

**CITY COUNCIL  
RESOLUTION NO. 11-3293**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FILLMORE  
ADOPTING THE RECOMMENDED BUDGET FOR  
FISCAL YEAR 2012**

**SECTION 1. SCOPE**

This resolution defines the authority and responsibilities of the City Manager in implementing the Approved Budget of the City of Fillmore

**SECTION 2. DEFINITIONS**

- 2.1 "Approved Budget" means the budget adopted by the City Council on June 28, 2011 for the 2012 fiscal year, per the changes identified in the staff report, including subsequent transfers for Contingency Reserves to departments to implement labor agreements and transfers to account for employee service changes due to promotions, vacancies, merit increases and reallocations.
- 2.2 "Current Budget" means the 2012 Approved Budget, incorporating any subsequent appropriation increases, decreases or transfers.
- 2.3 "Expenditures" means Employee Services, Other Services and Supplies, Capital Outlay, Equipment, Debt Service, Contract Services, Transfers, and Capital Improvements.
- 2.4 "Department" or "Fund" means General Fund, Special Revenue Funds, Enterprise Funds, Development Impact Funds, City Reserves, Special Programs, Debt Services, and Redevelopment Agency.
- 2.5 "Division" means a sub-unit of a Department.
- 2.6 "Activity" means a sub-unit of a division.
- 2.7 "Organization" means a department, division, or activity.
- 2.8 "City Manager" is responsible for managing and directing the affairs of the City within the established goals, objectives, and general policies approved by the City Council, and directing the activities of those departments representing the interests of the City, as established by the City Council. The City Manager is solely responsible to the City Council for the effectiveness, efficiency and success in fulfilling the City's goals, objective, and policy priorities. The City Manager receives general policy direction from the City Council within the general policy guidelines. The City Manager exercises direct supervision and general administrative direction over each department head and other city employees.
- 2.9 "Full Time Equivalent (FTE)" means the decimal equivalent of a position; i.e., one full time position is 1.00 FTE and one quarter-time position is .25 FTE.
- 2.10 "Base Budget" means the current year budget modified per labor agreement, one-time expenditures and citywide charges, as approved by the City Council.

### **SECTION 3. AUTHORIZED STAFFING AND APPROPRIATIONS**

- 3.1 The City Manager is authorized to make any expenditures and resource adjustment to the Recommended Budget based on final City Council action to adopt the Budget.
- 3.2 The appropriation and Full-Time Equivalent staffing schedules are shown in the Recommended Budget.
- 3.3 During budget hearings and following the budget approval, the City Manager is authorized to make adjustments for updated labor, vehicle, energy, contingencies and risk management changes such as retirement rate, payroll taxes, health benefits, fleet costs and risk management costs from designated funds or reserves in order to achieve the intent of the Council.
- 3.4 Following budget approval, the City Manager is authorized to revise indirect cost rates to be applied to hourly salary rates in order to achieve full cost-recovery of services.

### **SECTION 4. APPROPRIATION INCREASES/DECREASES**

- 4.1 All increases or decreases in excess of \$17,500 to operating and capital appropriations shall be approved by the City Council by minute action.
- 4.2 The City Manager is authorized upon completion of the audited financial statements for FY 2011 to adjust FY 2012 fund appropriations by the amount of net savings/overruns as determined by the City Council. The carryover amounts will be included and addressed in the Mid-year Financial Report.

### **SECTION 5. STAFFING INCREASES**

- 5.1 Any increases, by department by fund, in Full Time Equivalent staffing levels as authorized in the Approved or Amended Budget for a department must be approved by the City Council.
- 5.2 Any existing positions which were approved on the basis of the City receiving a grant or other reimbursements must have continued funding verified prior to filling the position. The City Manager is authorized to adjust staffing levels for renewals or expansions of fully offset grants. Grant funded positions shall be terminated upon completion or cancellation of the grant unless specifically continued by resolution including a source of replacement funding.
- 5.3 All staffing position adjustments made subject to approval of the City Manager and subject to the City's policy must have funding verified by the Director of that Department or the Director of Finance prior to implementation.
- 5.4 Any reassignment of authorized FTE and employee services funding associated with these FTE within a department and within the same fund may be made with the approval of the City Manager as long as there is no net change to authorized FTE and Funding levels.
- 5.5 All new positions or job reclassifications or title change requests are subject to classification review and approval by the staff designated for this purpose by the City Manager. Funding adjustment will be consistent with appropriate classification and approval by the Finance Director.

