

## RESOLUTION 23-47

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, MAKING TENTATIVE APPROPRIATIONS OF SUMS OF MONEY FOR ALL NECESSARY OPERATING EXPENDITURES OF THE CITY FOR THE PERIOD FROM THE 1<sup>ST</sup> DAY OF OCTOBER 2023, TO THE 30<sup>TH</sup> DAY OF SEPTEMBER 2024; PRESCRIBING THE TERMS, CONDITIONS AND PROVISIONS WITH RESPECT TO THE ITEMS OF APPROPRIATIONS AND THEIR PAYMENT 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 RETIREMENT OF OUTSTANDING BONDS AND OTHER FIXED OBLIGATIONS OF THE CITY; PROVIDING FOR BUDGET CONTROL POLICIES.**

**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 held a City Council Work Session on the fiscal year 2023-2024 budget on July 24, 2023; and

**WHEREAS**, the 2023 Tax Assessment Roll for the City of Marco Island has been prepared, equalized, and certified, showing:

Total Taxable Value of Real & Personal Property: \$15,818,313,320; and

**WHEREAS**, the process of adopting 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 if any, certain public notices, public hearings, and format of required advertising.

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

**Section 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, 2023, and ending September 30, 2024, is hereby tentatively adopted.

**Section 2.** That for the payment of expenses and obligations of the City of Marco Island for the fiscal year ending September 30, 2024, 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".

**Section 3.** Annual expenditures of the City of Marco Island are controlled by Section 1.04 of the City Charter – Expenditure Limitation.

- A. On August 18, 2014, the City Council approved Ordinance 14-08 to replace Resolution 03-03 adopted by the City Council on January 13, 2003. The Ordinance establishes the legislative intent and procedures for the calculation of the expenditure limitations. Exhibit A of the Ordinance complies with the following policies and procedures used to calculate the spending cap limits:
  1. The term "operating expenditures" shall be interpreted as "expenditures from the operating budget of the City's Government Fund."
  2. Expenditures from the operating budget shall include transfers into capital asset funds for future use.
    - a. GASB (Governmental Accounting Standards Board Statements) states that "expenditures represent the use or expected use of current financial resources" and that "expenditures of governmental fund resources" may give rise to general capital assets, which are defined as "capital assets of the government that are not specifically related to activities reported in proprietary or fiduciary funds."
    - b. GASB Codification Chapter 1600.116 defines "expenditures" as "decreases in net financial resources."
  3. The term "prior year's expenditures" shall be interpreted as the City's determination of actual expenditures for the current year at the time the spending cap calculation is to be undertaken.
  4. The term "then-current Federal C.O.L.A. (Department of Labor, Bureau of Statistics, Consumer Price Index)" shall be interpreted as the prior year's COLA released by the Social Security Administration in October. That is starting with Fiscal Year 2015 the COLA used will be the SSA COLA released in October 2013 (effective date January 1, 2014).
- 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.

**Section 4.** Budgetary control is maintained at the fund level for all funds. Budget amendments may be approved by resolution from time to time during the fiscal year through the approval of the City Council. The City Council has authorized the City Manager to amend, modify or otherwise adjust the operating budget to a maximum limit of \$50,000 in total amendments, modifications, or adjustments during the year. A Budget Reappropriation Resolution, 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, officially amends the Annual Budget.

**Section 5.** The Finance Director is authorized to reserve at October 1, 2023, the unpaid purchase orders, outstanding contracts, and other commitments for Fiscal Year 2023-24. 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. To provide fiscal stability for the City and allow City Management to apply fiscal prudence in managing the City's budget, a desired committed fund balance, per GASB 54, is established. The amounts for the desired fund balance shall be transferred from available sources into a separate general fund and capital projects fund account. The amounts deposited in the committed funds are to be used only for the purposes delineated in the budget resolution and/or re-appropriation resolution. Initially, the existence of the circumstances must be declared by a five-sevenths majority vote of all members of the governing body. Thereafter, any utilization of funds committed per the capital improvement program shall require a four-sevenths vote; or if outside the established capital improvement program, it shall necessitate a five-sevenths vote. Committed funds are subject to the objective criteria of acceptable uses included below.

- A. Expenditures where proposed use is of a nonoperational nature involving capital purchases of the City government having a useful life of greater than one year. Expenditures where the proposed use is of a funding nature, such as pension liabilities, and other post-employment benefit liabilities, or matching funds for a grant, or up-front payment of grant eligible expenses to be reimbursed by grant revenues. These improvements should result in tangible benefits such as, but not limited to, better service to the citizens or in increased productivity for City employees.

**Section 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 for and record such receipts in the ledgers and financial records in each respective designated account. Such ledgers and financial records shall be maintained and reported in accordance with the standards established by General Governmental Accounting and Auditing Principles and Practices.

**Section 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.

**Section 8.** That a public hearing was held on the tentative tax levy and the tentative budget on September 18, 2023.

**Section 9. Effective Date.** This Resolution shall take effect immediately upon its passage.

Passed and adopted in open and regular session through roll call vote by the City Council of the City of Marco Island, Florida, this 18<sup>th</sup> day of September 2023.

**ATTEST:**

**CITY OF MARCO ISLAND, FLORIDA**

\_\_\_\_\_  
Joan Taylor, City Clerk

By: \_\_\_\_\_  
Greg Folley, Chairman

Approved as to form and legal sufficiency:

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Alan L. Gabriel, City Attorney