

ORDINANCE NO. 2008- 104

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING AND ADOPTING THE BUDGET FOR THE TOWN OF MIAMI LAKES FOR FISCAL YEAR 2008-2009; PROVIDING FOR EXPENDITURE OF FUNDS; PROVIDING FOR AMENDMENTS; PROVIDING FOR CARRYOVER OF FUNDS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes (the "Town") is a municipality located in Miami-Dade County, Florida; and

WHEREAS, public hearings as required by Section 200.065, Florida Statutes were held by the Town on Thursday, September 11, 2008 and Tuesday, September 23, 2008 at 5:01 p.m. at Miami Lakes Middle School, 6425 Miami Lakeway North, Miami Lakes, FL 33014; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The above recitals are true and correct and are incorporated herein by this reference.

Section 2. **Budget Adoption.** The Budget for Fiscal Year 2008-09 (the "Budget"), a copy of which is attached hereto as Exhibit "A" is approved and adopted and shall become effective on October 1, 2008.

Section 3. **Expenditure of funds.** The Town Manager or his/her designee is authorized to expend or contract for expenditures such funds as are necessary for the operation of the Town

government in accordance with the Budget. The Town Manager may transfer any unencumbered line item allocation of funds, or any portion thereof, to another line item classification within the same department.

Section 4. **Amendments.** Upon the passage and adoption of the Budget, if the Town Council determines that a department, category total or line item will exceed its original allocation, the Town Council is authorized to modify any department, category total or line item of the Budget by resolution so long as the modification does not exceed the Town's total budgeted funds for the Fiscal Year 2008-09.

Section 5. **Carryover of funds.** Funds from the Town's Fiscal Year 2007-08 Budget, not expended during the current Fiscal Year 2007-08, may be used and expended during the Fiscal Year 2008-09.

Section 6. **Conflicts.** All sections or parts of sections of the Town Code that conflict with this Ordinance are repealed to the extent of such conflict.

Section 7. **Severability.** The provisions of this Ordinance are deemed to be severable, if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of the Ordinance, but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 8. **Effective date.** This Ordinance shall be effective upon *adoption* on second reading.

The foregoing Ordinance was offered by Councilmember Michael Pizzi, who moved its adoption on first reading. The motion was seconded by Vice Mayor Nancy Simon and upon being put to a vote, the vote was as follows:

Mayor Wayne Slaton	Absent
Vice Mayor Nancy Simon	Yes
Councilmember Roberto Alonso	Yes
Councilmember Mary Collins	Absent
Councilmember Robert Meador	Yes
Councilmember Michael Pizzi	Yes
Councilmember Richard Pulido	Yes

PASSED AND ADOPTED on first reading this 11th day of September, 2008.

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The foregoing Ordinance was offered by Councilmember Michael Pizzi, who moved its adoption on second reading. The motion was seconded by Councilmember Mary Collins, and upon being put to a vote, the vote was as follows:

Mayor Wayne Slaton	<u>yes</u>
Vice Mayor Nancy Simon	<u>yes</u>
Councilmember Roberto Alonso	<u>yes</u>
Councilmember Mary Collins	<u>yes</u>
Councilmember Robert Meador	<u>yes</u>
Councilmember Michael Pizzi	<u>yes</u>
Councilmember Richard Pulido	<u>yes</u>

PASSED AND ADOPTED on second reading this 23 day of September, 2008.

Wayne Slaton

Wayne Slaton
MAYOR

ATTEST:

Debra E. Eastman
DEBRA EASTMAN, MMC TOWN CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY FOR USE ONLY BY THE
TOWN OF MIAMI LAKES:

[Signature]
WEISS, SEROTA, HELFMAN, PASTORIZA,
COLE & BONISKE, P.L.
TOWN ATTORNEY