

ORDINANCE #2013- 09

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, TERMINATING THE CHINESE DRYWALL FUND; PROVIDING FOR THE AMENDMENT OF THE CITY GENERAL FUNDS BUDGET FOR FISCAL YEAR 2012-2013; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 2010, the City Council of the City of Doral (the "City") adopted Ordinance No. 2010-17 which created the Chinese Drywall Fund for the purpose of compensating the Building Department for permit fees waived in connection with residents seeking to address the problems created by faulty Chinese drywall; and

WHEREAS, the City Council, pursuant to Ordinance No. 2010-17, also directed that \$250,000 of general fund dollars be allocated to the Chinese Drywall Fund for such purpose; and

WHEREAS, since the creation of the Chinese Drywall Fund, only \$25,364.96 have been utilized, leaving a remaining balance of \$224,635.04; and

WHEREAS, the City Council believes that it is in the best interests of the City and its residents to terminate the Chinese Drywall Fund and re-allocate the remaining funds back to the General Fund of the City;

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

Section 1. Recitals. The foregoing recitals are hereby ratified and confirmed as being true and correct and hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. Termination of Chinese Drywall Fund. Ordinance No. 2010-17 is hereby repealed in its entirety.

Section 3. Budget Amendment. In accordance with Article IV, Section 4.06 of the City Charter, the General Fund Budget is hereby amended by the inclusion of and appropriation to the following line item budget: General Government: Contingent Reserve - Account 001.50005.500492: \$224,635.04. An appropriation is being made from the Chinese Drywall Fund – Account 104.0000.271000: Fund Balance.

Section 4. Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase of this Ordinance shall for any reason be held to be unconstitutional or invalid by competent authority, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance but they shall remain in full force and effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Effective Date. This Ordinance shall become effective upon adoption on second reading.

The foregoing Ordinance was offered by Councilmember Fraga who moved its adoption. The motion was seconded by Councilmember Rodriguez and upon being put to a vote, the vote was as follows:

Mayor Luigi Boria	Yes
Vice Mayor Bettina Rodriguez Aguilera	Yes
Councilwoman Christi Fraga	Yes
Councilwoman Ana Maria Rodriguez	Yes
Councilwoman Sandra Ruiz	Yes

PASSED AND ADOPTED on FIRST READING this 27th day of February, 2013.

PASSED AND ADOPTED on SECOND READING this 18th day of March, 2013.



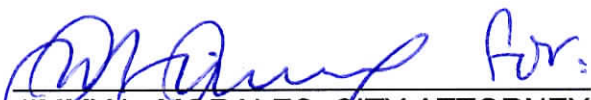
LUIGI BORIA, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



JIMMY L. MORALES, CITY ATTORNEY