

**ORDINANCE NO. 04-59**

**AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING AND ADOPTING THE BUDGET FOR THE TOWN OF MIAMI LAKES FOR FISCAL YEAR 2004-2005; PROVIDING FOR EXPENDITURE OF FUNDS; 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 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 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 reference.

**Section 2. Budget adoption.** The Town of Miami Lakes' Budget for Fiscal Year 2004-05 (the "Budget"), a copy of which is attached hereto as Exhibit "A" is approved and adopted and shall become effective on October 1, 2004.

**Section 3. Expenditure of funds.** The Town Manager or his 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, will exceed its original allocation, the Town Council is authorized to modify the department's budget by resolution so long as the modification does not exceed the Town's total budgeted funds for the Fiscal Year 2004-05.

**Section 4. Carryover of funds.** Funds from the Town's Fiscal Year 2003-04 Budget, not expended during the current Fiscal Year 2003-04, may be used and expended during the Fiscal Year 2004-05.

**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 Conflicts.** All sections or parts of sections of the Town Code that conflict with this Ordinance are repealed to the extent of such conflict.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 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 **Collins**, who moved its adoption on first reading. The motion was seconded by Councilmember **Mayor Wayne Slaton** 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>

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Councilmember Peter Thomson: Yes  
Vice Mayor Roberto Alonso Yes  
Mayor Wayne Slaton: Yes

PASSED AND ADOPTED on first reading this 9th 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 28th day of September, 2004.

Wayne Slaton  
Wayne Slaton  
MAYOR

ATTEST:

[Signature]  
Deputy TOWN CLERK

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

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

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