

ORDINANCE NO. 2008-31-167

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING AND ADOPTING THE CITY'S BUDGET FOR THE 2008-2009 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 INTERFUND TRANSFERS; 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 book, a copy of which is attached and made a part hereto, that details proposed city expenditures and organizational arrangements for Fiscal Year 2008-2009, and

WHEREAS, the proposed Fiscal Year 2008-2009 Budget for the City of Miami Gardens, includes 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 2008-2009, 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 Tuesday, September 9, 2008, and Wednesday, September 24, 2008, at 6:00 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/or receives certain grants and reimbursements, and

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

WHEREAS, when grants, reimbursements and donations are awarded and accepted by the City, these 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: The City Council of the City of Miami Gardens hereby adopts its Fiscal Year 2008-2009 Budget as follows:

- A. The Fiscal Year 2008-2009 Budget Detail and Policies attached hereto as Exhibit "A" are hereby incorporated into the Budget by Reference.
- B. The Budget Detail and Policies, along with this Ordinance shall constitute the City of Miami Gardens Fiscal Year 2008-2009 Budget ("Budget").
- C. 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, 2008, and ending September 30, 2009:

<i>FOR GENERAL FUND ACTIVITIES (INCLUDING TRANSFERS IN)</i>	\$66,401,586
<i>FOR TRANSPORTATION FUND ACTIVITIES (INCLUDING TRANSFERS IN)</i>	\$4,312,336
<i>DEVELOPMENT SERVICES FUND (INCLUDING TRANSFERS IN)</i>	\$3,841,996
<i>CAPITAL PROJECTS FUND (INCLUDING TRANSFERS IN)</i>	\$48,701,043
<i>GENERAL SERVICES FUND (INCLUDING TRANSFERS IN)</i>	\$7,697,506
<i>SPECIAL REVENUE FUND (INCLUDING TRANSFERS IN)</i>	\$1,551,799
<i>STORMWATER FUND (INCLUDING TRANSFERS IN)</i>	\$3,520,300
<i>COMMUNITY DEVELOPMENT BLOCK GRANT (INCLUDING TRANSFERS IN)</i>	\$3,838,352
<i>STATE HOUSING INCENTIVE PARTNERHIP GRANT (INCLUDING TRANSFERS IN)</i>	\$897,320
<i>LAW ENFORCEMENT TRUST FUND</i>	\$16,900
<i>DEBT SERVICE FUND</i>	\$5,384,006
TOTAL OPERATING APPROPRIATIONS	<u>\$146,163,114</u>

- D. The following revenues will be available during Fiscal Year 2008-2009 to meet the foregoing appropriations:

GENERAL FUND

Fund Balance Forward	\$10,525,719
Property Taxes	\$23,608,249
Franchise Fees	\$4,685,000
Intergovernmental Revenue	\$9,878,713
Utility Taxes	\$9,490,000
Fines and Forfeitures	\$285,000
Public Safety Licenses, Fees & Permits	\$1,218,000
Miscellaneous	\$1,858,000
Culture & Recreation	\$1,547,100
Grants and Loans	\$1,966,000
Interfund Transfers	\$0
TOTAL GF REVENUES	\$1,339,805
	\$66,401,586

TRANSPORTATION FUND

Fund Bal Forward	\$791,375
Fuel Taxes	\$2,295,000
State Revenue Sharing	\$741,036
Grants	\$10,000
Permits	\$85,000
Miscellaneous Revenues/Interest	\$23,200
Interfund Transfers	\$366,725
TOTAL TF REVENUES	\$4,312,336

DEVELOPMENT SERVICES FUND

Fund Bal Forward	\$0
Planning & Zoning Fees and Charges	\$320,000
Building Fees and Charges	\$1,400,000
Surcharge	\$190,000
Grants	\$0
Other Revenues	\$52,000
Interfund Transfers	\$1,890,496
TOTAL DSF REVENUES	\$3,841,996

CAPITAL PROJECT FUND

Fund Balance	\$10,464,293
From General Fund	\$1,700,000
From Transportation Fund	\$0
Grants	\$36,236,750
Bonds/Loans	\$0
Interest/Misc	\$300,000
TOTAL CPF REVENUES	\$48,701,043

GENERAL SERVICES FUND

Bank Loan	\$1,322,000
From Other Funds	\$6,375,506
TOTAL GSF REVENUES	\$7,697,506

SPECIAL REVENUE FUND

Fund Bal Forward	\$1,423,699
Impact Fees	\$82,100
Interest/ Miscellaneous	\$46,000
TOTAL SRF REVENUES	\$1,551,799