## **SECTION 6. APPROPRIATION TRANSFERS FROM CONTINGENCY/RESERVE FUNDS.**

- 6.1 The City has a policy of maintaining a reserve for emergencies and economic uncertainty equivalent to 19 percent of the General Fund annual operating budget. Due to unusual economic conditions, this policy is modified in FY 2012 to be a maximum of 16 percent. This reserve will be maintained for the purpose of absorbing unforeseen emergency losses and allowing continuation of approved budget program levels.
- 6.2 Appropriation transfers from the General Fund Reserve up to and including \$50,000 may be approved by the City Manager. Transfers in excess of \$50,000 shall be approved by the City Council.
- 6.3 No Reserve transfer shall be made from any fund which would create a negative undesignated fund balance in the fund.

## **SECTION 7. OTHER APPROPRIATION TRANSFERS**

- 7.1 Any operating appropriation transfers within the same department must have prior approval of the City Manager.
- 7.2 Appropriation transfers between two or more departments may be approved by the City Manager.

## **SECTION 8. UNSPENT APPROPRIATIONS AND ENCUMBRANCES**

- 8.1 All appropriations in the operating budget which remain unencumbered or unexpended on June 30, 2011, after adjustments resulting from 4.2, 9.2, shall revert to the fund balance of its respective funds.
- 8.2 All purchase order commitments outstanding on June 30, 2011 are hereby continued.

## **SECTION 9. CAPITAL IMPROVEMENTS**

- 9.1 All multi-year capital improvement projects in existence at June 30, 2011, shall be continued in the 2012 fiscal year except as provided in Section 9.7. The FY 2012 Capital Improvement Budget is hereby adopted as summarized in Tab K, Capital Improvements.
- 9.2 Each fiscal year, at June 30, the balance of each capital improvement project must be zero or have a positive balance by fund. Projects that exceed in excess of the budget by \$5,000 or less shall be corrected with other eligible project revenues that are within the Capital Improvement Funds and are not restricted by law.
- 9.3 All capital improvement projects shall be approved by the City Council. The cancellation or modification in the sum of \$10,000 for a capital project must also be approved by the City Council.
- 9.4 Except in the General Fund, the designated fund manager is authorized to transfer appropriations totaling \$10,000, subject to approval of the City Manager.
  - (1) For expenditure and revenue between funding sources with a project if the total appropriation remains unchanged.

- 9.5 Upon completion and closure of a capital project, the designated fund manager is authorized to transfer any remaining project balance to the fund balance contingency.
- 9.6 Capital appropriation shall be used solely for the originally approved project or projects except as provided in this section. Annually, completed or inactive projects will be closed except due to payment disputes. An inactive project is defined as one where transaction activity is less than \$1,000 over the prior three years. Closures are the responsibility of the designated project manager.
- 9.7 Unencumbered appropriations for all projects will expire on the June 30 following the "third" full year of the last appropriation to the project. Subject projects requiring continuing appropriations will require City Council action through programming within the Capital Improvement Program or through amendment to the program.

#### **SECTION 10. OPERATION GRANTS**

- 10.1 All operating grants shall be approved by the City Council.
- 10.2 Operating grant funds appropriated in the Approved or Amended Budget do not require additional City Council approval to be expended upon receipt of such grant or grants.
- 10.3 All multi-year operation grant budgets in existence at June 30, 2011 shall be continued in the 2012 fiscal year.

