

RESOLUTION NO. 155-19

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, MAKING TENTATIVE APPROPRIATIONS OF SUMS OF MONEY FOR ALL NECESSARY EXPENDITURES OF THE CITY OF DELRAY BEACH FOR THE PERIOD FROM THE 1st DAY OF OCTOBER, 2019, TO THE 30th DAY OF SEPTEMBER, 2020; TO PRESCRIBE THE TERMS, CONDITIONS AND PROVISIONS WITH RESPECT TO THE ITEMS OF APPROPRIATIONS AND THEIR PAYMENT; AND TO REPEAL ALL RESOLUTIONS WHOLLY IN CONFLICT WITH THIS RESOLUTION AND ALL RESOLUTIONS INCONSISTENT WITH THIS RESOLUTION TO THE EXTENT OF SUCH INCONSISTENCY.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. That the following sums of money, attached hereto and marked Exhibit "A", are hereby tentatively appropriated upon the terms and conditions herein set forth.

Section 2. That, subject to the qualifications contained in this resolution, all appropriations made out of the General Fund are declared to be maximum, conditional and proportionate appropriations, the purpose being to make the appropriations payable in full in the amounts herein named if necessary and then only in the event the aggregate revenues collected and other resources available during the period commencing the 1st day of October, 2019, and ending the 30th day of September, 2020, for which the appropriations are made, are sufficient to pay all the appropriations in full. Otherwise, said appropriations shall be deemed to be payable in such proportion as the total sum of realized revenue of the General Fund is to the total amount of revenues estimated by the City Commission to be available in the period commencing the 1st day of October, 2019, and ending the 30th day of September, 2020.

Section 3. That all balances of the appropriations payable out of the General Fund of the City Treasury unencumbered at the close of business on the 30th day of September, 2019, except as otherwise provided for, are hereby declared to be lapsed into the City Treasury and may be used for the payment of the appropriations which may be made in any appropriation for the fiscal year commencing the 1st day of October, 2019. However, nothing in this section shall be construed to be applicable to unencumbered balances remaining to the credit of the Water and Sewer Fund, Sanitation Fund or any Fund created by the setting up of special revenue, but such balances shall be used in financing the proposed expenditures of these Funds for the fiscal year commencing the 1st day of October, 2019.

Section 4. That no department, bureau, agency or individual receiving appropriations under the provisions of this resolution shall exceed the amount of its appropriation, except with the consent and approval of the City Commission first obtained. If such department, bureau, agency or individual shall exceed the amount of its appropriation without such consent and approval of the City Commission, the administrative officer or individual, in the discretion of the City Commission, may be deemed guilty of neglect of official duty and may be subject to removal. Therefore, the City Manager shall have the authority to make transfers between departmental budgets/functions provided, however, that except in the case of an emergency, a fund budget may not be exceeded without prior approval of City Commission at a duly convened meeting.

Section 5. That nothing in this resolution shall be construed as authorizing any reduction to be made in the amounts appropriated in this resolution for the payment of interest on, or retirement of, the debt of the City of Delray Beach, Florida.

Section 6, That none of the monies enumerated in this resolution in connection with the General Fund, Water and Sewer Fund, Sanitation Fund or any other Fund of the City shall be expended for any purpose other than a qualified public purpose, and it shall be the duty of the Budget Officer and/or Finance Director to report known violations of this section to the City Manager

Section 7. That all monies collected by any department, bureau, agency or individual of the City government shall be paid promptly into the City Treasury.

Section 8. That the foregoing budget is hereby tentatively adopted as the official budget of the City of Delray Beach, Florida, for the aforesaid period. However, the restrictions with respect to the expenditures/ expenses of the funds appropriated shall apply only to the lump sum amounts for classes of expenditures/expenses which have been included in this resolution.

Section 9. That a public hearing was held on the tentative tax levy and the tentative budget on September 5, 2019.

Section 10. That this resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED in regular session on this the 5th day of September, 2019.

Shelly Petrolia, Mayor

ATTEST:

Katerri Johnson, CMC, City Clerk

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY.

Lynn Gelin, City Attorney