MEMORANDUM

Date: February, 20, 2014

TO: Town Commission

FROM: Alaina Ray, Planning Director

SUBJECT: Ordinance 2014-10, Amending the FY 2013-2014 Building Fund Budget to use Fund Balance for Expenses related to The Colony and other Professional Services

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I am requesting an appropriation from the Building Fund unappropriated fund balance in the amount of $296,000. The audited ending fund balance for fiscal year ended September 30, 2013 is $899,407, leaving a remaining fund balance of $603,407.

We have determined that the following expenses are estimated to be incurred for fiscal year 2013-2014 related to The Colony code enforcement proceedings:

Legal Services	$75,000
Wind Debris Experts	30,000
Structural Engineer	34,000
Notification and Advertising	20,000
Recording of Meetings	5,000
Venue for hearings	6,000
	$170,000

Rather than burdening the General Fund with the costs associated with building code enforcement related to The Colony, this request would provide for those costs through the Building Fund. These expenses are qualifying expenses under Florida Statutes §§ 166.222 and 553.80, for enforcement of the Florida Building Code.

In addition, I am requesting $126,000 for other professional services for contract building inspection services and staff training to secure additional licenses for staff. Several large commercial projects are moving into the building permitting phase, including: the Hilton expansion and renovation, the development of the Aria, and Infinity Condominiums. The Town does not currently have the in-house staff to accommodate the significant increase in commercial property inspections that will be required for these projects. By issuing a Request for Proposals to secure contract building inspection services, we can ensure inspections are performed in a timely and proficient manner for these large-scale projects, without incurring additional ongoing salary and benefit expenses. Further, by increasing the level of professional cross-licensing held by Staff, inspections for single-family homes and other residential permits will not be delayed when individual inspectors are unavailable due to illness, vacation, or other causes.

Ordinance 2014-10 amends the FY 2013-2014 Building Fund Budget to provide for an appropriation from fund balance.

Ordinance 2014-10 was presented to the Commission at their February 18, 2014 Regular Workshop meeting for consideration. The Ordinance was forwarded to the March 3, 2014 Regular Meeting for first reading and public hearing.

Please contact me if you have any questions.

ORDINANCE 2014-10

AN ORDINANCE AMENDING THE BUILDING FUND BUDGET OF THE TOWN OF LONGBOAT KEY, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013, AND ENDING SEPTEMBER 30, 2014; TRANSFERRING A TOTAL OF $296,000 FROM THE BUILDING FUND UNAPPROPRIATED FUND BALANCE FOR CODE ENFORCEMENT SERVICES, OTHER ENUMERATED INSPECTION PROFESSIONAL SERVICES AND FOR STAFF TRAINING; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town initiated certain building code enforcement proceedings against 17 acres of real property with a physical address of 1620 Gulf of Mexico Drive (hereinafter referred to as "The Colony");

WHEREAS, the Town has incurred and continues to incur certain expenditures associated with the building code enforcement proceedings relating to The Colony during Fiscal Year 2013-2014; and

WHEREAS, costs and expenditures associated with the Town's code enforcement action against The Colony property are qualifying expenses under Florida Statutes §§166.222 and 553.80, for enforcement of the Florida Building Code; and

WHEREAS, the Town desires to amend the Building Fund budget for Fiscal Year 2013-2014 to designate the code enforcement costs and expenditures associated with The Colony within the Town's Building Fund; and

WHEREAS, the Building department anticipates the construction of several large commercial projects during Fiscal Year 2013-2014 that will require the Town Building department to conduct a large number of commercial property inspections; and

WHEREAS, the Town desires to amend the Building Fund budget for Fiscal Year 2013-2014 to provide for an increase in staff, professional service, and training needs associated with the anticipated large commercial property developments; and

WHEREAS, the original adopted budget is insufficient to cover to the additional costs; and

WHEREAS, the Finance Director certifies that sufficient unappropriated balances are available in the Building Fund to make the required appropriations; and

WHEREAS, Article V, Section 9 of the Town Charter provides for such supplemental appropriation;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF LONGBOAT KEY, FLORIDA, THAT:

SECTION 1. The above Whereas clauses are true and correct and are hereby ratified and confirmed.

SECTION 2. The Building Fund budget of the Town of Longboat Key for the fiscal year beginning October 1, 2013 and ending September 30, 2014, as adopted pursuant to Ordinance 2013-23, is hereby amended to transfer Two Hundred Ninety-Six Thousand and 00/100 ($296,000) from unappropriated fund balance to the following accounts:

Transfers to:	
402.5500.524.3112 Professional Services-The Colony	$ 170,000
402.5500.524.3104 Professional Services –Other	120,000
402.5500.524.4001 Travel/Conf/Training	6,000
	$ 296,000

SECTION 3. If any section, subsection, sentence, clause, or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected.

SECTION 4. All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

SECTION 5. This Ordinance shall take effect upon second reading and public hearing in accordance with Law and the Charter of the Town of Longboat Key.

Passed on the first reading and public hearing the _____ day of _____, 2014.

Adopted on the second reading and public hearing the ____ day of _____, 2014.

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James L. Brown, Mayor

ATTEST:

_____
Trish Granger, Town Clerk

End of Agenda Item