



Course 204

Practicum for Implementation of Local Government Budget Act

Description

The Legal Team of the Louisiana Legislative Auditor (LLA) will define the legal elements of the Local Government Budget Act. In addition, the Legal Team will propose questions, which must be addressed, when the Local Government Budget Act is implemented. Finally, the Legal Team of LLA will describe the consequences of not implementing the Local Government Budget Act.

Objectives

After this class participants will be able to:

- Define elements of the Local Government Budget Act
- Practice implementing the Local Government Budget Act
- Determine consequences of non-implementation of the Local Government Budget Act

Who Will Benefit

- Elected Officials/Appointed Officials
- Local Government Employees/Local Government Auditors

About the Instructors

JENIFER SCHAYE, GENERAL COUNSEL

Jenifer Schaye is General Counsel for the Legislative Auditor of the State of Louisiana. She is a graduate of the University of Dallas and of St. Louis University Law School. She has practiced law continuously for the last forty years in Texas and Louisiana. Jenifer has substantial experience in the governmental arena. She has worked as a Legislative Aid to a State Representative in Texas. She was a Louisiana Assistant Attorney General for eleven years. As an Assistant Attorney General, she focused on tort, insurance law, and gaming law and all aspects of the Administrative Procedure Act. In her capacity as general counsel to the Legislative Auditor, Jenifer advises on public law issues and laws relating to fiscal matters, ethics issues, and all public laws which impact political subdivisions and the audits of political subdivisions on the local and state level. Jenifer also serves as a board member on the Louisiana Survivor's Benefit Board as the Legislative Auditor's designee. In addition, Jenifer represents the Legislative Auditor and staff in those matters where they

are called to testify and/or to produce records for further inquiry by state and federal courts. She advises the Louisiana Legislative Audit Advisory Council on relevant audit law issues.

Because of her governmental background, Jenifer has a broad knowledge of the processes of government and the relationships between the various branches of state and local government.

PATRICK VIRGADAMO, SENIOR ATTORNEY

Patrick Virgadamo is a Senior Attorney for the Office of the Louisiana Legislative Auditor (LLA). He is a graduate of McNeese State University (B.A. 2004), Louisiana State University (M.A. 2009), and the LSU Paul M. Hebert Law Center (J.D. / G.D.C.L. 2009). During law school, Patrick served on the Law Center's Constance Baker Motley National Moot Court Competition Team and externed for a semester with the Honorable Judge Robert Downing of the Louisiana First Circuit Court of Appeal. Patrick began his career at the LLA as a law clerk in May of 2008, before joining the LLA full-time as a Staff Attorney in August of 2009. Patrick is licensed as a practicing attorney before the Louisiana State Bar and the Eastern, Western, and Middle U.S. Districts of Louisiana.

In his capacity as attorney with the Legislative Auditor, Patrick has researched and written opinions on numerous and various questions facing the Auditor's Office, state and local officials, and public entities in general. Patrick is certified as a state agency ethics liaison and Certified Ethics Trainer with the Louisiana Board of Ethics. Patrick is a Certified Fraud Examiner (CFE) and member of the Association of Certified Fraud Examiners. Patrick has also worked extensively with the LLA's Human Resources Services (HR), where he has assisted HR and the General Counsel in addressing questions relating to employment law and in drafting and implementing numerous office policies such as the LLA's Crisis Leave, Military Leave, Sexual Harassment, and Professional Development policies.

ANGELA M. HEATH, SENIOR ATTORNEY

Angela M. Heath is a Senior Attorney for the Office of the Louisiana Legislative Auditor (LLA). She is a graduate of Southern Methodist University, in Dallas, TX, where she received a B.A. in English and a B.A. in Broadcast Journalism (1991). She received her J.D. from Loyola University New Orleans, School of Law (1996) and her LL.M – Admiralty from Tulane University School of Law (1997). Ms. Heath began her career

serving as a judicial law clerk for Justice Catherine D. “Kitty” Kimball on the Louisiana Supreme Court before going into private practice. Her practice focused on mass-tort class actions and products liability litigation. Following Hurricane Katrina in 2005, Ms. Heath moved to Charlotte, NC where she began practice in consumer bankruptcy and as the attorney for the U.S. Chapter 7 Bankruptcy Trustee for the Western District of North Carolina.

Upon returning to Louisiana in 2012, Ms. Heath served as a Senior Parish Attorney for the Parish of Jefferson before joining the LLA in February 2016 as a Staff Attorney. In her capacity as a Senior Attorney to the Legislative Auditor, Ms. Heath researches and writes opinions on numerous and various questions facing the Auditor’s Office, state and local officials, and public entities.

Ms. Heath is certified as a state agency ethics liaison and Certified Ethics Trainer with the Louisiana Board of Ethics. She is also a Certified Fraud Examiner (CFE) and member of the Association of Certified Fraud Examiners. Ms. Heath is admitted to practice in Louisiana and North Carolina.



Practicum for Implementation of Local Government Budget Act

**Daryl G. Purpera, CPA, CFE
Louisiana Legislative Auditor**

**Presented by:
Jenifer Schaye, CFE
General Counsel**

**Patrick Virgadamo, CFE
Senior Attorney**

**Angela Heath, CFE
Senior Attorney**


Practicum for Implementation of the LGBA

Course 204

Agenda

SUBJECT	PRESENTER
Introduction	Jenifer Schaye
Budget Message (Sample Doc 1)	Angela Heath
Side by Side Comparison (Sample Doc 2)	Jenifer Schaye
Public Participation in Budget Process (Sample Doc's 3 & 4)	Patrick Virgadamo
2:10pm–2:20pm	BREAK
Adoption of the Budget (Sample Doc's 5, 5a, 6)	Jenifer Schaye
Monitoring Implementation of Budget	Angela Heath
Amending the Budget (Sample Doc's 7 & 8)	Jenifer Schaye
Miscellaneous Budget Issues	Patrick Virgadamo
Ask Us Anything????	ALL

Center for Local Government Excellence



Practicum for Implementation of Local Government Budget Act

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Louisiana Legislative Auditor

Presented by:
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General Counsel

Angela Heath, CFE
Senior Attorney


Patrick Virgadamo, CFE
Senior Attorney


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OBJECTIVES



 Define Elements of LGBA

 Practice Implementing LGBA

 Determine Consequences of Non-Implementation of LGBA

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Budget Planning







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Preparing the Budget



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Sample Doc 1

strong



What do you think is:

- Strength of the message?
- Weaknesses of the message?
- What issues have you had?

Weak



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Sample Doc 2




Side by Side Comparison



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Public Participation
in Budget Process



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Sample Docs 3

☐ Budget available for review:

➤ Notice


➤ Timeframe



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Sample Doc 4

☐ Public Hearing

➤ 500K or more

➤ Certification




Public Hearing

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Sample Docs 5, 5a, 6




Adoption of the Budget



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Monitoring Implementation of Budget



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Monitoring

- ☐ How would you do this?
- ☐ Problems in monitoring?
- ☐ What happens if you do not monitor?





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Sample Doc 7



Amending the Budget





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Sample Doc 8





☐ When is amending mandated?

☐ What does 5% really mean?


☐ At what time should the amendment occur?


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Miscellaneous Budget Issues






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Budget Issues



- ☐ New sources of revenue
- ☐ New / Unexpected expenses
- ☐ Emergency & Extreme Emergency
- ☐ Fund Balance/Addressing Deficits



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Questions



Ask us anything!




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Legal Contact Information



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Practicum for Implementation of LGBA

Sample Documents

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BUDGET MESSAGE

The 2015 budget represents the revenues and spending plan of the city aligned with the mission statement and focused on improvements in the key areas of government to benefit its citizens. This budget's revenue and expense go directly to the mission of the city, "To provide a safe, well-planned city with strong infrastructure foundation built from sustainable revenues and economic opportunity to benefit the health and well-being of its residents."

The revenue of the city is comprised of restricted and unrestricted sales tax, property tax and other revenues. The Budget Revenue section provides more detail as to the expected revenue for 2015 and a forecast for the near future.

We must consider the mix of revenues to accommodate the capital and operational needs of the city. The administration also seeks partnerships with other governmental agencies through cooperative endeavor agreements and grants to stretch local dollars in providing services to its citizens. The city has entered into an agreement with St. Tammany Parish to accept wastewater from outside of the city to pass through the city sewer plant. This will provide future revenue for the city and use the capacity of the sewer plant obtained through a federal grant in 2010. The city seeks State of Louisiana Capital Outlay funds with the cooperation of our state legislative delegation. The city coordinates with state, parish, Regional Planning Authority and Greater New Orleans Causeway Commission for road and drainage improvements.

The administration will continue efforts to improve on-line services to the public for permits, occupational licenses, check payments and (Public Works) work orders.

Safety of the city is our first priority. Mandeville Police Department (MPD) provides a high level of confidence for safety. The public has expressed concern with speeding in neighborhoods. MPD is up to full patrol with the addition of qualified new recruits hired in January. Traffic patrols have increased and presence is noticed. Crime cameras will be installed to monitor more active city locations, parks and playgrounds.

The Shoreline Protection study provides three levels of protection and three different costs. We are in process to provide the first level of protection and will seek funding for the enhanced versions.

We will continue the effort to expand the Trailhead property through State of Louisiana Capital Outlay funding and city match funding.

The City of Mandeville continues this year to improve its infrastructure in all areas. Funding from restricted sales tax propositions insures the city will continue to replace infrastructure before it becomes emergent. Restricted funds play an important role in the future. Most of our sales tax dollars are in restricted funds. As we look toward spending of restricted revenue, we must first make sure it meets the legal test of the proposition the voters approved. Secondly, we should make sure we provide the public the reporting and accountability required to demonstrate that have followed the law. Third we should spend the most restrictive funds first to allow for flexibility of less restricted funds to meet the needs of the citizens.

- Sewer Operations/Wastewater Management/Drainage

When we look at the amount of money the city has in restricted funds and future revenues coming from the wastewater management agreement with the parish, we can anticipate we will have additional funding for sewer operations. The compensation will be determined by metering the wastewater from the parish and applying a rate to it. I cannot predict what that will be, but we know the rate will be at least one and one half times what a resident of the city pays. Our focus toward sewer lift stations and distribution lines puts us in a proactive mode to identify and rework lift stations before they become emergent needs.

- Water System

Our water system should be in great shape with the addition of a new water tower. Water distribution lines are being replace in Golden Shores and are planned for design and construction in Mariner's Village.

- Roads

Cities all over Louisiana would like to have Mandeville's roads. We have put ourselves in excellent position to maintain our roads with the new Road Soft software. The software will incorporate the culvert assessment option this year.

There is where restricted revenues stop. They don't pay for maintenance on parks, playgrounds, police, planning, retirement, employee health care future liabilities, and retired employees' healthcare.

- 1959 one cent sales tax

As reported in the 2013-2014 Revenue Estimates Property tax and the 1959 one cent sales tax revenues that are unrestricted pay for the police (almost half the workforce), police cars, any maintenance on buildings and grounds, maintenance on parks and playgrounds and salary / benefits / retirement of the majority of the workforce. Over the last three years we have reduced our force and reduced the raises given to 2-1/2% per year for qualified personnel.

