

ORDINANCE NO. 2020-077

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING HIALEAH, FLA. ORDINANCE 2019-103 (SEPTEMBER 23, 2019) ADOPTING THE CAPITAL PROJECTS FUNDS BUDGET FOR FISCAL YEAR 2019-2020 TO APPROVE AND RATIFY A REDUCTION IN APPROPRIATIONS IN THE AMOUNT OF \$4,449,559 AND TO APPROVE AND RATIFY ALL UNENCUMBERED APPROPRIATION BALANCES WITHIN AN OFFICE OR DEPARTMENT OR FROM ONE OFFICE OR DEPARTMENT TO ANOTHER FOR A NEW YEAR-END CAPITAL PROJECTS FUNDS BUDGET IN THE TOTAL AMOUNT OF \$5,026,295; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, budgeted appropriations were reduced by an estimated amount of \$4,449,559 as reflected in “Exhibit A;”

WHEREAS, within the last six months of the fiscal year 2019-2020, 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 2019-2020 Capital Projects Funds 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 2019-103 (September 23, 2019).

The Capital Projects Budget for the City of Hialeah, Florida, for the Fiscal Year 2019-2020, approved and adopted by Hialeah Ordinance No. 2019-103 (September 23, 2019) is hereby amended to reflect a reduction of \$4,449,559 in budgeted appropriations for a new year-end total Capital Projects Funds budget in the amount of \$5,026,295. All appropriations within an office or department or from one office or department to another and all supplemental appropriations for Fiscal Year 2019-2020, 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All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

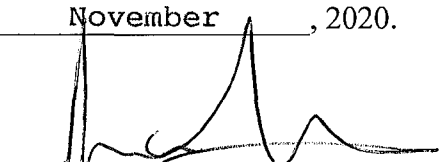
Section 3: Severability Clause.

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 4: 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 24 day of November, 2020.

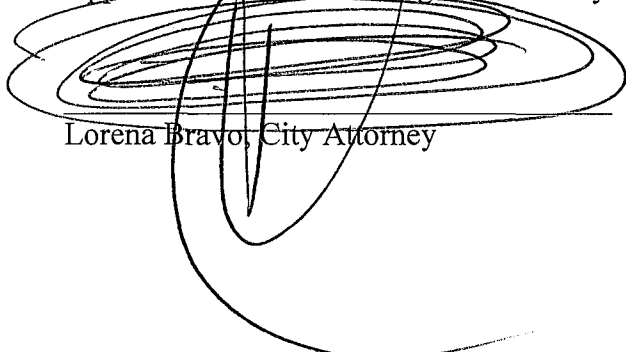

Jesus Tundidor
Council President

Attest: Approved on this ___ day of _____, 2020.


Marbelys Fatjo, City Clerk


Mayor Carlos Hernandez

Approved as to form and legal sufficiency:


Lorena Bravo, City Attorney

Ordinance was adopted by 4-0-3 vote with Councilmembers, De la Rosa, Hernandez, Perez and Tundidor voting "Yes" and with Council Member Cue-Fuente, Council Member Garcia-Roves and Council Member Zogby absent.

EXHIBIT A
CAPITAL PROJECTS FUNDS

| | FY 2019-2020 | FY 2019-2020 | |
|---------------------------------|------------------------|-------------------|-----------------|
| <u>Revenue</u> | <u>Original Budget</u> | <u>Projection</u> | <u>Variance</u> |
| Elderly Housing-300 Unit (FDEO) | 0 | 806,701 | 806,701 |
| <u>Expense</u> | | | |
| Elderly Housing-300 Unit (FDEO) | 0 | 806,701 | (806,701) |
| Revenues - Expenditures | 0 | 0 | 0 |

| | FY 2019-2020 | FY 2019-2020 | |
|---------------------------------|------------------------|-------------------|-----------------|
| <u>Revenue</u> | <u>Original Budget</u> | <u>Projection</u> | <u>Variance</u> |
| NW 102Ave-162-170 Street (FDEO) | 1,200,000 | 787,012 | (412,988) |
| <u>Expense</u> | | | |
| NW 102Ave-162-170 Street (FDEO) | 1,200,000 | 787,012 | 412,988 |
| Revenues - Expenditures | 0 | 0 | 0 |

| | FY 2019-2020 | FY 2019-2020 | |
|--------------------------------|------------------------|-------------------|-----------------|
| <u>Revenue</u> | <u>Original Budget</u> | <u>Projection</u> | <u>Variance</u> |
| W24 Ave & 76 Street-Drainage | 1,446,543 | 0 | (1,446,543) |
| <u>Expense</u> | | | |
| W24 Ave & 76 Street-Drainage | 1,446,543 | 0 | 1,446,543 |
| Revenues - Expenditures | 0 | 0 | 0 |

| | FY 2019-2020 | FY 2019-2020 | |
|---------------------------------|------------------------|-------------------|-----------------|
| <u>Revenue</u> | <u>Original Budget</u> | <u>Projection</u> | <u>Variance</u> |
| NW 97th Avenue Road Improvement | 4,094,559 | 2,145,487 | (1,949,072) |
| <u>Expense</u> | | | |
| NW 97th Avenue Road Improvement | 4,094,559 | 2,145,487 | 1,949,072 |
| Revenues - Expenditures | 0 | 0 | 0 |

| | FY 2019-2020 | FY 2019-2020 | |
|--------------------------------|------------------------|-------------------|-----------------|
| <u>Revenue</u> | <u>Original Budget</u> | <u>Projection</u> | <u>Variance</u> |
| W16 Avenue-68 to 68 Street | 0 | 358,641 | 358,641 |
| <u>Expense</u> | | | |
| W16 Avenue-68 to 68 Street | 0 | 358,641 | (358,641) |
| Revenues - Expenditures | 0 | 0 | 0 |

EXHIBIT A
CAPITAL PROJECTS FUNDS

| | FY 2019-2020 | FY 2019-2020 | |
|---------------------------------|------------------------|-------------------|-----------------|
| <u>Revenue</u> | <u>Original Budget</u> | <u>Projection</u> | <u>Variance</u> |
| NW 102Ave-138 Street-145 Place | 2,734,752 | 928,454 | (1,806,298) |
| <u>Expense</u> | | | |
| NW 102Ave-162-170 Street (FDEO) | 2,734,752 | 928,454 | 1,806,298 |
| Revenues - Expenditures | 0 | 0 | 0 |

| | FY 2019-2020 | FY 2019-2020 | |
|--------------------------------|------------------------|-------------------|-----------------|
| | <u>Original Budget</u> | <u>Projection</u> | <u>Variance</u> |
| <i>Revenue Total</i> | 9,475,854 | 5,026,295 | (4,449,559) |
| <i>Expense Total</i> | 9,475,854 | 5,026,295 | 4,449,559 |
| Revenues - Expenditures | 0 | 0 | 0 |

FY 2019-2020 Year End COMPLETED Budget Transfers
Capital Fund
(April 2020 - September 2020)
EXHIBIT: B



| DEPARTMENT NAME | FUNDING SOURCE | DATE POSTED | ACCOUNT DESCRIPTION | ADJUSTMENT AMOUNT | PERCENT CHANGE | TRANSFERRED FROM | COMMENTS |
|--|----------------|-------------|--|------------------------|----------------|------------------|------------------------------------|
| W 102 AVENUE -162 ST to 170 STREET Fund | SR(308) | 08/10/20 | Capital Outlay-Infrastructure Professional Services | (7,797.50) 7,797.50 | | Capital Expenses | To Fund Design and Permit Expenses |
| TOTAL | | | | \$0.00 | 0.00% | | |
| GRAND TOTAL | | | | \$0.00 | 0.00% | | |





City of Progress

**FY 2019-2020 Mid Year COMPLETED Supplemental Appropriations
Capital Fund
(April 2020-September 2020)
EXHIBIT: B**



| DEPARTMENT NAME | FUNDING SOURCE | FUND | DATE POSTED | ACCOUNT DESCRIPTION | TOTAL DEPARTMENT BUDGET | ADJUSTMENT AMOUNT | PERCENT CHANGE | COMMENTS |
|--------------------|---|----------|-------------|--|-------------------------|-----------------------|----------------|--|
| | | | 06/15/20 | Grant Revenue (FL Dept Economic Opportunity Capital Outlay-Building | | (2,514,197.00) | | To Fund the Construction of NW 102nd Avenue From 162nd to 170th Street |
| | | | 06/15/20 | Appropriated Fund Balance | | 2,514,197.00 | | |
| | | | | Capital Outlay-Infrastructure | | (135,038.60) | | |
| GRANTS | NW 102 AVENUE-162 ST to 170 STREET Fund | SR (308) | 06/15/20 | Appropriated Fund Balance | | 135,038.60 | | FY 19 Carryover Fund Balance |
| | | | | Professional Services | | (285,803.00) | | |
| | | | 05/06/20 | Grant Revenue Florida Job Growth Grant (DEO) Capital Outlay-Building | | (500,000.00) | | To Fund the Facility Improvement Award at Goodlet Adult Center |
| | | | | | | 500,000.00 | | |
| TOTAL | | | | | \$0.00 | \$3,435,038.60 | 100.00% | |
| GRAND TOTAL | | | | | \$0.00 | \$3,435,038.60 | 100.00% | |

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

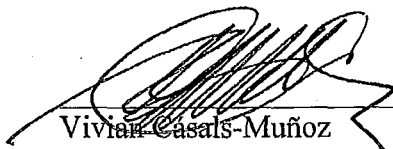
jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

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.

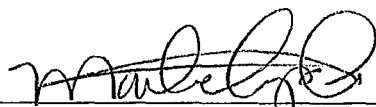
PASSED and ADOPTED this 12 day of November, 2019.

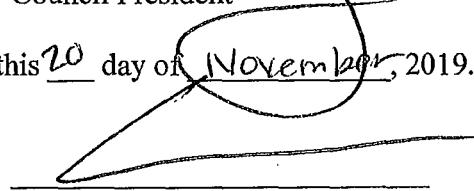
THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.


Vivian Casals-Munoz
Council President

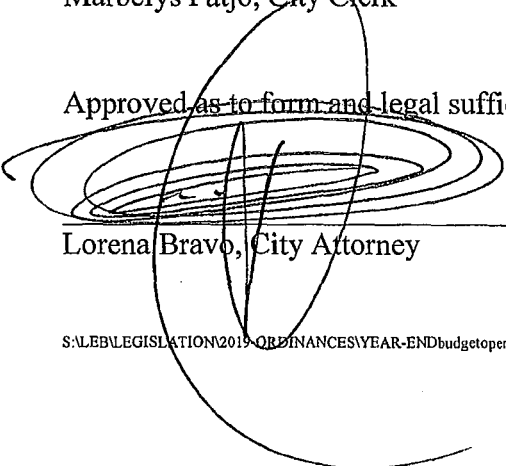
Attest:

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".

ORDINANCE NO. _____

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING HIALEAH, FLA. ORDINANCE 2019-98 (SEPTEMBER 23, 2019) ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2019-2020 TO APPROVE AND RATIFY A REDUCTION IN APPROPRIATIONS THE AMOUNT OF \$5,869,089 AND TO APPROVE AND RATIFY ALL UNENCUMBERED APPROPRIATION BALANCES WITHIN AN OFFICE OR DEPARTMENT OR FROM ONE OFFICE OR DEPARTMENT TO ANOTHER FOR A NEW YEAR-END OPERATING BUDGET IN THE TOTAL AMOUNT OF \$151,764,911; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, budgeted appropriations were reduced by an estimated amount of \$5,869,089 as reflected in “Exhibit A;”

WHEREAS, within the last six months of the fiscal year 2019-2020, 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 2019-2020 general fund operating 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 2019-98 (September 23, 2019).

The Operating Budget for the City of Hialeah, Florida, for the Fiscal Year 2019-2020, approved and adopted by Hialeah Ordinance No. 2019-98 (September 23, 2019) is hereby amended to reflect a reduction of \$5,869,089 in budgeted appropriations for a new year-end total general fund operating budget in the amount of \$151,764,911. All appropriations between within an office or department or from one office or department to another and all supplemental

appropriations for Fiscal Year 2019-2020, 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.

