

ORDINANCE NO. 2005-33-71

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING AND ADOPTING THE CITY'S BUDGET FOR THE 2005-2006 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 2005-2006, and

WHEREAS, the proposed Fiscal Year 2005-2006 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 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 2005-2006, 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 14, 2005, and Wednesday, September 28, 2005, at 6:00 p.m. at City Hall, 1515 N.W. 167<sup>th</sup> 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, 2005, and ending September 30, 2006:

<b>FOR GENERAL FUND ACTIVITIES (INCLUDING TRANSFERS IN)</b>	<b>\$37,225,781</b>
<b>FOR TRANSPORTATION FUND ACTIVITIES (INCLUDING TRANSFERS IN)</b>	<b>\$5,168,343</b>
<b>DEVELOPMENT SERVICES FUND (INCLUDING TRANSFERS IN)</b>	<b>\$2,541,211</b>
<b>CAPITAL PROJECTS FUND (INCLUDING TRANSFERS IN)</b>	<b>\$9,803,250</b>
<b>GENERAL SERVICES FUND (INCLUDING TRANSFERS IN)</b>	<b>\$4,020,322</b>
<b>SPECIAL REVENUE FUND (INCLUDING TRANSFERS IN)</b>	<b>\$655,200</b>
<b>STORMWATER FUND (INCLUDING TRANSFERS IN)</b>	<b>\$3,395,000</b>
<b>TOTAL OPERATING APPROPRIATIONS</b>	<b><u>\$63,309,108</u></b>

B. The following revenues will be available during Fiscal Year 2005-2006 to meet the foregoing appropriations:

**GENERAL FUND**

Franchise Fees	4,266,231
Intergovernmental Revenue	9,413,423
Utility Taxes	8,195,264
Fines and Forfeitures	115,250
Public Safety	491,556
Linceses, Fees & Permits	1,162,054
Miscellaneous	657,322
Culture & Recreation	384,664
Grants and Loans	75,000
Interfund Transfers	1,047,356
<b>TOTAL GENERAL FUND</b>	<b>\$37,725,781</b>

**TRANSPORTATION FUND**

	FY 06
Revenue	Amount
Fund Balance Appropriated	1,367,557
Fuel Taxes	2,201,418
State Revenue Sharing	1,390,819
Grants	150,000
Miscellaneous Revenues/Interest	58,549
<b>TOTAL TRANSPORTATION FUND</b>	<b>\$5,168,343</b>

**DEVELOPMENT SERVICES FUND**

	FY 06
Revenue	Amount
Fund Balance Appropriated	557,938
Planning & Zoning Fees and Charges	627,020
Building Fees and Charges	1,094,933
Surcharge	56,320
Interest	5,000
Grants	\$200,000
<b>TOTAL DEVELOPMENT SERVICES FUND</b>	<b>\$2,541,211</b>

**CAPITAL PROJECT FUND**

	FY 06
Revenue	Amount
Fund Balance Appropriated	8,035,250
From General Fund	500,000
Grants	1,068,000
Interest	200,000
<b>TOTAL DEVELOPMENT SERVICES FUND</b>	<b>\$9,803,250</b>

**GENERAL SERVICES FUND**

	FY 06
Revenue	Amount
Fund Balance Appropriated	
Bank Loan	1,747,175
From Other Funds	2,245,443
Interest	27,705
<b>TOTAL DEVELOPMENT SERVICES FUND</b>	<b>\$4,020,323</b>

**SPECIAL REVENUE FUND**

	FY 06
Revenue	Amount
Fund Balance Appropriated	322,800
Impact Fees	308,000
Miscellaneous	24,400
<b>TOTAL DEVELOPMENT SERVICES FUND</b>	<b>\$655,200</b>

**STORMWATER UTILITY FUND**

	FY 06
Revenue	Amount
Fund Balance Appropriated	
Utility Fees	3,360,000
Miscellaneous	35,000
<b>TOTAL DEVELOPMENT SERVICES FUND</b>	<b>\$3,395,000</b>

**TOTAL OPERATING REVENUES** **\$63,309,108**

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 2005-2006 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 scribes' 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 implement a 2.5% cost-of-living adjustment effective October 1, 2005, for all full-time city employees employed as of September 30, 2005, including the City Clerk and City Manager.

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 2004-2005 Budget not expended during Fiscal Year 2004-2005, shall be appropriated to the appropriate fund's budgeted reserve for Fiscal Year 2005-2006.

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 2005-2006.

SECTION 11. DEPARTMENTS ESTABLISHED: The following City Departments are hereby established for the Fiscal Year 2005-2006 budget year: Legislative Department; Office of the City Manager Department; Office of the City Clerk Department; Finance Department; Human Resources Department; Office of the City Attorney Department; 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, Capital Projects 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. 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 14. EFFECTIVE DATE: This ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING IN FULL ON THE 14<sup>TH</sup> DAY OF SEPTEMBER, 2005.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 28<sup>TH</sup> DAY OF SEPTEMBER, 2005.

ATTEST:

  
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RONETTA TAYLOR, CMC, CITY CLERK

  
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SHIRLEY GIBSON, MAYOR

Reviewed by SONJA K. DICKENS, ESQ.  
City Attorney

SPONSORED BY: Danny O. Crew, City Manager

MOVED BY: Vice Mayor Braynon  
SECONDED BY: Councilman Campbell

**VOTE:**       6-0

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

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