

ORDINANCE NO. 2013-161

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING AND ADOPTING THE BUDGET FOR THE TOWN OF MIAMI LAKES FOR FISCAL YEAR 2013-14; PROVIDING FOR EXPENDITURE OF FUNDS; PROVIDING FOR AMENDMENTS; PROVIDING FOR CARRYOVER OF FUNDS; PROVIDING FOR THE INCORPORATION OF THE ADOPTED CAPITAL BUDGET AS THE CAPITAL IMPROVEMENT ELEMENT OF THE COMPREHENSIVE PLAN; 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 12, 2013 and Tuesday, September 24, 2013 at 5:30 p.m. at Miami Lakes Government Center, 6601 Main Street, 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 2013-14 (the "Budget"), a copy of which is attached hereto as Exhibit "A" is approved and adopted and shall become effective on October 1, 2013.

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, said transfers not to exceed \$700 total per month provided that the Town Manager shall report such transfers to the Town Council at the next regular Town Council meeting. The Committees may not transfer any unencumbered allocation of funds in excess of \$700 from inside those Committees budget line items, which are listed in Attachment "B" of this ordinance. Any transfers of less than \$700 shall be reported to the Town Manager within 7 business days. Any request for a transfer in excess of \$700 must be approved by the Town Council. The permitted maximum amount transferable by the Town Manager may be adjusted by subsequent resolution.

Section 4. Amendments. Upon the passage and adoption of the Budget, if the Town Council determines that a department, category total, or fund 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 2013-14.

Section 5. Carryover of funds. Funds from the Town's Fiscal Year 2012-13 Budget, not expended during the current Fiscal Year 2012-13, may be used and expended during the Fiscal Year 2013-14.

Section 6. Capital Improvement Element. Upon the Adoption of the Capital Projects Fund Budget, the Capital Improvement Element of the Town's Comprehensive Plan is hereby updated to reflect FY 2013-14 Five Year Capital Project Allocations.

Section 7. **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 8. **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 9. **Effective date.** This Ordinance shall be effective upon adoption on second reading.

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

Mayor Ceasar Mestre	yes
Vice Mayor Manny Cid	yes
Councilmember Tim Daubert	yes
Councilmember Nelson Hernández	yes
Councilmember Tony Lama	yes
Councilmember Nelson Rodriguez	yes

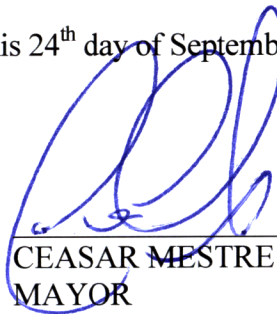
PASSED AND ADOPTED on first reading this 12th day of September, 2013.

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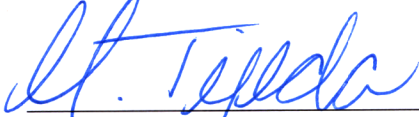
The foregoing Ordinance was offered by Councilman Daubert, who moved its adoption on first reading. The motion was seconded by Vice Mayor Cid and upon being put to a vote, the vote was as follows:

Mayor Cesar Mestre	<u>yes</u>
Vice Mayor Manny Cid	<u>yes</u>
Councilmember Tim Daubert	<u>yes</u>
Councilmember Nelson Hernández	<u>yes</u>
Councilmember Tony Lama	<u>yes</u>
Councilmember Nelson Rodriguez	<u>yes</u>


PASSED AND ADOPTED on second reading this 24th day of September, 2013.


CEASAR MESTRE
MAYOR

ATTEST:


MARJORIE TEJEDA
TOWN CLERK

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


JOSEPH GELLER, GREENSPOON MARDER P.A.
TOWN ATTORNEY