

RESOLUTION NO. 2024-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADOPTING THE FY 2024-25 ANNUAL OPERATING BUDGET, ESTABLISHING CONTROLS ON CHANGES IN APPROPRIATIONS, ESTABLISHING CONTRACT AUTHORITY OF CITY MANAGER, ESTABLISHING AUTHORITY OF CITY MANAGER TO WAIVE BIDDING REQUIREMENTS IN EMERGENCY AND AUTHORIZE EMERGENCY WORK PURSUANT TO PUBLIC CONTRACT CODE SECTION 22050, ESTABLISHING LAWSUIT SETTLEMENT AUTHORITY OF CITY MANAGER

THE CITY COUNCIL OF THE CITY OF TEMECULA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. That certain document now on file in the office of the City Clerk of the City of Temecula entitled “City of Temecula Annual Operating Budget Fiscal Year 2024-25” is hereby adopted.

Section 2. That the following controls are hereby placed on the use and transfers of budget appropriations:

A. No expenditure of funds shall be made unless there is an unencumbered appropriation available to cover the expenditure.

B. The Department Director may prepare a transfer of appropriations within departmental budget accounts, with the approval of the City Manager.

C. The City Council must authorize transfers (appropriations) of funds from the Unreserved Fund Balance and transfers between departmental budget accounts.

D. In accordance with City of Temecula Municipal Code Section 2.6.030, the City Manager shall administer the City personnel system. The City Manager is authorized to fix and alter the titles, compensation, and number of positions in the Schedule of Authorized Positions as needed, subject to the total personnel expenditure budget limitations approved by the City Council.

E. The City Manager may authorize expenditures of funds in amounts up to one-hundred thousand dollars (\$100,000). Any expenditure of funds in excess of \$100,000 requires City Council action.

F. The City Manager is hereby authorized to enter into the following types of agreements on behalf of the City, Temecula Community Services District, and the Successor Agency to the Temecula Redevelopment Agency where the amount of the agreement is one-

hundred thousand dollars (\$100,000) or less, there exists an unencumbered appropriation in the fund account against which the cost of the agreement is to be charged, and all applicable procedures for approval of the agreement have been fulfilled: public works construction agreements; agreements for purchase of supplies or equipment; personal, professional, consultant and maintenance services agreements; theater, entertainment and talent agreements; reimbursement agreements related to public improvements; and real property leases, licenses and facility use agreements in which the term is three (3) year or less. Sponsorship agreements and fee waiver agreements shall be approved by the City Council. The City Manager is also authorized to enter into agreements for cultural resources treatment and tribal monitoring with a federally recognized Indian tribe.

G. Pursuant to the provisions of Public Contract Code Section 22050(b), the City Council hereby delegates to the City Manager, or his or her designee, the authority, in the case of an emergency, to repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts in any amount necessary to complete such actions. Further, in cases of emergency when repair or replacements are necessary, the City Manager may proceed at once to replace or repair any public facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts pursuant to Public Contract Code Section 22035. Prior to taking any such action, the City Manager, or his or her designee, shall make a written finding, based on substantial evidence set forth in the findings, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency. Pursuant to and in accordance with the provisions of Public Contract Code Section 22050(c), if the City Manager or his or her designee orders any action specified in this subsection, that person shall report to the City Council, at its next regular meeting, the reasons justifying why the emergency will not permit a delay resulting from a competitive solicitation for bids and why the action is necessary to respond to the emergency and shall provide such further reports and obtain such determinations and actions of the City Council as may be required by Public Contract Code Section 22050. The authority provided by this subsection shall be in addition to and not in conflict with the authority of the City Manager pursuant to Chapter 2.56 of the Temecula Municipal Code.

H. The City Manager, in consultation with the City Attorney, is hereby authorized to settle personal injury and property damage lawsuits and enter into settlement agreements on behalf of the City, Temecula Community Services District, and the Successor Agency to the Temecula Redevelopment Agency where the amount of the settlement does not exceed one-hundred thousand dollars (\$100,000).

I. Pursuant to Section 3.28.250 of the Municipal Code, purchases of supplies and equipment of an estimated value of one-hundred thousand dollars (\$100,000) or less, may be made by the purchasing agent in the open market pursuant to the procedure prescribed in Sections 3.28.260 through 3.28.280 and without observing the procedure prescribed in Sections 3.28.130 through 3.28.240; provided, however, that all bidding may be dispensed with for purchases of supplies and equipment having a total estimated value of five thousand dollars (\$5,000) or less.

J. Appropriations and Revenue estimates for grant funded programs for Fiscal Year 2023-24 which have not been expended, encumbered or received, are hereby carried over for the applicable grant program to the subsequent fiscal year.

K. Appropriations for the transfer of funds to the Capital Improvement Program for Fiscal Year 2023-24 which have not been expended are hereby carried over to the subsequent fiscal year.

Section 3. The Director of Finance, in consultation with the City Manager, is delegated the authority to determine and define the amounts of those components of fund balance that are classified as “Assigned Fund Balance”.

Section 4. The Director of Finance is authorized to make temporary short term interfund loans between appropriate funds in order to cover short term cash needs caused by cash flow timing differences. These interfund loans must have an identified repayment source.

Section 5. Outstanding encumbrances shown on the City books at June 30, 2024, are hereby appropriated for such contracts or obligations for Fiscal Year 2024-25.

Section 6. There are numerous occasions when small dollar valued purchases must be made for or on behalf of the City; and it is appropriate that a petty cash fund be used to provide for the purchase of these smaller dollar valued items; now, therefore, the City Council of the City of Temecula does hereby resolve, determine, and order as follows:

A. There is hereby established a renewable petty cash fund to be maintained in the Finance Department.

B. The imprest balance amount of the petty cash fund shall be three thousand dollars (\$3,000).

C. Vouchers, receipts, or other evidence of payment shall be required before reimbursement shall be made from said petty cash fund, in such form as shall be required by Director of Finance.

Section 7. The City Clerk shall certify adoption of the resolution.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Temecula
this 28th day of May, 2024.

James Stewart, Mayor

ATTEST:

Randi Johl, City Clerk

[SEAL]

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF TEMECULA)

I, Randi Johl, City Clerk of the City of Temecula, do hereby certify that the foregoing Resolution No. 2024- was duly and regularly adopted by the City Council of the City of Temecula at a meeting thereof held on the 28th day of May, 2024, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Randi Johl, City Clerk