

**ORDINANCE NO. S-35178**

**AN ORDINANCE ADOPTING THE FINAL REAPPROPRIATION BUDGET FOR ITEMS OF EXPENDITURE PREVIOUSLY ADOPTED AS PART OF THE 2007-2008 FISCAL YEAR OPERATING AND CAPITAL FUND BUDGETS OF THE CITY OF PHOENIX BUT REMAINING AS UNEXPENDED FUNDS AS OF JUNE 30, 2008; AND DECLARING AN EMERGENCY.**

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WHEREAS, the City of Phoenix adopts, pursuant to state law, an annual budget consisting of operating funds and capital funds for expenditure in each fiscal year, and did so for the fiscal year 2007-2008, and

WHEREAS, the requirements of planning and contracting for the acquisition of goods and services requires in many instances that the contracts for such goods and services cannot be immediately executed; and

WHEREAS, there remains from said items budgeted for the fiscal year 2007-2008 substantial amounts represented by executed but unfulfilled contracts, and

WHEREAS, the City Charter directs that amounts may be expended by the City only for goods and services actually received, and may not be expended in advance of the acquisition of such goods and services, and

WHEREAS, State Budget Law, A.R.S. § 42-17108 as amended, and as interpreted by the Attorney General, demands that no expenditures be made for a purpose not included in the budget, and no expenditure be made for any debt, obligation or liability incurred or created in any fiscal year in excess of the amount specified for each purpose in the budget for such fiscal year as finally adopted,

THEREFORE, it has become necessary to adopt a reappropriation and supplemental budget for sums to be expended in the fiscal year 2008-2009 from funds budgeted for the fiscal year 2007-2008, but remaining unexpended as of the close of the fiscal year on June 30, 2008.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. That this Council has determined and adopted the following estimates of proposed capital and operating fund expenditures as hereinafter set forth presenting a reappropriation of items previously budgeted for the fiscal year 2007-2008 but remaining unexpended at the close of said fiscal year, and representing amounts encumbered by means of outstanding contracts as of the close of said fiscal year. That said amounts and the purposes therefore are set forth in the schedule below as follows:

2008-2009 REAPPROPRIATED FUNDS

Fund	Amount
<u>OPERATING FUNDS:</u>	
<u>General Funds</u>	
General Government	\$3,900,000
Criminal Justice	1,700,000
Public Safety	11,900,000
Transportation	1,700,000
Environmental Services	3,900,000
Community Development	300,000
Community Enrichment	1,700,000
Capital Improvements	<u>3,200,000</u>
Total General Funds	<u>\$28,300,000</u>
<u>Parks and Recreation Funds</u>	
Parks and Recreation Operations and Maintenance.	<u>\$1,700,000</u>
<u>Library Funds</u>	
Library Operations and Maintenance.	<u>\$1,400,000</u>
<u>Neighborhood Protection Funds</u>	
Eligible Police, Fire, and Block Watch Operations and Maintenance Expenditures Funded with Privilege License and Excise Taxes in accordance with Ordinance G-3696.	<u>\$2,000,000</u>
<u>Public Safety Enhancement Funds</u>	
Police, Fire, and Emergency Management Operations and Maintenance Expenditures Funded with Privilege License and Excise Taxes in accordance with Ordinance S-31877.	<u>\$200,000</u>
<u>Public Safety Expansion Funds</u>	
Police and Fire Personnel and Service Expansion Funded with Privilege License and Excise Taxes in accordance with Ordinance G-4987.	<u>\$2,600,000</u>

Fund	Amount
<u>Arizona Highway User Revenue Funds</u> Major Street Improvements, Traffic Improvements, Other Street Improvements and Parkways.	<u>\$66,100,000</u>
<u>Court Award Funds</u> Criminal Justice Program.	<u>\$100,000</u>
<u>Development Services Funds</u> Development Services Operations and Maintenance.	<u>\$400,000</u>
<u>Sports Facilities Funds</u> Sports Facilities Operations and Maintenance, and Capital Improvements.	<u>\$1,400,000</u>
<u>Regional Transit Authority Funds</u> Regional Transit Operations and Maintenance, and Capital Improvements.	<u>\$1,700,000</u>
<u>Aviation Funds</u> Aviation Operations and Maintenance, and Capital Improvements.	<u>\$81,700,000</u>
<u>Water Funds</u> Water System Operations and Maintenance, and Capital Improvements.	<u>\$54,100,000</u>
<u>Wastewater System and Multi-City Wastewater Funds</u> Wastewater System Operations and Maintenance, and Capital Improvements.	<u>\$35,100,000</u>
<u>Transit 2000 Funds</u> Transit Operations and Maintenance, and Capital Improvement Expenditures Funded with Privilege License and Excise Taxes in accordance with Ordinance G-4259.	<u>\$86,700,000</u>
<u>Phoenix Convention Center Funds</u> Phoenix Convention Center Operations and Maintenance, and Capital Improvements.	<u>\$11,500,000</u>
<u>Solid Waste Funds</u> Solid Waste Operations, Maintenance, and Capital Improvements.	<u>\$18,000,000</u>

Fund

Golf Course Funds

Golf Course Operations, Maintenance, and Capital Improvements. \$100,000

Capital Construction Funds

Capital Improvements in Street Transportation and Drainage. \$17,700,000

Public Housing Funds

Public Housing Operations, Maintenance, and Capital Improvements. \$5,700,000

Community Development Funds

Community Development Program. \$1,400,000

Community Reinvestment Funds

Community Reinvestment Program. \$700,000

Federal Transit Funds

Federal Transit Grant Program. \$4,600,000

HOPE VI Federal Grant Funds

HOPE VI Program. \$300,000

Other Restricted Funds

Other Restricted Funds Operations, Maintenance, and Capital Improvements. \$9,000,000

Parks and Preserves Funds

Parks and Preserves Operations, Maintenance, and Capital Improvement Expenditures Funded with Privilege License and Excise Taxes in accordance with Ordinance S-26191. \$9,800,000

Federal and State Grant Funds

Federal and State Grants. \$2,200,000

CAPITAL PROJECTS FUNDS:

City Improvement Funds

\$154,600,000

Phoenix Convention Center Capital Funds

\$214,200,000

Multi-City Wastewater Capital Funds

\$341,500,000

Fund	Amount
<u>Downtown Redevelopment and Public Parking Funds</u>	<u>\$500,000</u>
<u>Development Impact Fee Funds</u>	<u>\$20,900,000</u>
<u>Storm Sewers and Flood Protection Capital Funds</u>	<u>\$200,000</u>
<u>Transit Capital Funds</u>	<u>\$17,700,000</u>
<u>Streets Capital Funds</u>	<u>\$21,300,000</u>
<u>Parks, Recreation, Library, and Mountain Preserves Capital Funds</u>	<u>\$1,200,000</u>
<u>Freeway Mitigation, Neighborhood Stabilization and Slum and Blight Elimination Capital Funds</u>	<u>\$300,000</u>
<u>Aviation Capital Funds</u>	<u>\$255,500,000</u>
<u>Water Capital Funds</u>	<u>\$316,000,000</u>
<u>Solid Waste Capital Funds</u>	<u>\$1,200,000</u>
<u>Public Housing Capital Funds</u>	<u>\$1,200,000</u>
<u>Wastewater Capital Funds</u>	<u>\$94,400,000</u>
<u>800 MHz Digital Radio System Funds</u>	<u>\$1,900,000</u>
<u>2001 Police Protection Facilities and Equipment Bond Funds</u>	<u>\$8,400,000</u>
<u>2001 Police, Fire and Computer Technology Bond Funds</u>	<u>\$2,800,000</u>
<u>2001 Preserving Phoenix Heritage Bond Funds</u>	<u>\$3,400,000</u>
<u>2001 Parks, Open Space and Recreational Facilities Bond Funds</u>	<u>\$3,400,000</u>
<u>2001 Educational, Youth and Cultural Facilities Bonds Funds</u>	<u>\$1,000,000</u>
<u>2001 Library Facilities Bond Funds</u>	<u>\$8,800,000</u>

Fund	Amount
<u>2001 Fire Protection Facilities and Equipment Bond Funds</u>	<u>\$3,300,000</u>
<u>2001 Neighborhood Protection and Senior Center Bond Funds</u>	<u>\$1,900,000</u>
<u>2001 Affordable Housing and Homeless Bond Funds</u>	<u>\$2,500,000</u>
<u>2001 Storm Sewers Bond Funds</u>	<u>\$4,600,000</u>
<u>2001 Street Improvement Bond Funds</u>	<u>\$6,100,000</u>
<u>2006 Police and Fire Protection Bond Funds</u>	<u>\$29,000,000</u>
<u>2006 Education Bond Funds</u>	<u>\$26,100,000</u>
<u>2006 Parks &amp; Recreation Bond Funds</u>	<u>\$30,600,000</u>
<u>2006 Library, Senior &amp; Cultural Center Bond Funds</u>	<u>\$10,900,000</u>
<u>2006 Affordable Housing &amp; Neighborhood Bond Funds</u>	<u>\$4,200,000</u>
<u>2006 Street &amp; Storm Sewer Improvement Bond Funds</u>	<u>\$11,000,000</u>
TOTAL	<u>\$2,045,100,000</u>

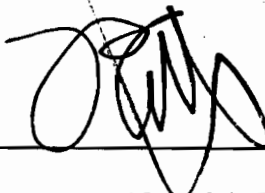
SECTION 2. In case of an emergency, the City Council may authorize the transfer of funds between the purposes set forth in Section 1 above, if the funds are available and the transfer does not conflict with the limitations provided by law under A.R.S. § 42-17106.

SECTION 3. Money from any fund may be used for any of these purposes set forth hereinabove, except money specifically restricted by state law or by City Charter or City ordinances and resolutions.

SECTION 4. WHEREAS, the immediate operation of the provisions of this ordinance is necessary for the preservation of the public peace, health and safety,

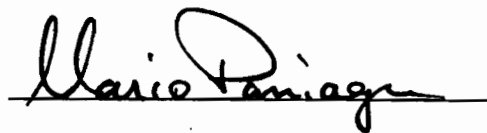
and whereas funds must be available on July 1, 2008, an EMERGENCY is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage by the Council as required by the City Charter, and is hereby exempted from the referendum clause of said Charter.

PASSED by the Council of the City of Phoenix this 18th day of June, 2008.

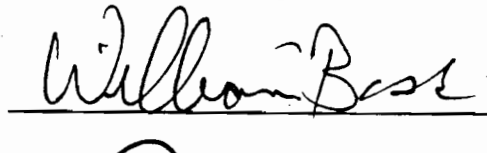


MAYOR

ATTEST:

 City Clerk

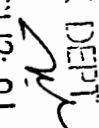
APPROVED AS TO FORM:

 Acting City Attorney  
*wp*

REVIEWED BY:

 City Manager

EEB:ms:750677V1: (CM#156) (Item#6) 06/18/08

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Ordinance No. S-35178