

ORDINANCE NO. 2017-216

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ORDINANCE NO. 16-197, AS AMENDED BY ORDINANCE 17-199; AMENDING THE TOWN'S FISCAL YEAR 2016-2017 BUDGET; CREATING A DISASTER FUND; PROVIDING FOR EXPENDITURE OF FUNDS; PROVIDING FOR AMENDMENTS; PROVIDING FOR CONFLICTS; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; 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 Fiscal Year 2016-2017 Budget (the "Budget") by Ordinance 16-197; and

WHEREAS, on February 7, 2017, the Town Council approved amendments to the Budget by Ordinance Number 17-199; and

WHEREAS, on September 10, 2017, Hurricane Irma made landfall causing widespread damage throughout the State of Florida, including the Town of Miami Lakes; and

WHEREAS, in order to address funding needs associated with recovery efforts, it is necessary to create a Disaster Fund, as a sub-fund in the Special Revenue Fund Category; and

WHEREAS, it will also be necessary to transfer funds from the General Fund Balance to the Disaster Fund for Hurricane Irma related expenses.

WHEREAS, additionally, the Town has received an unanticipated amount of donations to fund specific events and enhance certain activities; and

WHEREAS, it is necessary for the manager to be able to authorize expenditure of the donations received for the purpose they were provided; and

WHEREAS, based upon the review, analysis, and the recommendation of the Town Manager, the Town Council has determined that it is necessary to amend the Budget as described in Exhibit “A” attached hereto; and

WHEREAS, this will be the final Budget Amendment and Revision for Fiscal Year 2016-2017.

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

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

Section 2. Budget Amendment. The Fiscal Year 2016-2017 Budget adopted in Ordinance No. 16-197 as amended by 17-199, shall be amended to create a Disaster Fund, provide a transfer of funds from the General Fund Balance to the Disaster Fund, and allow for recognition and expenditure of donations received to fund specific events and enhance certain activities and programs as reflected in Exhibit “A” attached and incorporated herein. All other terms and conditions of Ordinance No. 16-197, as amended by 17-199 not otherwise amended by this Ordinance remain in full force and effect.

Section 3. 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 4. Authorization of Fund Expenditures. 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 and the terms and conditions of this Ordinance.

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 declared to be severable and if any section, subsection, sentence, clause, provision 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 this 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.

FIRST READING

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

Mayor Manny Cid	yes
Vice Mayor Nelson Rodriguez	yes
Councilmember Luis Collazo	yes
Councilmember Tim Daubert	yes
Councilmember Ceasar Mestre	yes
Councilmember Frank Mingo	yes
Councilmember Marilyn Ruano	yes

Passed and adopted on first reading this 3rd day of October 2017.

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SECOND READING

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

Mayor Manny Cid	yes
Vice Mayor Nelson Rodriguez	yes
Councilmember Luis Collazo	yes
Councilmember Tim Daubert	yes
Councilmember Ceasar Mestre	yes
Councilmember Frank Mingo	yes
Councilmember Marilyn Ruano	yes

Passed and adopted on second reading this 7th day of November 2017.

Manny Cid
MAYOR

Attest:

Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY