

1. Requested Motion:

Meeting Date: December 21, 2009

Adopt Resolution 09-26U, approving the FY2010 Public Works Services, Inc. budget as amended.

Why the action is necessary:

With the approval of the rate increase by Fort Myers Beach Town Council the budget needs to reflect the revised revenue and expenses that have been modified to reflect the Capital, Operations and Maintenance requirements for the remainder of the fiscal year.

What the action accomplishes:

This action will amend the operating budget to accurately report revenues and expenses of the water utility for fiscal year 2010.

2. Agenda:

- Consent
- Administrative

3. Requirement/Purpose:

- Resolution
- Ordinance
- Other:

4. Submitter of Information:

- Council
- Town Staff: Public Works
- Town Attorney

5. Background:

A rate study was completed and accepted by PWSI and the process to proceed with a petition for rate adjustment began in August, 2009. The rate adjustment was approved at a hearing held by Fort Myers Beach Town Council on November 16, 2009. The Public Works Services, Inc. (PWSI) Board of Directors approved the FY2010 budget in September, 2009 based on current rates.

A budget is required to be amended when adjustments to revenues and/or expenditures are expected to occur which will modify the overall budget that has been approved. The amended budget as attached depicts the budget as approved for fiscal year 2010 and the recommended budget amendments.

6. Alternative Action:

Provide alternate direction to staff.

7. Management Recommendations:

Approve the budget amendments as presented to reflect anticipated revenues and expenses.

8. Recommended Approval:

Town Manager	Town Attorney	Finance Director	Public Works Director	Community Development Director	Cultural Resources Director	Town Clerk

9. Council Action:

- Approved
- Denied
- Deferred
- Other

RESOLUTION NUMBER 09-26-U

RESOLUTION OF THE TOWN OF FORT MYERS BEACH
PUBLIC WORKS SERVICES, INC.
A FLORIDA NOT FOR PROFIT CORPORATION
ADOPTION OF BUDGET AMENDMENT FOR FISCAL YEAR 2010

WHEREAS, the Town of Fort Myers Beach Public Works Services, Inc., Board of Directors has convened on December 21, 2009, following proper notice as required by its Articles of Incorporation, By-laws, and as further required by Florida Statute; and

WHEREAS, there was a proper quorum for transaction of corporate business at the aforesaid meeting; and

WHEREAS, the Board of Directors of the Town of Fort Myers Beach Public Works Services, Inc. held a public hearing and accepted public input on the amended budget for fiscal year 2010 for the corporation; and

WHEREAS, a proper Motion was duly made and seconded regarding adoption of the amended budget for fiscal year 2010; and

WHEREAS, a vote was duly taken upon the aforesaid Motion to approve said budget.

IT IS HEREBY RESOLVED BY THE PUBLIC WORKS SERVICES, INC. OF THE TOWN OF FORT MYERS BEACH, FLORIDA AS FOLLOWS:

SECTION ONE: Authority. This Resolution is enacted pursuant to the provisions of Chapter 95-494, Laws of Florida, Chapter 166, Florida Statutes, and other applicable provisions of law.

SECTION TWO: General Manager's Responsibility. The General Manager of the Public Works Services, Inc. has presented to the Board of Directors a proposed amended operating and capital budget covering the revenues and expenditures as estimated to be required for the fiscal year 2010, as set forth with specificity in Exhibit "A" which is attached hereto and hereby incorporated by reference.

SECTION THREE: Adoption. The Town of Fort Myers Beach Public Works Services, Inc., by and through its Board of Directors, hereby adopts the amended operating budget, revenue, expenditures, and capital budget for the fiscal year 2010, which is attached hereto as Exhibit "A" and hereby incorporated by reference.

SECTION FOUR: Severability. If any one of the provisions of this resolution should be held contrary to any express provision of law of contrary to the policy of express law, although not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such provision shall be null and void and shall be deemed separate from the remaining provisions of this resolution, and in no way affect the validity of all other provisions of this resolution.

