

ORDINANCE NO. 2020-075

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING HIALEAH, FLA. ORDINANCE 2019-101 (SEPTEMBER 23, 2019) ADOPTING THE STORMWATER FUND BUDGET FOR FISCAL YEAR 2019-2020 TO APPROVE AND RATIFY A REDUCTION IN APPROPRIATIONS IN THE AMOUNT OF \$356,623 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 STORMWATER FUND BUDGET IN THE TOTAL AMOUNT OF \$3,243,377; 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 \$356,623 as reflected in “Exhibit A;”

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 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 2019-101 (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. 2019-101 (September 23, 2019) is hereby amended to reflect a reduction of \$356,623 in budgeted appropriations for a new year-end total Stormwater Fund budget in the amount of \$3,243,377.

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All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

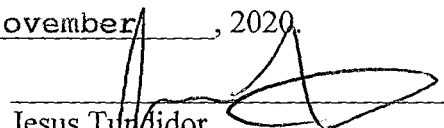
Section 3: Severability Clause.

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
STORMWATER FUND

<u>Revenue</u>	FY 2019-2020	FY 2019-2020	<u>Variance</u>
Stormwater Utility Tax	3,600,000	3,243,377	(356,623)
<u>Expense</u>			
Stormwater Utility Tax	3,600,000	2,715,043	884,957
To Fund Balance	<u>0</u>	<u>528,334</u>	<u>(528,334)</u>
	3,600,000	3,243,377	356,623
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>	<u>3,600,000</u>	<u>3,243,377</u>	<u>(356,623)</u>
<i>Expense Total</i>	<u>3,600,000</u>	<u>3,243,377</u>	<u>356,623</u>
Revenues - Expenditures	0	0	0

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 Hiialeah, Ordinance 2018-88 (September 24, 2018).

The Stormwater Fund Budget for the City of Hiialeah, Florida, for the Fiscal Year 2018-19, approved and adopted by Hiialeah, 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.

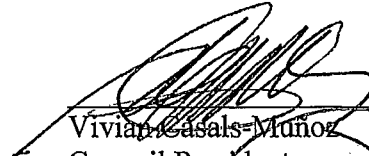
If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or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

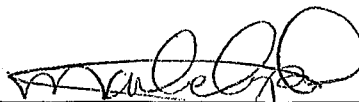
PASSED and ADOPTED this 12 day of November, 2019.


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

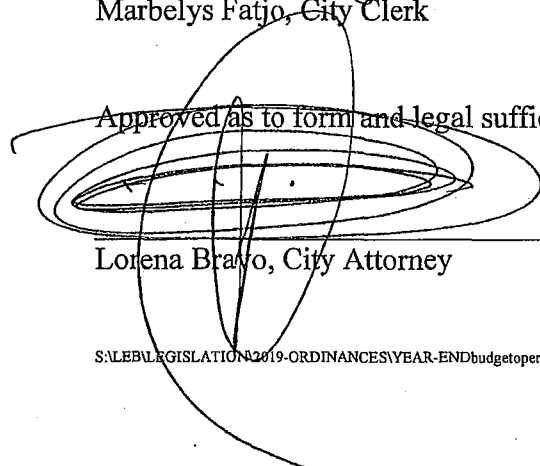
Attest:

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".