- Retirement

As to retirement, new employees as of September 1, 2010 pay 7-1/2% of their salary for retirement for MPERS (police) and MERS (city workers). The balance of the employee contribution is paid by the city. The employer part of the contribution is also paid by the city. Both plans are defined benefit plans. All employees are part of the social security system that requires a city and employee contribution. Both systems have seen an increase in investment revenue. MERS will add 1% to the employer contribution rate and MPERS will add 1/2 % to the employer contribution rate. The employer contribution for MPERS is significantly higher than MERS.

The investment revenue expectations are positive for the next fiscal year. GASB 67 and GASB 68 will be introduced this coming year. Each retirement plan will be required to provide the city a financial analysis of the unfunded liability. The city will have to provide a special audit on the retirement system's actuary evaluation in fiscal 2016.

- Healthcare will get more complicated and uncertain as to the coverage and costs. Healthcare for retirees is a question. Do they pay more than active employees as in the case of private business? It is an area that is already a significant part of the healthcare budget. Some governmental agencies are looking into allowing their retirees to go into the exchange to reduce costs.

As we look forward, we know that there are challenges ahead. There will be challenges in the short term for funding of operations beyond the flat unrestricted revenues we expect. The council has passed a resolution placing a restructure of

sales tax on the November ballot. This will expand the use of the one cent restricted sales tax to include all lawful spending of the city. In future years, we expect revenues to allow for a reduction in property tax. An analysis is included.

A handwritten signature in cursive script, appearing to read "Donald J. Villere".

Donald J. Villere
Mayor, City of Mandeville

(AGENCY NAME) _____ FUND - BUDGET FOR YEAR ENDING (Insert Date)								
	Current Year						Upcoming Year	
	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
	Original Budget	Last Adopted Budget	Actual Year-to-Date as of: (Insert Date)	Estimated Remaining for Year	Projected Actual Result at Year End	% Change Last Adopted Budget vs. Projected Actual Result at Year End	Proposed Budget	% Change Projected Actual Result at Year End vs. Proposed Budget
					[C + D]	[E / B - 1]		[G / E - 1]
SUMMARY OF REVENUES - BY SOURCES								
Local sources:								
(Insert Revenue Source)	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!	\$ -	#DIV/0!
(Insert Revenue Source)	-	-	-	-	-	#DIV/0!	-	#DIV/0!
(Insert Revenue Source)	-	-	-	-	-	#DIV/0!	-	#DIV/0!
Total Revenues from Local Sources	-	-	-	-	-	#DIV/0!	-	#DIV/0!
State sources:								
(Insert Revenue Source)	-	-	-	-	-	#DIV/0!	-	#DIV/0!
(Insert Revenue Source)	-	-	-	-	-	#DIV/0!	-	#DIV/0!
(Insert Revenue Source)	-	-	-	-	-	#DIV/0!	-	#DIV/0!
Total Revenues from State Sources	-	-	-	-	-	#DIV/0!	-	#DIV/0!
Federal sources:								
(Insert Revenue Source)	-	-	-	-	-	#DIV/0!	-	#DIV/0!
(Insert Revenue Source)	-	-	-	-	-	#DIV/0!	-	#DIV/0!
(Insert Revenue Source)	-	-	-	-	-	#DIV/0!	-	#DIV/0!
Total Revenues from Federal Sources	-	-	-	-	-	#DIV/0!	-	#DIV/0!
Total Revenues by Sources	-	-	-	-	-	#DIV/0!	-	#DIV/0!



(AGENCY NAME) _____ FUND - BUDGET FOR YEAR ENDING (Insert Date)									
	Current Year							Upcoming Year	
	(A)	(B)	(C)	(D)	(E)	(F)		(G)	(H)
	Original	Last Adopted	Actual	Estimated	Projected	% Change		Proposed	% Change
SUMMARY OF EXPENDITURES - BY AGENCY									
Agency (Insert Agency Name)	-	-	-	-	-	#DIV/0!		-	#DIV/0!
Total Expenditures by Agency	-	-	-	-	-	#DIV/0!		-	#DIV/0!
SUMMARY OF EXPENDITURES - BY DEPARTMENTS									
Department Administration (Insert Department Name) (Insert Department Name)	- - -	- - -	- - -	- - -	- - -	#DIV/0! #DIV/0! #DIV/0!		- - -	#DIV/0! #DIV/0! #DIV/0!
Total Expenditures by Departments	-	-	-	-	-	#DIV/0!		-	#DIV/0!
SUMMARY OF EXPENDITURES - BY FUNCTIONS									
Function General Government Public Safety (Insert Function Name)	- - -	- - -	- - -	- - -	- - -	#DIV/0! #DIV/0! #DIV/0!		- - -	#DIV/0! #DIV/0! #DIV/0!
Total Expenditures by Functions	-	-	-	-	-	#DIV/0!		-	#DIV/0!
SUMMARY OF EXPENDITURES - BY CHARACTERS									
Character Salaries (Insert Expenditure Type) (Insert Expenditure Type)	- - -	- - -	- - -	- - -	- - -	#DIV/0! #DIV/0! #DIV/0!		- - -	#DIV/0! #DIV/0! #DIV/0!
Total Expenditures by Characters	-	-	-	-	-	#DIV/0!		-	#DIV/0!

(AGENCY NAME) _____ FUND - BUDGET FOR YEAR ENDING (Insert Date)								
	Current Year						Upcoming Year	
	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
	Original	Last Adopted	Actual	Estimated	Projected	% Change	Proposed	% Change
SUMMARY OF OTHER FINANCING SOURCES - BY SOURCES								
Other Financing Sources								
Transfers In - ____ Fund	-	-	-	-	-	#DIV/0!	-	#DIV/0!
(Insert Other Financing Source)	-	-	-	-	-	#DIV/0!	-	#DIV/0!
(Insert Other Financing Source)	-	-	-	-	-	#DIV/0!	-	#DIV/0!
Total Other Financing Sources by Sources	-	-	-	-	-	#DIV/0!	-	#DIV/0!
SUMMARY OF OTHER FINANCING USES - BY USES								
Other Financing Uses								
Transfers Out - ____ Fund	-	-	-	-	-	#DIV/0!	-	#DIV/0!
(Insert Other Financing Use)	-	-	-	-	-	#DIV/0!	-	#DIV/0!
(Insert Other Financing Use)	-	-	-	-	-	#DIV/0!	-	#DIV/0!
Total Other Financing Uses by Uses	-	-	-	-	-	#DIV/0!	-	#DIV/0!
SUMMARY OF FUND BALANCE								
Net change in fund balance	-	-	-	-	-	#DIV/0!	-	#DIV/0!
Estimated Beginning Fund Balance	-	-	-	-	-	#DIV/0!	-	#DIV/0!
Estimated Ending Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!	\$ -	#DIV/0!



Public Hearings On
East Baton Rouge Parish School System's
PROPOSED 2017-2018
GENERAL FUND BUDGET

Public Hearing Pursuant to the Provisions of La. R.S. 39:1306-1308
and La. R.S. 17:88(A)

Public Hearings will be held before the East Baton Rouge Parish School Board:

Thursday, June 1, 2017, 5:00 P.M.
Public Hearing/Board Workshop
School Board Room
1050 South Foster Drive
Baton Rouge, Louisiana

Thursday, June 15, 2017, 5:00 P.M.
Public Hearing/Board Meeting for Adoption of Budget
School Board Room
1050 South Foster Drive
Baton Rouge, Louisiana

The Budget document is available for public inspection at the
School Board Office Reception area, at 1050 South Foster Drive, Baton Rouge,
Louisiana

Certification – Public Participation

This is to certify that the (Public Entity) has complied with Louisiana Revised Statute 39:1307 relative to public participation in the budget process for the Year Ended (*Fiscal Year End Date*). Notice of availability for public inspection and public hearing was held in compliance with applicable statute. (*Public Official/Administrator Name*) (*Date*)

Budget Resolution

The following resolution was offered by Ms. Vereta Lee and seconded by Ms. Connie Bernard.

A resolution adopting, finalizing and implementing the General Fund Budget of the East Baton Rouge Parish School System for the fiscal year beginning July 1, 2017 and ending June 30, 2018.

WHEREAS, the Superintendent of the East Baton Rouge Parish School System, with the assistance of the Chief Business and Operations Office, prepared a Proposed General Fund Budget for the fiscal year beginning July 1, 2017 and ending June 30, 2018, which was accompanied by a budget adoption resolution; and

WHEREAS, the proposed General Fund Budget adoption resolution has been submitted to this School Board for review and consideration; and

WHEREAS, notice of a public hearing on the proposed General Fund Budget, and notice of the availability of the proposed budget for review at such hearing has been timely published in The Advocate, and

WHEREAS, a public hearing on the proposed General Fund Budget has now been reviewed and considered; now

THEREFORE BE IT RESOLVED by the School Board that the proposed General Fund Budget is hereby approved, adopted, and finalized subject to the following changes (if any).

BE IT FURTHER RESOLVED, that the Superintendent, or his/her successor, in his/her capacity as Superintendent of the School Board, or the Chief Business Operations Officer of the School Board, or his/her successor, in his/her capacity as Chief Business Operations Officer of the School Board, is hereby authorized and in his/her sole discretion, to make such changes within the General Fund Budget line items he/she may deem necessary, (with appropriate notification to the Board), provided that any reallocation of funds affecting in excess of one percent (1%) of the projected revenue collections must be approved in advance by action of the School Board at a meeting duly noticed and convened.

BE IT FURTHER RESOLVED that the Superintendent of the School Board, or his/her successor, in his/her capacity as Superintendent of the School Board, is hereby directed to advise the School Board in writing when:

1. Revenue collections plus projected revenue collections for the remainder of the year, within the General Fund or a Special Revenue Fund that is not expenditure driven, is failing to meet estimated annual budgeted revenues by five percent (5%) or more.
2. Actual expenditures plus projected expenditures for the remainder of the year, within the General Fund or a Special Revenue Fund, is exceeding the estimated budgeted expenditures by five percent (5%) or more, or
3. The actual beginning fund balance, within the General Fund or a Special Revenue Fund that is not expenditure driven, fails to meet the estimated beginning fund balance by five percent (5%) or more, and the fund balance is being used to fund current year expenditures.

BE IT FURTHER RESOLVED that the Superintendent (Secretary-Treasury of the School Board), or his/her successor, shall certify completion of all actions required by Louisiana R.S. 39:1306 by publishing a notice of the minutes of the meeting in The Advocate.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: (-) Evelyn Ware-Jackson, Mark Bellue, Dr. Dawn Chanet Collins,
Jill C. Dyason, Connie Bernard, David Tatman, Kenyetta Nelson-Smith,
Vereta Lee

NAYS: (0) None

ABSTAINING:(0) None

ABSENT:(0) Michael Gaudet

DID NOT VOTE:(0) None

And this Resolution was declared adopted on this the 15 day of June, 2017.

EAST BATON ROUGE PARISH
SCHOOL BOARD

THE FOLLOWING ORDINANCE WAS MOVED FOR INTRODUCTION BY COUNCIL MEMBER ____; SECONDED FOR INTRODUCTION BY COUNCIL MEMBER ____
ORDINANCE NO. 17-25

AN ORDINANCE TO APPROPRIATE FUNDS RELATIVE TO AND FOR ADOPTION OF THE OPERATING BUDGET FOR THE CITY OF MANDEVILLE; AND TO ESTABLISH THE ADMINISTRATION OF EXPENDITURES THEREOF AND TO PROVIDE FOR RELATED MATTERS.

BE IT ORDAINED that the Operating Budget as set out herein as Exhibit "D" attached hereto is adopted by the City Council of the City of Mandeville and that the appropriations called for therein are made; and

BE IT FURTHER ORDAINED, that the Operating Budget shall be administered under the following rules:

- 1.) No transfer of funds, as shown on exhibit "B", in the amount greater than \$5,000 of a fund appropriation may be made between line items within that fund. If there is a need to transfer more than \$5,000 within a line item, it must come to the council for council approval.
- 2.) A budget amendment shall be required should the total of all budget adjustments made within a fiscal year exceed 5% of a department appropriations;
- 3.) Any inter departmental appropriations change shall only be by amendment to the budget;
- 4.) As provided for in Louisiana R.S. 39:1311 the budget adopted herein shall constitute the authority of the Mayor to incur liabilities and authorize expenditures from the respective budgeted funds during the fiscal year.
- 5.) In the event that surplus funds are needed to fund budget items, the Administration shall provide an explanation and justification during the budget process.
- 6.) Directors' and the Mayor's Salaries and Supplements are listed as listed on Exhibit "B" by position
- 7.) Council Budget Exhibit "C" expenditures are included in Exhibit "D".
- 8.) Professional Services Contracts as it pertains to funds appropriated by the budget and as covered by Section 5-08 of the Mandeville City Charter shall be those contracts in which the primary service is performed by those holding the designation or certification as a medical doctor, attorney, architect, landscape architect or engineer."

The ordinance being submitted to a vote, the vote thereon was as follows:

AYES:	0
NAY:	0
ABSTENTIONS:	0
ABSENT:	0

and the ordinance was declared adopted this __th day of August , 2017

Kristine Scherer
Clerk of Council

Lauré Sica
Council Chairman

SUBMITTAL TO MAYOR

The foregoing Ordinance was SUBMITTED by me to the Mayor of the City of Mandeville this ____ day of August 2017 at ____ o'clock p.m.

CLERK OF COUNCIL

APPROVAL OF ORDINANCE

The foregoing Ordinance is by me hereby APPROVED, this ____th day of August, 2017 at ____ o'clock p.m.

DONALD J. VILLERE, MAYOR

RECEIPT FROM MAYOR

The foregoing Ordinance was RECEIVED by me from the Mayor of the City of Mandeville this ____th day of August, 2017 at ____ o'clock p.m.

CLERK OF COUNCIL

NEWELL NORMAND SHERIFF HARVEY, LOUISIANA

NEWELL NORMAND, SHERIFF, TAX COLLECTOR

**AND CHIEF EXECUTIVE DIRECTOR OF THE
LAW ENFORCEMENT DISTRICT IN THE
PARISH OF JEFFERSON, LOUISIANA**

ADOPTING RESOLUTION

**GENERAL FUND
AND
SPECIAL REVENUE FUNDS
16-17 AMENDED BUDGETS
AND 17-18 PROPOSED BUDGETS**

The attached Amended 16-17 and Proposed 17-18 Summary Budgets representing estimated revenues, expenditures and changes in fund balances are hereby adopted to serve as the Operating Budget of the Jefferson Parish Sheriff's Office for the General Fund and Special Revenue Funds. Accordingly, implementation is hereby authorized.

Adopted this 23rd day of June 2017, in Harvey, Louisiana.



Newell Normand, Sheriff, Tax Collector and
Chief Executive Director of the Law
Enforcement District in the Parish of
Jefferson, Louisiana

1 THE FOLLOWING ORDINANCE WAS MOVED FOR INTRODUCTION BY COUNCIL
2 MEMBER _____; SECONDED FOR INTRODUCTION BY COUNCIL
3 MEMBER _____;
4

5 **ORDINANCE NO. 18-17**

6
7 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO**
8 **AMEND ORDINANCE NUMBER 17-25, THE OPERATING BUDGET OF THE**
9 **CITY OF MANDEVILLE AND FOR OTHER MATTERS IN CONNECTION**
10 **THEREWITH**
11

12 **WHEREAS**, Article V. Financial Procedures of the Home Rule Charter provides
13 that amendments to the adopted budget be made by ordinance; and,
14

15 **WHEREAS**, an amendment to the operating budget adopted for fiscal year
16 2017-2018, Ordinance Number 17-25, is required due to expenditures in Capital Outlay
17 and Vehicle Maintenance will exceed the current authorized appropriated funds budgeted
18 for 2017-2018 City of Mandeville Operating Budget; and,
19

20 **NOW THEREFORE, BE IT ORDAINED** by the City Council of the City of
21 Mandeville that the operating budget ordinance for fiscal year 2017-2018, Ordinance
22 Number 17-25, is hereby amended in that budget amendments regarding the Capital
23 Outlay and Vehicle Maintenance, as set forth on the attached Exhibit "A", incorporated
24 as a part hereof, be adopted for the 2017-2018 Fiscal Year Operating Budget.
25

26 **BE IT FURTHER ORDAINED**, that in all other respects the 2017-2018
27 operating budget adopted shall remain in full force and effect.
28

29
30 The Ordinance being submitted to a vote, the vote thereon was as follows:
31

32 AYES:

33 NAY:

34 ABSTENTIONS:

35 ABSENT:
36

37 and the Ordinance was declared adopted the 24th day of May, 2018.
38
39
40
41

42 _____
43 Kristine Scherer
44 Council Clerk
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46
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Lauré Sica
Council Chairman

52
53 **SUBMITTAL TO MAYOR**

54 The foregoing Ordinance was SUBMITTED by me to the Mayor of the City of Mandeville this
55 ____ day of ____, 2018, at ____ o'clock a.m.

56
57 _____
58 CLERK OF COUNCIL

59
60 **APPROVAL OF ORDINANCE**

61 The foregoing Ordinance is by me hereby APPROVED this ____ day of ____, 2018, at
62 ____ o'clock a.m.

63
64 _____
65 DONALD J. VILLERE, MAYOR

66
67 **VETO OF ORDINANCE**

68
69 The foregoing Ordinance is by me hereby VETOED, this ____ day of ____, 2018, at ____
70 o'clock ____ .m.

71
72 _____
73 DONALD J. VILLERE, MAYOR

74 **RECEIPT FROM MAYOR**

75
76 The foregoing Ordinance was RECEIVED by me from the Mayor of the City of Mandeville, this
77 ____ day of ____, 2018, at ____ o'clock a.m.

78
79 _____
80 CLERK OF COUNCIL

81
82 **CERTIFICATE**

83 **I, THE UNDERSIGNED** Clerk of the City Council of the City of Mandeville do hereby certify
84 that the foregoing is a true and correct copy of an ordinance adopted by the City Council of the City of
85 Mandeville at a duly noticed, called and convened meeting of said City Council held on the 24th day of
86 May, 2018 at which a quorum was present and voting. I do further certify that said Ordinance has not
87 thereafter been altered, amended, rescinded, or repealed.

88
89 **WITNESS MY HAND** and the seal of the City of Mandeville this ____ day of ____, 2018.

90
91 _____
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93
94 **CLERK OF COUNCIL**

Exhibit A

City of Mandeville
Budget Amendment 5

Page	Line	Capital Budget	PROJECT	ACCOUNT	ACCOUNT DESCRIPTION	Budget 3/31/2018	Budget Request	Amendment Budget
							5	
108	117	Operating		010 -100-000-88000	CAPITAL OUTLAY	4,700,250	118,000	4,818,250
		Capital Budget		Current Budget	Revised Capital Budget			
51	14	Jackson St/LAKEFRONT-- Bathroom		\$ 200,000.00	\$ 318,000.00			
109	149	Operating		010 -110-000-47000	VEHICLE MAINTENANCE	58,553	22,000	80,553
					Increase to General Fund Expenditure Budget	4,758,803	140,000	4,898,803

Dear Members:

This letter is to formally provide written notice to you pursuant to the Local Government Budget Act, R.S. 39:1311(A), that the actual expenditures for this fiscal year to date for the City are currently exceeding budgeted expenditures by more than 5%.

As you may recall, the City incurred additional expenses in addressing the water main breakage on Main Street. This breakage resulted in damage to City Hall and the jail as well as loss of equipment and supplies.

I hereby propose that the Council amend the current budget to appropriate additional funds for Capital Projects and Supplies. Due to increased actual revenues, there are sufficient funds available for this proposed increased appropriation.

Sincerely,

Mayor

Practicum for Implementation of LGBA Questions

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Budget Planning

1. When do I start budget planning?

2. What documents do I need?

- Last two or three year's budgets
- Insurance documents
- Bank Statements
- Proces verbals (millages).

3. What are my projected expenses? The amount of money you expect to spend in the coming *fiscal year*, broken down into the categories you expect to spend it in - payroll, operating costs, capital expenses, debt services, etc.

- Some of these are fixed expenses
- Should develop ways of estimating all expenses, especially those that are not fixed.
- Plan for fixed expenses, fluctuating expenses and emergencies.

Budget Planning

4. **What is my projected income?** The amount of money you expect to take in for the coming fiscal year, broken down by sources -- i.e. the amount you expect from each funding source.
 - Last year's figures are usually a baseline
5. **What is the interaction of expenses and income? What gets funded from which sources?** If income, such as millages or grant funds, comes with restrictions, it's important to build those restrictions into your budget, so that you can make sure to spend the money as required.
6. **What are the goals?** Short term & long term
7. **What about unexpected expenses? Can you plan for that?**
8. **What are your long-term projections (inclusive of revenues & expenses)?**

Preparing the Budget

1. Who has responsibility for preparing the budget?

- What is the role of the mayor?
- What is the role of the finance committee?
- What is the role of the police jury?

2. Are there any steps to take before preparing the budget document?

- i. Lay out figures in a useful format (spreadsheet) to see how much you have available to spend in each expense category
- ii. Vertical column = funding source Horizontal row = expense category (funding sources along top edge & list of expense categories down left edge) Compare total expenses to total income
- iii. Revenues must equal expenditures

3. What must the budget include?

- A. A budget message that is signed by the budget preparer and that contains:
 - a summary description of the proposed financial plan, policies, and objectives, assumptions, budgetary basis, and
 - a discussion of the most important features.
- B. A statement for the general fund and each special revenue fund showing the:
 - estimated fund balances at the beginning of the year;
 - estimates of all receipts and revenues to be received;
 - revenues itemized by source;

Preparing the Budget

- recommended expenditures itemized by agency, department, function, and character;
 - other financing sources and uses by source and use; and
 - the estimated fund balance at the end of the fiscal year.
- C. In addition to the estimates previously required by R.S. 39:1305(C)(2)(a), estimates after January 1, 2011 shall also include:

A clearly presented side-by-side detailed comparison of such information for the current year, including the fund balances at the beginning of the year, year-to-date actual receipts and revenues received and estimates of all receipts and revenues to be received the remainder of the year; estimated and actual revenues itemized by source; year-to-date actual expenditures and estimates of all expenditures to be made the remainder of the year itemized by agency, department, function, and character; other financing sources and uses by source and use, both year-to-date actual and estimates for the remainder of the year; the year-to-date actual and estimated fund balances as of the end of the fiscal year; and the percentage change for each item of information.

