

ORDINANCE NO. 2020-073

ORDINANCE OF THE MAYOR
AND THE CITY COUNCIL OF THE
CITY OF HIALEAH, FLORIDA
AMENDING HIALEAH, FLA.
ORDINANCE 2019-99
(SEPTEMBER 23, 2019) ADOPTING
THE PUBLIC WORKS FUNDS
BUDGET FOR FISCAL YEAR 2019-
2020 TO APPROVE AND RATIFY A
REDUCTION IN
APPROPRIATIONS IN THE
AMOUNT OF \$13,678,040 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
PUBLIC WORKS FUNDS BUDGET
IN THE TOTAL AMOUNT OF
\$102,266,995; 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 \$13,678,040 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 Public Works 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 2019-99 (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. 2019-99 (September 23, 2019) is hereby amended to reflect a reduction of \$13,678,040 in budgeted appropriations for a new year-end total Public Works Funds budget in the amount of \$102,266,995. 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All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.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.

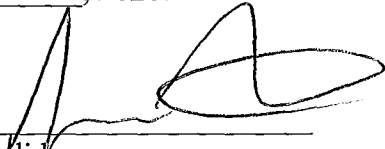
Section 4: Severability Clause.

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.

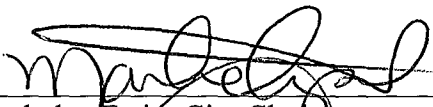
This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED and ADOPTED this 24 day of November, 2020.

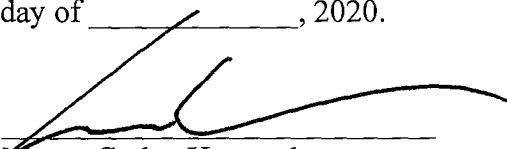


Jesus Tundidor
Council President

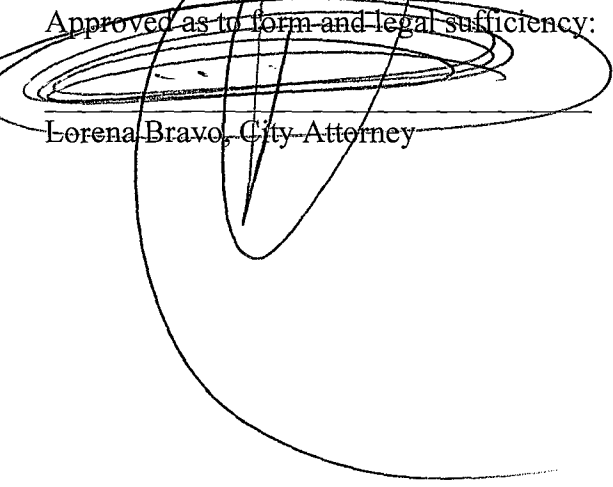
Attest: Approved on this ___ day of _____, 2020.



Marbelys Fatjó, 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 PUBLIC WORKS

	FY 2019-2020	FY 2019-2020	
<u>Revenue</u>	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
Solid Waste Fees	19,116,624	19,488,847	372,223
<u>Expense</u>			
Solid Waste Division	19,116,624	16,357,340	2,759,284
To Fund Balance	<u>0</u>	<u>3,131,507</u>	<u>(3,131,507)</u>
	19,116,624	19,488,847	(372,223)
Revenues - Expenditures	0	0	0

	FY 2019-2020	FY 2019-2020	
<u>Revenue</u>	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
Water & Sewer Fees	96,828,411	82,778,148	(14,050,263)
<u>Expense</u>			
Water & Sewer Combined Services	21,189,648	18,417,716	2,771,932
Water Utility Services	20,023,834	16,355,349	3,668,485
Sewer Utility Services	44,974,829	39,160,731	5,814,098
Water & Sewer Reverse Osmosis Plant	10,640,100	8,331,249	2,308,851
To Fund Balance	<u>0</u>	<u>513,103</u>	<u>(513,103)</u>
	96,828,411	82,778,148	14,050,263
Revenues - Expenditures	0	0	0

	FY 2019-2020	FY 2019-2020	
	<u>Original Budget</u>	<u>Projection</u>	<u>Variance</u>
Revenue Total	115,945,035	102,266,995	(13,678,040)
Expense Total	<u>115,945,035</u>	<u>102,266,995</u>	<u>13,678,040</u>
Revenues - Expenditures	0	0	0

