

**ORDINANCE NO. 04-58**

**AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, ADOPTING THE MILLAGE RATE OF THE TOWN FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2004 THROUGH SEPTEMBER 30, 2005, PURSUANT TO SECTION 200.065, FLORIDA STATUTES; PROVIDING FOR NOTICE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, pursuant to Section 200.065, Florida Statutes, the Miami-Dade County Property Appraiser (“Property Appraiser”) has certified the taxable value within the Town of Miami Lakes’s for the year 2004 which includes all real property within the Town; and

**WHEREAS**, on July 13, 2004, the Town Council adopted Resolution No. 04-237 determining the proposed millage rate for the Fiscal Year commencing October 1, 2004 and further scheduled a public hearing on the millage rate as required by Section 200.065, Florida Statutes.

**WHEREAS**, public hearings as required by Section 200.065, Florida Statutes were held by the Town on Thursday, September 9, 2004 and Tuesday, September 28, 2004 at 6:00 p.m. at Miami Lakes Middle School, 6425 Miami Lakeway North, Miami Lakes, FL 33014; and

**WHEREAS**, The Town Council and the Town Manager have reviewed the proposed Fiscal Year 2004-05 Budget for the Town and have considered an estimate of the necessary expenditures contemplated for in the budget and have determined that the levy set forth below provides the necessary funds for such expenditures.

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

**Section 2.**     **Adoption of Millage.** The Fiscal Year 2004-05 operating millage rate for the Town of Miami Lakes is 2.912 mills, which is greater than the rolled-back rate of 2.734 mills by 6.5%.

**Section 3.**     **Direction of Tax Collector.** The Tax Collector is directed to proceed with the collection and enforcement of the taxes levied herein as authorized by law.

**Section 4.**     **Notice.** The Town Clerk is directed to forward copies of this Ordinance to the County Property Appraiser; the County Tax Collector; and the Florida Department of Revenue.

**Section 5.**     **Conflicts.** All sections or parts of sections of the Town Code that conflict with this Ordinance are repealed to the extent of such conflict.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 6.**     **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 they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 7.**     **Effective Date.** This Ordinance shall be effective upon adoption on second reading.

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

Councilmember Mary Collins	<b>Yes</b>
Councilmember Robert Meador, II	<b>No</b>
Councilmember Michael Pizzi	<b>No</b>
Councilmember Nancy Simon	<b>No</b>
Councilmember Peter Thomson	<b>Yes</b>

Vice Mayor Roberto Alonso      **Yes**  
Mayor Wayne Slaton:              **Yes**

PASSED AND ADOPTED on first reading this 9<sup>th</sup> day of September, 2004.

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

Councilmember Mary Collins:	<u>Yes</u>
Councilmember Robert Meador, II	<u>Yes</u>
Councilmember Michael Pizzi	<u>No</u>
Councilmember Nancy Simon	<u>No</u>
Councilmember Peter Thomson:	<u>Yes</u>
Vice Mayor Roberto Alonso	<u>Yes</u>
Mayor Wayne Slaton:	<u>Yes</u>

PASSED AND ADOPTED on second reading this 28<sup>th</sup> day of September, 2004.

Wayne Slaton  
Wayne Slaton  
MAYOR

ATTEST:

Deputy Town Clerk  
Deputy TOWN CLERK,

APPROVED AS TO FORM AND LEGALITY  
FOR THE USE AND BENEFIT OF THE TOWN  
OF MIAMI LAKES ONLY:

Weiss, Serota, Helfman, Pastoriza, Guedes,  
Cole & Boniske, P.A.  
TOWN ATTORNEY