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RESOLUTION NO. 3865

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA, AMENDING RESOLUTION NO. 3838 TO AMEND AND APPROPRIATE ADDITIONAL FUNDING FOR THE FISCAL YEAR 2012-13 BUDGET; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Resolution No. 3838 appropriated funds based on an annual budget of estimated revenues and expenditures for the 2012-13 Fiscal Year; and

WHEREAS, impact fees have been collected during prior fiscal years and reserved for future use for Sewer purposes; and

WHEREAS, the available amount of reserved Sewer Impact Fees is \$453,115.02 as of September 30, 2012; and

WHEREAS, additional Sewer Impact Fees in the amount of \$4,150.00 have been collected since September 30, 2012, and

WHEREAS, the total available amount of Sewer Impact Fees is \$457,265.02; and

WHEREAS, capital outlays have been identified during Fiscal Year 2011-12 as having Sewer purposes; and

WHEREAS, the City Commission of the City of Wilton Manors finds that these appropriations of impact fees to fund certain Sewer capital outlays constitute a proper public purpose; and

WHEREAS, Resolution No. 3838 is amended to reflect capital outlays to be funded through impact fees during Fiscal Year 2012-13 pursuant to Exhibit "A", attached hereto and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA, THAT:

1 **Section 1.** The foregoing "WHEREAS" clauses are hereby ratified and
2 confirmed as being true and correct and are hereby made a specific part of this Resolution.

3 **Section 2.** The Fiscal Year 2012-13 Budget for the Utilities Fund shall be
4 increased by increasing the Sewer Capital Outlay expenditure budget by \$457,265.02.

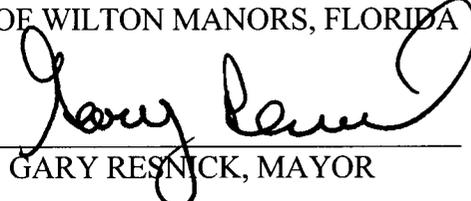
5 **Section 3.** All resolutions or parts of resolutions in conflict herewith, be and the
6 same are repealed to the extent of such conflict.

7 **Section 4.** If any Section, sentence, clause or phrase of this Resolution is held to
8 be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall
9 in no way affect the validity of the remaining portions of this Resolution.

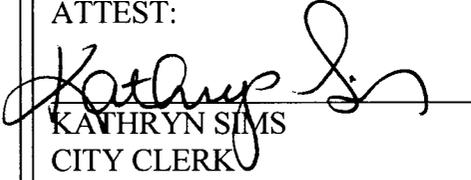
10 **Section 5.** This Resolution shall become effective immediately upon passage and
11 adoption.

12 **PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF**
13 **WILTON MANORS, FLORIDA, THIS 17th DAY OF NOVEMBER, 2012.**

14 CITY OF WILTON MANORS, FLORIDA

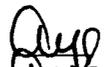
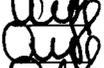
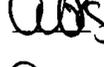
15 By: 
16 GARY RESNICK, MAYOR

17 ATTEST:

18 
19 KATHRYN SIMS
20 CITY CLERK

21 RECORD OF COMMISSION VOTE

22 MAYOR RESNICK
23 VICE MAYOR CARSON
24 COMMISSIONER GALATIS
25 COMMISSIONER GREEN



26 I HEREBY CERTIFY that I have
27 approved the form of this Resolution.

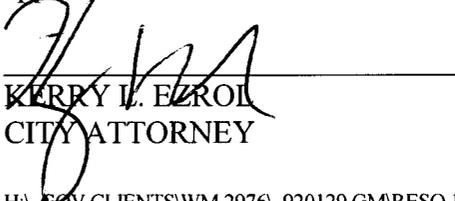
28 
29 KERRY L. EZROLI
30 CITY ATTORNEY

EXHIBIT "A"

Amount	Account Number	Account / Item Description
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UTILITIES FUND:

	401-5352-40641	
\$ 457,265.02	401-5332-59550	Sewer Department Capital

\$ 457,265.02 For construction of Phase II, Sewer Lift Station #11

<u>\$ 457,265.02</u>		EXPENDITURE ACCOUNT INCREASE
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	401-389.901	Utilities Fund Appropriation of Fund Balance
<u>\$ 457,265.02</u>		FUND BALANCE DECREASE





CITY OF WILTON MANORS

"THE ISLAND CITY"

COMMISSION AGENDA REPORT

MEETING DATE: November 27, 2012

From: Bob Mays, Finance Director
Prepared by: Same

(a) Subject: Resolution No. 3865 to amend the FY2012-13 Budget to appropriate sewer impact fees.

(b) City Manager Recommendation: Recommend Approval.

(c) Report In Brief: This is a "housekeeping" item to formally appropriate the transfer of restricted funds (sewer impact fees) to the Utilities Fund for the completion of the Upgrade/Replacement of Sewer Lift Station #11.

(d) Discussion: In November 2011 the City Commission approved Resolution No. 3746 authorizing the use of Sewer Impact Fees to finance Phase I of the Upgrade/Replacement of Sewer Lift Station #11, which consisted of re-piping the lift station's bypass system for use in emergencies.

Construction of Phase II of the project, the replacement of the remaining infrastructure at Lift Station # 11, is expected to begin by early December. This final phase of the project is being financed by the remaining \$459,340 of sewer impact fees along with the \$1.1 million borrowed from SunTrust Bank for this purpose.

This Resolution formally appropriates the remaining \$459,340 of sewer impact fees for this project.

(e) Strategic Plan Consistency: Goal #2: Financially Sound City Government; Objective 5: Increase Non-property Tax Revenue and Outside Resources.

(f) Concurrences: N/A

(g) Fiscal Impact: \$455,190.02 from Fund Balance Restricted for Sewer Impact Fees, and an additional \$4,150.00 from Sewer Impact Fees collected during the current fiscal year that have not yet been formally reserved.

(h) Alternatives: None Recommended.

(i) Attachments: 1. Resolution No. 3865 2. Exhibit "A"

**OFFICE OF THE CITY ATTORNEY
CITY OF WILTON MANORS, FLORIDA**

MEMORANDUM

TO: Kathryn Sims, City Clerk (via e-mail)
Patricia Staples, Deputy City Clerk (via e-mail)

FROM: Kerry L. Ezrol, City Attorney 

DATE: November 16, 2012

SUBJECT: Wilton Manors "City of"/General Matters – Resolution No. 3865, Amending Resolution No. 3838 to Amend and Appropriate Additional Funding for the Fiscal Year 2012-13 Budget for Sewer Impact Fee Appropriation

Enclosed, for your review and placement on the **November 27, 2012** City Commission Meeting Agenda, please find Resolution No. 3865, Amending Resolution No. 3838 to Amend and Appropriate Additional Funding for the Fiscal Year 2012-13 Budget for Sewer Impact Fee Appropriation.

Should you require any additional information, please contact me.

KLE:bp
Enclosure