

ORDINANCE NO. 2020-074

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING HIALEAH, FLA. ORDINANCE 2019-100 (SEPTEMBER 23, 2019) ADOPTING THE STREET TRANSPORTATION FUNDS BUDGET FOR FISCAL YEAR 2019-2020 TO APPROVE AND RATIFY A REDUCTION IN APPROPRIATIONS IN THE AMOUNT OF \$3,628,465 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 STREET TRANSPORTATION FUNDS BUDGET IN THE TOTAL AMOUNT OF \$6,594,066; 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 \$3,628,465 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 Street Transportation 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 2019-100 (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. 2019-100 (September 23, 2019) is hereby amended to reflect a reduction of \$3,628,465 in budgeted appropriations for a new year-end total Street Transportation Funds budget in the amount of \$6,594,066. 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All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.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.

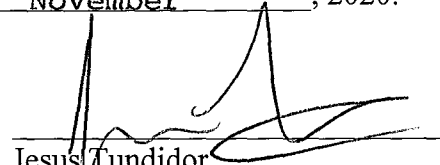
Section 4: Severability Clause.

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.

PASSED and ADOPTED this 24 day of November, 2020.



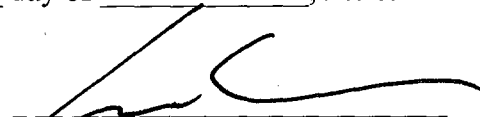
Jesus Tundidor
Council President

Attest:

Approved on this ___ day of _____, 2020.

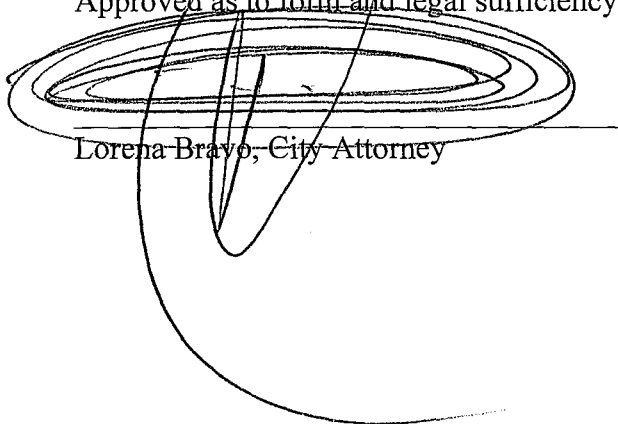


Marbelys Fajó, City Clerk



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
STREETS TRANSPORTATION FUND

	FY 2019-2020	FY 2019-2020	
<u>Revenue</u>	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
Local Option Fuel Tax-6 Cents	3,794,479	2,928,442	(866,037)
 <u>Expense</u>			
Local Option Fuel Tax-6 Cents	3,794,479	2,928,442	866,037
Revenues - Expenditures	0	0	0

	FY 2019-2020	FY 2019-2020	
<u>Revenue</u>	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
Local Option Fuel Tax-3 Cents	1,948,199	1,096,450	(851,749)
 <u>Expense</u>			
Local Option Fuel Tax-6 Cents	1,948,199	1,096,450	851,749
Revenues - Expenditures	0	0	0

	FY 2019-2020	FY 2019-2020	
<u>Revenue</u>	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
CITT Surtax-Infrastructure	4,479,853	2,569,174	(1,910,679)
 <u>Expense</u>			
CITT Surtax-Infrastructure	4,479,853	2,569,174	1,910,679
Revenues - Expenditures	0	0	0

	FY 2019-2020	FY 2019-2020	
	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
Revenue Total	10,222,531	6,594,066	(3,628,465)
Expense Total	10,222,531	6,594,066	3,628,465
Revenues - Expenditures	0	0	0

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



MENT NAME	FUNDING SOURCE	DATE POSTED	ACCOUNT DESCRIPTION	ADJUSTMENT AMOUNT	PERCENT CHANGE	TRANSFERRED FROM	COMMENTS
S (6 CENTS)	SR (101)	08/10/20	Contingency Reserve	(23,000.00)			To Fund Impact Fees Consultant
			Capital Outlay - Vehicles	23,000.00		Operating Expenses	
		06/01/20	Capital Outlay - Tree Planting-(MDC/CITY)	(34,281.61)			To Fund Tree Planting Agreement Match
			Capital Outlay - Landscaping	34,281.61			
TAL				\$0.00	0.00%		
RTAX TRANSPORTATION	SR (120)	08/20/20	Capital Outlay-Construction in Progress	(529,000.00)		Operating Expenses	To Fund Resurfacing
			Capital Outlay-Roadway Resurfacing	529,000.00			
TAL				\$0.00	0.00%		
TOTAL				\$0.00	0.00%		



ORDINANCE NO. 2019-100

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING HIALEAH, FLA. ORDINANCE 2018-092 (SEPTEMBER 24, 2018) THAT ADOPTED THE STREET TRANSPORTATION FUND BUDGET FOR FISCAL YEAR 2018-2019 TO APPROVE SUPPLEMENTAL APPROPRIATIONS IN THE AMOUNT OF \$620,570 AND TO APPROVE AND RATIFY ALL UNECUMBERED 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 \$5,929,833; 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 \$620,570 in additional revenues in excess of the budgeted amount 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 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 2018-092 (September 24, 2018).

The Street Transportation Fund Budget for the City of Hialeah, Florida, for the Fiscal Year 2018-2019, approved and adopted by Hialeah, Fla. Ordinance No. 2018-092 (September 24, 2018) is hereby amended by \$620,570 in supplemental appropriations for a new year-end total Street Transportation Fund Budget in an amount of \$5,929,833. 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.

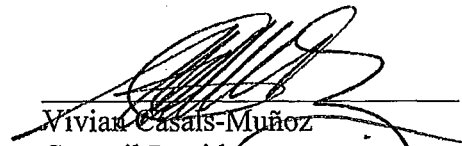
If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or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

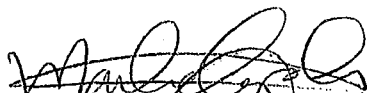
PASSED and ADOPTED this 12 day of November, 2019.

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

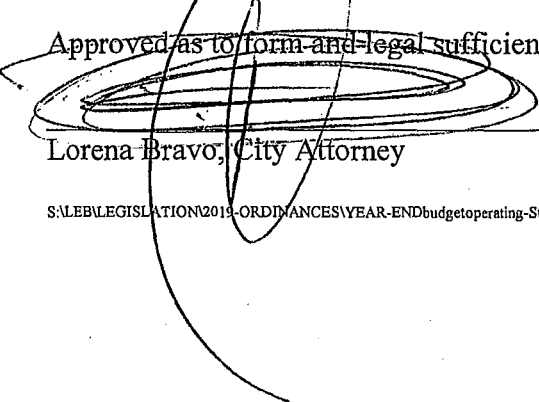
Attest:

Approved on this 20 day of November, 2019.


Marbelys Fajfo, 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".