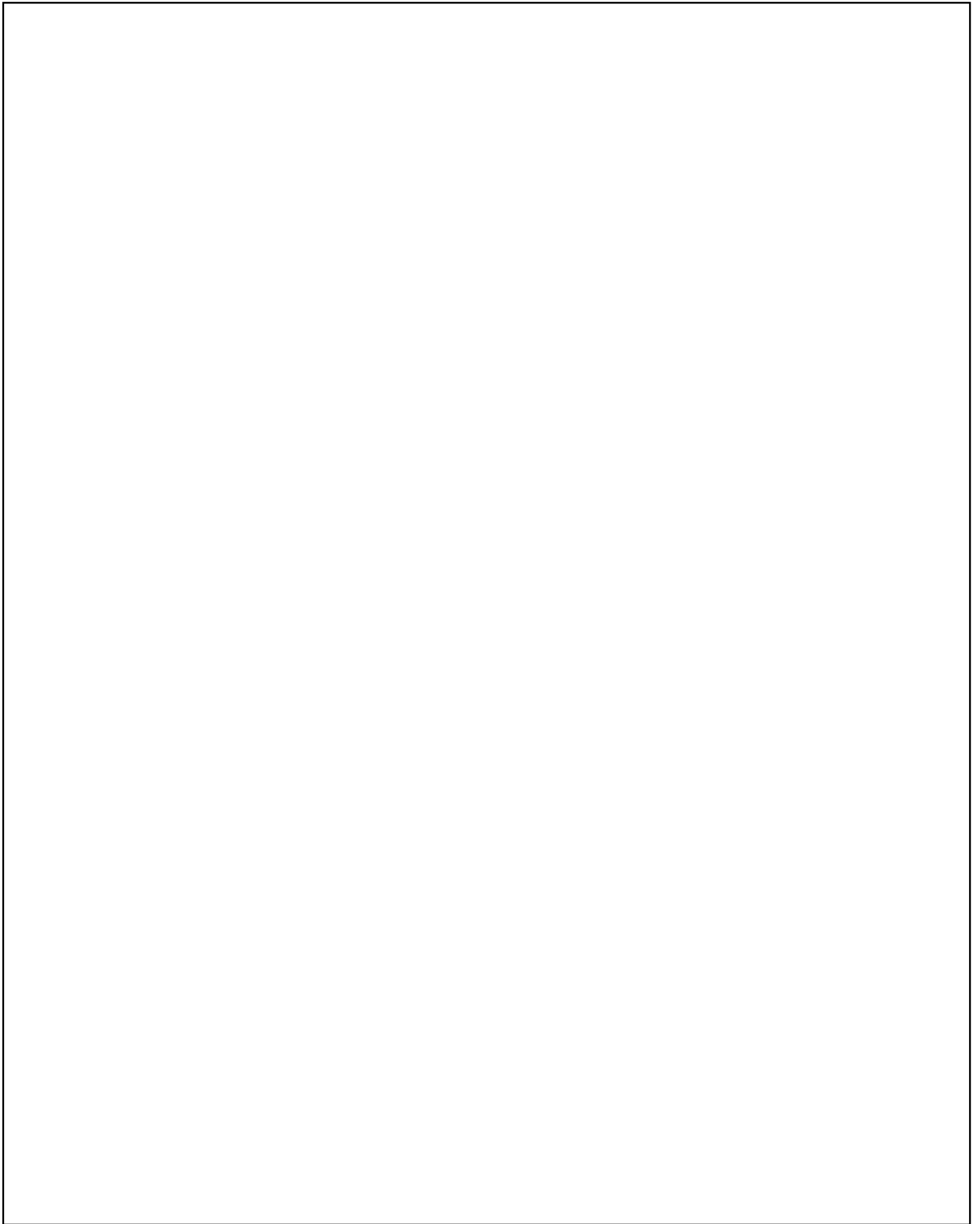
American Rescue Plan Act (ARPA) Fund Comprehensive Summary

Name	FY2022 Actuals	FY2023 Original Budget	FY2023 Projected	FY2024 Budgeted
Beginning Fund Balance:	\$3,266,247	\$5,697,542	\$5,697,542	\$5,697,542
Revenues				
Intergovernmental	\$4,519,350	\$0	\$0	\$0
Misc.	\$0	\$1,750		\$1,750
Total Revenues:	\$4,519,350	\$1,750	\$0	\$1,750
Expenditures				
Services & Pass-Thru	\$512,024	\$0	\$46,497	\$0
Transfers Out	\$1,576,030	\$3,154,759	\$1,257,723	\$3,973,617
Total Expenditures:	\$2,088,055	\$3,154,759	\$1,304,220	\$3,973,617
Total Revenues Less Expenditures:	\$2,431,295	-\$3,153,009	-\$1,304,220	-\$3,971,867
Ending Fund Balance:	\$5,697,542	\$2,544,533	\$4,393,322	\$1,725,675

2024-2028 GENERAL FUND									
	BUDGET		REVISED BUDGET		BUDGET		FORECAST		
	2023	2023	2023	2024	2025	2026	2027	2028	
BEGINNING FUND BALANCE									
Operating Revenues	\$ 6,947,169	\$ 7,807,793	\$ 5,216,360	\$ 5,115,863	\$ 3,506,479	\$ 2,425,677	\$ 1,828,110	\$ 1,828,110	
	23,289,489	22,788,782	24,081,982	25,019,279	26,037,940	26,915,315	27,942,053		
Operating Expenditures	(26,294,193)	(24,998,071)	(25,686,294)	(26,828,663)	(27,318,742)	(27,712,882)	(28,121,567)		
** Net Activity ("Operating revenues over (under) operating expenditures")									
	(3,004,704)	(2,209,289)	(1,604,312)	(1,809,384)	(1,280,802)	(797,567)	(179,514)		
ONE-TIME ACTIVITIES									
Revenues									
Sound Transit	263,000	263,000	212,944	-	-	-	-	-	
American Rescue Plan Funding	994,259	1,269,968	1,850,617	-	-	-	-	-	
One-Time Sales & B&O Tax Revenues	262,500	262,500	265,000	250,000	250,000	250,000	250,000	250,000	
Total One-Time Revenues	1,519,759	1,795,468	2,328,561	250,000	250,000	250,000	250,000	250,000	
One-time Expenditures									
Transfer Out - One-Time Sales & B&O Tax to Fund 309	-	-	-	(50,000)	(50,000)	(50,000)	(50,000)	(50,000)	
ARPA Expenditures	(814,780)	(1,269,968)	(611,802)	-	-	-	-	-	
Guild Retro Payment	-	(644,644)	-	-	-	-	-	-	
Sound Transit related expenditures	-	(263,000)	(212,944)	-	-	-	-	-	
Total One-Time Expenditures	(814,780)	(2,177,612)	(824,746)	(50,000)	(50,000)	(50,000)	(50,000)	(50,000)	
Change in Fund Balance	(2,299,725)	(2,591,433)	(100,497)	(1,609,384)	(1,080,802)	(597,567)	20,486		
ENDING FUND BALANCE									
	\$ 4,647,444	\$ 5,216,360	\$ 5,115,863	\$ 3,506,479	\$ 2,425,677	\$ 1,828,110	\$ 1,848,597		
GFOA Target of 60 days (approx. 16.67%)									
	4,383,242	4,167,178	4,281,905	4,472,338	4,554,034	4,619,737	4,687,865		
Reserve (shortfall) surplus to GFOA Target	264,202	1,049,182	833,958	(965,859)	(2,128,357)	(2,791,627)	(2,839,268)		
Ending Reserve - % Total Operating Expenditures	17.67%	20.87%	19.92%	13.07%	8.88%	6.60%	6.57%		

Organizational Chart







2024 Preliminary Annual Budget

Macroeconomic Dynamics



- Inflationary pressure
- Labor market remains robust
- Federal Reserve strategy to essentially reverse quantitative easing and attempting to increase the interest rate structure, simultaneously attempting to provide the national economy with a “soft landing” which means to reduce the hardship and extremity of the intended reduction in economic activity

Macroeconomic Impacts



- Cost of goods, especially building and construction materials, have increased significantly.
- The robust nature of the labor market has not resulted in wage stagnation or even gradual slowing down of wage growth.
- For the City, recruitment of specific jobs has been competitive resulting in increased importance of job retention efforts.
- Higher interest rates have resulted in a decline in the housing market by providing a more difficult obstacle to home ownership. This results in a decrease in the City's Real Estate Excise Tax (REET).

Budget Challenges

- General Fund sustainability – aligning expenditures and revenue
 - Revenue growing at slower pace than costs
 - Stable revenue
 - Red Light Running
 - Tax Revenue
 - American Rescue Plan Act (ARPA) and Sound Transit funds (timelines)
 - Increased Costs
 - SCORE and WCIA Insurance
 - Salary and Benefits (related to contractual obligations)
 - Vehicle replacement

Budget Strategies

- Events and Facility Rentals Enterprise Fund
 - Business Plan in packet
 - Emphasizes operations as “Business Activities”
 - \$750,000 interfund loan from Surface Water Management Fund
- Repurposed ARPA funds
- Limited additions of FTEs
 - Only two new FTEs in 2024 budget
 - Strategic use of vacancies
- Retaining One-Time Sales Tax in General Fund
- Property Tax: maximum allowable amount
 - 1% increase of levy amount
- Effort to reduce SCORE service charge
- Reduce Supplies and Services expenditures

General Fund Forecast

2024-2028 GENERAL FUND							
	BUDGET 2023	REVISED BUDGET 2023	BUDGET 2024	FORECAST			
				2025	2026	2027	2028
BEGINNING FUND BALANCE	\$ 6,947,169	\$ 7,807,793	\$ 5,216,360	\$ 5,119,305	\$ 3,483,500	\$ 2,378,428	\$ 1,758,832
Operating Revenues	23,289,489	22,788,782	23,824,621	24,714,467	25,733,128	26,610,503	27,637,241
Operating Expenditures	(26,294,193)	(24,998,071)	(25,425,491)	(26,550,272)	(27,038,199)	(27,430,100)	(27,836,456)
** Net Activity ("Operating revenues over (under) operating expenditures")	(3,004,704)	(2,209,289)	(1,600,870)	(1,835,805)	(1,305,071)	(819,597)	(199,214)
ONE-TIME ACTIVITIES							
Revenues							
Sound Transit	263,000	263,000	212,944	-	-	-	-
American Rescue Plan Funding	994,259	1,269,968	1,850,617	-	-	-	-
One-Time Sales & B&O Tax Revenues	262,500	262,500	265,000	250,000	250,000	250,000	250,000
Total One-Time Revenues	1,519,759	1,795,468	2,328,561	250,000	250,000	250,000	250,000
One-time Expenditures							
Transfer Out - One-Time Sales & B&O Tax to Fund 309	-	-	-	(50,000)	(50,000)	(50,000)	(50,000)
ARPA Expenditures	(814,780)	(1,269,968)	(611,802)	-	-	-	-
Guild Retro Payment	-	(644,644)	-	-	-	-	-
Sound Transit related expenditures	-	(263,000)	(212,944)	-	-	-	-
Total One-Time Expenditures	(814,780)	(2,177,612)	(824,746)	(50,000)	(50,000)	(50,000)	(50,000)
Change in Fund Balance	(2,299,725)	(2,591,433)	(97,055)	(1,635,805)	(1,105,071)	(619,597)	786
ENDING FUND BALANCE	\$ 4,647,444	\$ 5,216,360	\$ 5,119,305	\$ 3,483,500	\$ 2,378,428	\$ 1,758,832	\$ 1,759,617
GFOA Target of 60 days (approx. 16.67%)	4,383,242	4,167,178	4,238,429	4,425,930	4,507,268	4,572,598	4,640,337
Reserve (shortfall) surplus to GFOA Target	264,202	1,049,182	880,876	(942,431)	(2,128,839)	(2,813,766)	(2,880,720)
Ending Reserve - % Total Operating Expenditures	17.67%	20.87%	20.13%	13.12%	8.80%	6.41%	6.32%

Repurposing ARPA

ARPA Project	Available Amount
Passenger Ferry Service	\$400,000
Emergency Transitional Housing	300,000
Health Care Support	200,000
Body Cams and Program Consultant	158,075
Airport Issues Support	100,000
Evidence Van	22,267
Cool Air Misters	15,000
Utility Voucher Fund	14,551
Food Trucks – Limited Term	10,000
ARPA Admin Support	9,443
Small Business Grants	5,000
Unallocated Amount	4,479
Total	\$1,238,815

Events and Facility Rentals – History in General Fund

Year	Revenue	Expense	Income	Year	Revenue	Expense	Income
2014	\$248,545	\$323,641	\$(75,095)	2019	\$233,513	\$565,688	\$(332,175)
2015	246,052	378,987	(132,935)	2020	16,373	367,765	(351,392)
2016	353,403	364,176	(10,773)	2021	300,511	381,595	(81,084)
2017	276,737	518,928	(242,190)	2022	419,253	544,616	(125,363)
2018	217,746	530,757	(313,011)	2023*	296,177	541,227	(245,050)

* Year-to-date

Events and Facilities Rental income from 2014 to today is a loss of \$1,909,068

Events and Facility Rentals – 2024 Budget

Operating Revenue	\$484,135
Operating Expenses	
Salary and Benefits	610,878
Supplies	97,000
Services	304,021
Operating Income	\$(527,764)

Events and Facility Rentals – Goals

- ▶ Transparency
- ▶ Accountability
 - ▶ Assure appropriate chargebacks establishing real costs as basis for pricing
- ▶ Maximize revenue potential of City assets
- ▶ Ease burden on General Fund's Fund Balance
 - ▶ Events and Facility Rental activities funded by user fees and not subsidized by General Fund

Events and Facility Rentals – Strategies

- ▶ Three-year, \$750,000 loan from Surface Water Management
 - ▶ 3% Interest
 - ▶ Guaranteed by General Fund
 - ▶ Spending plan: \$250,000 per year
- ▶ Restructure Fee Schedule
 - ▶ Consistent with private sector market
- ▶ Appropriate discounts for community events
 - ▶ Retaining goal of self sufficiency
- ▶ Analyze Interlocal Agreements

Events and Facility Rentals – Strategies (cont.)

- ▶ Maximize Facility Rentals
 - ▶ Beach Park
 - ▶ Field House
 - ▶ Activity Center
 - ▶ Sound View Park
 - ▶ Others
- ▶ Improved Marketing
 - ▶ Uniformed branding
 - ▶ Trade Shows
 - ▶ RTA/Seattle Southside

2024 Cost-of-Living Adjustment

- Cost of Living Adjustment
 - 4% - Teamsters and Police Guild
 - 3% - General and Non-represented

General Fund Revenue Structure

GENERAL FUND REVENUES BY SOURCE

GENERAL FUND REVENUE	2020 ACTUAL	2021 ACTUAL	2022 ACTUAL	2023 BUDGET	2024 BUDGET	
Taxes						
Property	\$ 5,171,288	\$ 5,305,346	\$ 5,291,843	\$ 5,522,043	\$ 5,639,570	21.56%
Retail Sales	3,107,938	3,565,499	4,002,932	3,965,875	4,325,000	16.54%
Criminal Justice Sales	906,259	1,079,925	1,197,794	1,187,500	1,300,000	4.97%
Business & Occupation	903,886	1,007,197	1,243,381	1,338,550	1,440,000	5.51%
Utility	3,706,825	3,790,509	4,022,392	4,550,105	4,459,106	17.05%
Leasehold	200,852	216,634	227,944	239,000	240,000	0.92%
Gambling	27,056	27,984	55,482	50,000	35,000	0.13%
Tax Subtotal	14,024,104	14,993,094	16,041,768	16,853,073	17,438,676	66.68%
Licenses & Permits	1,441,860	1,464,304	1,387,136	1,373,000	1,765,000	6.75%
Intergovernmental	2,321,793	1,509,033	1,592,014	1,016,020	1,043,304	3.99%
Charges for Services	5,076,241	2,864,800	2,168,584	2,729,152	2,297,735	8.79%
Fines	149,734	136,494	94,837	157,850	352,150	1.35%
Fines - Red Light Running	1,202,707	1,313,215	1,231,918	1,200,000	1,200,000	4.59%
Interest, Rents, Misc & Transfers In	210,363	1,256,301	2,484,948	1,480,153	2,056,317	7.86%
Total Revenues	\$ 24,426,802	\$ 23,537,241	\$ 25,001,205	\$ 24,809,248	\$ 26,153,182	100.00%

Development Fund Forecast

2024-2028 DEVELOPMENT FUND							
	BUDGET 2023	REVISED BUDGET 2023	BUDGET 2024	FORECAST			
				2025	2026	2027	2028
<i>BEGINNING FUND BALANCE</i>	\$3,030,943	\$ 2,395,991	\$1,521,029	\$ 716,667	\$(119,869)	\$ (977,319)	\$(1,856,206)
Revenues	2,815,250	2,576,530	2,573,238	2,676,168	2,743,072	2,811,649	2,881,940
Expenditures	(4,149,839)	(3,451,492)	(3,377,600)	(3,512,704)	(3,600,522)	(3,690,535)	(3,782,798)
<i>Net Activity</i>	(1,334,589)	(874,962)	(804,362)	(836,536)	(857,450)	(878,886)	(900,858)
Sound Transit Revenues	159,640	279,145	205,224	-	-	-	-
Sound Transit Expenditures	(277,875)	(279,145)	(205,224)	-	-	-	-
<i>Sound Transit Net Activity</i>	(118,235)	-	-	-	-	-	-
<i>ENDING FUND BALANCE</i>	\$1,578,119	\$ 1,521,029	\$ 716,667	\$(119,869)	\$(977,319)	\$(1,856,206)	\$(2,757,064)

Marina Forecast

2024-2028 MARINA FUND FINANCIAL FORECAST

	BUDGET 2023	REVISED BUDGET 2023	BUDGET 2024	FORECAST			
				2025	2026	2027	2028
BEGINNING UNRESTRICTED FUND BALANCE	\$ 5,676,793	\$ 6,611,038	\$19,791,580	\$11,795,540	\$ 4,315,457	\$ 3,946,682	\$ 2,734,985
Operating Revenues	5,101,736	5,101,736	5,073,967	5,276,926	5,408,849	5,679,291	5,963,256
Operating Expenses	(3,760,012)	(3,830,012)	(4,200,484)	(4,368,503)	(4,477,716)	(4,589,659)	(4,773,245)
Operating Income (Loss) excluding depreciation	1,341,724	1,271,724	873,483	908,422	931,133	1,089,632	1,190,011
Transfers In	383,000	383,000	-	-	-	-	-
Grants	-	-	-	-	-	-	-
Interest & Miscellaneous Revenue	5,000	5,000	90,000	40,000	30,000	30,000	30,000
Bond Proceeds (Placeholder)	3,500,000	12,740,000	-	-	-	-	-
Capital Improvements	(4,181,000)	(750,000)	(7,687,000)	(7,157,000)	(60,000)	(1,060,000)	-
Debt Service	(469,182)	(469,182)	(1,272,523)	(1,271,505)	(1,269,908)	(1,271,330)	(1,272,086)
Total Capital Improvements & Debt Service	(762,182)	11,908,818	(8,869,523)	(8,388,505)	(1,299,908)	(2,301,330)	(1,242,086)
Total Net Activity	579,542	13,180,542	(7,996,040)	(7,480,083)	(368,775)	(1,211,698)	(52,075)
ENDING UNRESTRICTED FUND BALANCE	\$ 6,256,335	\$19,791,580	\$11,795,540	\$ 4,315,457	\$ 3,946,682	\$ 2,734,985	\$ 2,682,909
Capital Improvements:							
Fuel & Electrical Replacement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Tenant Restroom Replacement	(733,000)	-	(783,000)	-	-	-	-
Dock Electrical Replacements	-	-	(60,000)	(60,000)	(60,000)	(60,000)	-
Marina Guest Moorage Power Upgrades	-	(231,000)	-	-	-	-	-
Marina Dock Replacement	(3,000,000)	(518,000)	(6,447,000)	(7,047,000)	-	-	-
Dredging Services	(398,000)	(1,000)	(397,000)	-	-	-	-
All Purpose Building	(50,000)	-	-	(50,000)	-	(1,000,000)	-
Total Capital Improvements	\$ (4,181,000)	\$ (750,000)	\$ (7,687,000)	\$ (7,157,000)	\$ (60,000)	\$ (1,060,000)	\$ -

NOTE: No General Fund tax revenue is used to pay for Marina operations.

SWM Forecast

2024-2028 SURFACE WATER MANAGEMENT FUND FINANCIAL FORECAST

	BUDGET 2023	REVISED BUDGET 2023	BUDGET 2024	FORECAST			
				2025	2026	2027	2028
BEGINNING UNRESTRICTED FUND BALANCE	\$ 8,900,282	\$ 11,618,544	\$ 9,910,308	\$ 8,414,763	\$ 4,887,585	\$ 4,517,824	\$ 4,002,968
Operating Revenues	5,393,077	5,393,077	5,529,436	5,861,202	6,037,038	6,248,335	6,404,543
Operating Expenses	(3,651,313)	(4,301,313)	(4,407,981)	(4,628,380)	(4,859,799)	(5,054,191)	(5,180,546)
Operating Income (Loss) excluding depreciation	1,741,764	1,091,764	1,121,455	1,232,822	1,177,239	1,194,144	1,223,997
Storm Drainage Hook-Up Fees	-	-	-	-	-	-	-
Interest Income	20,000	20,000	20,000	20,000	20,000	20,000	20,000
Grants for Capital	1,064,000	1,064,000	613,000	-	-	-	-
SWM Cost Reimbursements	-	-	-	-	-	-	-
Capital Improvements	(5,205,000)	(3,884,000)	(3,250,000)	(4,780,000)	(1,567,000)	(1,729,000)	(1,507,000)
Total Change	(2,379,236)	(1,708,236)	(1,495,545)	(3,527,178)	(369,761)	(514,856)	(263,003)
ENDING UNRESTRICTED FUND BALANCE	\$ 6,521,046	\$ 9,910,308	\$ 8,414,763	\$ 4,887,585	\$ 4,517,824	\$ 4,002,968	\$ 3,739,965
Capital Improvements:							
Barnes Creek/KDM Culvert	\$ (1,664,000)	\$ (1,710,000)	\$ -	\$ -	\$ -	\$ -	\$ -
24th Ave Pipe Replacement	(948,000)	(950,000)	(319,000)	-	-	-	-
Deepdene Outfall	(120,000)	(55,000)	(130,000)	-	-	-	-
216th/Marine View Dr Pipe Upgrade	(150,000)	(150,000)	(434,000)	-	-	-	-
232nd St (10th to 14th) Pipe Project	-	-	-	-	-	-	(332,000)
N Fork McSorley Ck Diversion	-	(35,000)	-	-	-	-	-
S 234th Pl Pipe Project	-	-	-	-	-	-	(69,000)
13th Ave S Bioswale Retrofit	-	-	-	-	(44,000)	(171,000)	-
Service Center Material Storage Improvements	-	-	-	-	-	(100,000)	-
S 200th St Drainage Improvements	-	-	-	(250,000)	(250,000)	-	-
MVD Pond Retrofit	-	-	-	(172,000)	(689,000)	-	-
DMMD 208th to 212th Pipe Project	(860,000)	(123,000)	(961,000)	-	-	-	-
KDM/16th Avenue A Pipe Replacement	(836,000)	(172,000)	(856,000)	-	-	-	-
KDM/16th Avenue B Pipe Replacement	-	-	-	-	-	-	(445,000)
Massey Creek Pocket Estuary and Fish Passage	(450,000)	(202,000)	(163,000)	(2,631,000)	-	-	-
Des Moines Creek Estuary Restoration	(50,000)	(260,000)	(260,000)	(1,600,000)	-	-	-
Pipe Repair and Replacement Project Program	(127,000)	(127,000)	(127,000)	(127,000)	(127,000)	(127,000)	(127,000)
1st Ave Pump Replacement	-	(100,000)	-	-	-	-	-
258th St (13th Pl to 16th Ave) Pipe Project	-	-	-	-	-	-	(259,000)
6th Pl/287th Street Pipe Replacement	-	-	-	-	-	-	(275,000)
5th Ave/212th Street Pipe Upgrade	-	-	-	-	(457,000)	(1,331,000)	-
Total Capital Improvements	\$ (5,205,000)	\$ (3,884,000)	\$ (3,250,000)	\$ (4,780,000)	\$ (1,567,000)	\$ (1,729,000)	\$ (1,507,000)

Motion

- Motion 1: “I move to pass Draft Ordinance No. 23-051, establishing the 2024 Annual Budget for the fiscal year ending December 31, 2024.”

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: 2023 Annual Budget Amendments

ATTACHMENTS:

1. Draft Ordinance No. 23-054
2. Appendix A 2023 Amended Annual Budget

FOR AGENDA OF: November 9, 2023

DEPT. OF ORIGIN: Finance

DATE SUBMITTED: November 1, 2023

CLEARANCES:

- ☐ Community Development _____
- ☐ Marina _____
- ☐ Parks, Recreation & Senior Services _____
- ☐ Public Works _____

CHIEF OPERATIONS OFFICER: _____

☒ Legal /s/ TG

☒ Finance *[Signature]*

☐ Courts _____

☐ Police _____

APPROVED BY CITY MANAGER

FOR SUBMITTAL: *[Signature]*

Purpose and Recommendation

The purpose of this Agenda Item is for the City Council to consider Draft Ordinance 23-054, amending the 2023 Annual Budget.

Suggested Motion

MOTION: "I move to enact Draft Ordinance No. 23-054 relating to municipal finance, amending the 2023 Annual Budget adopted in Ordinance No. 1764.

Background

The City and the Des Moines City Council has adopted strong, solvent, and sustainable budgets using sound budgetary policies. This work has resulted in healthy reserves in excess of the recommended best practice of the Government Financial Officers Association. These reserves provide the City with the ability to weather ordinary economic upturns and downturns that occur without any interruption in essential services.

This has been very important, as the City of Des Moines has responded to the continuing uncertain impacts from the COVID-19 pandemic. As local economies, governmental policies, and needs of community members adapt to the economic environment impacted by recovery efforts to a global pandemic, municipal budgets need to accurately reflect the updated and informed expectations of City leadership and the community.

In reviewing the 2023 Adopted Budget and setting the goals for the 2024 Preliminary Annual Budget, the City maintains the following goals: 1) Remain solvent and strong; 2) Recover from COVID – socially, economically and programmatically; 3) Address reforms to the administration of justice; and 4) Prioritize Redevelopment.

Additional changes in revenues and expenditures, for all funds, from forecasts used to create the 2023 budget, enacted by Ordinance No. 1764 are in accordance with council direction and approval for fiscal year 2023.

Discussion

The 2023 Annual Budget presented on November 17, 2022 was based upon an estimated carry-forward of the 2022 year-end fund balances. Appendix “A” shows amended 2022 beginning fund balances, which are the actual 2022 ending fund balances. Changes in budget amounts are detailed below:

GENERAL FUND	Change in Budget Increase/(Decrease)		Footnote	Description
	Revenues	Expenditures		
Non-Department Revenue	267,000 70,500 117,000 55,000 280,000 78,000			RETAIL SALES TAX RETAIL SALES TAX- ONE-TIME UTILITY TAXES - ELECTRICITY UTILITY TAXES - NATURAL GAS FRANCHISE FEES - SOLID WASTE INTEREST REVENUE
Total Non-Department Revenue	867,500	-		
Public Safety Revenue	33,000 133,000 38,000		1	CANNABIS EXCISE TAX STATE GRANTS - OTHER JUDICIAL DEPT OF JUSTICE DIRECT GRANTS
Total Public Safety Revenue	204,000	-		
City Manager's Office (includes City Manager, City Clerk, Human Resources Emergency Management Services, Communications, and Organizational Memberships)		165,000	2	MISCELLANEOUS - EMERGENCY ECONOMIC RELIEF GRANTS
Total City Manager's Office	-	165,000		
Court	100,000	175,000 1,500 6,000 400 10,000 30,000 2,000	3	COURT REMODEL EXPENSE TRANSFER IN FROM ARPA FUND 114 UNIFORMS SMALL TOOLS AND EQUIPMENT PROFESSIONAL SERVICES JUDGE PRO TEM INTERPRETER SERVICES JURY FEES
Total Court	100,000	42,400		
Police	35,000 10,500 275,000	900,000	4 5	SALARIES AND BENEFITS DEPT OF JUSTICE DIRECT GRANTS DEPARTMENT OF JUSTICE INDIRECT GRANTS TRANSFER IN FROM ARPA FUND 114
	320,500	900,000		
Parks, Recreation, and Senior Services Human Services	46,000			HOSPITALITY HOUSE
Events and Facility Rentals	16,000 70,000		6	WEDDING PACKAGE BEACH PARK EVENT CENTER BUYOUT
	132,000	-		
Public Works Parks Maintenance		3,000 7,500		PROFESSIONAL SERVICES JANITORIAL SERVICES
	-	10,500		
Transfers		543,000 75,000	7 8	TRANSFER TO MUNICIPAL CAPITAL IMPROVEMENTS FUND TRANSFER TO REDONDO ZONE
	-	628,500		
Total General Funds	1,624,000	1,746,400		

GENERAL FUND FOOTNOTES

- 1) Revenue received from Washington State Administrative Office of the Courts (AOC) therapeutic grant and AOC grant for court AV enhancements.
- 2) Emergency Economic Relief grants related to the boil water notice in June 2023.
- 3) The court remodel was funded by American Rescue Plan Act (ARPA) funds and an AOC grant. (\$550,000 of ARPA funds were allocated to the Municipal Court).
- 4) The contract between the Police Guild and the City was not signed until 2023 resulting in a “retro” payment to guild members for the year 2022. The amount of this payment was approximately \$645,000. The contract with the Police Guild also wasn’t agreed upon until after completion of the 2023 Annual Budget process; therefore, 2023 budgeted amounts for guild members’ salary and benefits were understated.
- 5) Two police officers and a crisis response officer are funded by the ARPA grant. This transfer from the ARPA fund provides the funding for the 2022 salary and benefits for these positions as the transfer was not processed in 2022.
- 6) Includes rental revenue from Seattle Theater Group of \$35,000 for rental of the park for dates through the summer.
- 7) The 2023 – 2028 Capital Improvements Plan includes a \$543,000 from the General Fund for the North Bulkhead Project.
- 8) An interfund transfer to replenish the cash balance in the Redondo Zone.

FUND	Change in Budget		Footnote	Description
	Revenue	Expenditure		
Street Fund -101	10,500			INTEREST REVENUE
Street Fund -101		133,000		PROFESSIONAL SERVICES
Street Fund -101		1,000		MEALS & TRAVEL EXPENSES
Street Fund -101		50,000		CONSTRUCTION OF CAPITAL ASSETS
Street Fund -101		25,000		CONSTRUCTION OF CAPITAL ASSETS
Street Fund -101		10,000		MEDIAN MAINTENANCE
Total Street Fund -101	10,500	219,000		
Arterial Pavement Fund -102	32,500			INTEREST REVENUE
Total Arterial Pavement Fund -102	32,500	-		
Development Fund -105	42,000			INTEREST REVENUE
Development Fund -105	285,000			BUILDING PERMITS
Total Development Fund -105	327,000	-		
Police Drug Seizure Fund -107		14,500		PROFESSIONAL SERVICES
Total Police Drug Seizure Fund -107	-	14,500		
Hotel/Motel Tax Fund -111		10,000		SALARIES AND BENEFITS
Total Hotel/Motel Tax Fund	-	10,000		
American Rescue Plan Act Fund -114		100,000	1	TRANSFER OUT TO GENERAL FUND - COURT
American Rescue Plan Act Fund -114		214,149	2	TRANSFER OUT TO EQUIPMENT RENTAL REPLACEMENT FUND
American Rescue Plan Act Fund -114		42,237	3	TRANSFER OUT TO EQUIPMENT RENTAL REPLACEMENT FUND
American Rescue Plan Act Fund -114		48,255	6	TRANSFER OUT TO WATERFRONT ZONE
American Rescue Plan Act Fund -114		275,000	4	TRANSFER OUT TO GENERAL FUND
Total American Rescue Plan Act Fund -114	-	679,641		
Redondo Zone Fund -140	75,000		5	TRANSFER IN FROM GENERAL FUND
Redondo Zone Fund -140		8,000		SALARIES AND BENEFITS
Redondo Zone Fund -140		2,500		SUPPLIES
Redondo Zone Fund -140		17,000		REPAIRS AND MAINTENANCE
Redondo Zone Fund -140		4,000		SECURITY PATROL SERVICES
Redondo Zone Fund -140		3,500		GARBAGE SERVICE
Redondo Zone Fund -140		6,000		MISC BANK FEES
Total Redondo Zone Fund -140	75,000	41,000		
Waterfront Zone Fund -141	24,000		6	FERRY SERVICE CHARGES
Waterfront Zone Fund -141	48,255		6	TRANSFER IN FROM ARPA FUND
Waterfront Zone Fund -141	3,000			INTEREST REVENUE
Waterfront Zone Fund -141	(90,000)			PARKING FEES
Waterfront Zone Fund -141	(20,000)			PARKING PASSES
Waterfront Zone Fund -141		70,000	6	FERRY SERVICES
Waterfront Zone Fund -141		1,155	6	PROFESSIONAL SERVICES
Waterfront Zone Fund -141		1,100	6	SALARIES AND BENEFITS
Total Waterfront Zone Fund -141	(34,745)	72,255		
PBPW Automation Fee Fund -142	13,500			INTEREST REVENUE
PBPW Automation Fee Fund -142	25,000			COM DEV AUTOMATION FEES
Total PBPW Automation Fee -142	38,500	-		
ASE Automated Speed Enforcement Fund -190		20,000		SALARIES AND BENEFITS
ASE Automated Speed Enforcement Fund -190	8,500			OTHER INFRACTIONS - ABATEMENT
Total ASE Automated Speed Enforcement Fund -190	8,500	20,000		
Transportation Benefit District Fund -199	76,000			INTEREST REVENUE
Total Transport Benefit District Fund-199	76,000	-		
2023 LTGO Bond Debt Service -203	12,360,000			2023 LTGO BOND PROCEEDS
2023 LTGO Bond Debt Service -203		100,000		2023 LTGO BOND ISSUANCE COSTS
2023 LTGO Bond Debt Service -203		250,000	12	TRANSFER OUT TO FUND 310
Total 2023 LTGO Bond Debt Service Fund -203	12,360,000	350,000		
REET 1st Quarter % Fund -301	35,000			INTEREST REVENUE
Total REET 1st Quarter % Fund -301	35,000	-		
REET 2nd Quarter % Fund -302	35,000			INTEREST REVENUE
Total REET 2nd Quarter % Fund -302	35,000	-		
One-Time Revenues Fund -309	35,000			INTEREST REVENUE
Total One-Time Revenues Fund -309	35,000	-		
Municipal Capital Improvements Fund-310	543,000			TRANSFER IN FROM GENERAL FUND
Municipal Capital Improvements Fund-310	250,000		12	TRANSFER IN FROM 2023 LTGO DEBT SERVICE FUND
Total Municipal Capital Improvements Fund-310	793,000	-		
Transportation Capital Improvement Fund -319	40,000			INTEREST REVENUE
Total Transportation Capital Improvement Fund -319	40,000	-		
Traffic Impact City-Wide Fund-321	23,000			INTEREST REVENUE
Total Traffic Impact City-Wide Fund-321	23,000	-		

FUND	Change in Budget		Footnote	Description
	Revenue	Expenditure		
Marina Fund - 401	165,000			INTEREST REVENUE
Marina Fund - 401	12,740,000			2023 BOND PROCEEDS
Marina Fund - 401		40,000	7	EXTRA HIRE WAGES
Marina Fund - 401		30,000	7	OVERTIME
Marina Fund - 401		50,000	8	REPAIRS AND MAINTENANCE
Total Marina Fund - 401	12,905,000	120,000		
Surface Water Management Fund - 450	200,000			INTEREST REVENUE
Total Surface Water Management Fund - 450	200,000	-		
Equipment Rental Operations Fund - 500		15,000		SUPPLIES
Equipment Rental Operations Fund - 500		50,000	9	SMALL TOOLS & EQUIPMENT
Equipment Rental Operations Fund - 500		10,000		REPAIRS AND MAINTENANCE
Total Equipment Rental Operations Fund - 500	-	75,000		
Equipment Rental Replacement Fund - 501	159,000			INSURANCE RECOVERIES
Equipment Rental Replacement Fund - 501		121,000	10	VEHICLE REPLACEMENT -POLICE
Equipment Rental Replacement Fund - 501	214,149		10	TRANSFER IN FROM ARPA FUND
Equipment Rental Replacement Fund - 501		42,237	3	VEHICLE REPLACEMENT -MARINA
Equipment Rental Replacement Fund - 501	42,237		3	TRANSFER IN FROM ARPA FUND
Total Equipment Rental Replacement Fund - 501	415,386	163,237		
Self Insurance Fund - 520		175,000	11	INSURANCE
Total Self Insurance Fund - 520	-	175,000		
Total Other Funds	27,374,641	1,939,633		

OTHER FUNDS FOOTNOTES

- 1) \$250,000 of ARPA funds were allocated for court support in 2023. However, only \$150,000 were included in the original budget.
- 2) Transfer of ARPA funds for police vehicle purchases and upgrades.
- 3) Transfer of ARPA funds for (and purchase of) people movers by the Marina.
- 4) Transfer of ARPA funds for 2022 Police Officer and Crisis Response Specialist salary and benefits.
- 5) Transfer from the General Fund to replenish cash in the Redondo Zone Fund.
- 6) In early January 2023, \$400,000 of ARPA funds were allocated to the passenger ferry service. Though the ferry service did not come to fruition, approximately \$70,000 of costs were incurred. Of the \$70,000 of expenditures, \$24,000 was refunded leaving a net balance of \$48,255 to be covered by ARPA. The remaining balance of the \$400,000 allocated for ferry service from the ARPA grant (\$351,745) will be redirected to General Fund support pending approval by the City Council.
- 7) Extra Hire Wages and Overtime were omitted from the original 2023 budget in error.
- 8) Costs related to ramp replacement.
- 9) Replacement of auto lift that was deemed unsafe.
- 10) Purchase of police vehicles and related upfitting with ARPA funds.
- 11) Washington Cities Insurance Agencies (WCIA) invoice for 2023 was \$849,801 but was budgeted for \$650,000.
- 12) Transfer of 2023 LTGO bond proceeds for costs related to the Marina Steps project.

Recommendation

Staff recommends enacting Draft Ordinance 23-054.

CITY ATTORNEY'S FIRST DRAFT 10/31/2023

DRAFT ORDINANCE NO. 23-054

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to municipal finance, amending Ordinance No. 1764 (uncodified) (Budget 2023) and authorizing certain expenditures in the amounts specified in this Ordinance.

WHEREAS, the City Council finds that current and capital revenues and expenditures for the City differ from forecasts used to create the 2023 budget, enacted by Ordinance No. 1764, and further finds that such differences justify certain adjustments regarding obligations incurred and expenditures of proceeds for fiscal year 2023, and

WHEREAS, the City Council finds that the 2023 budget amendments to the City's budget are in the public interest; now therefore,

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

Sec. 1. Finding. Each and every of the findings expressed in the recitals to this Ordinance are hereby adopted and incorporated by reference.

Sec. 2. Amendment to 2023 Budget. Appendix "A" of Ordinance No. 1764 (Uncodified) (2023 Budget) are amended by Appendix "A" attached to this Ordinance and incorporated herein by this reference as though fully set out.

Sec. 3. Ratification and confirmation. All acts taken by City officers and staff prior to the enactment of this Ordinance that are consistent with and in furtherance of the purpose or intent of this Ordinance are hereby ratified and confirmed by the City Council.

Sec 4. 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 the other provisions of the Des Moines Municipal Code, this Ordinance is deemed to control.

Sec 8. Effective date. This Ordinance shall take effect and be in full force (5) five days after its final passage by the Des Moines City Council.

PASSED BY the City Council of the City of Des Moines this 9th day of November, 2023 and signed in authentication thereof this 9th day of November, 2023.

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

Published: _____

Attachment #2

ORDINANCE NO.23-054 - APPENDIX A
SUMMARY OF SOURCES AND USES - 2023 AMENDED BUDGET

FUNDS	2023 ORIGINAL BUDGET				BUDGET AMENDMENTS		2023 AMENDED BUDGET			
	Beginning Fund Balance	Revenue	Expenditure	Ending Fund Balance	Revenue	Expenditure	Beginning Fund Balance	Revenue	Expenditure	Ending Fund Balance
General Fund	6,947,169	24,809,248	27,246,473	4,509,944	1,624,000	1,746,400	7,855,127	26,433,248	28,992,873	5,295,502
Special Revenue										
Streets	942,370	1,910,518	2,032,774	820,114	10,500	219,000	744,250	1,921,018	2,251,774	413,494
Arterial Pavement	2,414,956	1,642,086	3,151,000	906,042	32,500	-	1,873,574	1,674,586	3,151,000	397,160
Development	3,048,214	2,815,250	4,149,839	1,713,625	327,000	-	2,395,991	3,142,250	4,149,839	1,388,402
Police Drug Seizure	141,562	40,000	11,000	170,562	-	14,500	149,368	40,000	25,500	163,868
Hotel-Motel Tax	154,257	120,750	120,000	155,007	-	-	185,622	120,750	120,000	186,372
Affordable Housing Tax	57,095	34,200	30,000	61,295	-	-	88,874	34,200	30,000	93,074
American Rescue Plan Act	7,384,040	1,750	3,154,759	4,231,031	-	689,641	5,096,646	1,750	3,844,400	1,253,996
Redondo Zone	5,230	77,850	80,934	2,146	75,000	41,000	15,629	152,850	121,934	46,545
Waterfront Zone	391,642	128,350	121,692	398,300	(34,745)	72,255	211,584	93,605	193,947	111,242
PBPW Automation Fee	496,500	126,500	78,429	544,571	38,500	-	566,712	165,000	78,429	653,283
Urban Forestry	-	5,000	5,000	-	-	-	-	5,000	5,000	-
Abatement	35,319	5,400	5,000	35,719	-	-	63,219	5,400	5,000	63,619
Automated Speed Enforcement (ASE)	220,206	365,500	397,000	188,706	8,500	20,000	381,144	374,000	417,000	338,144
Transportation Benefit District	2,190,935	1,044,000	1,450,000	1,784,935	76,000	-	3,106,291	1,120,000	1,450,000	2,776,291
<i>Total Special Revenue Funds</i>	<u>17,482,326</u>	<u>8,317,154</u>	<u>14,787,427</u>	<u>11,012,053</u>	<u>533,255</u>	<u>1,056,396</u>	<u>14,878,904</u>	<u>8,850,409</u>	<u>15,843,823</u>	<u>7,885,490</u>
Debt Service										
REET 2 Debt Service	20,603	233,492	236,493	17,602	-	-	9,378	233,492	236,493	6,377
2023 LTGO Debt Service	-	-	-	-	12,360,000	350,000	-	12,360,000	350,000	12,010,000
2018 LTGO Debt Service	113,452	226,500	226,400	113,552	-	-	113,352	226,500	226,400	113,452
<i>Total Debt Service Funds</i>	<u>134,055</u>	<u>459,992</u>	<u>462,893</u>	<u>131,154</u>	<u>12,360,000</u>	<u>350,000</u>	<u>122,730</u>	<u>12,819,992</u>	<u>812,893</u>	<u>12,129,829</u>
Capital Project										
REET 1	3,251,830	810,000	1,742,000	2,319,830	35,000	-	1,899,700	845,000	1,742,000	1,002,700
REET 2	2,490,980	802,500	983,492	2,309,988	35,000	-	1,658,846	837,500	983,492	1,512,854
Park Levy	2,880	183,000	108,000	77,880	-	-	231,350	183,000	108,000	306,350
Park In Lieu	245,125	402,844	17,000	630,969	-	-	284,667	402,844	17,000	670,511
One Time Sales Tax	2,259,104	267,500	270,000	2,256,604	35,000	-	1,763,873	302,500	270,000	1,796,373
Municipal Capital Improve	649,864	4,550,000	5,199,864	-	793,000	-	21,980	5,343,000	5,199,864	165,116
Transportation Capital Improve	5,965,724	8,559,000	8,534,000	5,990,724	40,000	-	1,779,277	8,599,000	8,534,000	1,844,277
Traffic In Lieu	1,018,957	1,150,500	1,150,000	1,019,457	-	-	130,866	1,150,500	1,150,000	131,366
Traffic Impact - City Wide	737,165	351,250	926,000	162,415	23,000	-	896,724	374,250	926,000	344,974
Traffic Impact - Pac Ridge (S)	677,705	100,750	-	778,455	-	-	592,703	100,750	-	693,453
<i>Total Capital Project Funds</i>	<u>17,299,334</u>	<u>17,177,344</u>	<u>18,930,356</u>	<u>15,546,322</u>	<u>961,000</u>	<u>-</u>	<u>9,259,986</u>	<u>18,138,344</u>	<u>18,930,356</u>	<u>8,467,974</u>
Enterprise										
Marina	4,241,679	8,989,736	9,322,194	3,909,221	12,905,000	120,000	15,802,597	21,894,736	9,442,194	28,255,139
Surface Water Management	7,160,142	6,477,077	8,079,313	5,557,906	200,000	-	28,938,432	6,677,077	8,079,313	27,536,196
<i>Total Enterprise Funds</i>	<u>11,401,821</u>	<u>15,466,813</u>	<u>17,401,507</u>	<u>9,467,127</u>	<u>13,105,000</u>	<u>120,000</u>	<u>44,741,029</u>	<u>28,571,813</u>	<u>17,521,507</u>	<u>55,791,335</u>
Internal Service										
Equipment Rental Operations	331,963	663,109	768,629	226,443	-	75,000	237,535	663,109	843,629	57,015
Equipment Rental Replacement	1,607,076	1,036,106	946,000	1,697,182	415,386	163,237	4,243,066	1,451,492	1,109,237	4,585,321
Facility Repair and Replacement	378,747	301,770	605,000	75,517	-	-	690,199	301,770	605,000	386,969
Computer Replacement	1,271,186	175,203	428,079	1,018,310	-	175,000	1,519,251	175,203	603,079	1,091,375
Self Insurance	788,126	783,704	801,000	770,830	-	-	936,508	783,704	801,000	919,212
Unemployment Insurance	482,562	36,500	42,500	476,562	-	-	502,907	36,500	42,500	496,907
<i>Total Internal Service Funds</i>	<u>4,859,660</u>	<u>2,996,392</u>	<u>3,591,208</u>	<u>4,264,844</u>	<u>415,386</u>	<u>413,237</u>	<u>8,129,467</u>	<u>3,411,778</u>	<u>4,004,445</u>	<u>7,536,800</u>
	<u>58,124,365</u>	<u>69,226,943</u>	<u>82,419,864</u>	<u>44,931,444</u>	<u>28,998,641</u>	<u>3,686,033</u>	<u>84,987,243</u>	<u>98,225,584</u>	<u>86,105,897</u>	<u>97,106,930</u>

