

ORDINANCE NO. 2009-36-208

AN ORDINANCE OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING THE CITY'S BUDGET FOR THE 2008-2009 FISCAL YEAR; AUTHORIZING THE CITY MANAGER TO MAKE CERTAIN ADJUSTMENTS; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 4.5 of the City of Miami Gardens Charter, the City Council adopted a Budget for Fiscal Year 2008-2009, and

WHEREAS, it is appropriate to provide for certain transfers, appropriations and authorizations based upon previous and anticipated expenditures and revenues,

WHEREAS, the City Council has determined that it is necessary to amend the budget to reflect these changes,

WHEREAS, Florida Statute 166.241(3) allows the City to amend the budget within 60 days of the close of the fiscal year to avoid any overspending of budgeted funds;

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. AMENDMENT TO BUDGET:

The following amounts are hereby transferred for the operation and maintenance of the various Funds below, said monies currently appropriated as part of the

adopted annual operating budget for the fiscal year beginning October 1, 2008,  
and ending September 30, 2009:

<u>From</u>		
General Fund		
01-80-00-580-913-00		(\$650,000)
<u>To</u>		
Debt Service Fund		
21-00-00-347-272-01		\$650,000

SECTION 3. INSTRUCTIONS TO THE CITY MANAGER: The City Manager shall take all actions necessary to implement the terms and conditions of this ordinance.

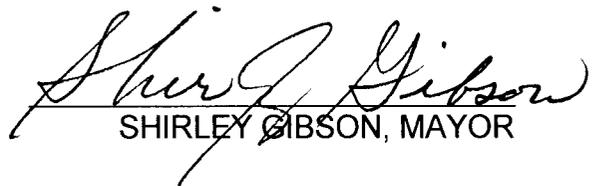
SECTION 4. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 5. 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.

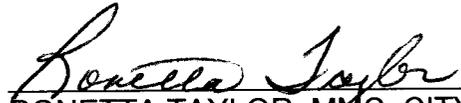
SECTION 6. EFFECTIVE DATE: This ordinance shall take effect immediately upon its passage.

PASSED on first reading this 28<sup>th</sup> day of OCTOBER, 2009.

PASSED AND ADOPTED on second reading this 10<sup>th</sup> day of NOVEMBER, 2009.

  
SHIRLEY GIBSON, MAYOR

ATTEST:

  
RONETTA TAYLOR, MMC, CITY CLERK

Reviewed by SONJA K. DICKENS, ESQ.  
City Attorney

SPONSORED BY: Danny O. Crew, City Manager

MOVED BY: Councilwoman Watson

SECONDED BY: Councilman Campbell

**VOTE: 5-0**

Mayor Shirley Gibson	<u>X</u> (Yes)	___ (No)
Vice Mayor Oliver Gilbert III	<u>X</u> (Yes)	___ (No)
Councilman Melvin L. Bratton	___ (Yes)	___ (No) (out of town)
Councilwoman Watson	<u>X</u> (Yes)	___ (No)
Councilman Andre Williams	<u>X</u> (Yes)	___ (No)
Councilwoman Sharon Pritchett	___ (Yes)	___ (No) (out of town)
Councilman Aaron Campbell Jr.	<u>X</u> (Yes)	___ (No)



## City of Miami Gardens Agenda Cover Memo

<b>Council Meeting Date:</b>	November 10, 2009		<b>Item Type:</b>	<b>Resolution</b>	<b>Ordinance</b>		<b>Other</b>	
			<i>(Enter X in box)</i>		<b>X</b>			
<b>Fiscal Impact:</b> <i>(Enter X in box)</i>	Yes	No	<b>Ordinance Reading:</b>		<b>1<sup>st</sup> Reading</b>		<b>2<sup>nd</sup> Reading</b>	
	<b>X</b>		<i>(Enter X in box)</i>				<b>X</b>	
			<b>Public Hearing:</b>		<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>No</b>
			<i>(Enter X in box)</i>				<b>X</b>	
<b>Funding Source:</b>			<b>Advertising Requirement:</b>	<b>Yes</b>		<b>No</b>		
				<i>(Enter X in box)</i>		<b>X</b>		
<b>Contract/P.O. Required:</b> <i>(Enter X in box)</i>	Yes	No	<b>RFP/RFQ/Bid #:</b>					
		<b>X</b>						
<b>Sponsor Name</b>	Danny Crew		<b>Department:</b>		City Manager Office			

**Short Title:**

AN ORDINANCE OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING THE CITY'S BUDGET FOR THE 2008-2009 FISCAL YEAR; AUTHORIZING THE CITY MANAGER TO MAKE CERTAIN ADJUSTMENTS; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

**Staff Summary:**

Florida Statute 166.241 (3) allows municipality to make amendment to the fiscal year 2008-2009 budget within 60 days of the close of the fiscal year. When staff performed a preliminary closing of the books, it identified a need for a transfer from the General Fund to the Debt Service Fund to cover the QNIP debt payment and the debt service for the first year of cornerstone payment which came after the adoption of the FY 2008-09 budget.

**Proposed Action:**

Recommend Council approval of the budget amendment.

**Attachment:**

Ordinance

**ITEM I-4) ORDINANCE  
SECOND READING  
Amending FY 2008-2009**