

ORDINANCE 05- 08

AN ORDINANCE ADOPTING THE FINAL BUDGET FOR THE CITY OF MARCO ISLAND, EXCLUSIVE OF DEPENDENT TAXING DISTRICTS, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2005 AND ENDING SEPTEMBER 30, 2006; APPROPRIATING FUNDS FOR OPERATING EXPENSES OF THE CITY OF MARCO ISLAND FOR THE GENERAL OPERATION OF THE SEVERAL DEPARTMENTS OF THE CITY, INCLUDING UTILITIES, AND FOR CONTRIBUTING TO THE SINKING FUNDS OF THE CITY TO PAY INTEREST ON AND PROVIDE FOR THE RETIREMENT OF THE OUTSTANDING BONDS AND OTHER FIXED OBLIGATIONS OF THE CITY FOR AND DURING THE FISCAL YEAR COMMENCING OCTOBER 1, 2005 AND ENDING SEPTEMBER 30, 2006; PROVIDING FOR BUDGET CONTROL POLICIES, PROVIDING FOR INCORPORATION, CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Marco Island adopts a final budget and appropriates funds on an annual basis for the general operation of the several departments of the City; and

WHEREAS, the City of Marco Island has held several workshops and public hearings on the fiscal year 2005-2006 budget, specifically:

Five-Year Capital Improvement Program Budget and Fiscal Year 2006 Proposed Budget workshop held on April 29 and August 15, 2005; and

WHEREAS, the 2005 Tax Assessment Roll for the City of Marco Island has been prepared, equalized and certified, showing:

Total Assessed Valuation of Real and Personal Property ... \$9,499,605,800; and

WHEREAS, the process of the adoption of the annual budget is governed by Chapter 200, Florida Statutes "Truth in Millage" (TRIM) legislation, requiring calculation of the Rolled-Back Tax Rate and percentage increase over the Rolled-Back Rate, certain public notices, public hearings, and format of required ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA:

Sec. 1. That the budget for the City of Marco Island, exclusive of Dependent Taxing Districts, a summary of which is attached hereto as Exhibit "A" and made a part hereof, for the fiscal year commencing October 1, 2005 and ending September 30, 2006 is hereby adopted.

Sec. 2. That for the payment of expenses and obligations of the City of Marco Island for the fiscal year ending September 30, 2006, there is hereby appropriated out of any monies in the treasury of the City of Marco Island and any accruing revenues of the City available for said purposes to the funds and for the purposes hereinafter set forth, the sums of money shown in attachment "Exhibit A".

Sec. 3. Annual expenditures of the City of Marco Island are controlled by a Spending Cap in the City Charter.

A. Resolution No. 03-03, adopted by the City Council on January 13, 2003, determined that "operating expenditures" would be interpreted on a budget-to-budget basis. The resolution further determined that expenditures funded by the proceeds of municipal debt would not be included in the calculation of expenditures against the Spending Cap; however, all repayment of municipal debt, including principal, interest, costs of issuance, and other related costs, would be included in the calculation of expenditures against the Spending Cap for the life of the indebtedness.

B. Funds budgeted in a prior fiscal year, but unexpended as of the end of that fiscal year, may be brought forward into a subsequent fiscal year and the expenditure of those funds shall not be considered in the calculation of expenditures of that subsequent fiscal year against the Spending Cap.

C. The electorate of the City of Marco Island approved a charter referendum on September 10, 2002 dealing with the Spending Cap. Voters determined that expenditures financed by grants, gifts, and impact fees were not subject to the Spending Cap and that all expenditures of utilities and other self-supporting Enterprise Fund operations were likewise exempt from the Spending Cap.

Sec. 4. Budgetary control is maintained at the department level in the General Fund and at the fund level in all other funds. Budget amendments are approved from time to time during the course of the fiscal year through the approval of the City Council by voice vote. A Budget Re-Appropriation Ordinance, consolidating all budget amendments approved during the course of the fiscal year and those recommended by the City Manager near the end of the fiscal year, is prepared and presented to the City Council near the end of the fiscal year to officially amend the Annual Budget.

Sec.5. The Finance Director is authorized to reserve at October 1, 2005 the unpaid purchase orders, outstanding contracts, and other commitments for Fiscal Year 2004-05. Said amounts reserved shall be designated as reservations of fund balance for encumbrances under fund equity and shall be carried forward into the next fiscal year as additions to the respective budgets.

Sec.6. The City Manager, through the Finance Director, is hereby authorized and directed to receipt all revenues listed herein for the purpose of which said revenues are designated and appropriated. In so doing, the Finance Director, through the City Manager, shall accurately account and record said receipts in the ledgers and financial records in each respective designated account. Such ledgers and financial records shall be subject to audit.

Sec.7. The City Manager, through the Finance Director, is hereby authorized and directed to disburse moneys for the purpose of meeting the expenses and expenditures as appropriated.

Sec.8. Incorporation, Conflict, and Severability.

- A.** It is the intention of the City Council and it is hereby ordained that the provisions of the Ordinance shall become and be made part of the Code of Ordinances of the City of Marco Island, Florida, and that the section of this Ordinance may be renumbered or relettered and that the word "ordinance" may be changed to "section", "article" or other appropriate word.
- B.** All sections or parts of sections of the Marco Island City Code of Ordinances, all City of Marco Island resolutions or parts of resolutions made applicable by City Charter in conflict herewith are hereby repealed to the extent of such conflict.
- C.** If any word, phrase, clause, subsection of section of this Ordinance is for any reason held unconstitutional or invalid by any court of competent jurisdiction, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

Sec. 9. Effective Date.

This Ordinance shall take effect immediately upon adoption at second reading.

First Reading (Tentatively Adopted) passed in open and regular session through roll call vote by the City Council of the City of Marco Island, Florida, this 6th day of September, 2005.

Second Reading passed in open and regular session through roll call vote by the City Council of the City of Marco Island, Florida, this 19th day of September, 2005.

Attest:

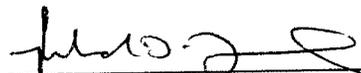


Laura Litzan
City Clerk

CITY OF MARCO ISLAND, FLORIDA

BY: 
Vickie Kelber, Chairwoman

Approved as to form and
legal sufficiency:



Richard Yovanovich, City Attorney