

**ORDINANCE NO. 2024-\_\_\_\_\_**

**AN ORDINANCE** establishing a Special Revenue Fund 132 “Aquatic Center at MLK Jr. Park Fund”; specifying sources of revenue for such fund; and designating the purposes of and the manner of authorizing expenditures from such fund.

**WHEREAS**, the City is in the process of designing and constructing an aquatic center at Martin Luther King, Jr. Park within the City of Yakima to provide recreational opportunities to the residents of the City; and

**WHEREAS**, after design and construction is complete, the City will have maintenance and operation obligations associated with the aquatic center; and

**WHEREAS**, the City desires to establish an operating fund entitled “Aquatic Center at MLK Jr. Park Fund” to segregate money received for the Aquatic Center at MLK Jr. Park and separate accounting of the expenditures reserved for the day-to-day operation and maintenance of said aquatic center; and

**WHEREAS**, the City desires to account for revenues received from the Aquatic Center at MLK Jr. Park or otherwise donated or earmarked for the aquatic center, and use those revenues for expenditures specifically related to the Aquatic Center at MLK Jr. Park, including improvements, maintenance, operations, and enhancement; and

**WHEREAS**, all funds received from Aquatic Center at MLK Jr. Park activities, contributions from private sources, or contributions from other city funds as authorized by the council shall be placed in this fund 132 and used for the purposes outlined herein; and

**WHEREAS**, the City Council for the City of Yakima finds that it is in the best interests of the city and its residents to create the Aquatic Center at MLK Jr. Park Fund and have revenue gained from the aquatic center, or donated or earmarked for the aquatic center, be used for operation, maintenance, improvement, and enhancement of the Aquatic Center at MLK Jr. Park; now, therefore,

**BE IT ORDAINED BY THE CITY OF YAKIMA:**

Section 1. The City Council does hereby incorporate the above recitals as findings in support of this ordinance to establish a separate Special Revenue Fund to account for the revenues and relevant expenditures associated with the Aquatic Center at MLK Jr. Park.

Section 2. There is hereby added a new City of Yakima Municipal Code Chapter 3.85, which establishes the Aquatic Center at MLK Jr. Park Fund for the purpose of segregating revenues received through and expenditures eligible pursuant to the ordinance and reads as follows:

Chapter 3.85  
Aquatic Center at MLK Jr. Park Fund

3.85.010 Fund Created.

There is hereby a fund created to be known as the Aquatic Center at MLK Jr. Park Fund.

3.85.020 Source of Funds.

The Aquatic Center at MLK Jr. Park Fund shall consist of money collected from the Aquatic Center at MLK Jr. Park activities, contributions for the park's purposes from private sources, or contributions from other City funds as authorized by the City Council, and may be further supported by budget allocation of the property tax or other revenue source not restricted in use by law.

3.85.30 Purpose and Expenditures

The money in the Aquatic Center at MLK Jr. Park Fund may be used to meet any expense incurred by the City of Yakima in the course of its operation of the Aquatic Center at MLK Jr. Park; provided, that no expenditures shall be made from such fund unless the city council shall approve such expenditure by passing an ordinance appropriating money within the fund for the purpose for which the expenditure is to be made or by including an appropriation for such purpose in the budget.

Section 3. This ordinance is shall take effect immediately upon its passage, approval and publication as provided by law and by the Charter.

Section 4. Severability. If any section, subsection, paragraph, sentence or clause of this ordinance is declared invalid or unconstitutional for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of the ordinance.

**PASSED BY THE CITY COUNCIL**, signed and approved this 16th day of January 2024.

\_\_\_\_\_  
, Mayor

ATTEST:

\_\_\_\_\_  
Rosalinda Ibarra, City Clerk

First Reading:  
Publication Date:  
Effective Date: