

ORDINANCE NO. 16-1591

**AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA,
AMENDING SECTIONS 2953 THROUGH 2956 AND ADDING
SECTION 2955.1 OF CHAPTER 9.5 OF ARTICLE II OF THE
CARSON MUNICIPAL CODE, RELATING TO THE CITY'S
FISCAL ADMINISTRATION**

WHEREAS, California Government Code Section 53600 et seq. articulates the powers and duties of city governments relating to their financial affairs; and

WHEREAS, pursuant to its authority, the City of Carson has adopted municipal code provisions relating to its fiscal administration, codified Chapter 9.5 of Article II of the Carson Municipal Code; and

WHEREAS, the City Council of the City of Carson intends to update Chapter 9.5 of Article II to provide that distribution of financial information shall occur primarily in electronic format, and all disclosable financial documents and records of the City shall be found in a prominent place on the City's website, and copies may be requested at the City Clerk's Office; and

WHEREAS, the City Council finds that budget transfers of \$25,000 or less between different funds within the same department, considered minor budget transfers, can be handled more efficiently by the City Manager than by the City Council.

NOW, THEREFORE, the City Council of the City of Carson, California, does hereby ordain as follows:

Section 1. The foregoing Recitals are declared as true and correct and are adopted into the terms of this Ordinance by this reference.

Section 2. Section 2953 (Budget Adoption) Chapter 9.5 (Fiscal Administration) of Article II (Administration) of the Carson Municipal Code is hereby amended as follows:

2953 Budget Adoption.

After the conclusion of the public hearing, the City Council shall further consider the proposed budget and make any revisions thereof it may deem necessary, and on or before July 20th it shall, by resolution, adopt a balanced budget by the affirmative votes of at least three (3) members. Upon final adoption, the budget shall be in effect for the ensuing budget period and funds shall be appropriated for the first fiscal year only. In the case of a budget covering two (2) fiscal years, the City Council shall review the budget for the second fiscal year and make any revisions thereof it may deem necessary, and on or before July 20th of the second fiscal year it shall, by resolution, adopt a balanced budget for the second fiscal year by the affirmative votes

of at least three (3) members. Upon final adoption, the budget shall be in effect for the second fiscal year and funds shall be appropriated for the second fiscal year.

A copy of the adopted budget document for the budget period, certified by the City Clerk, shall be filed with the person retained by the City Council to perform auditing functions for the Council. A certified copy of the adopted budget document shall also be placed on file in the office of the City Clerk, where it shall be available for inspection. The budget document so certified shall be ~~reproduced and copies made available~~ shall be posted to the City's website for the use of all groups, offices, and agencies of the City. A certified copy of the budget document shall also be filed with the County Auditor within the time required by Government Code Section 53901. In the case of a two (2) fiscal year budget, any approved changes to the budget document shall be filed in the form of an addendum with the same groups, offices and agencies as required above.

Section 3. Section 2954 (Budget Appropriations) of Chapter 9.5 (Fiscal Administration) of Article II (Administration) of the Carson Municipal Code is hereby amended as follows:

2954 Budget Appropriations.

From the effective date of the appropriation as set forth in CMC 2953, the ~~several~~ amounts stated therein as proposed expenditures shall be and become appropriated to the several groups, offices and agencies for the respective objects and purposes therein named.

Section 4. Section 2955 (Budget Amendments) of Chapter 9.5 (Fiscal Administration) of Article II (Administration) of the Carson Municipal Code is hereby amended as follows:

2955 Budget Amendments.

At any meeting after the adoption of the budget, the City Council may amend or supplement the budget by a resolution ~~or minute order~~ adopted by the affirmative vote of at least three (3) members of the City Council.

Section 5. Section 2955.1 (Budget Transfers) of Chapter 9.5 (Fiscal Administration) of Article II (Administration) of the Carson Municipal Code is hereby added as follows:

2955.1 Budget Transfers

Interdepartmental budget transfers. Any budget transfer in any amount between City departments shall require City Council approval.

Intradepartmental budget transfers.

Any budget transfer within the same City department in an amount of up to \$25,000.00, as a single transfer or as aggregate transfers within the same fiscal year, may be approved by the City Manager. The City Manager, at his or her discretion, may request City Council approval for any intradepartmental budget transfer of \$25,000 or less.

Any budget transfer within the same City department in an amount over \$25,000.00, as a single transfer or aggregate transfers within the same fiscal year, shall require City Council approval.

“Budget transfer” shall mean transfers of moneys between individual funds within the budget. Budget transfers shall not alter the City’s budget.

Section 6. Section 2956 (Independent Audit) Chapter 9.5 (Fiscal Administration) of Article II (Administration) of the Carson Municipal Code is hereby repealed and replaced with the following:

2956 Independent Audit.

The City Council shall employ, at the beginning of each fiscal year, a qualified accountant who, at such time or times as may be specified by the City Council, shall examine the books, records, inventories and reports of all officers and employees who receive, handle or disburse public funds and all such other officers, employees or groups as the City Council may direct. As soon as practicable after the end of the fiscal year, a final audit and report shall be submitted by such accountant to the City Council, ~~one (1) copy thereof to be distributed to each member, one (1) to the City Manager, the Director of Finance and the City Attorney. respectively, and three (3) additional copies to be placed on file in the office of the City Clerk where they shall be available for inspection by the general public~~The report shall be filed with the City Clerk’s office, available at City Hall for inspection by the general public, and posted to the City’s website.

Section 7. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this section, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this section, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 8. This Ordinance shall be in full force and effect thirty (30) days after its second reading and adoption.

Section 9. The City Clerk shall cause this ordinance to be published at least once in a newspaper of general circulation published and circulated in the City within fifteen (15) days after its passage, in accordance with Section 36933 of the Government Code, and shall certify to the adoption of this ordinance.

ADOPTED this ____ day of _____, 2016.

Mayor Albert Robles

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney Sunny K. Soltani