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



<u>MENT NAME</u>	<u>FUNDING SOURCE</u>	<u>DATE POSTED</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ADJUSTMENT AMOUNT</u>	<u>PERCENT CHANGE</u>	<u>TRANSFERRED FROM</u>	<u>COMMENTS</u>
WASTE DIVISION FUND	SR(401)	08/13/20	Repair & Maintenance-Containers	(48,870.00)			To Complete the Purchase of Chevy Work Truck
			Contingency Reserve	(11,130.00)			
			Capital Outlay-Vehicles	60,000.00		Operating Expenses	
		04/28/20	Repair & Maintenance-Containers	(34,550.00)			To Fund Recycling Composition Study
			Professional Services	34,550.00			
TOTAL				\$0.00	0.00%		
WORKS FUNDS & SEWER	SR(450)	09/15/20	Fuel & Lubricant	(9,000.00)		Operating Expenses	To Fund Unbudgeted Expenses
			Freight & Postage	9,000.00			To Fund the Purchase of 5 Remote Terminal Units
		08/27/20	Repair & Maintenance-Infrastructure	(34,191.00)			
			Capital Outlay-Infrastructure	34,191.00			
		08/13/20	Repair & Maintenance-Equipment	(2,757.00)			To Fund Purchase of Chevy Colorado Extended Cab Work Truck
			Capital Outlay-Vehicles	2,757.00			
		08/13/20	Capital Outlay-Infrastructure	(120,000.00)			To Fund the Services Provided by Inframark
			Repair & Maintenance-Infrastructure	120,000.00			
		08/10/20	Contingency Reserve	(20,000.00)			To Fund Unbudgeted Expenses
			Repair & Maintenance-Equipment	5,000.00			
			Contractual Service	15,000.00			
07/24/20	Capital Outlay-Infrastructure	(200,000.00)			To Fund the Cost of Pipelines Relocation		
	Capital Outlay-Building	200,000.00					
06/09/20	Contingency Reserve	(2,200.00)			To Replenish Communications Services		
	Communications Service	2,200.00					
06/04/20	Repair & Maintenance	(90,000.00)			To Purchase Bypass Pump and Pipes		
	Rentals & Leases-Equipment	90,000.00					
06/04/20	Contingency Reserve	(43,000.00)			To Fund Utility Billing Printing Services		
	Printing & Binding	43,000.00					
06/01/20	Repair & Maintenance-Leak Detention	(40,000.00)			To Fund Standby Generator Rental		
	Repair & Leases-Equipment	40,000.00					

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



<u>MENT NAME</u>	<u>FUNDING SOURCE</u>	<u>DATE POSTED</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ADJUSTMENT AMOUNT</u>	<u>PERCENT CHANGE</u>	<u>TRANSFERRED FROM</u>	<u>COMMENTS</u>
		06/01/20	Contingency Reserve	(154,700.00)			To Fund Temporary Employment Services
			Contractual Services	154,700.00			
		06/01/20	Capital Outlay-Building	(14,000.00)			To Fund Construction Engineering
			Professional Services-Engineering	14,000.00			Inspection Services
		05/05/20	Contingency Reserve	(21,814.00)			To Fund Communications Services
			Communications Service	21,814.00			
		04/28/20	Contingency Reserve	(4,833.19)			To Fund Emergency Telephone Answering
			Communication Services	4,833.19			Services
		04/20/20	Professional Services-Oversight Board	(100,000.00)			To Fund Consulting Engineering Inspection
			Professional Services-Engineering	100,000.00			Services
TOTAL				\$0.00	0.00%		
TOTAL				\$0.00	0.00%		

ORDINANCE NO. 2019-099

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING HIALEAH, FLA. ORDINANCE 2018-93 (SEPTEMBER 24, 2018) THAT ADOPTED THE PUBLIC WORKS FUND BUDGET FOR FISCAL YEAR 2018-2019 TO APPROVE AND RATIFY A REDUCTION IN APPROPRIATIONS IN THE AMOUNT OF \$16,823,486 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 PUBLIC WORKS FUND BUDGET IN THE TOTAL AMOUNT OF \$100,928,188; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR A PENALTY IN VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, budgeted appropriations were reduced by an estimated amount of \$16,823,486 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 Public Works 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 2018-93 (September 24, 2018).

The Public Works Fund Budget for the City of Hialeah, Florida, for the Fiscal Year 2018-2019 approved and adopted by Hialeah, Fla. Ordinance No. 2018-93 (September 24, 2018) is hereby amended by \$16,823,486 in reduced appropriations for a new year-end total Public Works Fund Budget in an amount of \$100,928,188. 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.

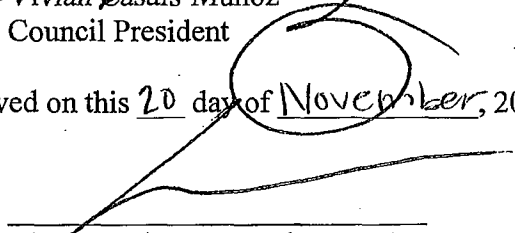
THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.


Vivian Casals-Munoz
Council President

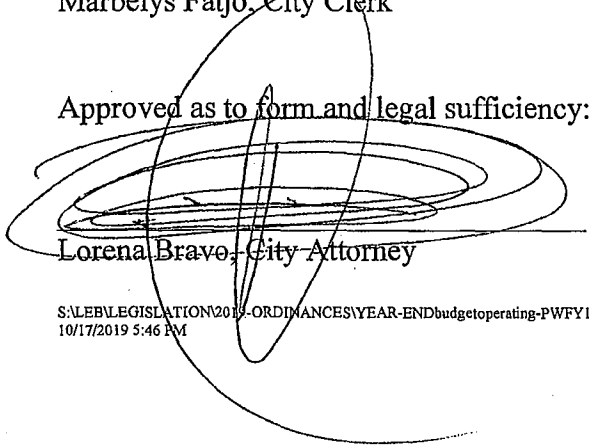
Attest:

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".