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2023 ANNUAL BUDGET AMENDMENTS

■ Budget Adjustments Overview

- “Budget compliance is determined at the end of the fiscal period. Therefore, amendments may be done at any time during the fiscal period, but *cannot be done after the fiscal period...*”
– Washington State Auditor’s Office

■ Budget Amendments – General Fund

- Revenue Increases
 - Sales tax
 - Franchise Fee – Solid Waste
 - Transfers in from ARPA fund
 - Court
 - Police
 - State Grants
 - Judicial

▸ Budget Amendments – General Fund

- Expenditure Increases
 - Police Salaries and Benefits
 - 2022 Retro Payment
 - New pay structure
 - Transfer out to Municipal Capital Projects Fund
 - Emergency Economic Relief Grants
 - Court Remodel

▸ Budget Amendments – Other Funds

- Revenue Increases
 - Interest Revenue
 - Building Permits (Development Fund)
 - Bond Proceeds

■ Budget Amendments – Other Funds

- Expenditure Increases
 - Transfers Out
 - ARPA fund
 - General Fund
 - Equipment Rental Replacement
 - Waterfront Zone
 - 2023 LTGO Bond Debt Service Fund
 - WCIA Insurance
 - Vehicle Replacement
 - Ramp replacement at Marina

▶ Budget Amendments Summary

Fund	Revenue Increase	Expenditure Increase
General	\$1,624,000	\$1,746,400
Others	\$27,374,641	\$1,939,633

▸ Suggested Motion

- Motion: “I move to enact Draft Ordinance No. 23-054 relating to municipal finance, amending the 2023 Annual Budget adopted in Ordinance No. 1764.”

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Draft Ordinance 23-068 - Suspending
restriction on use of one-time revenue for 2024

ATTACHMENTS:

1. Draft Ordinance 23-068

FOR AGENDA OF: November 9, 2023

DEPT. OF ORIGIN: Finance

DATE SUBMITTED: October 31, 2023

CLEARANCES:

- ☐ City Clerk _____
- ☐ Community Development _____
- ☐ Courts _____
- ☐ Emergency Management _____
- ☒ Finance *HL RL*
- ☐ Human Resources _____
- ☒ Legal */s/ TG*
- ☐ Marina _____
- ☐ Police _____
- ☐ Parks, Recreation & Senior Services _____
- ☐ Public Works _____

APPROVED BY CITY MANAGER

FOR SUBMITTAL: *AG*

Purpose and Recommendation

The purpose of this agenda item is for the City Council to consider Draft Ordinance No. 23-068, which would suspend the restriction on the use of one-time revenue for general fund expenditures contained in chapter 3.100 DMMC for the year 2024 in order to address potential revenue shortfalls caused by the worldwide COVID-19 pandemic and the response to the pandemic.

Suggested Motions

Motion 1: "I move to enact Draft Ordinance No. 23-068, amending DMMC 3.100.020, and lifting the restriction on the use of one-time revenue in the general fund budget for the year 2024."

Background

Since the budget year 2017, following a long period of financial instability, the Des Moines City Council has adopted strong, solvent, and sustainable budgets using sound budgetary policies. This work has resulted in healthy reserves in excess of the recommended best practice of the Government Financial Officers Association. These reserves allow the City to easily weather the ordinary economic upturns and downturns that occur in ordinary times without any interruption in essential services.

One cornerstone of these policies is the principal that ongoing expenses should be funded by ongoing, structural revenue. The City Council has codified this principle at chapter 3.100 DMMC, forbidding the use of one-time revenue for general fund expenditures. The City Council adopted preliminary budgets for the years 2017 through 2023 using this principle.

In the winter of early 2020, an outbreak of the virus SARS-CoV-2 and its associated disease COVID-19 struck the United States. The first “hotspot” for the outbreak in the country occurred in the Seattle area. In response, emergency declarations were issued by the State of Washington, King County, the City of Des Moines, and ultimately the Federal government.

The disruption to lives and employment caused by the COVID-19 pandemic was significant and caused impacts to the local, state, national, and worldwide economies that could not be accurately predicted with any degree of certainty. The City Council enacted Ordinance No. 1735 in 2020 to waive the restriction on the use of one-time revenue and Ordinance No. 1741 and Ordinance No. 1766 in 2021 and 2022: respectively, to again waive the restriction on the use of one-time revenue to provide budget flexibility in the face of possible revenue shortfalls due to the COVID-19 pandemic.

Although the Emergency Declaration has been rescinded, the financial ramifications of the COVID-19 pandemic continue to be uncertain and potentially significant into 2024.

Discussion

The impacts of the COVID-19 pandemic have lasted much longer than first anticipated. The City has taken several actions to address the loss of revenue, as a result, of the pandemic. However, it is necessary to request the ability to retain the one-time revenues in the General Fund for 2024 to provide insurance against risk (known and unknown) and to maintain the appropriate level of reserves in the General Fund. The policy of sound, sustainable budgeting that requires that ongoing revenue fund ongoing expenses in ordinary times supports using one-time revenue to respond to one-time emergency circumstances to keep the budget stable while continuing to provide vital services.

The City of Des Moines maintains public safety as a high priority for the community. The current economic conditions, as well as the current market conditions for retaining and attracting people to law enforcement put pressure on the general fund budget. By approving Draft Ordinance No. 23-068, it provides the flexibility to address these issues. City staff is committed to minimizing the use of the one- time revenues, if possible.

While the Draft Ordinance will give the City Council the ability to use one-time revenues for the general budget in 2024, the Council is not required to do so. Whether the Council does so, and to what extent, are policy decisions to be made at future Council meetings, based on facts and circumstances that exist at that time. This Draft Ordinance applies only to the year 2024, and the restriction on one-time revenue will return in the year 2025 and going forward without additional action by the Council.

Alternatives

The Council may:

1. Adopt the Draft Ordinance as written
2. Decline to adopt the Draft Ordinance
3. Adopt the Draft Ordinance with amendments

Recommendation

Staff recommends that the City Council adopt Draft Ordinance 23-068 as written.

CITY ATTORNEY'S FIRST DRAFT 10/31/2023

DRAFT ORDINANCE NO. 23-068

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 the immediately following years 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 the winter of 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, the City of Des Moines, and countless other jurisdictions, and

Ordinance No. ____
Page 2 of 4

WHEREAS, the disruption to lives and employment caused by the COVID-19 pandemic was significant and caused impacts to the local, state, national, and worldwide economies that could not be accurately predicted with any degree of certainty, and

WHEREAS, the City Council enacted Ordinance No. 1735 in 2020 to waive the restriction on the use of one-time revenue for the year 2020 to provide budget flexibility in the face of possible revenue shortfalls due to the COVID-19 pandemic, and

WHEREAS, the City Council enacted Ordinance No. 1741 in 2021 to again waive the restriction on the use of one-time revenue for the year 2021 to provide budget flexibility in the face of possible revenue shortfalls due to the COVID-19 pandemic, and

WHEREAS, the City Council enacted Ordinance No. 1766 in 2022 to again waive the restriction on the use of one-time revenue for the year 2023 to provide budget flexibility in the face of possible revenue shortfalls due to the COVID-19 pandemic, and

WHEREAS, although the Emergency Declaration has been rescinded, the financial ramifications of the COVID-19 pandemic continue to be uncertain and potentially significant into 2024, 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 was 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, as amended by section 1 of Ordinance No. 1735, as amended by section 1 of

Ordinance No. ____
Page 3 of 4

Ordinance No. 1741, as amended by section 1 of Ordinance No. 1766
are amended to read as follows:

**3.100.020. Phased-in expenditure requirements
created.**

(1) For the calendar year of ~~2023~~2024, the
total amount of one-time revenues to be used to fund
the ~~2023-2024~~ general fund budget shall not be
restricted.

(2) For the calendar year of ~~2024-2025~~ 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
____ day of _____, 2023 and signed in authentication thereof
this ____ day of _____, 2023.

M A Y O R

APPROVED AS TO FORM:

Ordinance No. _____
Page 4 of 4

City Attorney

ATTEST:

City Clerk

Published: _____, 2023

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Draft Ordinance 23-055 Establishing
an Enterprise Fund Entitled “Events and Facility
Rentals Fund.”

ATTACHMENTS:

1. Draft Ordinance 23-055

FOR AGENDA OF: November 9, 2023

DEPT. OF ORIGIN: Finance

DATE SUBMITTED: October 31, 2023

CLEARANCES:

- ☐ City Clerk _____
- ☐ Community Development _____
- ☐ Courts _____
- ☐ Emergency Management _____
- ☒ Finance *AG*
- ☐ Human Resources _____
- ☒ Legal */s/ TG*
- ☐ Marina _____
- ☐ Police _____
- ☐ Parks, Recreation & Senior Services _____
- ☐ Public Works _____

APPROVED BY CITY MANAGER

FOR SUBMITTAL: *AG*

Purpose and Recommendation

The proposed draft ordinance provides authorization to establish a new enterprise fund entitled “Events and Facility Rentals Fund.” This fund will account for revenue and expenditures of funds related to the City’s activities in renting City facilities and supporting special events.

Suggested Motions

Motion 1: “I move to approve Draft Ordinance 23-055, adding a new section to the chapter 3.52 DMMC establishing an Enterprise Fund entitled “Events and Facility Rentals Fund.”

Background

Title 3 DMMC authorized and provides the legal definition of “funds” used for budgeting and reporting City financial activity. Title 3 DMMC currently has separate chapters for certain categories of funds (e.g. “Enterprise Fund” DMMC 3.52).

Discussion

It is recommended in the 2024 Preliminary Annual Budget that Events and Facility Rentals activities be moved from the General Fund to a new enterprise fund entitled “Events and Facility Rentals Fund.” The rationale for this change is that, if there was an emphasis on these activities as “business activities,” the City would be more likely to maximize the value of the related assets (i.e. Beach Park, the Field House, etc.) more than it has in the past. By competing in the private market, pricing could reflect market rates; thereby not undercharging external users for use of the City’s assets.

According to the Washington State Auditor’s Office an enterprise fund “may be used to report any activity for which a fee is charged to external users for goods or services.”

Alternatives

City Council could not adopt the ordinance to create the new fund. By not passing this ordinance, accounting for Events and Facility Rentals would remain in the General Fund.

Recommendation

Staff recommends that the City Council adopt Draft Ordinance 23-055.

CITY ATTORNEY'S FIRST DRAFT 10/31/2023

DRAFT ORDINANCE NO. 23-055

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to municipal finance, adding and codifying a new section in chapter 3.52 DMMC establishing an "Enterprise Fund" entitled "Events and Facility Rentals Fund."

WHEREAS, generally accepted accounting principles define what activities are accounted for in enterprise funds; and

WHEREAS, the City Council authorizes the creation, changes and deletions of funds; and

WHEREAS, from time to time new funds are necessary to track new activities; and

WHEREAS, an enterprise fund may be used to report any activity for which a fee is charged to external users for goods or services; and

WHEREAS, there is a need to create a new Enterprise fund entitled "Events and Facility Rentals 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. A new section is added to Chapter 3.52 DMMC to read as follows:

3.52.420 Events and Facility Rentals Fund

- (1) There is created an "Events and Facility Rentals Fund."
- (2) The purpose of the fund is for the accounting of funds related to special events and rental of City facilities.

Sec. 2. Ratification, confirmation, and approval. All acts undertaken prior to the effective date of this Ordinance that are consistent with the intent and purpose of same are hereby ratified, confirmed, and approved.

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 five (5) days after its final passage by the Des Moines City Council in accordance to law.

PASSED BY the City Council of the City of Des Moines this 9th day of November, 2023 and signed in authentication thereof this 9th day of November, 2023.

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

Published: _____

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Reallocation of American Rescue Plan Act Funds (ARPA)

FOR AGENDA OF: November 9, 2023

DEPT. OF ORIGIN: Finance

ATTACHMENTS:

DATE SUBMITTED: October 31, 2023

1. Appendix A: Schedule of available ARPA funds recommended for reallocation

CLEARANCES:

- ☐ City Clerk _____
- ☐ Community Development _____
- ☐ Courts _____
- ☐ Emergency Management _____
- ☒ Finance *MM 28*
- ☐ Human Resources _____
- ☒ Legal */s/ TG*
- ☐ Marina _____
- ☐ Police _____
- ☐ Parks, Recreation & Senior Services _____
- ☐ Public Works _____

APPROVED BY CITY MANAGER

FOR SUBMITTAL: *AJ*

Purpose and Recommendation

The purpose of this agenda item is for the City Council to consider Administration recommendations to reallocate \$1,238,815 of unspent American Rescue Act Plan funds to assist in maintaining existing police levels in 2024.

Suggested Motions

Motion 1: "I move to approve the recommended reallocation and expenditure of unspent American Rescue Plan Act Funds."

Background

In 2021, the City of Des Moines was awarded \$9,029,879 in funds from the American Rescue Plan Act (ARPA). In September of 2021, the City Council approved allocating these funds for 34 various projects. The City Council also approved creation of a fund in the City's general ledger to track expenditures of ARPA funds. It is a requirement of the ARPA grant that all funds must be obligated by December 31st 2024 and expended by December 31st 2026.

Discussion

In an effort to support the General Fund, the 2024 Preliminary Budget recommended the reallocation of unspent ARPA funds that were not contractually obligated or were remaining after the completion of an ARPA project. Under the ARPA grant, the funds the City has received are intended to replace lost revenue due to COVID. The flexibility in the projects that can be funded by ARPA would enable the City to reallocate unused funds towards supporting Public Safety.

Financial Impact

ARPA funds would be expended in compliance with the grant agreement's directive to expend all funds by December 31, 2026.

Recommendation

Staff recommends approval of the proposed motion.

Appendix A

ARPA project funds recommended to be redirected to the General Fund to support existing costs of police.

ARPA Projects	Available Amount
Passenger Ferry Service	400,000
Emergency Transitional Housing	300,000
Health Care Support	200,000
Body Cams and Program Consultant	158,075
Airport Issues Support	100,000
Evidence Van	22,267
Cool Air Mistlers	15,000
Utility Voucher Fund	14,551
Food Trucks – Limited Term	10,000
ARPA Admin Support	9,443
Small Business Grants	5,000
Unallocated Amount	4,479
	1,238,815

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Interfund Loan to support
establishment of Events and Facility Rentals Fund.

ATTACHMENTS:

1. Draft Ordinance No. 23-056
2. Interfund Loan Amortization Schedule

FOR AGENDA OF: November 9, 2023

DEPT. OF ORIGIN: Finance

DATE SUBMITTED: October 30, 2023

CLEARANCES:

- ☐ City Clerk _____
- ☐ Community Development _____
- ☐ Courts _____
- ☐ Emergency Management _____
- ☒ Finance *HL* _____
- ☐ Human Resources _____
- ☒ Legal */s/ TG* _____
- ☐ Marina _____
- ☐ Police _____
- ☐ Parks, Recreation & Senior Services _____
- ☐ Public Works _____

APPROVED BY CITY MANAGER

FOR SUBMITTAL: *AJ* _____

Purpose and Recommendation

The purpose of this agenda item is to seek City Council approval of an interfund loan of \$750,000 from the Surface Water Management Fund to the Events and Facility Rentals Fund to support the establishment of the new enterprise fund.

Suggested Motion

First Motion: "I move to enact Draft Ordinance No. 23-056 authorizing an interfund loan of \$750,000 from the Surface Water Management Fund to the Events and Facility Rentals Fund to support the establishment of the new enterprise fund."

Background

Historically, accounting for activities related to events and facility rentals has resided in the General Fund. The Preliminary 2024 Annual Budget recommends moving these activities to their own enterprise fund. An enterprise fund may be used for activities where the City charges an external user a fee for goods or services.

Discussion

By placing an emphasis on these activities as “business activities”, the hope is that the City can maximize the revenue value of the related City assets. As with most businesses, an investment of funds or a “business loan” can increase the odds that the business has enough resources to enact a business plan and be successful. Also, isolating these activities to be accounted for in their own enterprise fund makes the results of these activities more transparent to the community.

Alternatives

Not adopt the ordinance (not recommended). The new enterprise fund would not have “start-up” capital to aid in improving the City’s business activities in relation to events and facility rentals.

Financial Impact

If the new enterprise fund is successful during the three-year loan term, the Surface Water Management Fund would receive back the principal of \$750,000 plus three-percent interest (\$45,443.32).

If the enterprise fund is not successful and does not have the ability to repay the loan, the Events and Facility Rentals activities can return to the General Fund where they originally resided with General Fund resources repaying the outstanding interfund loan balance. In this scenario, the Events and Facility Rentals’ costs would be incurred where the activities have historically been recorded anyway.

There is no risk to the Surface Water Management Fund in either scenario.

Recommendation

Staff recommends the City Council enact Draft Ordinance No. 23-056.

CITY ATTORNEY'S FIRST DRAFT, 10/31/2023

DRAFT ORDINANCE NO. 23-056

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON authorizing an interfund loan to the Events and Facility Rentals Fund in the amount of \$750,000 from the Surface Water Management Fund, and setting the schedule for repayment and interest calculations on or before January 1, 2027.

WHEREAS, the 2024 Preliminary Annual Budget recommends an interfund loan to aid in establishing a new Events and Facility Rentals enterprise fund, and

WHEREAS, the City plans to establish a new Events and Facility Rentals Fund with a 3-year loan arrangement, with a three (3.00%) percent interest rate, and

WHEREAS, in the event the Events and Facility Rentals Fund is unable to repay the loan in full during the three-year term, the loan will be repaid with General Fund resources, and

WHEREAS, the interfund loan will be repaid on or before January 1, 2027; now therefore,

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

Sec. 1. The Surface Water Management Fund will provide the Events and Facility Rentals Fund with interfund loan proceeds of \$750,000.

Sec. 2. The Events and Facility Rentals Fund will pay interest on the outstanding loan to the Surface Water Management Fund at an interest rate of three percent (3.00%).

Sec. 3. Upon the availability of Events and Facility Rentals Fund resources, the Events and Facility Rentals Fund will repay the outstanding interfund loan to the Surface Water Management Fund, but no later than January 1, 2027.

Sec. 4. Severability - Construction. If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by a court of competent jurisdiction; such decision shall not affect the validity of the remaining portions of this ordinance.

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

PASSED BY a majority of the City Council of the City of Des Moines, Washington this 9th day of November, 2023 and signed in authentication thereof this ____ day of _____, 2023.

