

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, RELATING TO THE 2018 BUDGET, APPROPRIATING \$284,320 FOR THE WASHINGTON CENTER FOR THE PERFORMING ARTS STAGE RIGGING PROJECT, AND DECLARING THAT AN EMERGENCY EXISTS SO THIS ORDINANCE SHALL BE EFFECTIVE UPON ADOPTION

WHEREAS, the stage rigging at The Washington Center for the Performing Arts (The Center) is aging and in need of replacement, and certain performances have not been allowed due to safety concerns; and

WHEREAS, The Center was awarded a Building for the Arts Grant from the Department of Commerce in the amount of \$658,330, which represents 20% of The Center's overall Theater and Interior Revitalization Project (the Project) cost of \$3.5 million; and

WHEREAS, there are several components to the Project, including replacing the stage rigging system, and The Center cannot access the Building for the Arts Grant funds until the overall comprehensive project is underway; and

WHEREAS, The Washington Center for the Performing Arts Endowment Fund (the Endowment) has approximately \$786,000 of uncommitted resources; and

WHEREAS, the estimate to replace the stage rigging system is \$424,320. The Center has \$140,000 available at this time and is requesting an emergency use of The Washington Center for the Performing Arts Endowment Fund (the Endowment) to cover the balance of \$284,320; and

WHEREAS, the Project meets the definition of how the Endowment can be used as provided in OMC 3.04.021, *"...the endowment fund shall be used only for the maintenance, operation, repair, upkeep or improvement of The Washington Center for the Performing Arts..."*; and

WHEREAS, RCW 35A.33.090 provides that if an emergency expenditure could not reasonably have been foreseen at the time of filing the preliminary budget, and requires the expenditure of money not provided for in the annual budget, and if it is not one of the emergencies specifically enumerated in RCW 35A.33.080, the City Council before allowing any expenditure therefor ". . . shall adopt an ordinance stating the facts constituting the emergency and the estimated amount required to meet it and declaring that an emergency exists." The statute also provides that such an ordinance shall require the vote of one more than the majority of all members of the legislative body of the code city (a majority plus one); and

WHEREAS, the Olympia City Council Guidebook states that an ordinance typically requires two separate readings, with final passage typically occurring on second reading. The guidebook further states that this Council guideline may be waived by an affirmative vote of at least two-thirds of the Councilmembers' present (a majority plus one), in which case final passage may be accomplished at the same meeting the ordinance is introduced, unless precluded by law; and

WHEREAS, the Olympia City Council hereby finds that an emergency exists;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. Findings of Fact. The recitals stated above are also deemed as findings of fact in support of this Ordinance.

Section 2. Appropriation. The following appropriations are hereby made:

**THE WASHINGTON CENTER FOR THE PERFORMING ARTS
ENDOWMENT FUND**

Resources:	Fund Balance	\$284,320
	TOTAL RESOURCES	\$284,320
Appropriations:	The Washington Center for the Performing Arts Stage Rigging Project	\$284,320
	TOTAL APPROPRIATIONS	\$284,320

Section 3. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or application of the provisions to other persons or circumstances shall remain unaffected.

Section 5. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 6. Effective Date. Having declared that an emergency exists pursuant to RCW 35A.33.090, this Ordinance shall take effect upon adoption, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED: