

**ORDINANCE NO. 2018-128**

---

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING HIALEAH, FLA. ORDINANCE 2017-59 (OCTOBER 2, 2017) ADOPTING THE STREET TRANSPORTATION FUND BUDGET FOR FISCAL YEAR 2017-2018 TO APPROVE SUPPLEMENTAL APPROPRIATIONS IN THE AMOUNT OF \$430,826 AND TO APPROVE AND RATIFY ALL UNENCUMBERED APPROPRIATION BALANCE TRANSFERS WITHIN AN OFFICE OR DEPARTMENT OR FROM ONE OFFICE OR DEPARTMENT TO ANOTHER FOR A NEW YEAR-END STREET TRANSPORTATION FUND BUDGET IN THE TOTAL AMOUNT OF \$6,385,726; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTY FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, at year-end the City received approximately \$430,826 in additional revenues in excess of the budgeted amount; and

**WHEREAS**, expenditures exceeded budgeted appropriations by an estimated amount of \$430,826; and

**WHEREAS**, this revenue was appropriated during fiscal year 2017-2018 in the manner set forth in the schedule attached as "Exhibit A," "Exhibit B" and Exhibit C;" and

**WHEREAS**, within the last six months of the fiscal year 2017-18 the City transferred unencumbered appropriation balances within an office or department or from one office or department to another as set forth in the schedule attached as "Exhibit B;" and

**WHEREAS**, pursuant to Florida Statutes Section 166.241(4), the governing body of a municipality may amend a budget within sixty days following the end of the fiscal year; and

**WHEREAS**, the City now wishes to amend its fiscal year 2017-2018 Streets Transportation Fund budget accordingly.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:**

**Section 1: Amendment of Hialeah, Ordinance 2017-59 (October 2, 2017).**

The Street Transportation Fund Budget for the City of Hialeah, Florida, for the Fiscal Year 2017-2018, approved and adopted by Hialeah, Fla. Ordinance No. 2017-59 (October 2, 2017) is hereby amended by \$430,826 in supplemental appropriations for a new year-end total Street Transportation Fund Budget in an amount of \$6,385,726. All appropriations within an office or department or from one office or department to another and all supplemental appropriations for Fiscal Year 2017-2018, not previously approved by Council, are hereby approved, confirmed and ratified.

**Section 2: Repeal of Ordinances in Conflict.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 3: Penalties.**

Any person, business, association, corporation, partnership or other legal entity who violates any of the provisions of this ordinance shall be assessed a civil penalty, up to a maximum of \$500.00, within the discretion of the court or administrative tribunal having jurisdiction. Each day that a violation continues shall constitute a separate violation.

**Section 4: Severability Clause.**

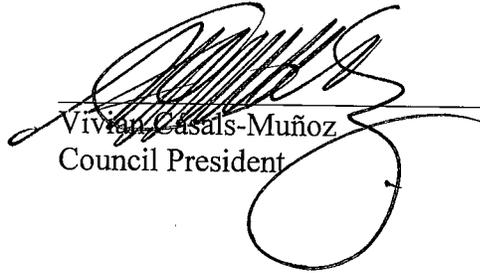
If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

**Section 5: Effective Date.**

This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

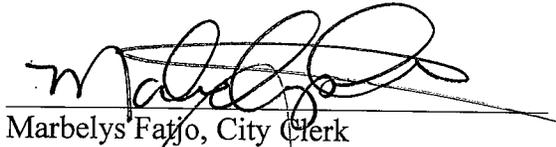
PASSED and ADOPTED this 27 day of November, 2018.

THE FOREGOING ORDINANCE  
OF THE CITY OF HIALEAH WAS  
PUBLISHED IN ACCORDANCE  
WITH THE PROVISIONS OF  
FLORIDA STATUTE 166.041  
PRIOR TO FINAL READING.



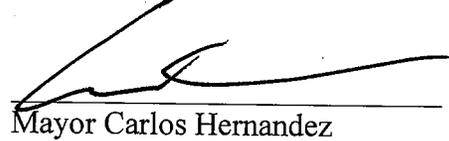
Vivian Casals-Muñoz  
Council President

Attest:



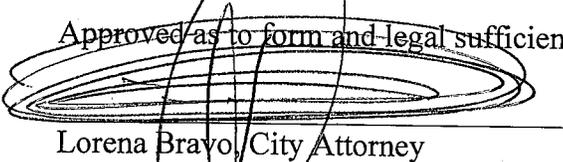
Marbelys Fatjo, City Clerk

Approved on this 6 day of December, 2018.



Mayor Carlos Hernandez

Approved as to form and legal sufficiency:



Lorena Bravo, City Attorney

Ordinance was adopted by a 6-0-1 vote with Councilmembers, Cue-Fuente, Zogby, Lozano, Casals-Munoz, Garcia-Martinez, Hernandez, voting "Yes" and with Councilmember Caragol absent.