4. What if I have a surplus?

5. What if I have a deficit?

Public Participation in Budget Process

- 1. Am I required to have a public hearing?**

- 2. Does proposed budget need to be published?**

- 3. Are committee hearings public?**

- 4. Is public hearing and public meeting the same?**

- 5. Can I have public hearing within my public meeting?**

Adoption of the Budget

1. Does budget have to be adopted as initially proposed and published?
2. Does adoption require public hearing?
3. Does adoption require public meeting?
4. Can I adopt budget by resolution?

Monitoring/Implementation of Budget

1. Are reports on expenditure and revenues being reconciled to the budget at least monthly?
2. Are revenues lower or higher than expected?
3. Are expenditures higher or lower than expected?
4. Are revenues lower or expenditures higher by 5% or more of budgeted amounts for the fund?
5. Are expenditures matched to appropriations?
6. How do payroll and personnel changes affect the budget?
7. Are there any ordinances or charter provisions which require additional procedures?

Amending the Budget

1. Are revenues lower or expenditures higher by 5% or more of budgeted amounts for the fund?
2. If yes, has written notification to the governing authority been transmitted?
3. Do additional funds need to be appropriated?
4. Have any situations arisen which require expenditures that were not budgeted?
5. What type of instrument is required to adopt amendments for the budget?
6. Are amendments adopted at an open meeting?

Amending the Budget

7. Will budget be balanced with adopted amendments?

8. Is an amendment required or has the chief executive/administrative officers been authorized to make changes within a budget without governing authority approval?

Miscellaneous Budget Issues

1. What do we do if a budget is not adopted before the end of the fiscal year?
2. What do we do if a budget is still not adopted after 50% of the prior adopted budget has been expended?
3. How do we handle fund deficits in subsequent fiscal years?
4. Do we need to amend my budget after the fiscal year is over to correct errors?

Practicum for Implementation of LGBA

LGBA Guidance

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FLOWCHART OF STATUTORY MANDATES CONCERNING THE LOCAL GOVERNMENT BUDGET ACT

	CITES	POLITICAL SUBDIVISIONS	ELECTED OFFICIALS	SCHOOL BOARDS
Complete Budget	R.S. 39:1305(A)	✓	✓	✓
Budget Preparer	R.S. 39:1305(B)	Chief Executive or Administrative Officer	Elected Official	Local Superintendent
Budget Message Prepared by:	R.S. 39:1305 (C)(1)	Chief Executive or Administrative Officer	Elected Official	Local Superintendent
Budget Instrument for Adoption	R.S. 39:1305(D) (R.S. 33:406(A)(3))	Ordinance or Resolution (Lawrason Act Municipalities - Ordinance only)	Letter authorizing implementation signed by elected official	Resolution
Completed & Submitted for Public Inspection	R.S. 39:1306	<u>Political Subdivision</u> - 15 days prior to beginning of fiscal year <u>Parish</u> - Prior to 15 th day of fiscal year	15 days prior to beginning of fiscal year	15 days prior to date of adoption
Publication	R.S. 39:1307(B)	Official Journal	Official Journal	Official Journal
Public Hearing (Public participation is required if the total proposed expenditures are \$500,000 or more.)	R.S. 39:1307(A)(C)	No sooner than 10 days after publication	No sooner than 10 days after publication (A.G. Opinion #85-938A)	✓ Prior to September 15 th of fiscal year
Certify Completion of Public Process	R.S. 39:1307(D)	Notice in Official Journal	Notice in Official Journal	Notice in Official Journal
Adoption	R.S. 39:1309	<u>Political Subdivision</u> - At open meeting before end of prior fiscal year. <u>Parish</u> - At open meeting prior to 30 th day of new fiscal year.	No public meeting required	At open meeting – by September 15 of fiscal year R.S. 17:88(A) Send to State Superintendent by September 30 th for approval R.S.17:88(C)
Retain Certified Copies	R.S. 39:1309(D) & R.S. 39:1313	Chief Executive or Administrative Officer	Elected Official	Local Superintendent
Amendments to Adopted Budget	R.S. 39:1310* & 1311 *Not applicable to amendments to proposed budget prior to final adoption	Adopted at public meeting after publication on the agenda. (Must adopt if there is a 5% variance in revenues or expenditures or beginning fund balance.)	Publication in the Official Journal (Must adopt if there is a 5% variance in revenues or expenditures.)	Adopted at public meeting after publication on the agenda. (Must adopt if there is a 5% variance in revenues or expenditures)

Click here for Additional information on the [LGBA](#).



Steps Necessary for Adoption and Implementation of an Annual Budget and for Amendment of the Budget for Political Subdivisions

Overview

- 1) Each political subdivision shall cause to be prepared a comprehensive budget presenting a complete financial plan for each fiscal year for the general fund and each special revenue fund.
 - The chief executive or administrative officer of the political subdivision shall prepare the proposed budget.
 - A budget message signed by the budget preparer for the general fund and each special revenue fund shall include a summary description of the proposed financial plan, policies and objectives, assumptions, budgetary basis, and a discussion of the most important features. **R.S. [39:1305](#)**.
- 2) The budget document shall include a statement for the general fund and each special revenue fund showing:
 - Estimated fund balances at beginning of year;
 - Estimate of all receipts and revenues to be received;
 - The revenue itemized by source;
 - The recommended expenditures itemized by department, function and character*;
 - The other funding sources and uses;
 - The estimated fund balance at the end of the fiscal year;**R.S. [39:1305\(C\)\(2\)\(a\)](#)**

