

130.07 AMENDMENTS AFTER ADOPTION

A. *Emergency appropriations may be made by the Council to meet a public emergency posing a sudden, clear and present danger to life or property. Such appropriations may be made by emergency ordinance in accordance with the provisions of Section 220 of this Charter. (Art. VIII, §808)*

B. *Supplemental appropriations may be made by the Council by ordinance upon certification by the Mayor that there are available for appropriation revenues in excess of those estimated in the Budget. (Art. VIII, §808)*

Council may authorize by ordinance supplemental appropriations or revenue changes for any lawful purpose from funds on hand or estimated to be received within the fiscal year as follows:

- 1. Council may authorize a transfer of the unexpended balance or portion thereof of any appropriation item.*
- 2. Council may authorize an appropriation from the unappropriated balance of any fund.*
- 3. Council may increase any revenue or income budget account to reflect receipt of any additional unbudgeted monies and make the corresponding change to appropriations or the unappropriated balance.*
- 4. Council must approve, by ordinance, any transfer of any funds which results in a change in salary for any City employee. (13221 §1 10/20/93; 13252 §1 4/7/94; 13592 §1 7/17/97)*

C. Transfer of appropriations may be made in accordance with provisions of the Administrative Code. (Art. VIII §808)

D. **Positions Created by Ordinance:** No permanent or permanent part-time position not explicitly provided for in the Budget shall be created; nor shall any budgeted position be deleted or transferred from its budgeted program, unless City Council, by ordinance, authorizes the same position. (12548 §1 3/16/83; 12979 §1 6/20/90)

E. **Rules and Regulations on Transfers:**

1. Interfund Transfers: City Council may, by ordinance, approve transfers between funds during a budget year. (12979 §5 6/20/90)

2. Budgeted Transfers: The Administration shall issue a monthly report, no later than the 15th of each month on the transfer of funds into the Risk Management Fund. (14922 §1 09/16/11)

3. Intrafund Transfers: Subject to the above limitation, the Director of Finance shall have the power within a given account to authorize the transfer of any unexpended balance or any portion thereof, provided such transfers do not exceed Five Thousand (\$5,000) Dollars. Transfers that exceed Five Thousand (\$5,000) Dollars must be approved by a majority of Council by signing off on an appropriate form submitted to the Clerk's Office. After approval, the transfers shall be distributed to the public as an agenda item and be made part of the minutes of said meeting. (14215 §1 10/7/04)

The Director of Finance must establish administrative procedures which require information on the request forms proving that such transfer requests comply with this section. (12979 §4 6/20/90; 13205 §1 6/22/93; 13221 §1 10/20/93; 13284 §1 10/20/94; 13592 §1 7/17/97)

130.08 LAPSE OF APPROPRIATIONS

Every appropriation, except an appropriation for a Capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. (Art. VIII, §809)

130.14 APPROPRIATIONS

No monies shall be paid out of the City treasury except upon appropriation previously made by Council and upon warrant pursuant thereto, which warrant shall explicitly state the purpose for which the money is to be drawn. No work shall be hired to be done, no materials purchased, no contracts made, and no order issued for the payment of any monies in any amount which will cause the sums appropriated to specific purposes to be exceeded. In an emergency, however, defined as a situation which endangers or has the potential to endanger the life, safety or well-being of persons, and where expedient action must be taken to preserve and protect property and to avoid a significant potential for financial loss to the City as determined by the City's Emergency Management Committee and based upon the action recommended by them subject to the approval of the Mayor, the Director of Finance shall have the authority to transfer funds from the unappropriated balance of the various funds of the City to a maximum of \$50,000 per emergency to the appropriate bureau(s) responsible for responding to the emergency situation. Within twenty-four (24) hours of the decision by the Emergency Management Committee to respond to an emergency as outlined above, a representative of the Committee shall notify the President of City Council of its action. Within ten (10) days from the time of this appropriation, the Director of Finance shall submit a written report to City Council referencing the full details of the emergency, the effect on public safety resulting from this emergency, the action taken to correct the

emergency, and the estimated cost of the required action. At no time, except as herein detailed, shall this action be utilized to circumvent the normal appropriation powers and procedures of City Council. (12592 §1 2/1/84; 12979 §2 6/20/90)