

**ORDINANCE NO. 2016-\_\_\_\_\_**

**AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ORDINANCE NO. 15-186 AND ORDINANCE NO. NO. 16-190; AMENDING THE TOWN'S FISCAL YEAR 2015-2016 BUDGET; PROVIDING FOR EXPENDITURE OF FUNDS; PROVIDING FOR THE CREATION OF THE MOBILITY FEE TRUST FUND ACCOUNT SUB-FUND WITHIN THE SPEICAL REVENUE FUND; PROVIDING FOR AMENDMENTS; PROVIDING FOR CONFLICTS; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, in accordance with Section 200.065, Florida Statutes and Section 8.7 of the Town of Miami Lakes (the "Town") Charter, the Town Council adopted Fiscal Year 2015-2016 Budget (the "Budget") by Ordinance 15-186; and

**WHEREAS**, on February 2, 2016, the Town Council amended the Budget by Ordinance No. 16-190; and

**WHEREAS**, on April 25, 2016, the Town Council adopted Ordinance No. 16-\_\_\_\_, which amended the Town's Land Development Code to include, among other things, the creation of a Mobility Fee Trust Fund Account, which account shall be accounted for separate and apart from all other accounts of the Town, to ensure that all mobility fee collections and expenditures are properly deposited, accounted for, reported, and appropriated in accordance with the Town's Mobility Fee Ordinance; and

**WHEREAS**, based upon the review, analysis, and the recommendation of the Town Manager, the Town Council has determined that it is necessary to further amend the Budget to provide for an increase in the Budget, carryover of funds, reallocation of funds, and the creation of a Mobility Fee Trust Fund Account, all as set forth in composite Exhibit "A," attached hereto.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The foregoing recitals are true and correct and are incorporated herein by this reference.

**Section 2. Budget Amendment.** The Fiscal Year 2015-2016 Budget adopted in Ordinance No. 15-186 and amended by Ordinance No. 16-190 is hereby further amended as set forth in the documents attached hereto as composite Exhibit “A.” The Town Council hereby modifies the Budget to provide for the inclusion of additional carryover funds, line item adjustments, and 2014-2015 project related expense carryover. The Town Council hereby modifies the Budget to provide for the creation of a Mobility Fee Trust Fund Account, which account shall be accounted for separate and apart from all other accounts of the Town, to ensure that all mobility fee collections and expenditures are properly deposited, accounted for, reported, and appropriated in accordance with the Town’s Mobility Fee Ordinance. All other terms and conditions of Ordinance No. 15-186 not otherwise amended by this Ordinance remain in full force and effect.

**Section 3. Authorization of Town Manager.** The Town Manager is hereby authorized to take all actions necessary to implement the terms and conditions of this Ordinance.

**Section 4. Authorization of Fund Expenditures.** The Town Manager or his/her designee is authorized to expend or contract for expenditures such funds as are necessary for the operation of the Town government in accordance with the Budget and the terms and conditions of this Ordinance.

**Section 5. Conflicts.** All sections or parts of sections of the Town Code that conflict with this Ordinance are repealed to the extent of such conflict.

**Section 6. Severability.** The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause, provision or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 7. Effective date.** This Ordinance shall be effective upon adoption on second reading.

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## **FIRST READING**

The foregoing ordinance was moved by Councilmember \_\_\_\_\_ who moved its adoption on first reading. The motion was seconded by Councilmember \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Mayor Michael A. Pizzi, Jr.	_____
Vice Mayor Tim Daubert	_____
Councilmember Manny Cid	_____
Councilmember Tony Lama	_____
Councilmember Ceasar Mestre	_____
Councilmember Frank Mingo	_____
Councilmember Nelson Rodriguez	_____

Passed and adopted on first reading this 3<sup>rd</sup> day of May, 2016.

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## SECOND READING

The foregoing ordinance was moved by Councilmember \_\_\_\_\_ who moved its adoption on second reading. The motion was seconded by Councilmember \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Mayor Michael A. Pizzi, Jr.	_____
Vice Mayor Tim Daubert	_____
Councilmember Manny Cid	_____
Councilmember Tony Lama	_____
Councilmember Ceasar Mestre	_____
Councilmember Frank Mingo	_____
Councilmember Nelson Rodriguez	_____

Passed and adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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Michael A. Pizzi, Jr.  
MAYOR

Attest:

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Gina Inganzo  
TOWN CLERK

Approved as to form and legal sufficiency:

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Raul Gastesi, Jr.  
Gastesi & Associates, P.A.  
TOWN ATTORNEY

## **EXHIBIT “A”**