SECTION FIVE: Effective Date. This resolution shall become effective immediately upon adoption.

The foregoing resolution was adopted by The Town of Fort Myers Beach Public Works Services, Inc. on December 21, 2009.

THE TOWN OF FORT MYERS BEACH
PUBLIC WORKS SERVICES, INC.

_____, Secretary

Approved as to Legal Sufficiency:

Anne Dalton, Esquire, Corporate Attorney

Town of Fort Myers Beach Public Works Services, Inc.
Annual Budget FY 2010
Revenues and Expenditures

Account #	Public Works Services, Inc. Account Description	Actual 2007-08	Budget 2008-09	Adopted 2009-10	Amended Budget 2009-10
40.000.331.3500	Miscellaneous	\$ 13,089	\$ 2,600	2,243	2,243
40.000.331.3601	Interest Income	83,875	-	-	-
40.000.331.3655	Tap in Charges	2,926	1,000	500	500
40.000.331.3668	Establish service charge	10,622	4,000	4,120	4,264
40.000.331.3669	Trip charges	1,814	600	618	640
40.000.331.3671	Reconnection fees	8,948	3,000	3,090	3,198
40.000331.3675	Fire Service	95	-	7,000	7,000
40.000.331.8004	Water	2,140,704	2,277,000	2,300,000	2,950,960
40.000.331.8005	Water - late charges	16,366	10,000	10,300	10,300
40.000.331.8006	Water - Administration	84,585	40,000	68,412	68,412
40.000.331.9999	Water - Capital Reserves	-	-	-	239,250
<i>Total Revenues</i>		\$ 2,363,024	\$ 2,338,200	\$ 2,396,283	\$ 3,286,767

Account #	Public Works Services, Inc. Expenditures	Actual 2007-08	Budget 2008-09	Adopted 2009-10	Amended Budget 2009-10
40.000.533.5110	Administrative Expense	\$ 45,323	\$ -	\$ -	\$ 156,616
40.000.533.5331	Professional Services	35,200	105,721	129,670	129,670
40.000.533.5332	Accounting and Auditing	-	16,500	20,000	20,000
40.000.533.5334	Other Contractual Services	-	33,507	36,087	36,087
40.000.533.5343	Utility Services	30,790	35,000	43,800	43,800
40.000.533.5345	Insurance	66,270	72,100	74,263	74,263
40.000.533.5346	Repair and Maintenance	290,244	267,500	40,925	251,799
40.000.533.5349	Other Current Charges/Misc.	14,114	3,000	4,500	4,500
40.000.533.5351	Office Supplies	18,816	-	-	-
40.000.533.5352	Operating supplies	-	900	11,742	11,742
40.000.533.5353	Capital Additions/Operations Equipment	-	28,500	39,000	97,000
40.000.533.5359	Depreciation Expense	222,737	-	-	222,737
40.000.533.5440	Travel/Training/Meals	-	3,000	3,000	3,000
40.000.533.5531	Professional Services Mgmt	381,776	384,800	384,800	400,192
40.000.533.5533	Bank Charges	-	-	-	-
40.000.533.5540	Membership and dues	-	600	600	600
40.000.533.5543	Bulk Water agreement	1,157,632	1,476,633	1,286,816	1,286,816
40.000.533.5591	Professional Services - Legal	-	6,500	6,695	6,695
40.000.533.5546	Capital Improvements	-	1,737,423	-	-
40.000.533.5553	Reserve - Capital Improvements	-	-	-	-
40.000.533.5572	Note Interest	132,989	121,902	122,000	122,000
40.000.533.5573	Loan Principal	180,000	180,000	180,000	180,000
40.000.533.9999	Capital Reserves	-	-	12,385	239,250
<i>Total Expense</i>		\$ 2,575,891	\$ 4,473,586	\$ 2,396,283	\$ 3,286,767