

ORDINANCE NO. 2019-103

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING HIALEAH, FLA. ORDINANCE 2018-089 (SEPTEMBER 24, 2018) ADOPTING THE CAPITAL PROJECTS FUND BUDGET FOR FISCAL YEAR 2018-2019 TO APPROVE AND RATIFY A REDUCTION IN APPROPRIATIONS IN THE AMOUNT OF \$7,988,799 AND TO APPROVED 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 CAPITAL PROJECTS FUND BUDGET IN THE TOTAL AMOUNT OF \$3,215,400; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDNG FOR A PENALTY FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, budgeted appropriations were reduced by an estimated amount of \$7,988,799 as reflected in "Exhibit B"; and

WHEREAS, within the last six months of the fiscal year 2018-19 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 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 Capital Project 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 2018-089 (September 24, 2018).

The Capital Project Fund Budget for the City of Hialeah, Florida, for the Fiscal Year 2018-2019, approved and adopted by Hialeah, Fla. Ordinance No. 2018-089 (September 24, 2018) is hereby amended by \$7,988,799 in reductions to appropriations for a new year-end total Capital Projects Fund Budget in an amount of \$3,215,400. 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All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.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.

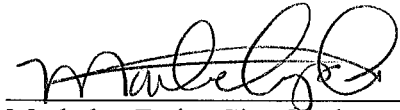
PASSED and ADOPTED this 12 day of November, 2019.


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-Muñoz
Council President

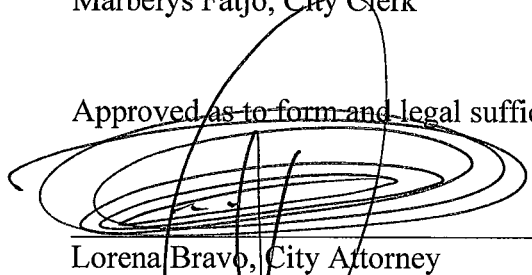
Attest:

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, Casáls-Munoz, De La Rosa, Perez and Cue-Fuente voting "Yes".

**FY 2018-19 Year End COMPLETED Budget Transfers - Capital Projects (April - September)
EXHIBIT: A**

DEPARTMENT NAME	FUND TYPE	DATE POSTED	ACCOUNT DESCRIPTION	TOTAL			COMMENTS
				DEPARTMENT BUDGET	ADJUSTMENT AMOUNT	PERCENT CHANGE	
NW 97TH AVE ROAD IMPROVEMENT FUND	SR(312)	9/19/2017	Professional Services Capital Outlay-Infrastructure		(3,170,713.00) 3,170,713.00		Streets Project
SUBTOTAL				\$3,470,713.00	\$0.00	0.00%	
NET TOTAL				\$0.00			

EXHIBIT B
CAPITAL PROJECTS FUNDS

	FY 2018-2019	FY 2018-2019	
<u>Revenue</u>	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
Elderly Housing-300 Unit (FDEO)	531,500	806,701	275,201
<u>Expense</u>			
Elderly Housing-300 Unit (FDEO)	531,500	806,701	(275,201)
Revenues - Expenditures	0	0	0

	FY 2018-2019	FY 2018-2019	
<u>Revenue</u>	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
NW 102Ave-162-170 Street (FDEO)	4,000,000	113,183	(3,886,817)
<u>Expense</u>			
NW 102Ave-162-170 Street (FDEO)	4,000,000	113,183	3,886,817
Revenues - Expenditures	0	0	0

	FY 2018-2019	FY 2018-2019	
<u>Revenue</u>	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
W76 Street-28th to 31st Avenue	1,500,000	0	(1,500,000)
<u>Expense</u>			
W76 Street-28th to 31st Avenue	1,500,000	0	1,500,000
Revenues - Expenditures	0	0	0

	FY 2018-2019	FY 2018-2019	
<u>Revenue</u>	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
NW 97th Avenue Road Improvement	3,470,713	287,489	(3,183,224)
<u>Expense</u>			
NW 97th Avenue Road Improvement	3,470,713	287,489	3,183,224
Revenues - Expenditures	0	0	0

	FY 2018-2019	FY 2018-2019	
<u>Revenue</u>	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
HEA Charter School	0	144,936	144,936
<u>Expense</u>			
HEA Charter School	0	144,936	(144,936)
Revenues - Expenditures	0	0	0

	FY 2018-2019	FY 2018-2019	
<u>Revenue</u>	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
NW 142nd Street Road Improvement	1,701,986	1,749,908	47,922
<u>Expense</u>			
W24 Avenue & 76th Street Drainage	1,701,986	1,749,908	(47,922)
Revenues - Expenditures	0	0	0

