

RESOLUTION NO. 24-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KENEDY, TEXAS, APPROVING THE FINANCIAL MANAGEMENT POLICY, WHICH IS ATTACHED AS EXHIBIT A; PROVIDING FOR A REPEALING CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, it is the responsibility of local government to ensure that public funds are managed in a prudent and financially sound manner; and

WHEREAS, financial policies provide guidelines for managing risk and assisting the City in complying with established public management best practices, while ensuring compliance with federal, state and local laws and reporting requirements; and

WHEREAS, at the April 9, 2024, City Council Meeting, staff presented the Financial Management Policy for adoption; and

WHEREAS, the City Council requests that the Financial Management Policy be reviewed and adopted annually by the Council as a part of the budget adoption process to ensure this policy is current with State Law and appropriately addresses operational needs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KENEDY, TEXAS:

SECTION 1: The City Council hereby approves the City of Kenedy Financial Management Policy, which is attached as Exhibit A, and requests that it be reviewed and adopted annually as a part of the Budget adoption process.

SECTION 2: Any prior resolution of the City Council in conflict with the provisions contained in this resolution are hereby repealed and revoked.

SECTION 3: Should any part of this resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

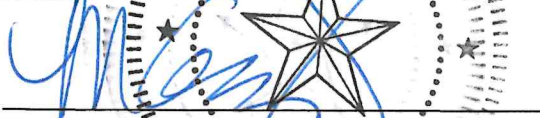
SECTION 4: This resolution shall take effect immediately from and after its passage, and it is duly resolved.

PASSED AND APPROVED, by the City Council of the City of Kenedy, Texas on the 9th day of April, 2024.

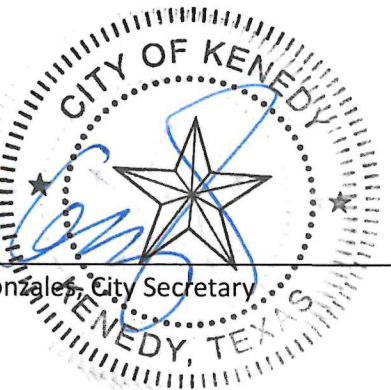


Brandon Briones, Mayor

ATTEST:



Maggie Gonzalez, City Secretary



STATEMENT OF FINANCIAL GOALS AND POLICIES CITY OF KENEDY, TEXAS

ORGANIZATIONAL GOAL STATEMENT

The overall financial and service goals of the City of Kenedy, TX – City of Kenedy is to provide the full range of statutorily required services to its citizens while maintaining the lowest prudent property tax rate. The City of Kenedy intends to continue to expand non-tax revenues to allow for budgetary growth as dictated both by the growth in the City of Kenedy’s population and the growth in the demand for the County’s services. The City of Kenedy will ensure that budgetary growth is balanced by increases in demand for services. The City of Kenedy will provide for expansion and renewal of its infrastructure through the use of long-term debt when it is considered appropriate and fiscally responsible.

I. GENERAL POLICIES

The City of Kenedy will operate on a fiscal year that begins on October 1st and ends on September 30th.

The City of Kenedy will conduct its financial affairs in conformity with State and Federal laws, and this Statement of Financial Policy, shall be approved by the City of Kenedy City Council and reviewed on an annual basis as part of the budget process.

II. ACCOUNTING, AUDITING, AND FINANCIAL PLANNING

The City of Kenedy Auditor’s Office will continue to maintain records on a basis consistent with accepted principles and standards for local government accounting, as determined by GASB and GFOA.

Regular monthly and annual financial reports are issued summarizing financial activity by fund, and department, and comparing actual resources and expenditures with budgeted amounts. The Finance Office provides monthly reports on specific services by type of expenditure and by fund.

A financial audit will continue to be performed annually by an independent public accounting firm and an official opinion and annual financial report will continue to be published and issued, as authorized by the Texas Local Govt. Code, Chapter 103, Section: 103.001.

The City of Kenedy will continue to identify areas for evaluation efforts, by either staff, committees, or consultants, in order to judge the effectiveness and efficiencies of City of Kenedy services.

The City of Kenedy benefit studies will be conducted, where appropriate and applicable, on non-recurring expenditures and capital projects.

Full disclosure will continue to be provided in the annual financial and budget reports and bond representations.

III. BUDGETING POLICIES

Budgetary Basis – The City of Kenedy’s budgetary basis and accounting records are maintained on a modified accrual basis and organized and operated on a fund basis in accordance with generally accepted accounting principles. Encumbrance accounting is utilized for materials, goods and services documented by purchase orders or contracts. The City of Kenedy will increase

the subsequent year's appropriations, but only, if necessary, to complete these transactions. The approved annual budget with amendments as approved by the City of Kenedy City Council is the management control device utilized by the City of Kenedy. Annual appropriated budgets are adopted for the General, Special Revenue, and Debt Service funds. All annual appropriations lapse at fiscal year-end. Encumbrance accounting, under which funds are reserved from purchase orders, contracts, and other commitments, is employed in these funds and as of September 30, encumbrances are subject to re-appropriations in the budget of the subsequent year.

The City of Kenedy budgets resources on a fiscal year that begins October 1st and ends on the following September 30th.

Budget workshops are held for annual budget preparation, which includes the distribution of budget worksheets to the City of Kenedy Departments in June each year. Departments and Elected Officials must return their proposals no later than July of that year.

The recommended budget shall be prepared and distributed to the City of Kenedy's City Council members before the September City Council Meeting of the preceding fiscal year.

The proposed budget estimate shall be presented in the following format:

- Revenue estimates by major item.
- Operating and maintenance expenditures by object code, major expense categories, functionally related departments, and program summaries.
- Debt Service summarized by issues detailing principal, interest, and reserve amount by fund.

The proposed budget estimate shall also contain information regarding:

- Proposed personnel staffing levels.
- A detailed listing of capital equipment to be purchased by each department.
- A detailed schedule of capital projects.
- Any additional information, data, or analysis requested by the City of Kenedy's City Council.

The proposed budgeted revenues shall be provided by the Finance Officer including ad valorem taxes, grant revenues, and inter-fund transfers. The City of Kenedy's City Council shall adopt the budget prior to October 1.

The City of Kenedy budgeting procedures attempt to identify distinct functions and activities performed by the City of Kenedy and to allocate budget resources adequate to perform these functions and activities at a specified level of service.

The City of Kenedy will continue to integrate performance measurement and productivity indicators with the budget process where appropriate.

The committed, but not yet received purchases as of September 30 will be re-appropriated in the subsequent fiscal year per a list prepared by the City of Kenedy Finance Officer with appropriate Budget Amendment.

The City Manager shall have authority to transfer expenditure appropriations from any department category of object codes to any other department or non-departmental major object code category. Transfers of such funds amount to a new appropriation will require a budget adjustment and prior to expenditure of such amounts.

IV. BUDGET AMENDMENT POLICY

City of Kenedy Policy allows a Department Head, Appointed or Elected Official or his/her designees to request budget amendments throughout the fiscal year as follows:

BUDGET AMENDMENT STATUTE:

Pursuant to Local Government Code Chapter 102, the City of Kenedy's City Council may spend City of Kenedy funds only in strict compliance with the budget. The City of Kenedy's City Council may amend the budget to transfer an amount budgeted for one item to another budgeted item without authorizing an emergency expenditure.

INTRA-DEPARTMENTAL OPERATING TRANSFER:

When a line item will be increased or decreased, or if a new capital item is requested, the amendment must be presented to the City Manager for consideration and action as a separate agenda item.

ROUTINE BUDGET AMENDMENTS:

Includes transfer of funds within the maintenance and operations line items within the elected official or department head budget(s). These items can be placed directly on the consent agenda.

NON-ROUTINE BUDGET AMENDMENTS:

Inter-Departmental – Any amendment that moves funds from one department head's budget to another department heads budget must be presented to City Manager for consideration and action.

Inter-Fund – Where permitted by law, any amendment that moves funds from one fund to another fund must be presented to the City Manager for consideration and action.

Personnel – Requests to transfer funds from any salary or benefit account are allowed for the specific purpose of salary-related expenditures such as contract labor. Budget amendment requests for capital and operating accounts from personnel line items are allowed if there are no other funds available in that department's budget and City Manager deems it to be necessary.

Capital – Any request for additional capital equipment must be justified and specified in detail with City of Kenedy estimates. Requests for additional capital items not included in the adopted budgeted or substitution of one item for another also requires approval from City of Kenedy's City Council. Surplus funds in a budgeted capital item can be transferred to cover a shortage in another budgeted line item with an Intra-Departmental Operating Transfer.

The re-appropriation at the beginning of a fiscal year of funds committed under valid Purchase Orders of the City of Kenedy but unspent by September 30 or the prior fiscal year requires a budget amendment from fund balance. These budget amendments have no net effect on spending but simply changes the accounting year for expenditures.