Ordinance No. 23-056
Page 2 of 2

M A Y O R

APPROVED AS TO FORM:

City Attorney

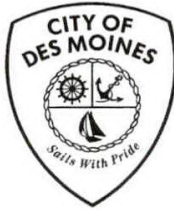
ATTEST:

City Clerk

LOAN AMORTIZATION SCHEDULE

ENTER VALUES				LOAN SUMMARY				
Loan amount		\$750,000.00		Scheduled payment		\$265,147.77		
Annual interest rate		3.00%		Scheduled number of payments		3		
Loan period in years		3		Actual number of payments		3		
Number of payments per year		1		Total early payments		\$0.00		
Start date of loan		1/1/2025		Total interest		\$45,443.32		

PMT NO	PAYMENT DATE	BEGINNING BALANCE	SCHEDULED PAYMENT	TOTAL PAYMENT	PRINCIPAL	INTEREST	ENDING BALANCE	CUMULATIVE INTEREST
1	1/1/2025	\$750,000.00	\$265,147.77	\$265,147.77	\$242,647.77	\$22,500.00	\$507,352.23	\$22,500.00
2	1/1/2026	\$507,352.23	\$265,147.77	\$265,147.77	\$249,927.21	\$15,220.57	\$257,425.02	\$37,720.57
3	1/1/2027	\$257,425.02	\$265,147.77	\$257,425.02	\$249,702.27	\$7,722.75	\$0.00	\$45,443.32



CITY COUNCIL REGULAR MEETING

Speaker Sign-Up Sheet

November 9, 2023

NAME (PLEASE PRINT)	CITY YOU LIVE IN	TOPIC	PHONE/E-MAIL ADDRESS
✓ Cassie Morales	Des Moines	Traffic safety S 223rd	(909) 270-7562 cassm28@yahoo.com
✓ Lloyd Lytle Jr.	Des Moines	masonic Home City Future	lloydelytle@gmail.com
✓ George Pettibone	Zenith, IA	masonic Home	gepettibone@comcast.net
✓ Annie & Josh Pantzke	Des Moines	licensing for Short term Rentals	402-443-2434 anniepantzke@gmail.com
✓ Bill Luskott	Des Moines	Moine State over the river	you have it

Employment Agreement
Between the City of Des Moines and Michael Matthias
For Employment as Interim Chief Economic Development Officer

Pursuant to a City Council approved motion on November 9, 2023, the Des Moines City Council hereby terminates the Employment Contract for City Manager with Michael Matthias contingent upon his appointment to Interim Chief Economic Development Officer for the City of Des Moines in accordance with the foregoing Employment Agreement (“Agreement”). This Agreement is made and entered into by and between the City of Des Moines, Washington, a municipal corporation, hereinafter called “Employer” or “City” and Michael Matthias, hereinafter called “Employee” or “Interim Chief Economic Development Officer.” Collectively, the Employer and Employee shall be called “parties.”

Section 1. Employment, Powers and Duties, and Term.

(A) The Interim City Manager shall appoint, in accordance with the approval of the Des Moines City Council, Michael Matthias as Interim Chief Economic Development Officer of the City of Des Moines, to perform the duties of the Interim Chief Economic Development Officer on a full-time basis, the functions and duties set forth in the Des Moines Municipal Code (DMMC) and Chief Economic Development Officer Job Description, and such other legally permissible and proper duties and functions as the City Manager shall, from time to time, direct or assign.

(B) The parties agree that the previous contract for employment between the City and the Employee for employment as the City Manager is nullified and replaced by this Agreement. The terms of this Agreement shall serve as the terms and conditions of Employee’s employment upon execution of this Agreement and shall be effective as described below.

(C) The terms of this Agreement and appointment shall become effective the date of signature of this Agreement and, notwithstanding Section 1(E) of this Agreement, effective retroactively to November 9, 2023, should the Agreement be signed after that date notwithstanding Section 1(E) of this Agreement.

The Interim Chief Economic Development Officer is an “at-will” employee serving at the pleasure of the Employer and subject to summary dismissal without any right of notice or hearing, however, the expected term of Employee’s employment with the City is through June 30, 2024, subject to Section 7 of this Agreement.

(D) Upon termination of Employment, the City agrees to pay Employee (at his 2023 rate of pay), a separation payment equivalent to twelve (12) months of salary and benefits (health coverage).

(E) All pay is subject to applicable taxes and withholding. Because this Agreement includes a provision for severance, the following Review and Revocation provisions apply:

Chief Economic Development Officer Employment Agreement
Page 2

a. Pursuant to applicable law, Employee has been offered the opportunity to review a copy of this Agreement for a period of twenty-one (21) days (the “Review Period”).

b. The Employer advised Employee at the beginning of the Review Period to consult with an attorney concerning the terms and conditions of this Agreement, including without limitation the release set forth in this Agreement.

c. Employee shall have seven (7) calendar days (the “Revocation Period”) following the date on which he signs this Agreement to revoke his acceptance of the Agreement and the release set forth in this Agreement. The parties further agree that any changes made to this Agreement after it was initially provided to Employee shall not restart the running of the 21-day Review Period. If Employee revokes this Agreement, it will not become effective, and Employee will not be eligible for any severance pay described in this Agreement. This Agreement shall not become effective until the Revocation Period has expired.

(F) The Interim Chief Economic Development Officer shall focus his professional time, ability, and attention to the City’s business during the term of this Agreement. The Interim Chief Economic Development Officer shall not spend time performing non-Employer connected business activities that are competitive or in conflict with his duties as Interim Chief Economic Development Officer. In those cases where outside activities, for example, consulting, or other business opportunities are not in conflict with his duties and are not competitive to the interests of the City, the Interim Chief Economic Development Officer will request the express prior written consent of the City Manager. The City Manager has the sole authority to approve or deny a request under this Section.

(G) If Interim Chief Economic Development Officer determines to terminate this Agreement, he shall be required to give a minimum of thirty days’ advance written notice to the City Manager prior to the effective date of his termination, unless a shorter period is acceptable to the City Manager. The Interim Chief Economic Development Officer shall receive twelve (12) months of severance compensation in the event of his voluntary resignation; however, the Employer is not responsible to pay the Employee’s salary for the term listed in Section 1 above.

(H) The term of the Interim Chief Economic Development Officer’s employment in this position may be extended by mutual agreement of the City Manager and Employee. The agreement to extend shall be memorialized as an addendum to this agreement.

Section 2. Compensation.

(A) Employee shall receive an annual base salary of (\$282,132.36), which is commensurate with his current 2023 salary.

Chief Economic Development Officer Employment Agreement
Page 3

(B) The Interim Chief Economic Development Officer shall accept equivalent wage and benefit concessions, such as furloughs, as any that are implemented for non-represented employees. Any such concessions will be administratively applied without the necessity of modifying this agreement.

Section 3. Employment Benefits.

(A) Except as otherwise provided in this Agreement, the Interim Chief Economic Development Officer is granted employment benefits in accordance with the Personnel Manual of the City, as presently constituted or as may be subsequently amended. The parties acknowledge and agree that Employee's accrued benefits and eligibility shall continue and carryover without interruption or change.

(B) The City shall provide medical, dental, and vision coverage with the same premium share percentage paid by Employee as non-represented employees. Employee agrees to elect a City-sponsored high deductible medical plan combined with a Health Reimbursement Arrangement as provided to non-represented employees. The City will provide the same fringe benefits provided to non-represented employees, such as basic term life insurance, long-term disability insurance, and survivor life benefit insurance coverage provided to non-represented employees.

(C) Employee shall accrue vacation leave at the rate of sixteen (16) hours per month. Employee may cash in up to three hundred (300) hours of vacation annually. Additionally, the Employee may also cash in up to three hundred (300) hours of sick leave annually.

(D) Employer shall additionally compensate Employee for all earned vacation and personnel leave balances in effect on the date of termination or resignation, with no further vacation or sick leave accrual. Said severance compensation shall be paid in monthly installments for period of (12) months.

(E) The parties recognize that the Interim Chief Economic Development Officer must devote a great deal of time outside normal office hours on business for the City. The parties recognize that Interim Chief Economic Development Officer is exempt from the provisions relating to overtime payment and compensatory time under the Fair Labor Standards Act and is therefore not entitled to formal accumulation of compensation time for hours worked in excess of the normal work day or work week. However, based on the recognition that the Interim Chief Economic Development Officer is required to attend meetings and perform duties outside normal working hours, the employee shall receive an additional eight hours of vacation time per quarter that exempt employees generally receive.

(F) In lieu of participation in the Social Security System, Employee and Employer will make contributions to Social Security replacement retirement accounts, as provided to eligible non-represented employees pursuant to Sections 401(a) and 457 of the Internal Revenue Code.

Chief Economic Development Officer Employment Agreement
Page 4

(G) Employee is currently covered by the State of Washington PERS 2 retirement system. Employer shall contribute the Employer's share and Employee shall contribute the Employee's share of contributions to PERS 2 as established in state law. The parties acknowledge that the amount of the Employer contribution is subject to adjustment by the state legislature in the future and agree that said contribution shall be adjusted (either increased or decreased) accordingly.

(H) Recognizing the travel and telecommunications costs the Employee will be incurring using his own vehicle and cellular phone in the performance of his duties, he will be paid a transportation and telecommunications allowance totaling \$600 per month, to be paid in two (\$300) increments on his bi-monthly paycheck, subject to lawfully required withholdings. This section will be applied retroactively to November 1, 2023.

Section 4. Residence.

Employee may reside outside of the corporate city limits during the duration of this agreement.

Section 5. Performance Evaluation.

The Interim City Manager shall review and evaluate the performance of the Employee. The review and evaluation shall be completed in accordance with job performance criteria and timing developed by the City.

Section 6. Indemnification.

As a condition of Employee's employment, Employer agrees that it shall defend, hold harmless and indemnify Employee against any tort, professional or personal liability claim, demand, or legal action of any kind or nature, whether groundless or otherwise, arising directly or indirectly out of an alleged act or omission occurring in the performance of Employee's duties. This indemnification and hold harmless shall continue after Employee's cessation of employment but only insofar as it relates back to claims, demands, suits, judgements and professional, personal and community liability arising either directly or indirectly out of his employment. The terms of this provision assume and are conditioned upon the Employee acting in a lawful manner and within the scope of his authority as Interim Chief Economic Development Officer and fully cooperating in the defense of any such claims and suits.

Section 7. Termination.

(A) In the event the Employee is terminated by the Employer "without cause" prior to June 30, 2024, the City shall pay a severance amount comprised of the value of salary and benefits (health coverage) at the Employees rate of pay in 2023, that equals the pay the Employee would have received had he not been terminated between the termination date and June 30, 2024, plus twelve (12) months additional severance pay at a 2023 rate of pay, subject to applicable taxes and withholding. For example, if

Chief Economic Development Officer Employment Agreement
Page 5

the Employee is terminated “without cause” at the end of February 2024, he would be entitled to a separation payment equivalent to what he would have earned if employed until June 2024, plus twelve (12) months additional severance pay at a 2023 rate of pay and the Employer's share toward health coverage benefits equivalent to twelve (12) months of coverage.

(B) In the event the Interim Chief Economic Development Officer is terminated for “cause,” then the Employer’s only obligation to the Interim Chief Economic Development Officer is to pay all compensation and benefits accrued but unpaid at the date of termination. For the purposes of this Agreement “cause” for termination shall include the commission of any one of the offenses calling for immediate discharge under Section 8(A)(1) of the Personnel Manual as presently constituted or as may be subsequently amended (including any change in section numbering).

(C) If the employee becomes incapacitated by illness, injury, or disability and cannot perform the essential functions with or without accommodation of the Interim Chief Economic Development Officer job, the City shall pay a separation payment equivalent to twelve (12) months of pay at the rate of Employee’s pay and the Employer's share toward health coverage benefits equivalent to twelve (12) months of coverage as of the date is determined the employee cannot perform the essential functions of the job with or without reasonable accommodation.

Section 8. General Provisions.

(A) In addition to the rights and benefits detailed herein, the Interim Chief Economic Development Officer shall receive all benefits accruing to department directors of the City of Des Moines, except where they are in conflict with the specific provisions of this Agreement.

(B) The text herein shall constitute the entire agreement between the parties.

(C) This Agreement shall not be binding upon, nor inure to the benefit of the heirs at law and executors of the parties.

(D) This Agreement shall become effective upon execution by Employee and adoption and approval by the Interim City Manager.

