



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 7, 2016

Erie County Legislature
92 Franklin Street, Fourth Floor
Buffalo, New York 14202

Re: Risk Retention Fund – Supplemental Appropriation

Dear Honorable Members:

The Erie County Department of Law requires a supplemental appropriation made into the 2016 Budget of the Risk Retention Fund. Authorization is requested to appropriate \$1 million of unassigned fund balance into the Risk Retention Fund in order to provide adequate funding for the account.

If your Honorable Body requires further information or has any questions, please contact County Attorney Michael Siragusa or Director of Budget and Management Robert Keating. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/tc

Enclosure

cc: Michael Siragusa, Esq., Erie County Attorney
Robert Keating, Director of Budget and Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Law
Re: Risk Retention Fund – Supplemental Appropriation
Date: July 7, 2016

SUMMARY

The Erie County Department of Law requires a supplemental appropriation made into the 2016 Budget of the Risk Retention Fund (“Fund”). Authorization is requested to appropriate \$1 million of unassigned fund balance into the Fund order to provide adequate funding for the account.

FISCAL IMPLICATIONS

\$1 million in unassigned fund balance will be appropriated into the 2016 Budget.

BACKGROUND/ REASONS FOR RECOMMENDATION

The County pays for the cost of legal judgments and settlements, as well as outside counsel expenses, from the Fund.

In the 2016 Budget process, the Legislature reduced the funding for the Fund from the Executive-requested \$2 million to \$1 million. In the 2015 Budget Balancing Amendments process, the administration requested the rollover and designation of \$2 million of 2015 positive variance into the 2016 Budget for the Fund and \$1 million was approved.

Further details regarding the necessity of this supplemental appropriation can be made available to your Honorable Body by the Department of Law in executive session as it relates to pending litigation matters.

CONSEQUENCES OF NEGATIVE ACTION

To be discussed during the executive session.

STEPS FOLLOWING APPROVAL

The fund balance would be appropriated into the 2016 Budget and expended, as necessary.

RESOLUTION SUBMITTED BY:
DEPARTMENT OF LAW

Re: Risk Retention Fund – Supplemental Appropriation

WHEREAS, the County pays for the cost of legal judgments and settlements, as well as outside counsel expenses, from the Risk Retention Fund; and

WHEREAS, in order to address ongoing litigation matters, a supplemental appropriation of funds for the Risk Retention Fund is necessary.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the appropriation of \$1 million of unassigned fund balance into the 2016 Budget of the Department of Law, Risk Retention Fund, Fund Center 16020, Account 555000 (General Liability); and be it further

RESOLVED, that the Division of Budget and Management and Office of Comptroller are authorized to make the necessary budgetary adjustments to facilitate this request; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Office of the Comptroller, the Department of Law, and the Division of Budget and Management.