

ORDINANCE #2010 - 29

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, ESTABLISHING PROCEDURES BY WHICH THE CITY MANAGER MAY AUTHORIZE AMENDMENTS WITHIN DEPARTMENT BUDGETS WITHOUT CITY COUNCIL APPROVAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR INCLUSION IN THE CITY CODE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in accordance with the laws of the State of Florida, any amendments to the adopted fiscal year budget must be approved by the governing body of the municipality; and

WHEREAS, Section 166.241(3)(b), Florida Statutes, provides that the governing body of a municipality may establish procedures by which the designated budget officer may authorize certain budget amendments within a department, provided that the total of the appropriations of the department is not changed; and

WHEREAS, the City Council has determined that it would be good management practices to give the City Manager in conjunction with the Finance Director and the Department Director the ~~or his/her designee~~ some authority to make budget amendments within department budgets and not to exceed \$15,000 within line item accounts without City Council approval, provided that the total of the appropriations of the department is not changed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA AS FOLLOWS:

Section 1. Recitals.

Each and all of the foregoing "Whereas" clauses are true and correct and are incorporated herein.

Section 2. Establishment of Policy.

Section ____ of the City Code of the City of Doral is hereby created to read as follows:

Section . Authority to Make Certain Intradepartmental Budget Amendments.

- (a) Subject to Subsection (b) below, the City Manager or his or her designee shall not allow the expenditures for any line item for a City department or agency to exceed the total amount appropriated for such line item by the approved budgets providing revenues to that department or agency.
- (b) The City Manager in conjunction with the Finance Director and Department Director or his or her designee shall have the authority to make intradepartmental budget amendments that reallocate appropriations amongst a department's line item appropriations not to exceed \$15,000 provided such reallocations do not cumulatively exceed _____ percent (____%) of that department's total appropriations to the department, and further provided that the total appropriations to the department may not be changed. The City Manager shall report such reallocations ***to the City Council at a regular meeting of the Council not less than semi-annually in the course of a fiscal year*** at the City Council meeting in August. Reallocations amongst a department's line item appropriations for expenditures in excess of _____ percent (____%) of that department's total appropriations or which reallocate line item appropriations from personnel services to any other line item or in excess of \$15,000 must be approved by the City Council.
- (c) The City Manager shall present monthly a written report on the status of the City's budget to the City Council. At a minimum, this report should generally include, but not be limited to, the following information in a form acceptable to the Council: revenues by category and expenditure by department.

Section 3. Repeal of Conflicting Ordinances.

To the extent any provisions of the Code conflict with this Chapter, those provisions are repealed in their entirety.

Section 4. Severability.

The provisions of this Ordinance are declared to be severable and if any section, sentence, clause 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 5. Inclusion in the Code.

It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Doral, Florida; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 6. Effective Date.

This Ordinance shall become effective immediately upon adoption on second reading.

[Signatures appear on following page]

This Ordinance was offered by Vice Mayor DiPietro, who moved its adoption. The motion was seconded by Councilman Boria and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Michael DiPietro	Yes
Councilman Luigi Boria	Yes
Councilman Pete Cabrera	Yes
Councilwoman Ana Maria Rodriguez	Yes

PASSED AND ADOPTED upon first reading this 8th day of September, 2010.

PASSED AND ADOPTED upon second reading this 9th day of February, 2011.




JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO LEGAL FORM
AND SUFFICIENCY:



JIMMY MORALES, ESQ., CITY ATTORNEY