(E) This Agreement may be amended, modified, and supplemented only by written agreement signed by the parties.

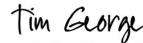
(F) If any provisions, or any portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, or portion thereof, shall not be affected and shall remain in full force and effect.

Chief Economic Development Officer Employment Agreement
Page 6

IN WITNESS WHEREOF, and to signify agreement to the terms and conditions of this Agreement, the parties have affixed their signatures on the dates indicated.

Dated this 13th day of November 2023.

CITY OF DES MOINES

DocuSigned by:

DEE9F4D81E8C417...
Tim George, Interim City Manager

(At the direction of the City Council of the City of Des Moines taken at an open public meeting on November 9, 2023.)

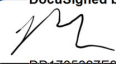
Dated this 13th day of November 2023

EMPLOYEE

DocuSigned by:

7FCF9AEB45EC4C4...
Michael Matthias, Interim Chief Economic Development Director

Approved as to form:

DocuSigned by:

DD1785827E9C483...
Matt Hutchins, Acting City Attorney

Employment Agreement
Between the City of Des Moines and Timothy George
For Employment as Interim City Manager

This Employment Agreement (“Agreement”) is made and entered into by and between the City of Des Moines, Washington, a municipal corporation, hereinafter called “Employer” or “City Council,” and Timothy George, hereinafter called “Employee” or “Interim City Manager.” Collectively, the Employer and Employee shall be called “parties.”

Section 1. Employment, Powers and Duties, and Term.

(A) The City Council hereby appoints Timothy George as Interim City Manager of the City of Des Moines, to perform the functions and duties set forth in the Des Moines Municipal Code (DMMC), RCW 35A.13.080, and such other legally permissible and proper duties and functions as the City Council shall, from time to time, direct or assign. The City Council acknowledges the business principles and legal provisions under the Council-Manager form of government and agrees to direct its concerns and requests for action to the Interim City Manager. The Interim City Manager recognizes that the City Council is the policy-making body and agrees to respond promptly and equally to all members of the City Council regarding their concerns.

(B) The Interim City Manager shall focus his professional time, ability, and attention to the City’s business during the term of this Agreement. The Interim City Manager shall not spend time performing non-Employer connected business activities that are competitive or in conflict with his duties as the Interim City Manager. In those cases where outside activities, for example, consulting, practice of law, or other business opportunities are not in conflict with his duties and are not competitive to the interests of the City, the Interim City Manager will request the express prior written consent of the City Council. The City Council has the sole authority to approve or deny a request under this Section.

(C) Before entering upon the duties of his office, the Interim City Manager shall take an oath for the faithful performance of his duties and shall execute and file with the City Clerk a bond in favor of the City in the amount required by law. The premium on such bond shall be paid by the City.

(D) The terms of this Agreement and appointment shall become effective upon date of signature and effective November 9, 2023, and shall be for a term to June 30, 2024, or until a new City Manager is sworn in, subject to RCW 35A.13.130 and Section 7 of this Agreement. The Interim City Manager is an “at-will” employee serving at the pleasure of the Employer, acting through the City Council, and subject to summary dismissal without any right of notice or hearing. However, unless Employee’s employment is terminated for cause, Employee has the right to revert to his position as City Attorney under the terms of his prior Employment Agreement for City Attorney. In addition, City may terminate the employment of the Interim City Manager at any time, with or without cause, upon compliance with RCW 35A.13.130 and the provisions set forth in Section 7 of this Agreement.

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(E) If Interim City Manager determines to terminate this Agreement, he shall be required to give a minimum of sixty days' advance written notice to the City Council prior to the effective date of his termination, unless a shorter period is acceptable to the City Council, and the Interim City Manager shall not be eligible for severance compensation in the event of his voluntary resignation. Employee may choose to return to his position as City Attorney upon his resignation as Interim City Manager.

(F) The term of the Interim City Manager's employment in this position may be extended by mutual agreement of the City Council and Employee. The agreement to extend shall be memorialized as an addendum to this agreement.

(G) Upon the completion of Employee's service as Interim City Manager, unless he is terminated for cause as defined in Section 7 below, he shall have the right to return to his position as City Attorney and continue his employment under the terms of his Employment Agreement for City Attorney.

Section 2. Compensation.

(A) Employee shall receive an initial annual base salary at Step 3 of Range M-49 on the City's pay plan; the annual salary of Step C on range M-49 is \$243,717.66, which is the 2023 rate.

(B) The Interim City Manager shall receive general pay increases as otherwise provided to non-represented City employees; generally effective January 1st of each year subject to budget constraints. Likewise, the Interim City Manager shall accept equivalent wage and benefit concessions, such as furloughs, as any that are implemented for non-represented employees. Cost of living adjustments and any such concessions will be administratively applied without the necessity of modifying this agreement.

Section 3. Employment Benefits.

(A) Except as otherwise provided in this Agreement, the Interim City Manager is granted employment benefits in accordance with the Personnel Manual of the City, as presently constituted or as may be subsequently amended.

(B) The City shall provide medical, dental, and vision coverage with the same premium share percentage paid by Employee as non-represented employees. Employee agrees to elect a City-sponsored high deductible medical plan combined with a Health Reimbursement Arrangement as provided to non-represented employees. The City will provide the same fringe benefits provided to non-represented employees, such as basic term life insurance, long term disability insurance, and survivor life benefit insurance coverage provided to non-represented employees.

(C) Employee shall accrue vacation leave at the rate of sixteen (16) hours per month.

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(D) Employee may cash in up to eighty (80) hours of vacation and eight (80) hours of City sick leave annually.

(E) The parties recognize that the Interim City Manager must devote a great deal of time outside normal office hours on business for the City. The parties recognize that the Interim City Manager is exempt from the provisions relating to overtime payment and compensatory time under the Fair Labor Standards Act and is therefore not entitled to formal accumulation of compensation time for hours worked in excess of the normal work day or work week. However, based on the recognition that the Interim City Manager is required to attend meetings and perform duties outside normal working hours, an additional sixteen (16) hours of vacation time shall be added to his vacation balance on a quarterly basis, rather than the eight (8) hours per quarter that exempt employees generally receive.

(F) In lieu of participation in the Social Security System, Employee and Employer will make contributions to Social Security replacement retirement accounts, as provided to eligible non-represented employees pursuant to Sections 401(a) and 457 of the Internal Revenue Code.

(G) Employee is currently covered by the State of Washington PERS 2 retirement system. Employer shall contribute the Employer's share and Employee shall contribute the Employee's share of contributions to PERS 2 as established in state law. The parties acknowledge that the amount of the Employer contribution is subject to adjustment by the state legislature in the future and agree that said contribution shall be adjusted (either increased or decreased) accordingly.

(H) Recognizing the travel and telecommunications costs Employee will be incurring using his own vehicle and cellular phone in the performance of his duties, he will be paid a transportation and telecommunications allowance totaling \$600 per month, to be paid in two \$300 increments on his bi-monthly paycheck, subject to lawfully required withholdings. This section will be applied effective November 16, 2023.

(I) The City Council fully supports Employee's professional development and Employer shall pay the fee for Employee's membership in the International City/county Management Association and the Washington City/County Management Association, and reasonable registration and expenses for other ongoing professional training, classes, licensing requirements or professional development conferences as provided in the City budget and consistent with City Policy, including but not limited to Washington State Bar Association dues and reasonable costs for Continuing Legal Education.

Section 4. Residence.

Employee may reside outside of the corporate city limits during the duration of this agreement.

Section 5. Performance Evaluation.

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(A) The City Council shall review and evaluate the performance of the Employee in February and June 2024, unless otherwise mutually agreed by the City Council and the Employee. Said review and evaluation shall be in accordance with job performance criteria developed by the City Council, and in accordance with Des Moines Municipal Code 2.04.050.

(B) The City Council shall define goals and performance objectives, which they determine necessary for the proper operation of the City, and in the attainment of the Council's policy objectives, and shall further establish a relative priority among those various objectives.

Section 6. Indemnification.

As a condition of Employee's employment, Employer agrees that it shall defend, hold harmless and indemnify Employee against any tort, professional or personal liability claim, demand, or legal action of any kind or nature, whether groundless or otherwise, arising directly or indirectly out of an alleged act or omission occurring in the performance of Employee's duties. This indemnification and hold harmless shall continue after Employee's cessation of employment but only insofar as it relates back to claims, demands, suits, judgements and professional, personal and community liability arising either directly or indirectly out of his employment. The terms of this provision assume and are conditioned upon the Employee acting in a lawful manner and within the scope of his authority as the Interim City Manager and fully cooperating in the defense of any such claims and suits.

Section 7. Termination.

(A) In the event the Employee is requested by the Employer to resign for the convenience of the City of Des Moines, or his Interim City Manager appointment is terminated without "cause," or a new City Manager is hired, the Employee shall have the right to return to his position as City Attorney and his employment shall then be governed by his previous employment agreements for City Attorney. Employee may also elect to resign his Employment in lieu of termination if his termination is for the convenience of the City or without cause before the end of the term of employment in Section 1 above and shall have the right to return to his previous City Attorney position.

Any termination action taken by the Employer shall be subject to the notice period required by RCW 35A.13.130 and RCW 35A.13.140, or successor statutes. The Employer, in its sole discretion, may substitute advance notice of termination in addition to that required by statute. Additionally, the Employer and Employee may, by mutual consent, arrange for a time-certain effective date of such termination, subject to the aforementioned notice period required by state law. Employee will have the right to revert to his position as City Attorney unless he is terminated for "cause."

(B) In the event the Interim City Manager is terminated for "cause," then Employer's only obligation to the Interim City Manager is to pay all compensation and benefits accrued but unpaid at the date of termination. For the purposes of this Agreement

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“cause” for termination shall include the commission of any one of the offenses calling for immediate discharge under Section 8(A)(1) of the Personnel Manual as presently constituted or as may be subsequently amended (including any change in section numbering). Employee shall not have the right to return to his City Attorney position if he is terminated for “cause.”

Section 8. General Provisions.

(A) In addition to the rights and benefits detailed herein, the Interim City Manager shall receive all benefits accruing to the City Attorney plus any additional accrued by department directors of the City of Des Moines, except where they are in conflict with the specific provisions of this Agreement.

(B) The text herein shall constitute the entire agreement between the parties.

(C) This Agreement shall not be binding upon and shall not inure to the benefit of the heirs at law and executors of the parties.

(D) This Agreement shall become effective upon execution by Employee and adoption and approval by the City Council of the City of Des Moines.

(E) Any amendment, alteration, extension, or modification of this Agreement shall be in writing, signed by the parties hereto, approved in the affirmative vote of the City Council with the written consent of Interim City Manager.

(F) If any provisions, or any portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, or portion thereof, shall not be affected and shall remain in full force and effect.

IN WITNESS WHEREOF, and to signify agreement to the terms and conditions of this Agreement, the parties have affixed their signatures on the dates indicated.

Dated this 11 day of November, 2023.

Dated this 11 day of November, 2023

CITY OF DES MOINES

EMPLOYEE

DocuSigned by:



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Matthew Mahoney

Mayor

(At the direction of the City Council of the City of Des Moines taken at an open public meeting on November XX, 2023.)

DocuSigned by:



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Timothy George,

Interim City Manager

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Approved as to form:

DocuSigned by:



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Matt Hutchins, Assistant City Attorney