

Reconsideration of 1804, 1807 and 18.04 d. – 5/18/06

**ARTICLE XVIII
FINANCIAL PROCEDURES**

1804. ~~Capital Program and Debt.~~ **Capital Program and Self Balancing Capital Debt**
1807. **Supplemental and Emergency Appropriations.**

Section 1804. ~~Capital program and debt cap.~~ Capital Program and Self Balancing Capital Debt

~~If the annual capital debt of the county, excluding the sewer fund, exceeds one hundred million dollars (100,000,000) In the event that the total debt for capital projects, excluding the sewer fund, exceeds 200 million dollars, the annual capital budget for that fiscal year shall not exceed an amount equal to the amount of principal retired. In the event of an unanticipated need requiring debt in addition to that included in the capital budget after proposal of or passage of said capital budget, such additional debt may displace debt agreed to in the earlier capital budget. In the event such displacement is not possible without exceeding the amount of principal retired in the same year, the excess amount shall count towards the total permissible amount for the following year and shall be so included in the following year's capital budget. The county manager shall subsequently adjust the six year capital plan accordingly. The legislature shall periodically review the annual debt cap.~~

~~**Section 1807.** Appropriations; supplemental and emergency. If during any fiscal year there are available for appropriation (1) revenues received from sources not anticipated in the budget for that year or (2) revenues received from anticipated sources but in excess of the budget estimates therefor, the county legislature may make supplemental appropriations for the year up to the amount of such additional revenues.~~

Supplemental Appropriations.

If during any fiscal year there are available revenues not anticipated in the budget for that year, the county executive may make supplemental appropriations, subject to legislative approval, for that year, up to the amount of such additional revenues.

Emergency Appropriations.

To meet a public emergency affecting life, health or property, the county legislature may make emergency appropriations. To the extent that there are no available unappropriated revenues to meet such appropriations, the county legislature may authorize the issuance of budget notes or notes in anticipation of the collection of taxes or revenues.

CODE
ARTICLE 18
FINANCIAL PROCEDURES

Section 18.04 Tentative budget and capital program.

d. In presenting the tentative budget, the county executive shall report on the amount of the balance contained in all funds in the budget including unrestricted, restricted or designated funds. Such report for each fund shall be current as of September 1.

The county executive shall maintain a balance in all funds established in the budget equal to or greater than five percent of the amount contained in the budget of each fund in the immediately preceding fiscal year. Fund balance may be included as a revenue in an approved budget of a fund provided that there shall remain an unrestricted balance of at least five percent as provided in the first sentence of this paragraph.

A fund balance in any fund contained in the county budget and included as a revenue shall only be reduced to an amount less than that permitted in the second paragraph of this subsection upon a resolution separately presented and approved by the county legislature at the time of the approval of the annual budget. A budget that is approved without a vote of the county legislature shall not appropriate any fund balance revenue in excess of the amount provided in this subsection. The county executive's tentative budget shall indicate equivalent deletions in the tentative budget that shall be executed if the use of fund balance permitted by this paragraph is not approved by the county legislature.

Following approval of the annual budget, no additional fund balance shall be appropriated as a revenue of the county during the fiscal year without the affirmative vote of at least two-thirds of the total membership of the county legislature.