

Regular Workshop – December 14, 2015  
Agenda Item 11

Agenda Item: Proposed Ordinance 2016-02, Provides Funding for Pre-Referendum Work for Utilities Undergrounding Project for Neighborhoods and Side Streets

Presenter: Town Manager and Staff

Summary: Following approval of the referendum for undergrounding utilities along the Gulf of Mexico Drive corridor, the Town Commission directed staff to move forward with preparations for a second referendum question for undergrounding utilities within neighborhoods and on side streets.

Proposed Ordinance 2016-02 provides for funding for the pre-referendum work relating to the second referendum.

Attachments: 12-1-15 Memo, Manager to Commission;  
Proposed Ordinance 2016-02.

Recommended

Action: Pending discussion, forward Ordinance 2016-02 to the December 14, 2015 Special Meeting for first reading and public hearing.

## M E M O R A N D U M

Date: December 1, 2015

**TO:** Town Commission

**FROM:** Dave Bullock, Town Manager

**SUBJECT:** Proposed Ordinance 2016-02, Amending the FY 2015-2016 General Fund Budget to Appropriate \$225,000.00 for Pre-Referendum Costs Associated With the Neighborhood Undergrounding Project to be Funded by Unappropriated Fund Balance

---

Following the Town electorate's November 3, 2015 approval of \$25,250,000 in debt to finance the cost of undergrounding utilities relating to Gulf of Mexico Drive ("GMD Project"), the Town Commission decided to move forward with posing a second referendum question to the Town's voters relating to the issuance of additional debt to finance the costs of undergrounding the remaining utilities within the neighborhood areas of the Town and installing fiber optics in the already undergrounded ones of the Town ("Neighborhood Undergrounding Project"). Pending Town Commission approval in Ordinance 2016-05, a second referendum question relating to the Neighborhood Undergrounding Project is anticipated to be posed to the Town's electorate in March 2016.

Proposed Ordinance 2016-02 provides for an appropriation of \$225,000 toward the pre-referendum costs associated with the Neighborhood Undergrounding Project to be funded by unappropriated fund balance. If this second referendum question for the Neighborhood Undergrounding Project is approved, the costs incurred by the General Fund will be reimbursable under the bonded project.

The General Fund's fund balance will not be significantly impacted by the Neighborhood Undergrounding Project appropriation in Ordinance 2016-02 because additional revenue in the amount of \$213,669.26 shall be received from the GMD Undergrounding Capital Project Fund. Following the passage of the November 3, 2015 referendum for the GMD Project, the pre-referendum expenses associated with the GMD Project were reimbursable as a bonded project pursuant to Ordinance 2015-21 which expressed the Town Commission's intent to reimburse the General Fund for pre-referendum costs incurred related to the GMD Project. If the Neighborhood Undergrounding Project does not pass the General Fund will cover these pre-referendum costs.

Due to the passing of the GMD Project referendum, a new Gulf of Mexico Drive (GMD) Undergrounding Utility Capital Fund and budget is being established with the adoption of Ordinance 2016-01. This budget contains a transfer to the General Fund to reimburse the following expenditures which crossed two fiscal years:

<i>Persson &amp; Cohen, P.A. – Town Attorney</i>	\$ 21,549.50
<i>Brannon &amp; Gillespie, LLC – Consulting *</i>	154,761.33
<i>Bryant Miller Olive – Bond Counsel</i>	31,869.58
<i>Lewis, Longman &amp; Walker</i>	5,399.00
<i>Postage and Advertising</i>	<u>89.85</u>
	<u>\$213,669.26</u>

*\*Includes Willdan, subcontractor*

Proposed Ordinance 2016-02 amends the FY 2015-2016 General Fund Budget to include the reimbursement from the GMD Project and account for the anticipated pre-referendum costs associated with the second referendum for the Neighborhood Undergrounding Project as follows:

**Increase Revenue Account:**

**001.0900.393.0001 Prior Year Surplus/Fund Balance \$225,000.00**

**Increase Expenditure Account:**

**001.3000.519.3118 Prof. Svcs/Undergrounding Ref #2 \$225,000.00**

Pending Commission discussion, forward Ordinance 2016-02 to the December 14, 2015 Special Meeting for first reading and public hearing.

Please contact me if you have any questions.

**ORDINANCE 2016-02**

**AN ORDINANCE AMENDING THE GENERAL FUND BUDGET OF THE TOWN OF LONGBOAT KEY, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015, AND ENDING SEPTEMBER 30, 2016; TRANSFERRING FROM UNAPPROPRIATED FUND BALANCE TO PROFESSIONAL SERVICES-UNDERGROUNDING REFERENDUM #2; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Town electorate authorized the issuance of \$25,250,000 Revenue Bonds and/or Notes maturing on or within 30 years of issuance, to finance the cost of undergrounding utilities relating to Gulf of Mexico Drive on November 3, 2015 (“GMD Project”); and

**WHEREAS**, the Town Commission has indicated an intent to pose a second referendum to the electorate regarding the issuance of additional debt to finance the costs of undergrounding the remaining utilities within the neighborhood areas of the Town (“Neighborhood Undergrounding Project”); and

**WHEREAS**, it has been determined that the estimated costs to hire consultants and legal counsel to perform pre-referendum services for the Neighborhood Undergrounding Project are \$225,000.00; and

**WHEREAS**, the original adopted budget is insufficient to cover to the additional costs associated with the Neighborhood Undergrounding Project; and

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

**WHEREAS**, Article V, Section 9 of the Town Charter provides for such a 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 General Fund budget of the Town of Longboat Key for the fiscal year beginning October 1, 2015 and ending September 30, 2016, as adopted pursuant to Ordinance 2015-23, is hereby amended to transfer Two hundred twenty-five thousand, dollars and 00/100 (\$225,000.00) from unappropriated fund balance to the following account:

Expenditure Account:  
001.3000.519.3118 Prof. Svcs/Undergrounding Ref #2 \$225,000.00

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 \_\_\_\_\_, 2015.

Adopted on the second reading and public hearing the \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Jack G. Duncan, Mayor

ATTEST:

\_\_\_\_\_  
Trish Granger, Town Clerk



**End of Agenda Item**