**The proposed/amended expenditures must be for the entire fiscal year.*
AG Op. No. 12-0244

The budget document shall also include:

- A clearly presented side-by-side detailed comparison of information for the current year, including the fund balances at the beginning of the year, year-to-date actual receipts and revenues received and estimates of all receipts and revenues to be received the remainder of the year;
- Estimated and actual revenues itemized by source;
- Year-to-date actual expenditures and estimates of all expenditures to be made the remainder of the year itemized by agency, department, function, and character;
- Other financing sources and uses by source and use, both year-to-date actual and estimates for the remainder of the year;
- The year-to-date actual and estimated fund balances as of the end of the fiscal year; and
- The percentage change for each item of information. R.S. 39:1305(C)(2)(a).
- **R.S. 39:1305(C)(2)(b)** School boards shall itemize revenues and expenditures in accordance with guidance provided by the state Department of Education.

- School boards must comply with the requirements of both **R.S. 39:1305(C)(2)(a)** and (b). **AG Op. No. 12-0048**

- 3) A budget proposed for consideration by the governing authority shall be accompanied by a proposed budget adoption instrument. The budget adoption instrument for independently elected parish offices shall consist of a letter from the independently elected official authorizing the implementation of the adopted budget. The budget adoption instrument for any municipality, parish, school board, or special district shall be an appropriation ordinance, adoption resolution, or other legal instrument necessary to adopt and implement the budget document. **The Lawrason Act requires that the adoption of the budget must be accomplished by ordinance R.S. 33:406(A)(3).** The adoption instrument shall define the authority of the chief executive and administrative officers of the political subdivision to make changes within various budget classifications without approval by the governing authority, as well as those powers reserved solely to the governing authority. **R.S. 39:1305(D)**
- 4) The budget of a political subdivision (except for parishes) shall be completed and submitted to the governing authority of that political subdivision and made available for public inspection no later than 15 days prior to the beginning of each fiscal year. Parish budgets shall be made available for public inspection prior to the 15th day of the fiscal year for which the budget is applicable. **R.S. 39:1306(A)(2)**

- 5) The special public participation rules for political subdivisions that propose to spend \$500,000 or more from the general fund and any special revenue fund.

R.S. [39:1307](#):

- Give Notice via Publication that the budget is available for inspection;
- Give Notice via Publication of Public Hearing – Notice should be given at least 10 days prior to the hearing;
- Give Notice via Publication in the Official Journal;
- Convene at least one Public Hearing; and
- After Public Hearing, certify completion by Publication.

The budget procedures for political subdivisions that propose to spend less than \$500,000. **R.S. [39:1307](#):**

All of the initial budget procedures required under the LGBA apply to political subdivisions that propose to spend less than \$500,000. Entities that do not meet the threshold are not required to advertise as otherwise required under R.S. [39:1307](#) or hold a public hearing. All other public participation [rules](#) apply, including the adoption of the budget and amendments in an open meeting and the opportunity for public inspection. See AG Op. Nos. 87-0190, 89-0512 and 08-0254 for comment.

- 6) The political subdivision shall cause to be published a notice stating that the proposed budget is available for public inspection at the office of the individual political subdivision. The notice shall state that a public hearing on the budget shall be held, with a date, time, and place of hearing specified in the notice. The notice shall be published at least ten days prior to the public hearing.

R.S. [39:1307\(B\)](#)

- 7) At least one public hearing must be conducted on the budget proposal if the budget proposes to expend \$500,000 or more from the general fund or any special revenue fund. **R.S. [39:1307\(C\)](#)**

- 8) The political subdivision shall certify completion of public participation by publishing a notice in the official journal. **[R.S. 39:1307\(D\)](#) See Q.33 of the [LGBA FAQ for sample language for this notice.](#)**

- 9) The proposed budget and the accompanying budget adoption instrument may be amended by the political subdivision, other than a Lawrason Act municipality, at any point prior to final adoption, unless otherwise provided in an ordinance or home rule charter.

[R.S. 39:1305\(F\)* exempts Lawrason Act municipalities from the provisions of R.S. 39:1305\(F\).](#)

- 10) The political subdivision (except for a parish) shall adopt a budget, including the adoption of any amendments to the proposed budget, if applicable, in open meeting before the end of the prior fiscal year. A parish shall adopt a budget, including the adoption of any amendments, in an open meeting prior to the 30th day of the fiscal year for which the budget is applicable. **R.S. [39:1309\(A\)](#)**
- 11) The adopted budget shall be balanced with approved expenditures not exceeding the total of estimated funds available. **R.S. [39:1309\(B\)](#)**
- 12) The adopted budget shall contain the same information as that specified for the proposed budget, plus any amendments adopted prior to final adoption by the governing authority. **R.S. [39:1309\(C\)](#)**
- 13) Upon adoption, certified copies of the budget and adoption instrument shall be transmitted to and retained by the chief executive or administrative officer. **R.S. [39:1309\(D\)](#)**

AMENDING A FINALIZED BUDGET

Amendment to the adopted budget is required if:

- Total revenues fail to meet total budgeted revenue by 5% or more, and/or
- Total actual expenditures exceed total budgeted expenditures by 5% or more, or
- There has been a **change in operation** upon which the original adopted budget was developed.
 - Any increase, decrease, addition, or deletion of allocations should be made through amendment to the adopted budget.

The political subdivision shall adopt a budget amendment in an open meeting to reflect the change.

In no event shall a budget amendment be adopted proposing expenditures that exceed the total of estimated funds available for the fiscal year. **R.S. [39:1310](#)**

The provisions of R.S. 39:1310 do not apply to amendments of the proposed budget prior to final adoption.

See **[AG Op. No. 09-0152](#)** for a discussion of amending the budget.