

ARTICLE 5.

FINANCIAL PROCEDURES

Sec. 5-1. Financial Condition of the City.

The mayor shall annually prepare a forecast of all funds subject to appropriation, covering at least 5 years, of city revenues, expenditures and the general financial condition of the city. The forecast should include, but need not be limited to, an identification of factors with significant impact on the financial condition of the city, revenue and expenditure trends, potential sources of new or expanded revenues and long or short-term actions which may enhance the financial condition of the city. The mayor shall submit the forecast to the city council at least ~~6~~ six months prior to the mayor's submission of the next fiscal year's operating budget and shall make the forecast available to the public for inspection. ~~by January 1.~~

Sec. 5-~~21~~. Submission of Budget; Budget Message.

Within the period prescribed by state statute, the mayor shall submit to the city council a proposed budget for the ensuing fiscal year, which shall provide a complete financial plan of all city funds and activities for the ensuing fiscal year, an accompanying budget message and supporting documents.

The mayor's message shall explain the budget for all city agencies both in fiscal terms and in terms of work programs. It shall: (i) outline the proposed financial policies of the city for the ensuing fiscal year; (ii) describe the important features of the budget; (iii) indicate any major changes from the current fiscal year in financial policies, expenditures, and revenues and the reasons for such changes; (iv) include funding for legal assistance to the city council and an independent audit of all city accounts; (iv) summarize the city's debt position; and (vi) include such other material as the mayor deems desirable or the city council may reasonably require.

The amount of funding for legal assistance to the city council may be amended by ordinance; provided however, that such an ordinance shall not take effect until the fiscal year after which it is adopted.

Sec. 5-~~32~~. Action on the Budget.

The city council shall adopt the budget, with or without amendments, within 45 days following the day the budget is received by the city council. In amending the budget, the city council may delete or decrease any programs or amounts, except expenditures required by law or for debt service, but it may not increase any programs or amounts.

If the city council fails to take action with respect to any item in the budget within 45 days after receipt of the budget, such amount shall, without any action by the city council, become a part of the appropriations for the year and be available for the purposes specified.

Sec. 5-43. Capital Inventory and Capital Improvement Program.

(a) The mayor and city council shall be active stewards of the city's physical assets.

(b) Capital Inventory— The mayor shall establish and update not less frequently than annually, an inventory of all significant capital assets, such as, city property, buildings, above and below ground infrastructure (water, sewer, storm water, and road systems), vehicles, major moveable equipment and such other property as determined by ordinance. The city council shall, by ordinance, establish the requirements of the inventory, such as age, condition, maintenance and repair history, remaining useful life and other features the city council deems appropriate.

~~(c) Contents~~ Capital Improvement Program— The mayor shall create a capital improvement program, which shall include: (i) a clear summary of its contents; (ii) a list of all capital improvements proposed to be undertaken during the next 5 fiscal years with supporting data and rationale; (iii) cost estimates, method of financing and recommended time schedules; and (iv) the estimated annual cost of operating and maintaining the facilities included. The above information capital improvement program shall be revised and extended each year annually.

~~(d) Submission—~~ The mayor shall prepare and submit to the city council the inventory and the 5-year capital improvement program at least 6 months prior to receipt the mayor's submission of the next fiscal year's operating budget.

~~(e) Public Hearing—~~ The city council shall make the proposed capital improvement program available to the public and shall hold at least 1 public hearing, in accordance with state law, on the capital improvement program, publish in 1 or more newspapers of general circulation in the city the general summary of the capital improvement program and a notice stating: (i) the times and places where copies of the capital improvement program are available for inspection by the public; and (ii) the date, time and place, not less than 2 weeks after the publication, when a public hearing on the program will be held by the city council.

~~(f) Adoption—~~ After the public hearing, concurrently with the passage of the next fiscal year's budget, the city council may amend and shall, by resolution, adopt the capital improvement program with or without amendments.

(g) Annual Report—The mayor shall annually report on the city's progress regarding the capital improvement program.

Comment [A1]: It has been suggested that moving this sub-section to sub-section (b) as (v) would tie it to the Annual CIP, increasing its value as part of the conversation re the new CIP and mitigating the burden of an additional stand-alone report that some may think this section calls for.

Sec. 5-~~54~~. Contracts.

All contracts entered into for or in behalf of the city by any officer or city agency shall be subject to the approval of the mayor.

Sec. 5-6. Independent Audit.

The city council shall annually provide for an independent audit of all city ~~accounts~~ funds to be conducted by a certified public accountant in accordance with generally accepted accounting principles. The city council shall, by ordinance, establish procedures for oversight and administration of the annual audit including: (i) method of selection of an independent auditor; (ii) the scope of the audit; and (iii) receipt of the report and any recommendations from the auditor, including recommendations regarding internal controls.