STORMWATER UTILITY FUND

Fund Balance Forward	\$0
Utility Fees	\$3,395,000
Grants	\$100,000
Interest/Miscellaneous	\$25,300
TOTAL SWF REVENUES	\$3,520,300

COMMUNITY DEVELOPMENT BLOCK GRANT FUND

Fund Balance Forward	\$227,072
Grants	\$3,610,080
Interest/ Miscellaneous	<u>\$1,200</u>
TOTALCDBG REVENUES	\$3,838,352

STATE HOUSING INCENTIVE PARTNERHIP GRANT

Grants	\$613,000
Fund Balance Forward	<u>\$284,320</u>
TOTALSHIP REVENUES	\$897,320

LAW ENFORCEMENT TRUST FUND

Fund Balance Forward	<u>\$16,900</u>
TOTAL LETF REVENUES	\$16,900

DEBT SERVICE FUND

Transfers-In	<u>\$5,384,006</u>
TOTAL DEBT SERVICE REVENUES	\$5,384,006

TOTAL BUDGETED REVENUES **\$146,163,144**

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 2008-2009 Budget.

SECTION 4. AUTHORIZATION TO THE CITY MANAGER: The City Manager is hereby authorized to implement all of the policies included in the Fiscal Year 2008-2009 Budget.

SECTION 5. 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.

SECTION 6. 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 7. AUTHORIZATION TO THE CITY MANAGER: The City Manager is hereby authorized to appropriate unanticipated revenues as deemed necessary.

SECTION 8. AUTHORIZATION TO THE CITY MANAGER: The City Manager is hereby authorized to implement a 2.0% cost-of-living adjustment effective October 1, 2008, for all full-time city employees including the City Manager and City Clerk.

SECTION 9. AUTOMATIC AMENDMENT: The Budget shall be automatically amended upon the adoption of a resolution to accept a grant or donation of funds.

SECTION 10. CARRYOVER OF FUNDS: Funds from the City's Fiscal Year 2007-2008 Budget not expended during Fiscal Year 2007-2008, shall be appropriated to the appropriate fund's budgeted reserve for Fiscal Year 2008-2009.

SECTION 11. TECHNOLOGY SURCHARGE: There is hereby imposed a 15% technology surcharge on the cost of all permits and other fees in the Building and Planning & Zoning departments for Fiscal Year 2008-2009.

SECTION 12. DEPARTMENTS ESTABLISHED: The following City Departments are hereby established for the Fiscal Year 2008-2009 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; Information Technology 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; Community Development Department.

SECTION 13. INTERFUND TRANSFERS: The City Manager is authorized to effectuate all interfund transfers anticipated by this Budget to include line items classified as 'Transfers to,' and Transfers from,' regardless of fund, and to transfer all funds in 'worker Compensation' line items to the General Service Fund.

SECTION 14. 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 15. 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 16. EFFECTIVE DATE: This ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING IN FULL ON THE 9th DAY OF SEPTEMBER, 2008.

ADOPTED AND PASSED ON SECOND READING BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 24th DAY OF SEPTEMBER 2008.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, MMC, CITY CLERK

Prepared by: SONJA K. DICKENS, ESQ.
City Attorney

SPONSORED BY: Danny O. Crew, City Manager

MOVED BY: Councilman Bratton
SECONDED BY: Councilman Gilbert

VOTE: 5-1

Mayor Gibson	<u>X</u> (Yes)	<u> </u> (No)
Vice Mayor Watson	<u>X</u> (Yes)	<u> </u> (No)
Councilman Melvin L. Bratton	<u>X</u> (Yes)	<u> </u> (No)
Councilman Oliver Gilbert, III	<u>X</u> (Yes)	<u> </u> (No)
Councilman Andre Williams	<u> </u> (Yes)	<u> </u> (No) (not present)
Councilwoman Sharon Pritchett	<u> </u> (Yes)	<u>X</u> (No)
Councilman Aaron Campbell	<u>X</u> (Yes)	<u> </u> (No)

City of Miami Gardens

1515 NW 167th Street
Building 5, suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilman Oliver G. Gilbert III
Councilman André Williams

Agenda Cover Page

Meeting Date: September 24, 2008

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source: **See attached budget**

Contract/P.O. Requirement: Yes No

Sponsor Name/Department: **Danny Crew, City Manager**

Public hearing

Ordinance

1st Reading

Advertising requirement:

Quasi-Judicial

Resolution

2nd Reading

Yes No

RFP/Rfq/Bid #

Title

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Staff Summary

This is the second reading and second public hearing on the ordinance adopting the City's FY 08-09 annual operating budget. It established funding appropriations for all City activities for the coming fiscal year. The proposed budget is balanced at the roll-back millage rate of 5.1402.

Recommendation:

That City Council approve the first reading of the annual budget ordinance.