



CITY OF MILPITAS RA6

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ATTACHMENTS AND/OR ADDITIONAL MATERIALS RELATED TO AGENDA ITEM DISTRIBUTED AT THE CITY COUNCIL MEETING



RESOLUTION NO. _____

A JOINT RESOLUTION OF THE CITY COUNCIL AND REDEVELOPMENT AGENCY OF THE CITY OF MILPITAS APPROVING THE FINAL BUDGET FOR THE CITY OF MILPITAS FOR THE FISCAL YEAR 2009-2010

WHEREAS, the City Manager/Executive Director submitted a 2009-2010 Proposed Budget and Financial Plan; and

WHEREAS, public hearings were held on the Proposed Plan where all interested persons were heard; and

WHEREAS, the City Council and the Redevelopment Agency reviewed the City Manager/Executive Director's 2009-2010 Proposed Budget and Financial Plan; and

WHEREAS, on May 12, 2009, the City Council and the Redevelopment Agency approved the 2009-2010 Financial Plan and the 2009-2010 Capital Budget.

NOW, THEREFORE, the City Council and the Board of the Redevelopment Agency of the City of Milpitas hereby find, determine, and resolve as follows:

1. The City Council and the Board have considered the full record before them, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to them. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The annual budget for the City of Milpitas for fiscal 2009-2010 is hereby reaffirmed and adopted totaling \$145,073,350 for all appropriated funds.
3. Appropriations and estimated fund balances are hereby made for the various purposes designated in the 2009-2010 Final Budget.
4. The budgets for all departments for the period July 1, 2009 through June 30, 2010, inclusively contained in this 2009-2010 Final Budget Resolution, are approved as the operating budget for those departments for fiscal 2009-2010.
5. Any unused non-salary and benefits related appropriations, subject to the approval of the City Manager/Executive Director, at the end of fiscal 2008-2009 may be reappropriated for continued use in fiscal 2009-2010.
6. No office, department, or agency shall expend any amount or incur any liability or enter into any contract, which by its terms involves expenditures of money for any purpose in excess of the amounts appropriated for the particular departments, accounts, and funds set forth herein.
7. The City Manager/Executive Director may authorize, when in his or her judgment such action is consistent with the purposes and intent of the Budget as adopted, budget revisions subject to the following conditions:
 - a. Prior Council/Agency Approval Not Required. Prior approval of the City Council and/or Redevelopment Agency is not required under the following circumstances:
 - i. When revisions, which involve transfers from appropriated contingency reserves, are less than the aggregate amount of 1% of General Fund appropriations, or \$673,000 during fiscal 2009-2010, provided that the Council/Agency is notified in writing of the revision, giving the reason, the amount of the revision and the year-to-date total amount of revisions.
 - ii. When revisions involve transfers within various departments or projects within the same fund provided that the amount of transfer in any single instance does not exceed \$20,000.

iii. For Police goods and services to be purchased from Asset Seizure funds, the City Manager/Executive Director or his/her designee, has the authority to purchase such goods or services if the expenditures of such goods and services do not exceed the amount designated from Asset Seizure funds as approved by the City Council/Redevelopment Agency during the fiscal 2009-2010 Budget hearing.

b. Prior Council/Agency Approval Required. Prior approval of the City Council and/or Redevelopment Agency is required if any of the following are involved:

i. Changes providing for increases in permanent personnel or changes in classification for personnel from the number of classes or personnel approved in the adopted Budget.

ii. Contract change orders in excess of \$20,000.

iii. Changes when in his or her judgment such action would be inconsistent with the purposes and intent of the Budget as adopted.

iv. Transfers from contingent reserves, which would cause the aggregate amount of 1% of General Fund appropriations, or \$673,000 during fiscal 2009-2010, to be exceeded.

8. In order to balance the budget for fiscal year 2009-2010 it has been necessary to include as part of the budget solution the elimination of a number of authorized positions within the City service; and

Information establishing the current budget situation and steps to be taken to present balanced City and Redevelopment Agency Budgets have been presented during this meeting of June 2, 2009 and particularly during the prior Joint Milpitas City Council and Redevelopment Agency Special Meeting of May 12, 2009; and

It is the judgment of the City Council that it has become necessary in the interest of economy that the number of authorized positions within the City service be reduced without the right of appeal of the decision to eliminate or reduce the positions. We find that this decision is a fundamental managerial policy decision of the City Council.

PASSED AND ADOPTED this _____ day of _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk/Agency Secretary

Robert Livengood, Mayor/Chair

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney/Agency Counsel