#### **SECTION 11. MISCELLANEOUS CONTROLS**

- 11.1 No expenditures at the department level shall exceed the Approved or Amended Budget by fund.
- 11.2 Deficiencies over the approved or amended budget in any department by fund must be corrected by:
- (1) Reducing expenditures in said department (e.g. freezing vacant positions, restricting purchase orders, etc.) or
  - (2) An intra-fund transfer within that same department; or
  - (3) An inter-departmental appropriation transfer.
- 11.3 The City Manager is hereby authorized to:
- (1) Adjust budgets in the Special Revenue funds for appropriations required based on the action/direction of the City Council relative to capital projects, transfer requirements and the availability of funds;
  - (2) Adjust budgets in the Capital Project funds for the current year based on the previous action of City Council for projects on a multi-year basis;
  - (3) Expend unbudgeted funds and reserves in response to public emergencies or disasters. Such expenditures shall subsequently be ratified by the City Council.

#### **SECTION 12. MID-YEAR FINANCIAL REPORT**

- 12.1 City Council shall be provided a Mid-year Financial Report including a re-estimate of the financial condition of all funds, including prior year actual fund balances, re-estimated revenues and expenditures, projected ending fund balances or deficits, and recommendations for eliminating any projected fund deficits.
- 12.2 The City Council shall act on any projected fund deficits prior to the close of the Fiscal Year.

**SECTION 13. FY 2012 ANNUAL BUDGET**

13.1 The FY 2012 Annual Budget is hereby adopted as shown in the 2012 Recommended Budget, except as modified by the Council action taken on June 14 and 21, 2011 and shown in the staff report presented for adoption on June 28, 2011

**PASSED, APPROVED AND ADOPTED** this 28<sup>th</sup> day of June 2011.

\_\_\_\_\_  
GAYLE WASHBURN, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
THEODORE J. SCHNEIDER, City Attorney

AYES:

NOES:

ABSTAIN:

ABSENT:

**ATTEST:**

\_\_\_\_\_  
Clay Westling, City Clerk

**FILLMORE REDEVELOPMENT AGENCY  
RESOLUTION NO. 11-251  
RESOLUTION ADOPTING THE  
RECOMMENDED BUDGET FOR FISCAL YEAR 2012**

**WHEREAS**, the Executive Director has prepared, after consultation with its Members, a budget for the Fillmore Redevelopment Agency ("Agency") to carry on redevelopment activities of the Fillmore Central City Redevelopment Project ("the Project"); and

**WHEREAS**, appropriations made pursuant to the budget of the Agency are exempt from provisions of Article XIII B of the California Constitution where used for redevelopment activities

**NOW, THEREFORE, BE IT RESOLVED** by the **FILLMORE REDEVELOPMENT AGENCY** as follows:

**SECTION 1.** That the budget for the Agency for the fiscal year commencing July 1, 2011 and ending June 30, 2012, as prepared and submitted by the Executive Director is hereby approved and adopted as the recommended Budget of the Agency for said fiscal year, including those changes made by the Board which are contained in the staff report presented to the Agency on June 28, 2011, or as amended by the Executive Director in order to achieve the intent of the Board.

**SECTION 2.** That the positions as they appear in the budget are approved for the purposes indicated for the fiscal year ending June 30, 2012.

**SECTION 3.** That from the effective date of said budget, to wit: July 1, 2011, the several amounts stated therein as proposed expenditures shall be and become appropriated to the Agency for the respective objects and purposes therein set forth, subject to expenditures pursuant to the provisions of all applicable statutes of the State.

**SECTION 4.** That the Agency hereby finds and determines:

- (a) That the expenditures authorized by this budget and the appropriations pursuant thereto are from tax allocation

proceeds as specified in Subdivision B Section 33670 of the California Health & Safety Code or are proceeds of bonds which are secured solely by such tax allocation proceeds;

- (b) That all of the expenditures and appropriations pursuant to the budget are for redevelopment activities consistent with California Health & Safety Code Section 33678 in that they are for carrying out the Project, and related redevelopment activities as defined in California Health & Safety Code Sections 33020 and 33021, and primarily benefit the project areas included in the above Project;
- (c) That none of the funds are to be used for the purposes of paying for employee or contractual services for the City of Fillmore or any other local government agency except for such services which are directly related to redevelopment activities as defined in California Health & safety Code Section 33020 and 33021 and the powers established in Community Redevelopment Law; and
- (d) That all of the planning and administrative expenditures and appropriations pursuant to the budget to be paid from the Low and Moderate Housing Fund for each Redevelopment Project are consistent with California Health & Safety Code Section 33334.3 in that they are necessary for the production, improvement, or preservation of low and moderate income housing and are not disproportionate to the amounts budgeted for the costs of production, improvement, or preservation of that housing.

**SECTION 5.** That the Agency Secretary shall certify to the passage and adoption of the Resolution and the same shall thereupon take effect and be in force.

**ADOPTED AND APPROVED THIS 28<sup>th</sup> day of June 2011.**

\_\_\_\_\_  
GAYLE WASHBURN, Chairman

**APPROVED AS TO FORM:**

\_\_\_\_\_  
THEODORE J. SCHNEIDER, City Attorney

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**ATTEST:**

\_\_\_\_\_  
CLAY WESTLING, City Clerk

**CITY OF FILLMORE  
CITY COUNCIL RESOLUTION 11-3294**

**SETTING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2012**

**WHEREAS**, Article XIII B of the Constitution of the California State as proposed by the Initiative Measure approved by the people at the special statewide election held on November 6, 1979 and amended in June 1990 by the people of the State of California (Proposition 111), provides that the total annual appropriations subject to limitations of each local government shall not exceed the appropriations limit of such entity for the prior year adjusted for changes in the cost of living and population except as otherwise specifically provided for in said Article; and

**WHEREAS**, the State Legislature added Division 9 (commencing with Section 7900) to Title 1 of the Government Code of the State of California to implement Article XIII B of the California Constitution; and

**WHEREAS**, Section 7910 of the Government Code provides that each year the governing body of each local jurisdiction shall, by resolution, establish its appropriations limit for the ensuing Fiscal Year pursuant to Article XIII B at a regularly scheduled meeting or a noticed special meeting and that fifteen days prior to such meeting, documentation used in the determination of the appropriations limit shall be available to the public; and

**WHEREAS**, Proposition 111, as approved by the voters of the State of California, requires a recorded vote of the City Council regarding which of the annual adjustment factors have been selected each year; and

**WHEREAS**, Section 7902(a) of the Government Code sets forth the method for determining the appropriations limit for each local jurisdiction for the Fiscal Year 2012; and

**WHEREAS**, the City Council of the City of Fillmore wishes to revise the appropriations limit for Fiscal Year 2012 for the City of Fillmore, California

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Fillmore that it is hereby found and determined that the documentation used in the determination of the appropriations limit for the City of Fillmore for the Fiscal Year 2012 was available to the public in the Finance Department of said city at least fifteen days prior to this date.

**BE IT FURTHER RESOLVED**, that the growth in California Per Capita income and City of Fillmore population have been selected for Fiscal Year 2012.

**BE IT FURTHER RESOLVED**, that the City of Fillmore reserves the right to change or revise any growth factors associated with the calculation of the Proposition 111 limit if such changes or revisions would result in a more advantageous appropriations limit.

**BE IT FURTHER RESOLVED**, that the appropriations limit for the City of Fillmore, as amended in accordance with Section 7902(a) of the California Government Code, is \$10,560,439 as is set forth in Attachment 1 included herewith.

**PASSED AND ADOPTED** this 28<sup>th</sup> day of June, 2011.

---

Gayle Washburn, Mayor

ATTEST:

---

Clay Westling, City Clerk

AYES:  
NOES:  
ABSTAIN  
ABSENT: