

ORDINANCE NO. 2011- 129

**AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ORDINANCE NO. 10-125; AMENDING THE TOWN'S BUDGET FOR THE 2010-2011 FISCAL YEAR TO INCLUDE NON-AD VALOREM CARRYOVER REVENUE FROM THE 2009-2010 FISCAL YEAR IN THE 2010-2011 FISCAL YEAR BUDGET TO PROVIDE FUNDING FOR A DIVIDEND TO YEAR ROUND RESIDENT HOMEOWNERS WITH HOMESTEAD EXEMPTION; AMENDING THE TOWN'S BUDGET FOR THE 2010-2011 FISCAL YEAR TO INCLUDE ADDITIONAL CARRYOVER REVENUE FROM THE 2009-2010 FISCAL YEAR IN THE 2010-2011 FISCAL YEAR BUDGET TO THE SPECIAL REVENUE FUND AND CAPITAL PROJECTS FUND, ELIMINATING SOLID WASTE FRANCHISE FEE REVENUE FOR THE FISCAL YEAR AND RATIFYING THE ESTABLISHMENT OF A HOMESTEAD EXEMPT PROPERTY DIVIDEND EXPENDITURE LINE ITEM AND A CAPITAL RESERVE FOR ALLOCATION BY TOWN COUNCIL AT A FUTURE DATE, AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, in accordance with Section 200.065, Florida Statutes and Section 8.7 of the Town of Miami Lakes (the "Town") Charter, the Town Council adopted the Budget for Fiscal Year 2010-2011 (the "Budget") by Ordinance No. 10-125; and

WHEREAS, public policy considerations favor government actions protecting and encouraging permanent residences as promoting the stability and welfare of a City; and

WHEREAS, the Town Council finds that establishing a return-on-investment to year round resident homeowners for homesteaded properties, as established by the Miami-Dade County Property Appraiser's 2010 Assessment Roll ("Homesteaded Property"), in the Town serves the public purposes of promoting the stability and welfare of the Town and stimulating the Town's economy; and

**WHEREAS**, the Town Council desires to serve the public purpose by supporting the economic welfare of the Town and to fund the return-on-investment dividend program solely from non ad-valorem revenues such as franchise fees, utility taxes, occupational licenses, interest earnings from non ad-valorem sources, etc. and

**WHEREAS**, the Town Council desires to carryover surplus non-ad valorem funds from Fiscal Year 2009-2010 and reflect those funds as revenue in the current Fiscal Year for the provision of a resident dividend to provide for the return-on-investment program; and

**WHEREAS**, the Town Council also desires to carryover additional surplus of non-ad valorem revenue funds from Fiscal Year 2009-2010 to provide one-time capital expense funding for future special capital project needs directed by the Town Council; and

**WHEREAS**, the Town Council has determined that it is necessary to amend the Budget,

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

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

**Section 2.**     **Special Revenue Fund Budget Amendment.** The Budget for Fiscal Year 2010-2011 adopted in Section 2 of Ordinance 10-125 is amended as shown in Exhibit "A", attached, to move \$525,000 from Fiscal Year 2009-2010 Carryover Revenue to Homeowner's Dividend Fund within the Special Revenue Fund 2010-2011 Budget. All other terms and conditions of Ordinance No. 10-125 not otherwise amended by this Ordinance remain in full force and effect.

**Section 3.**     **Capital Projects Fund Budget Amendment.** The Budget for fiscal year 2010-2011 adopted in Section 2 of Ordinance 10-125 is amended as shown in Exhibit "B", attached, to move

\$649,332 from Fiscal Year 2009-2010 Carryover Revenue to the Capital Projects Fund to be held in Reserve for allocation by the Town Council at a future time in accordance with the Town's rules and procedures. All other terms and conditions of Ordinance No. 10-125 not otherwise amended by this Ordinance remain in full force and effect.

**Section 4. Authorization of Town Manager.** The Town Manager is hereby authorized to take all actions necessary to implement the terms and conditions of this Ordinance.

**Section 5. Effective Date.** Section 2. of this Ordinance, concerning the Homeowner Dividend Program, shall be effective from and after December 14, 2010. All remaining portions of this Ordinance shall become effective immediately upon adoption.

The foregoing Ordinance was offered by Mayor Pizzi, 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:

Mayor Michael Pizzi	Yes
Vice Mayor Nick Perdomo	Yes
Councilmember Mary Collins	Yes
Councilmember Tim Daubert	No
Councilmember Nelson Hernandez	Yes
Councilmember Ceasar Mestre	Yes
Councilmember Richard Pulido	Yes

PASSED AND ADOPTED on first reading this 14 day of December, 2010.

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

Mayor Michael Pizzi	<u>Yes</u>
Vice Mayor Nick Perdomo	<u>Yes</u>
Councilmember Mary Collins	<u>Yes</u>
Councilmember Tim Daubert	<u>NO</u>

Councilmember Nelson Hernandez Absent  
Councilmember Ceasar Mestre yes  
Councilmember Richard Pulido yes


PASSED AND ADOPTED on second reading this 8<sup>th</sup> day of March 2011.

This Ordinance was filed in the Office of the Town Clerk on this 9<sup>th</sup> day of March, 2011.

  
MICHAEL PIZZI  
MAYOR

ATTEST:  
  
MARJORIE TEJEDA  
TOWN CLERK

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

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

Town of Miami Lakes					
Special Revenue Fund					
	Actual Ending Balance FY 08-09	Approved FY 09-10	Projected Year End Balance FY 09-10	Final Adopted Budget FY 10-11	Description
<b>Impact Fees - Police</b>					
Current Year Revenue	\$10,000	\$3,000	\$0	\$0	Revenues collected as per Police Impact Fee Ordinance
Prior-Year Carry-Over Funds	\$161,373	\$0	\$0	\$0	
	\$171,373	\$3,000	\$0	\$0	
<b>Police Impact Fees - Capital Projects</b>	\$171,373	\$3,000	\$0	\$0	
Reserved for Police	\$0	\$0	\$0	\$0	
<b>RESERVED FOR HOMEOWNERS DIVIDEND FUND</b>					
Prior-Year Carry-Over Non-Ad Valorem Funds				525,000	C/O transfer from FY 2009-10 for Dividend
Dividend Expense				525,000	
				525,000	
<b>Other</b>					
Interest Income	\$2,000	\$3,500			Based on Current Trends
Prior-Year Carry-Over Funds	\$81,136	\$11,300			
	\$83,136	\$14,800	\$0	\$0	
<b>Other</b>					
Operating Reserve	\$83,136	\$14,000	\$0	\$0	
Unreserved	\$0	\$800	\$0	\$0	
<b>Total Revenues &amp; Other Resources</b>	<b>\$1,426,578</b>	<b>\$1,368,580</b>	<b>\$534,500</b>	<b>\$1,925,140</b>	
<b>Total Expenditures</b>	<b>\$1,426,578</b>	<b>\$1,170,752</b>	<b>\$262,500</b>	<b>\$1,925,140</b>	
<b>Excess (Deficiency) of Revenues &amp; Other Resources over Expenditures</b>	<b>\$0</b>	<b>\$197,828</b>	<b>\$272,000</b>	<b>\$0</b>	

