

ORDINANCE NO. 2004-17-33

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING AND ADOPTING THE CITY'S BUDGET FOR THE 2004-2005 FISCAL YEAR; PROVIDING FOR THE EXPENDITURE OF FUNDS; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR CARRYOVER OF FUNDS; PROVIDING A SURCHARGE FOR PERMITS; PROVIDING FOR THE ESTABLISHMENT OF CITY DEPARTMENTS; PROVIDING FOR AUTOMATIC AMENDMENT; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 4.5 of the City of Miami Gardens (the "City") Charter, the City Council is required to adopt an annual budget for the City, and

WHEREAS, the City Manager has prepared a tentative budget, a copy of which is attached and made a part hereto, that details proposed city expenditures and organizational arrangements for Fiscal Year 2004-2005, and

WHEREAS, the proposed Fiscal Year 2004-2005 budget for the City of Miami Gardens, included an estimate of revenues and expenditures, and

WHEREAS, the City Manager has provided for various City departments in the budget, and

WHEREAS, the City Council has conducted numerous public workshops and meetings to discuss and analyze the proposed annual budget, and

WHEREAS, the City Council has determined the amount of money which must be raised to conduct the affairs of the City as required by City-operating funds, departments, offices and agencies for Fiscal Year 2004-2005, so that the business of the City may be conducted on a balanced budget, and

WHEREAS, the City Council has also determined the amount necessary to be raised by ad valorem taxes and other taxes or special assessments upon all of the property, real and personal, within the corporate limits of the City of Miami Gardens, and

WHEREAS, public hearings as required by Section 200.065, Florida Statutes, were held by the City on Wednesday, September 15, 2004 and Wednesday, September 29, 2004 at 7:00 p.m. at City Hall, 1515 N.W. 167th Street, Building 5-200, Miami Gardens, FL 33169, and

WHEREAS, said public hearings have been held as stated above and comments from the public concerning said budget have been heard and considered, and

WHEREAS, the amount of funds available from taxation and other non-ad valorem revenues equals the total appropriations for expenditures and reserves, and

WHEREAS, during the course of a budgetary year, the City applies for and receives certain grants, and

WHEREAS, the City does not know the dollar amount of the grants that will be awarded at the time that the budget is approved, and

WHEREAS, when grants and donations are awarded and accepted by the City, the grant funds must be accounted for in the budget, and

WHEREAS, it is more expedient to allow the Resolution accepting the grant or donation to enact the necessary budget transfers and amendments,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. BUDGET ADOPTION:

A. The following amounts are hereby appropriated for the operation and maintenance of the City's various governmental departments for the Fiscal Year beginning October 1, 2004 and ending September 30, 2005:

<i>FOR GENERAL FUND ACTIVITIES (NET OF TRANSFERS OUT)</i>	\$32,221,186
<i>FOR TRANSPORTATION FUND ACTIVITIES (INCLUDING TRANSFERS IN)</i>	\$5,713,430
<i>DEVELOPMENT SERVICES FUND (INCLUDING TRANSFERS IN)</i>	\$1,242,321
<i>CAPITAL PROJECTS FUND (INCLUDING TRANSFERS IN)</i>	\$505,000
TOTAL OPERATING APPROPRIATIONS	<u>\$39,681,937</u>

B. The following revenues will be available during Fiscal Year 2004-2005 to meet the foregoing appropriations:

GENERAL FUND

Revenues	Budgeted Revenues for FY 04-05
Ad Valorem (Property) Taxes	
Operating Levy	\$10,514,179
Franchise Fees	
All Franchise Fees	\$ 3,110,020
Utility Taxes	
All Utility	\$ 8,622,991
Intergovernmental Revenue	
All Sources	\$ 8,653,131

Licenses Fees and Permits	
Licenses, Fees and Permits	\$ 750,000
Charges for Services	
Charges for Service	\$ 200,000
Fines and Forfeiture	
All Sources	\$ 750,000
Misc/Interest Income	
Misc Revenues	\$ 182,500
Total Revenues	\$32,221,186

TRANSPORTATION FUND

Fund Balance Appropriated	
Fund Balance	\$ 2,163,162
Intergovernmental Revenues, Transfer in	
State Revenue Sharing	\$ 1,350,310
Local Option Gas Tax	
Local Option Gas Taxes	\$ 2,139,958
Total Revenues	\$ 5,713,430

DEVELOPMENT SERVICES FUND

Transfers	
From General Fund	\$ 374,821
Planning & Zoning Fees & Charges	
Fees & Charges	\$ 150,000
Building Fees & Charges	
Fees & Charges	\$ 600,000
Surcharge	\$ 120,000
Interest	
Misc Interest	\$ 5,000
Total Revenues	\$ 1,242,321

CAPITAL PROJECT FUND

Transfers	
From General Fund	\$ 500,000
Interest	
Interest	\$ 5,000
Total Revenues	\$ 505,000

TOTAL OPERATING REVENUES

\$39,681.93

SECTION 3. EXPENDITURE OF FUNDS: The City Manager is authorized to expend or contract for expenditures, pursuant to the Charter of the City of Miami Gardens and adopted Code of Ordinances, in accordance with the adopted Fiscal Year 2004-2005 budget.

SECTION 4. AUTHORIZATION TO THE CITY MANAGER: The City Manager is hereby authorized and empowered to make budgetary transfers, limited to line item allocations within a single fund, including apportioning budgets within funds to line items in the Chart of Accounts

for the City. Said authority shall include the authority to correct inter-programmatic budgeting and accounting allocations. The power and authority herein granted shall not apply to the general contingency fund.

SECTION 5. AUTHORIZATION TO THE CITY MANAGER: The City Manager is hereby authorized and empowered to amend the budget on an as-needed basis in order to correct typographical errors or omissions that are purely scriveners' errors.

SECTION 6. AUTHORIZATION TO THE CITY MANAGER: The City Manager is hereby authorized to appropriate unanticipated revenues as deemed necessary.

SECTION 7. AUTHORIZATION TO THE CITY MANAGER: The City Manager is hereby authorized to create a suspension reserve account in each fund and, further, authorized to transfer funds across appropriation centers into said funds.

SECTION 8. AUTOMATIC AMENDMENT: The Budget shall be automatically amended upon the adoption of a resolution to accept a grant or donation of funds.

SECTION 9. CARRYOVER OF FUNDS: Funds from the City's Fiscal Year 2003-2004 Budget, not expended during Fiscal Year 2003-2004, shall be appropriated to the appropriate fund's budget reserve for Fiscal Year 2004-2005.

SECTION 10. BUILDING SURCHARGE: There is hereby imposed a 15% surcharge on the cost of all permits and other fees in the Building and Planning & Zoning departments for Fiscal Year 2004-2005.

SECTION 11. DEPARTMENTS ESTABLISHED: The following City Departments are hereby established for the Fiscal Year 2004-2005 budget year: Legislative City Council; Office of City Manager; Office of the City Clerk; Finance Department; Human Resources Department; Office of the City Attorney; General Services Department; Public Safety Department; Code Enforcement

Department; Parks and Recreation Department; Non-Departmental Department; Public Works Department; Planning and Zoning Services Department; and Building Services Department.

SECTION 12. INSTRUCTIONS TO THE CITY MANAGER: The City Manager is authorized to take all actions necessary to implement the terms and conditions of this Ordinance.

SECTION 13. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 14. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 15. EFFECTIVE DATE: This ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING IN FULL ON THE 15th DAY OF SEPTEMBER, 2004.

PASSED ON SECOND READING BY TITLE ONLY THE 29TH DAY OF SEPTEMBER, 2004.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 29TH DAY OF SEPTEMBER, 2004.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, OMC, CITY CLERK

Prepared by SONJA K. KNIGHTON, ESQ.
City Attorney

SPONSORED BY: Danny O. Crew, City Manager

MOVED BY: Councilwoman Watson

SECONDED BY: Councilman Bratton

Ordinance No. 2004-17-33

VOTE: 5-1

Mayor Gibson	<u> x </u> (Yes)	<u> </u> (No)
Vice Mayor Campbell	<u> x </u> (Yes)	<u> </u> (No)
Councilman Melvin L. Bratton	<u> x </u> (Yes)	<u> </u> (No)
Councilman Oscar Braynon, II	<u> x </u> (Yes)	<u> </u> (No)
Councilwoman Audrey J. King	<u> </u> (Yes)	<u> </u> (No) Not present
Councilwoman Sharon Pritchett	<u> </u> (Yes)	<u> x </u> (No)
Councilwoman Barbara Watson	<u> x </u> (Yes)	<u> </u> (No)