

BUDGET RESOLUTION 2023-114

A RESOLUTION AMENDING THE FISCAL YEAR 2022-2023 BUDGET TO TRANSFER FUNDS FROM THE GENERAL FUND RESERVE FOR CONTINGENCIES TO SUPPORT ADDITIONAL EXPENDITURES FOR THE FIRE FEE REIMBURSEMENT PROCESS TOTALING \$275,000

WHEREAS, Florida law provides that the party recovering judgement shall recover all legal cost and charges; and

WHEREAS, on June 19, 2020, the Fifth District Court of Appeals reversed the Trial Court's decision and ruled the City's Fire Fee was an unconstitutional tax; and

WHEREAS, on October 11, 2021, the Court held a hearing on the motion for the City to create a Common Fund; and

WHEREAS, the Court granted Class Representatives' motion for judgement totaling \$79,282,910; and

WHEREAS, on March 1, 2022, City Council approved a taxable draw-down loan totaling \$60 million; and

WHEREAS, the City had until April 4, 2022 to fund the Common Fund; and

WHEREAS, the City had to mail notices to all class members; and

WHEREAS, the City had to begin the reimbursement process to all class members within 60 days of final judgement; and

WHEREAS, on June 13, 2022, the City entered into an agreement with The Notice Company, Inc. to process reimbursements to all class members; and

WHEREAS, on July 5, 2022, the City passed Budget Resolution 2022-158 for \$200,000 of expenses for The Notice Company Inc.; and

WHEREAS, budget reserves will be used to support the additional unforeseen expenditure incurred in fiscal year 2022-2023 for the fire fee reimbursement process that was a result of the judgement.

NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF OCALA, FLORIDA, duly assembled in regular session, that the FY22-23 budget be amended as follows:

RESOURCE:

001-099-999-513-81-99800 Reserve for Contingencies (\$275,000)

USE:

001-099-950-999-81-31010 Professional Services – Other \$275,000

This resolution adopted this 20 day of December, 2022.

ATTEST:

By: Angel B. Jacobs
Angel B. Jacobs
City Clerk

CITY OF OCALA

By: James P. Hilty Sr.
James P. Hilty Sr.
President, Ocala City Council

Approved as to form and legality:

By: William E. Sexton
William E. Sexton.
City Attorney

Reviewed for accounting accuracy & completeness:

By: Peter A. Lee
Peter A. Lee
City Manager