Pursuant to Local Government Code the City of Kenedy's City Council may authorize a contingency item. The item must be included in the itemized budget under Section 111.004(a) in

the same manner as a project for which an appropriation is established in the budget. Budget amendment(s) may be made against this item during the year in case of grave public necessity to meet an unusual and unforeseen condition that could not have been included in the original budget through the use of reasonably diligent thought and attention.

Pursuant to Local Government Code when revenues not included in the original budget are received, such as proceeds of bonds or other obligations, grant or aid money, revenue from intergovernmental contract, and pledging revenues as security for bonds and other obligations, a budget amendment is required to expend those funds. The adopted (CITY INITIALS) wide budget will increase however the revenues should exceed or equal the expenditure. This type of amendment must be submitted to City Manager for consideration and action.

Any transfer that creates an increase in budgetary commitment for the next fiscal year must be presented to City of Kenedy's City Council for consideration and action.

New employee positions cannot be created without City of Kenedy's City Council consideration and action. Creation of a new position within a departmental budget will require that the City of Kenedy's City Council declare an emergency unless the actual line item under which that new position would be categorized currently exists within that specific budget. New employee requests outside of the budget process must include substantial written justification for the position.

PROCEDURES:

Any request for a budget amendment must be justified and submitted to the City Manager and he/she will approve or disapprove and forward to the Finance Officer.

Budget Amendment transfer authorization may be delegated by the City Manager to other employees. Notification of signature authority must be on file in the Finance Director's office before requests are accepted.

The City Manager reserves the right on a case-by-case basis, where legally permissible, to curtail a department's right to make Intra-Departmental Operating Transfers if the budget transfers appear to be making a programmatic change that was not approved by the City of Kenedy's City Council in budget hearings or if the financial condition of the department and/or the City of Kenedy warrants such a curtailment.

Notification of approved Budget Amendments and Intra-Departmental Operating Transfers will be e-mailed to the appropriate department(s) after the amendment is posted. The Finance Officer is responsible for posting budget amendments.

Budget Amendment Requests for new capital equipment must be submitted to the Finance Officer for the current fiscal year by September 1st. This will allow the Purchasing Department to secure bids and order equipment prior to the end of the fiscal year.

Budget Amendment Requests other than capital requests for the current fiscal year must be submitted to the Finance Officer no later than August 31. Exceptions to the deadlines will be placed on the agenda for consideration by the City Council.

Any request for placement on the agenda of a budget amendment or Intra-Departmental Operating Transfers, past the amendment deadlines, requires a separate memo from the requesting department stating the urgency of the request.

V. REVENUES AND TRANSFERS AND POLICIES

City of Kenedy will maintain a diversified and stable revenue system to shelter it from short-term fluctuations in any one revenue source by doing the following:

- Establishing user charges and fees as permitted by law at a level related to the City of Kenedy of providing that service including indirect City of Kenedy transfers.
- Pursuing legislative change, where necessary, to permit increases in user charges and fees.
- Aggressively collecting property tax revenues, including the filing of suit where appropriate and necessary, as authorized by the Texas Property Tax Code.
- The City of Kenedy will pay for all current expenditures with current resources as required by Texas Local Govt. Code, Chapter 101, Section: 101.003.
- Transfers of monies between funds will only be accomplished after approval of the City Manager.

VI. CONTINGENCY FUND POLICIES

The City of Kenedy will maintain an unappropriated contingency to provide for small increases in service delivery City of Kenedy as well as unanticipated needs that may arise throughout the year.

THEREFORE, IT WILL BE NECESSARY FOR OFFICIALS AND DEPARTMENT HEADS TO REVIEW AND CONTROL EXPENDITURES SUCH THAT THE RATE OF EXPENDITURE DOES NOT EXCEED THE APPROVED BUDGET.

Cases of anticipated material deviation should be covered by a request for a budget amendment. Such requests should be submitted to the City Manager for initial review, they will then process the request and forward to City of Kenedy's City Council for their consideration and approval.

VII. PERSONNEL POLICIES

The number of employees on the payroll shall not exceed the total number of positions approved unless authorized by City Council. All personnel actions shall at all times be in strict conformance with applicable federal, state, and City of Kenedy policies.

Deletion and downgrades of positions may occur at any time during the fiscal year at the department heads or City Manager request or if a review of workload statistics indicates that a reduction in force is practical in a department.

Additions, position reclassifications, reorganizations, and equity adjustments must be presented with the initial budget request. Exceptions to this policy will only be allowed with Council approval.

The Council may institute a freeze during the fiscal year on hiring, promotions, transfers, and capital equipment purchases. Such action will be used arbitrarily and will allow for exceptions in appropriate areas to comply and emergency needs such as natural disasters and/or loss of major revenue source.

VIII. FIXED ASSET POLICES

All purchases of physical assets with a value of \$5,000 (five thousand dollars) except computer software shall be placed on the City of Kenedy inventory.

The City of Kenedy will maintain these assets at a level adequate to protect City of Kenedy's capital investment and to minimize future maintenance and replacement City of Kenedy by:

- Providing for adequate maintenance of capital equipment and equipment replacement under the above stated amount in the annual operating budget.

Capital expenditures for projects and equipment are budgeted by item or project and must be spent accordingly. Any request for unbudgeted capital equipment or projects throughout the fiscal year must be submitted to the Finance Officer and approved by the City Manager as a budget amendment prior to a requisition being presented to Purchasing.

Where possible, items in good useable condition placed in surplus will be used:

- To supplement expenditure for new, budgeted capital purchases.
- To supplement expenditure for replacement/budgeted capital purchases.
- To supply needed unbudgeted new and replacement equipment.

IX. DEBT MANAGEMENT POLICIES

City of Kenedy recognizes the foundation of any well-managed debt program is a comprehensive debt policy. A debt policy sets forth the parameters for issuing debt and managing outstanding debt, and it provides guidance to decision makers regarding the timing and purposes for which debt may be issued, types and amounts of permissible debt, method of sale that may be used and structural features that may be incorporated.

POLICY SUMMARY

City of Kenedy will adhere to the following specific policy statements with regards to (1) conditions for debt issuance; (2) restrictions on debt issuance; (3) debt service limitations; (4) limitations on outstanding debt; (5) debt structure; (6) the debt issuance process; and (7) debt maintenance procedures.

Conditions for debt issuance – The City of Kenedy will consider the use of debt financing only for one-time capital improvement projects. Long-term borrowing will not be used to finance current operations or normal maintenance. Debt financing may include general obligation bonds, revenue bonds, certificate of obligation, certificates of participation, tax notes, lease/purchase agreements, and other obligations permitted to be issued or incurred under Texas law. The City of Kenedy shall consider refunding outstanding bonds if one or more of the following conditions exist: (1) present value savings are at least 3% with certain exceptions, of the par amount of the refunding bonds; (2) the bonds to be refunded have restrictive or outdated covenants; or ((3) restructuring debt is deemed to be desirable.

Restrictions on debt issuance - Proceeds from long-term debt will not be used for current ongoing operations.

Debt Service Limitations – In evaluating debt capacity, general-purpose annual debt service payment should generally not exceed 20% of the City of Kenedy's total budgeted expenditures for all funds.

Limitations on Outstanding Debt - As provided in the Constitution of the State of Texas, the Net Bonded Debt of City of Kenedy shall not exceed twenty-five percent (25%) of the net value of the taxable real property of the City of Kenedy.

Debt Issuance Process – The City of Kenedy shall use a competitive bidding process in the sale of debt unless market conditions the nature of the issue, such as refunding bonds, warrant a negotiated sale. The City of Kenedy will employ outside financial specialists, including financial advisors and bond counsel, to assist it in developing a bond issuance strategy, preparing bond documents and marketing bonds to investors.

Debt Maintenance Responsibilities – The City of Kenedy will seek to maintain and, if possible, improve our current bond ratings to minimize borrowing the City of Kenedy and preserve access to credit. The City of Kenedy will adhere to a policy of full public disclosure with regard to the issuance of debt, and the City of Kenedy will meet all requirements for continuing disclosure on debt of the City of Kenedy

X. BONDED DEBT COMPLIANCE MANAGEMENT POLICY

The City of Kenedy acknowledges and will abide by any federal or state law regarding tax-exempt bonds.

POLICY SUMMARY

The City of Kenedy will adhere to the following specific policy statement with regards (1) separate record keeping per bond issuance; (2) not mingling bond issuance money; (3) the use of bond proceeds only for their approved purposes; (4) the intent to use bond funds within three (3) years of issuance; (5) meeting post-issue reporting requirements; (6) keeping interest earning with bond principal or debt service; (7) maintaining an interest and sinking fund for all tax-exempt debt; and (8) maintaining the tax-exempt status of all outstanding bonded debt of The City of Kenedy

Separate Accounting – The City of Kenedy will keep separate financial records of each bond issuance. A construction fund will be maintained for each bond issuance in the City of Kenedy's general ledger, the fund will be accounted for separately from all other funds of the City of Kenedy, and the fund will be used solely to pay The City of Kenedy of the projects for which the debt obligations were issued.

Not Mingling Bond Funds – Bond proceeds will not be co-mingled with any other City of Kenedy funds.

Approved Purposes – Bond proceeds will only be used for allowable purposes as specified by bond election and bond order authorizing the issuance of the bonds.

Intent to Use within Three Years of Issuance – The City of Kenedy intends to use bond proceeds for their approved purposes within three (3) years of their issuance.

Post-Issue Reporting Requirements – The City of Kenedy will adhere to all reporting requirements and deadlines that are applicable to tax-exempt bonds. Specifically, The City of Kenedy will comply with the requirements of Securities and Exchange Commission Rule 15c2-12 which requires the filing of annual financial reports and other financial data and the filing of any required material events notices with each agency designated as an information repository. The City of Kenedy will also comply with US Treasury Regulation Section 148 which requires the computation and payment of any arbitrage rebate owed no less frequently than five (5) years after issuing any tax-free debt.

Interest Earned Remains with Principal or Debt Service – Interest earned on bond proceeds will remain with the bond principal and will be used only to pay any City of Kenedy overruns on

approved projects, to fund new projects meeting the usage criteria in the original bond indentures, or it will be specified to go towards the payment of Debt Service.

Interest and Sinking Fund – The City of Kenedy will levy a tax on all taxable property in the City of Kenedy to pay the principal of and interest on bonds or debt instruments issued. Amounts collected from the tax levied will be deposited to the credit of the Interest and Sinking Fund maintained in the accounting records of the City of Kenedy. The City of Kenedy will maintain its Interest and Sinking Fund in a manner to a proper matching of revenues and debt service payments on its debt issues. Specifically, the Interest and Sinking fund will be depleted at least once each bond year to the amount of the allowable carryover, all amounts deposited to the fund will be expended within twelve months of receipt, and all amounts received from the investment of the fund will be deposited to the fund and expended within twelve months.

Maintenance of Tax-Exempt Status – The City of Kenedy shall not use, permit the use, or omit the use the gross proceeds of any debt issuance in a manner which if allowed or omitted would cause the interest on any bond or debt instrument of the City of Kenedy to become includable in the gross income of the owner of the bond for federal income tax purposes. The City of Kenedy specifically will comply with bond covenants which prohibit: (1) private use or private payments of assets constructed or acquired with debt proceeds; 2) private loans of bond proceeds to any person other than a state or local government; (3) investment of bond proceeds in any investment with a yield that exceeds that of the bonds; (4) taking any actions that would cause the bonds to be federally guaranteed within the meaning of section 149(b) of the Internal Revenue Code; and (5) taking any unauthorized action having the effect of diverting arbitrage profits from payment to the US Treasury, The City of Kenedy will maintain its financial records until three (3) years after final payment of all bonds to show compliance with federal and state laws regarding tax-exempt debt.

XI. INVESTMENT AND CASH MANAGEMENT

The Finance Officer will continue to collect, disburse, and deposit all funds on a schedule that ensures optimum cash availability.

The City of Kenedy Finance Officer shall handle all original reconciliation of City of Kenedy bank accounts with the Depository Bank and shall resolve any financial difference between the City of Kenedy and the Depository Bank.

The City of Kenedy Finance Officer is the Investment Officer of the City of Kenedy as authorized by the City of Kenedy's City Council and shall invest the funds of the City of Kenedy to achieve the highest and best yield, while at the same time maintaining the security and integrity of said funds.

The City of Kenedy shall maintain a written City of Kenedy Investment Policy, as approved by the City of Kenedy's City Council, to achieve the highest and best yield, while at the same time, maintaining the security and integrity of said funds.

The City of Kenedy Finance Officer will maintain an original copy of all security and/or surety pledges made by the Depository Bank in behalf of the City of Kenedy funds.

The City of Kenedy Finance Officer will maintain an original copy of all security advice for all City of Kenedy investment transactions.

City of Kenedy conducts its treasury activities with financial institution(s) based upon written contracts which specify compensating balances, service charges, term, and other conditions as

authorized by the Local Government Code inclusive of the Revised Statutes of Texas.

XII. GENERAL FUND UNRESERVED FUND BALANCE POLICY

GENERAL FUND UNRESERVED FUND BALANCE POLICY

It is essential that governments maintain adequate levels of fund balance to mitigate current and future risks (e.g., revenue shortfalls and unanticipated expenditures) and to ensure stable tax rates. Fund balance levels are a crucial consideration, too, in long-term financial planning. In most cases, discussions of fund balance will properly focus on a government's general fund.

Credit rating agencies carefully monitor levels of fund balance and unreserved fund balance in a government's general fund to evaluate a government's continued creditworthiness. Likewise, laws and regulations often govern appropriate levels of fund balance and unreserved fund balance for state and local governments.

POLICY

The Governmental Accounting Standards Board (GASB) released Statement 54, "Fund Balance Reporting and Governmental Fund Type Definitions". This Statement is intended to improve the usefulness of the amount reported in the fund balance by providing more structured classifications.

The purpose of this policy is to establish operating and reporting guidelines for the fund balances of the governmental funds for the City of Kenedy, Texas.

The City of Kenedy governmental-fund financial statements will present fund balances classified in a hierarchy based on the strength of the constraints governing how those balances can be spent. These classifications are listed below in descending order of restrictiveness:

Nonspendable Fund Balance: This classification includes amounts that cannot be spent because they: (a) are not in spendable form (e.g., inventories and prepaid items); (b) are expected to be converted into cash within the current period or at all (e.g., long-term receivables); or (c) are legally or contractually required to be maintained intact (e.g., the non-spendable corpus of an endowment).

Restricted Fund Balance: This classification includes amounts subject to usage constraints that have either been: (a) externally imposed by creditors (e.g., through a debt covenant), grantors, contributors, or laws or regulations of other governments; or (b) imposed by law through constitutional provisions or enabling legislation.

Committed Fund Balance: This classification includes amounts that are constrained to use for specific purposes pursuant to formal action of The City of Kenedy's City Council. These amounts cannot be used for other purposes unless the Council removes or changes the constraints via the same a type of action used to initially commit them.

Assigned Fund Balance: This classification includes amounts intended by the City of Kenedy for use for a specific purpose, but which do not qualify for classification as either restricted or committed. The intent can be expressed by the City of Kenedy's City Council or by a Council designee (e.g., City Manager, City of Kenedy Finance Officer). This classification applies to the positive unrestricted and uncommitted fund balances of all governmental funds except the General

Fund.

Unassigned Fund Balance: This classification applies to the residual fund balance of the General Fund and to any deficit fund balances of other governmental funds.

Order of Spending: Where appropriate, The City of Kenedy will typically use restricted, committed, and/or assigned fund balances, in that order, prior to using unassigned resources, but it reserves the right to deviate from this general strategy.

Minimum Fund Balance: The City of Kenedy generally aims to maintain the following minimum fund balance:

- General Fund: Unassigned fund balance of 3 months of budgeted expenditures for the fiscal year, to be used for unanticipated needs.

1. A commitment of fund balance requires formal action as to purpose but not as to amount; the latter may be determined and ratified by the Council at a later date. This is often important near year-end, when a purpose or need is known but The City of Kenedy is not.

2. An assignment of fund balance implies intent of the City of Kenedy's City Council, but operationally, the ability to implement the intent may be delegated to one or more persons.

PROCEDURES

A goal of each year's budgeting process will be to adopt a budget that maintains compliance with the stated General fund unreserved fund balanced policy.

Specific City of Kenedy financial conditions, economic conditions, or special initiatives may be considered reasons for temporary non-compliance with this policy.

In the event of either planned or unplanned non-compliance, it is the City of Kenedy's intention to take action during the annual budget process to reach compliance with.

Actions in the budget process available to increase the unreserved General Fund balance may include increasing taxes, decreasing spending in specific areas, dedicating one-time revenues to fund reserves, or making transfers of excess fund balances from other funds.

In the event that the level of unreserved General Fund balance is judged to be in excess of the amount acquired by this policy, amounts over that required may be used to fund one-time, non-recurring expenditures such as acquisition of capital items. Excess fund balances will not be used to fund recurring operating expenditures.

XIII. CAPITAL BUDGET IMPACT ON OPERATING BUDGET

All Capital Improvement Program requests must include the operating budget impact of the request including but not limited to additional staffing, operating expenses as well as any City of Kenedy savings anticipated if the request is approved and funded.

A Capital Improvement request form must be submitted with the overall capital project justification and operating expenses data. Projects without sufficient data will not be considered.

Operating expenses for capital projects will be funded on a pay-as-you-go basis for annual,

recurring maintenance type expenses.

XIV. INTERNAL GUIDELINES FOR MANAGEMENT OF FEDERAL AND/OR STATE FUNDS

All City of Kenedy charged by the City of Kenedy must be necessary, reasonable, allowable, and allocable to all Federal and/or State grant programs received administered by the City of Kenedy. The City of Kenedy must assure that all City of Kenedy are appropriate and eligible including but not limited to the following areas of concern:

- Administrative requirements - Including duplication of benefits requirements, provisions related to charging pre-award City of Kenedy, conflict of interest, reporting fraud, and distinction between agencies/government components, contractors, developers, and beneficiaries;
- Recordkeeping and Reporting requirements - Including records retention and financial reporting requirements;
- Procurement requirements - Including requirements related to bonding, insurance, suspension, and debarment;
- Contract conditions;
- Force Account - Including requirements for tracking, documenting, and charging personnel City of Kenedy and applicable fringe benefits and classification, purchasing, tracking, insuring, and disposing of equipment, supplies, and federally purchased tangible and intangible property;
- Contract amendments;
- Contract closeout;
- Monitoring and Quality Assurance - Including requirements related to preventing fraud, waste, and abuse;
- Audit - Including Single Audit or program-specific audit requirements

The following is a list of key federal and state regulations governing financial management of grant programs:

- 24 CFR § 570 Subpart I- governs the state CDBG-DR program;
- 2 CFR § 200, including all of Subpart E City of Kenedy Principles;
- Uniform Grant Management Standards (UGMS) - Texas Comptroller of Public Accounts and guidance under 2 CFR § 200;
- Texas Local Government Code Chapter 171

It is the City of Kenedy's responsibility to be knowledgeable and compliant with these requirements to ensure the appropriate, effective, timely, and eligible use of all funds related to Federal and/or State Programs. The City of Kenedy is responsible for monitoring vendors and projects and compliance with applicable financial management standards, for processing payment requests for funds, and for audit review.

A City of Kenedy objective is a pool of related City of Kenedy, which could be related based on the City of Kenedy's departments, function, eligible, activity, agreement with State and/or Federal agencies or any other basis. The term is used to capture a variety of scenarios in which City of Kenedy may be categorized for purposes of City of Kenedy allocation or eligibility determinations.

As per of 2 CFR § 200.303, the City of Kenedy has established this and other written policies and procedures for internal controls and guidance documentation for responsible financial

management of federal and/or state funds and include the adherence to the following:

- All federal, state, and local conflict of interest provisions, including the requirements of Texas Local Government Code Chapter 171;

The City of Kenedy has an established internal control system and documented segregation of duties. Including the appropriate segregation of duties as follows:

- No person has complete control over every phase of a significant transaction. For example, the person who authorizes payments to contractors should not draft and issue the payment check and the person who writes a payment check should not reconcile associated bank records;
- Monthly bank reconciliation and/or direct deposit monthly statements are reviewed by someone who is not responsible for handling cash or issuing checks; the person issuing checks for grant expenses does not also handle payroll preparation/issuance of paychecks;
- The City of Kenedy will take prompt action when an instance of noncompliance is identified internally or through audit findings;
- The City of Kenedy takes reasonable measures to safeguard protected personally identifiable information (PII) and other information that the City of Kenedy considers sensitive consistent with applicable Federal, state, and local laws regarding privacy and obligations of confidentiality;

Per 24 CFR § 570.502, through established budgets and accounting records, the City of Kenedy is responsible for ensuring all Federal and/or State expenditures are authorized in an approved, documented budget and do not exceed the total budget amount and do not exceed the amount in the City of Kenedy's grant agreement(s).

The City of Kenedy will use one of two general methods available to draw federal and/or state grant funds to pay for project and vendor City of Kenedy: the reimbursement method and the cash advance method.

- The reimbursement method entails a transfer of grant funds to the City of Kenedy based on actual expenditures already incurred by the City of Kenedy before it requests a draw;
- The cash advance method entails the transfer of grant funds from the federal and/or state agency based upon the City of Kenedy's received invoices before the actual cash disbursements have been made by the City of Kenedy.

The City of Kenedy establishes a separate account for each grant it receives. When using a cash advance basis process, the City of Kenedy will ensure that all received grant funding is held in an insured, interest-bearing account (2 CFR § 200.305(b)). Distinct accounting information for each grant is created. Accurate records of encumbrances/obligations against distinct line items within each grant for vendor contracts are made. Accurate records on grant awards, unobligated balances, assets, liabilities, expenditures, program income (if any), and applicable interest are kept and supported by sources of documentation, including vendor contracts, invoices, and purchase orders.

Pursuant to 2 CFR § 200.302(a), the City of Kenedy's financial management systems, including records documenting compliance with Federal statutes, regulations, and the terms and conditions of the Federal award, are sufficient to permit the preparation of reports required to demonstrate compliance with general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the

Federal statutes, regulations, and the terms and conditions of the City of Kenedy's State and/or Federal grant agreement(s).

City of Kenedy through its annual audit process has proven effective control over, and accountability for, all funds, property, and other assets in its possession. The City of Kenedy makes every effort to adequately safeguard all assets and assure that they are used solely for their intended purpose.

Financial Records for all Federal and/or State grant programs include the following:

Transaction registry documenting:

- All invoices associated with each Request for Payment; and
- Source of funds for each invoice (grant funds by activity, matching funds, and/or other funds)

Source documentation, including the following:

- Copies of Requests for Payment;
- Addendum record of direct deposit payments;
- Verification of deposits;
- Monthly bank statements
- Check register/transaction ledger;
- Employee timesheets (as applicable);
- Equipment time record sheets (as applicable);
- Property inventory;
- Purchase orders, invoices, and contractor requests for payments;
- Electronic Transfer Form (EFT);
- All original source documents

The City of Kenedy for each grant agreement received establishes Responsible Persons. Through resolution, City of Kenedy identifies the Responsible Persons (at least 2, preferably 4 by job title) responsible for both contractual documents (executed City of Kenedy agreement(s), associated amendments, and various program certifications) and financial documents (requests for payment, issuance of check).

The City of Kenedy, where allowable by the Federal and/or State funding program, will authorize direct deposit to receive payments from the agency(ies) to post directly to the City of Kenedy's local bank account.

The City of Kenedy will ensure that there exists staff and contractor capacity necessary to manage all grant funds under its control. The City of Kenedy may procure a Grant administrator to assist with the management of grant compliance, subject to 2CFR200 procurement guidelines and requirements.

Eligible/Allowable City of Kenedy: All City of Kenedy charged to the City of Kenedy's grant agreement(s) will be deemed eligible as identified in each Grantor's agreement/implementation manual. Eligible City of Kenedy is those that conform to the federal/state requirements, including limitations and waivers described in applicable Federal Register Notices, comply with federal City of Kenedy principles, and align with all associated cross-cutting federal requirements (Davis Bacon and Related Acts, Environmental requirements, etc.) and State and Local law.

The City of Kenedy will assure pursuant to 2 CFR § 200.403, City of Kenedy will meet the following general criteria to be allowable as a charge against any Federal award:

- must be necessary and reasonable for the performance of the Federal award and be allocable to that award and not to a different award;
- must conform to any limitations or exclusions set forth in 2 CFR § 200 or in the Federal award as to types or amount of City of Kenedy items;
- must be consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the City of Kenedy;
- must be accorded consistent treatment;
- must be determined in accordance with generally accepted accounting principles (GAAP);
- must be adequately documented

A city is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the City. In determining the reasonableness of a given City, consideration will be given to:

- Whether the City of Kenedy is of a type generally recognized as ordinary and necessary for the operation of the City or the proper and efficient performance of the State and/or Federal award;
- The restraints or requirements imposed by such factors as: sound business practices; arms-length bargaining; Federal, state, local, and other laws and regulations; and terms and conditions of the State and/or Federal award;
- Market prices for comparable goods or services for the geographic area;
- Whether the individuals concerned acted with prudence in the circumstances considering their responsibilities to the City, its employees, the public at large, the State Government and/or Federal Government.

The City of Kenedy will ensure that all grant reimbursement requests meet the definition of Allocable City of Kenedy (2 CFR § 200.405 and § 200.406) A City of Kenedy is allocable to a particular grant, City of Kenedy agreement, vendor contract, program, or other City of Kenedy objectives if the goods or services involved are chargeable or assignable to that City of Kenedy objective in accordance with relative benefits received. This standard is met if the City;

- Is incurred specifically for that City of Kenedy objective; Benefits both that City of Kenedy and other work of the City of Kenedy and can be distributed in proportions that may be approximated using reasonable methods; and
- is necessary to the overall operation of the City of Kenedy and is assignable in part to the specified City of Kenedy objective in accordance with 2 CFR § 200.

Pursuant to 24 CFR § 570.489(c), 2 CFR § 200.305(b), and 31 CFR § 205, the City of Kenedy when utilizing the cash advance method will minimize the time elapsing between the transfer of funds from the Federal or State agency and the disbursement by the City of Kenedy for eligible City of Kenedy. This period must not exceed 5 business days from the date of receipt/deposit of funds.