EXHIBIT B
CAPITAL PROJECTS FUNDS

	FY 2018-2019	FY 2018-2019	
<u>Revenue</u>	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
NW 102Ave-138 Street-145 Place	0	113,183	113,183
<u>Expense</u>			
NW 102Ave-162-170 Street (FDEO)	0	113,183	(113,183)
Revenues - Expenditures	0	0	0

	FY 2018-2019	FY 2018-2019	
	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
<i>Revenue Total</i>	11,204,199	3,215,400	(7,988,799)
<i>Expense Total</i>	11,204,199	3,215,400	7,988,799
Revenues - Expenditures	0	0	0

ORDINANCE NO. 2018-089

ORDINANCE APPROVING AND ADOPTING THE BUDGET FOR THE CAPITAL PROJECT 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 Operating 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 Capital Project Fund shows reasonable appropriations for all capital outlays anticipated for Fiscal Year 2019; and

WHEREAS, the Capital Project 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 Capital Project Fund in the total amount of \$11,204,199 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.

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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.

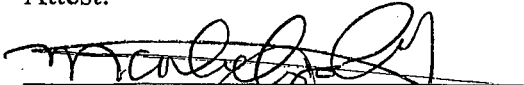
THE FOREGOING ORDINANCE OF THE CITY OF HIALEAH WAS PASSED and ADOPTED this 24 day of September, 2018. PUBLISHED IN ACCORDANCE WITH THE PROVISIONS OF FLORIDA STATUTE 166.041 PRIOR TO FINAL READING.


Vivian Casals-Munoz
Council President

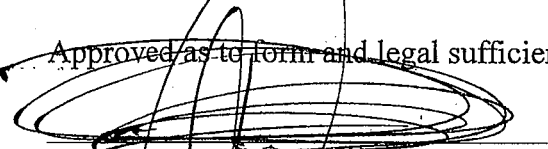
Approved on this 27 day of September, 2018.


Mayor Carlos Hernandez

Attest:


Marbelys Fatjo, City Clerk

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, Zogby, Lozano, Casals-Munoz, Hernandez, Caragol, Garcia-Martinez and Cue-Fuente voting "Yes"

EXHIBIT B
CAPITAL PROJECTS FUNDS

	FY 2018-2019	FY 2018-2019	
<u>Revenue</u>	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
Elderly Housing-300 Unit (FDEO)	531,500	806,701	275,201
<u>Expense</u>			
Elderly Housing-300 Unit (FDEO)	531,500	806,701	(275,201)
Revenues - Expenditures	0	0	0

	FY 2018-2019	FY 2018-2019	
<u>Revenue</u>	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
NW 102Ave-162-170 Street (FDEO)	4,000,000	113,183	(3,886,817)
<u>Expense</u>			
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<u>Revenue</u>	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
W76 Street-28th to 31st Avenue	1,500,000	0	(1,500,000)
<u>Expense</u>			
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Revenues - Expenditures	0	0	0

	FY 2018-2019	FY 2018-2019	
<u>Revenue</u>	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
NW 97th Avenue Road Improvement	3,470,713	287,489	(3,183,224)
<u>Expense</u>			
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Revenues - Expenditures	0	0	0

	FY 2018-2019	FY 2018-2019	
<u>Revenue</u>	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
HEA Charter School	0	144,936	144,936
<u>Expense</u>			
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Revenues - Expenditures	0	0	0

	FY 2018-2019	FY 2018-2019	
<u>Revenue</u>	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
NW 142nd Street Road Improvement	1,701,986	1,749,908	47,922
<u>Expense</u>			
NW 142nd Street Road Improvement	1,701,986	1,749,908	(47,922)
Revenues - Expenditures	0	0	0

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CAPITAL PROJECTS FUNDS

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NW 102Ave-138 Street-145 Place	0	113,183	113,183
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NW 102Ave-162-170 Street (FDEO)	0	113,183	(113,183)
Revenues - Expenditures	0	0	0

	FY 2018-2019	FY 2018-2019	
	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
<i>Revenue Total</i>	11,204,199	3,215,400	(7,988,799)
<i>Expense Total</i>	11,204,199	3,215,400	7,988,799
Revenues - Expenditures	0	0	0

Fatjo, Marbelys

From: Beecher, Ines F.
Sent: Tuesday, October 22, 2019 5:09 PM
To: Fatjo, Marbelys
Cc: Bravo, Lorena; Mayor Hernandez (Staff)
Subject: FY19 Year-End-Ordinance-Capital.xlsx
Attachments: FY19 Year-End-Ordinance-Capital.xlsx

Good afternoon-

There was a name change in the capital project list on the expense side only. It is on the NW 142nd Street Road Improvement project. The revenue description is correct but the expense description is incorrect. Please substitute in Ordinance 4M. Thank you.