

**ORDINANCE NO. 2019-101**

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING HIALEAH, FLA. ORDINANCE 2018-088 (SEPTEMBER 24, 2018) THAT ADOPTED THE STORMWATER FUND BUDGET FOR FISCAL YEAR 2018-2019 TO APPROVE AND RATIFY A REDUCTION IN APPROPRIATIONS IN THE AMOUNT OF \$425,090 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 STORMWATER FUND BUDGET IN THE TOTAL AMOUNT OF \$3,174,910; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR PENALTIES IN VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, budgeted appropriations were reduced by an estimated amount of \$425,090 as reflected in "Exhibit A"; 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 2018-2019 Stormwater 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 2018-88 (September 24, 2018).**

The Stormwater Fund Budget for the City of Hialeah, Florida, for the Fiscal Year 2018-19, approved and adopted by Hialeah, Fla. Ordinance No. 2018-088 (September 24, 2018) is hereby amended to reflect \$425,090 in reductions to appropriations for a new year-end total Stormwater Fund Budget in the amount of \$3,174,910. All appropriations within an office or department or from one office or department to another and all supplemental appropriations for Fiscal Year 2018-2019, 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All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.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.

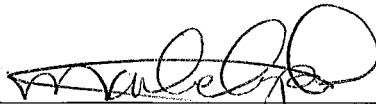
PASSED and ADOPTED this 12 day of November, 2019.


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-Munoz  
Council President

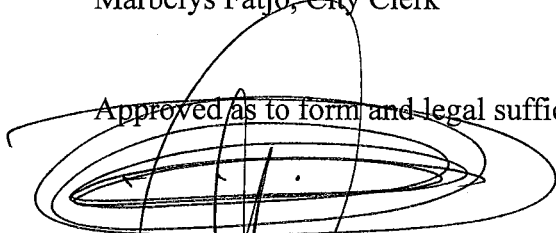
Attest:

Approved on this 20 day of November, 2019.

  
Marbelys Fatjo, City Clerk

  
Mayor Carlos Hernandez

Approved as to form and legal sufficiency:

  
Lorena Bravo, City Attorney

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Ordinance was adopted by a 7-0 vote with Councilmembers, Caragol, Zogby, Hernandez, Casals-Munoz, De La Rosa, Perez and Cue-Fuente voting "Yes".

## EXHIBIT A STORMWATER FUND

	FY 2018-2019	FY 2018-2019	
<u>Revenue</u>	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
Stormwater Utility Tax	3,600,000	3,174,910	(425,090)
 <u>Expense</u>			
Stormwater Utility Tax	3,600,000	2,934,191	665,809
To Fund Balance	<u>0</u>	<u>240,719</u>	<u>(240,719)</u>
	3,600,000	3,174,910	425,090
 <b>Revenues - Expenditures</b>	<b>0</b>	<b>0</b>	<b>0</b>

	FY 2018-2019	FY 2018-2019	
	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
<b>Revenue Total</b>	<b>3,600,000</b>	<b>3,174,910</b>	<b>(425,090)</b>
<b>Expense Total</b>	<b>3,600,000</b>	<b>3,174,910</b>	<b>425,090</b>
<b>Revenues - Expenditures</b>	<b>0</b>	<b>0</b>	<b>0</b>

ORDINANCE NO. 2018-088

ORDINANCE APPROVING AND ADOPTING THE BUDGET FOR THE STORMWATER FUND OF THE CITY OF HIALEAH, FLORIDA, FOR FISCAL YEAR 2019, COMMENCING ON OCTOBER 1, 2018 AND ENDING ON SEPTEMBER 30, 2019; 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**, the Mayor of the City of Hialeah, Florida has submitted an Annual Budget for the City of Hialeah with reasonable appropriations for all estimated expenditures necessary to carry on the City government for Fiscal Year 2019; and

**WHEREAS**, the Annual Budget for Fiscal Year 2019 is comprised of an General Fund budget, and a budget for the Public Works Fund, Street Transportation Fund, Stormwater Fund, Special Revenue Fund, Capital Project Fund and Debt Service Fund; and

**WHEREAS**, the annual budget for the Stormwater Fund shows reasonable appropriations for all program expenses anticipated for Fiscal Year 2019; and

**WHEREAS**, the Stormwater Fund budget, including budgeted revenues and expenditures, has been submitted to the City Council; and

**WHEREAS**, all applicable legal requirements pertaining to public notices and hearings have been satisfied within specified deadlines and prior to final adoption of this ordinance; and

**WHEREAS**, the City Council has examined and carefully considered the proposed budget, in duly assembled meetings.

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

**Section 1:** The budget of the Stormwater Fund in the total amount of \$3,600,000 as provided for in the Annual Budget for the City of Hialeah, Florida for Fiscal Year 2019, commencing on October 1, 2018 and ending on September 30, 2019, and incorporated in this Ordinance by reference, is hereby confirmed approved and adopted in all respects.

**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.**

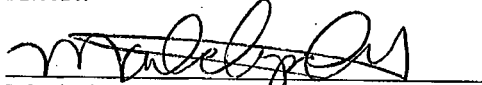
This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

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

PASSED and ADOPTED this 24 day of September, 2018.

  
Vivian Casals-Munoz  
Council President

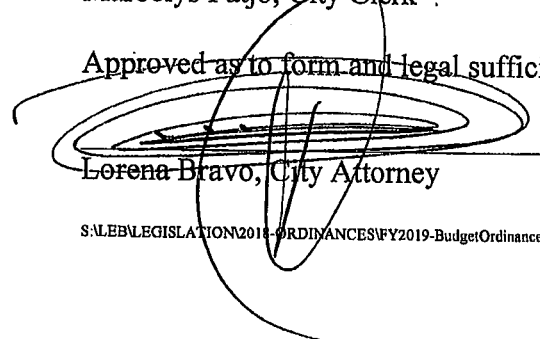
Attest:

  
Marbelys Fatjo, City Clerk

Approved on this 27 day of September, 2018.

  
Mayor Carlos Hernandez

Approved as to form and legal sufficiency:

  
Lorena Bravo, City Attorney

Ordinance was adopted by a 7-0 vote with Councilmembers, Zogby, Lozano, Casals-Munoz, Hernandez, Caragol, Garcia-Martinez and Cue-Fuente voting "Yes"