ORDINANCE NUMBER 12-O-035

AN ORDINANCE APPROVING THE CITY BUDGET AND APPROPRIATING FUNDS FOR EXPENDITURES CONTEMPLATED DURING THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013, AND REGULATING THE PAYMENT OF MONEY OUT OF THE CITY TREASURY – AS AMENDED

BE IT ORDAINED by the Council of the City of Suffolk, Virginia as follows:

Section 1: Except as provided in Section 2 of this ordinance, the City of Suffolk, Virginia, Proposed Annual Operating Budget, Fiscal Year 2012-2013, dated April 4, 2012, as submitted by the City Manager, and as amended by City Council, is approved as the City budget for the fiscal year beginning July 1, 2012, and ending June 30, 2013.

Section 2: The City Budget shall be subject to transfers authorized by law and to such further amendments by ordinance as the City Council may deem appropriate.

Section 3: The amount named in the Proposed Annual Operating Budget, as amended, for the fiscal year beginning July 1, 2012, and ending June 30, 2013, in the following fund amounts totaling $508,797,156 is hereby appropriated from the revenues of the City for use by the various funds of the City Government referenced in said budget for the said fiscal year. Any appropriation to a specific fund but identified as a revenue source in another fund is specifically designated and restricted for accounting and transfer purposes only and not for any other expenditure from the source fund.

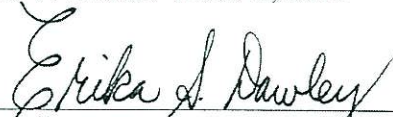| Fund	2012-2013
General Fund	$ 173,573,360
Capital Projects Fund	54,348,975
Aviation Facilities Fund	1,274,384
Transit System Fund	845,770
Downtown Business Overlay District	220,000
Law Library Fund	48,012
Route 17 Special Taxing District	1,947,196
Road Maintenance Fund	21,403,945
Debt Service Fund	25,650,824
Utility Fund	42,958,759
Stormwater Fund	5,305,000
Refuse Services Fund	5,912,350
Grants Fund	1,096,843
Fleet Management Fund	12,884,946
Information Technology Fund	4,803,949
Risk Management Fund	18,208,430
School Fund	138,314,412
Total Funds Budget	$ 508,797,156

Section 4:   All payments from funds shall be made in accordance with general law and with the Charter, Code and applicable ordinances and resolutions of the City, except as otherwise specifically provided herein; provided, however, that payments from the funds appropriated for the support, maintenance and operation of the public free schools of the City shall be made by the City Treasurer upon warrants drawn by the proper officer or officers of the School Board of the City; and provided further that payments from the funds appropriated for expenditures of the Department of Social Services shall be made by the City Treasurer upon presentation of warrants drawn by the Social Services Director and approved by the local Board of Public Welfare.

Section 5:   The City Council hereby authorizes the issuance and sale of the City's revenue anticipation note or notes (the "Note" or "Notes"), pursuant to Section 15.2-2629 of the Code of Virginia of 1950, as amended (the "Virginia Code"), in the aggregate principal amount of up to $25,000,000 in anticipation of the collection of the taxes and revenues of the City for the fiscal year ending June 30, 2013. If either the City Manager or City Treasurer deems that the cash flow needs and the financial condition of the City warrant the issuance of a Note or Notes, the City Manager or the City Treasurer (each hereinafter referred to as the "City Representative") is authorized and directed to accept a proposal or proposals for the purchase of the Note or Notes and to approve the terms of the Note or Notes, provided that the aggregate principal amount of the Notes shall not exceed $25,000,000, none of the Notes shall mature later than June 30, 2013, and no interest rate on any of the Notes shall exceed 7%. The City Representative and the Clerk of the City Council (the "Clerk") are hereby authorized and directed to execute an appropriate negotiable Note or Notes and to affix the seal of the City thereto and such City Representative is authorized and directed to deliver the Note or Notes to the purchaser thereof. The City Representative, and such officers and agents of the City as the City Representative may designate, are hereby authorized and directed to take such further action as they deem necessary regarding the issuance and sale of the Note or Notes and all actions taken by such officers and agents in connection with the issuance and sale of the Note or Notes are ratified and confirmed. In accordance with Section 15.2-2601 of the Virginia Code, the City Council elects to issue the Notes pursuant to the provisions of the Public Finance Act of 1991, Chapter 26, Title 15.2 of the Virginia Code.

Section 6:   The amounts appropriated by this ordinance shall be expended for the purpose of operating the City government and the public free school system during the 2012-2013 Fiscal Year; and, with the exception of the items the payment of which is fixed by law, shall be expended in such proportions as may be authorized by the City Manager from time to time; provided, however, that the funds appropriated for the support, maintenance and operation of the public free schools of the City shall be subject to the exclusive control of the School Board of the City, and the School Board may transfer, in its discretion, funds from one category to another, so long as no such transfer results in an expenditure of an amount in excess of the total amount appropriated.

Section 7: All outstanding encumbrances, by contract or fully executed purchase order, as of June 30, 2012, shall be offset by an equal amount of assigned Fund Balance for expenditure in the subsequent fiscal year; provided, however, that if performance of a contract or purchase order has been substantially completed, an expenditure and estimated liability shall be recorded in lieu of an encumbrance. All appropriations standing on the books of the City at the close of business for the fiscal year ending June 30, 2012 in the amount of $200,000,000.00 or less that have not been expended or lawfully obligated or encumbered are hereby reappropriated to be used to fund the purposes, programs, or projects for which the funds were appropriated.

Section 8: The payment and settlement, made during the 2012-2013 Fiscal Year, of any claim of any kind against the City; and final judgments, with interest and costs, obtained against the City during the 2011-2012 Fiscal Year, shall be paid upon the certification of the City Attorney and the order of the City Manager from funds appropriated to the Risk Management Fund; or from the funds appropriated for the expenditures of the Fund involved in the subject matter of the claim or judgment; or from the General Fund; as the City Manager shall find necessary.

Section 9: Except as otherwise specifically required by law or approved by City Council by resolution: (1) Any salary or wage expenditure, and any expenditure of any kind or description having the effect of a salary or wage payment, shall be made only for service as described in the Personnel Ordinance in a position the description of which is identified in the City Pay and Compensation Plan or which has received prior approval of City Council. (2) Any other expenditure shall be calculated to result in total expenditures within the plan stated in a specific City Budget account, except that transfers of unexpended and unencumbered balances or portions thereof, initiated by a department director and approved by the City Manager, are permitted between accounts; provided, however, that a quarterly report of such transfers shall be submitted to the City Council.

Section 10: The City Manager is authorized and directed to do all lawful things necessary to implement and administer the City Budget for Fiscal Year 2012-2013.

Section 11: All ordinances or parts thereof, including but not limited to those dealing with salaries and wages, in conflict with the provisions of this ordinance, to the extent of such conflict are repealed.

Section 12: This ordinance shall be in effect on and after July 1, 2012, and it shall not be published.

READ AND PASSED: MAY 2, 2012

TESTE: _Erika S. Dawley_
Erika S. Dawley, City Clerk