



REGULAR  
**BUDGET PUBLIC HEARING**  
CITY OF MIRAMAR

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U **A G E N D A** U

Wednesday  
September 26, 2007  
6:30 p.m.

**ELECTED OFFICIALS**

Mayor Lori C. Moseley  
Commissioner Winston F. Barnes  
Commissioner Yvonne Garth  
Commissioner Fitzroy D. Salesman  
Commissioner Troy R. Samuels

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**Miramar**  
City of  
2300 Civic Center Place  
33025-6577

Phone: (954) 602-3000  
Fax: (954) 602-3440  
Web Site: [www.ci.miramar.fl.us](http://www.ci.miramar.fl.us)  
[clerksoffice@ci.miramar.fl.us](mailto:clerksoffice@ci.miramar.fl.us)

**CITY OF MIRAMAR**  
**WELCOME TO YOUR CITY COMMISSION MEETING**

We are pleased that you have demonstrated an interest in the City of Miramar by attending a City Commission meeting. We hope you will attend more of these meetings in the future.

**GENERAL INFORMATION:** The City of Miramar is a municipality chartered by the State of Florida operating under the "City Council - City Manager Plan." The City Commission is comprised of four members and the Mayor selected by the residents of Miramar to serve as the City's governing body. It is responsible for adopting policies of the City, passing ordinances, adopting resolutions and approving budgets. A City Manager is appointed by the City Commission to serve as the administrative head of the municipal government and provides recommendations to the City Commission on policy issues.

The City Commission meeting is a formal meeting of the members of the commission to transact City business. This business is conducted in a manner prescribed by resolution, laws and regulations which require certain formal actions and the following of specific procedures.

The **AGENDA** is a printed document that lists the order of business for the Commission meeting. The public is encouraged to contact the Mayor, or any City Commissioner prior to a Commission meeting to express their views on items appearing on the Agenda.

\* All beepers, cell phones and other electronic devices must be turned off prior to entering the Commission Chambers.

The City Commission may consider and act upon such other business as may come before it in the event this agenda must be revised, such revised copies will be available to the public at the City Commission meeting.

**GENERAL RULES AND PROCEDURES FOR PUBLIC PARTICIPATION AT CITY COMMISSION MEETINGS:**

Who May Speak - Any individual who wishes to address the City Commission may do so providing it is accomplished in an orderly manner and in accordance with the procedures outlined below.

1. Speaking on items on the Agenda - Public Hearings and Regular Business - Individuals wishing to speak on matters that appear on the Agenda as "Public Hearings" or "Regular Business" need only to raise their hand to be recognized by the Mayor. Discussion at Special Meetings is limited to the items referred to on the Agenda for such Special Meetings.
2. Other Business Items - These are items placed on the Agenda by the Mayor or a Commissioner and either are requests for the preparation of future legislation or are requests for possible direction to the Administration.
3. Speaking on items not on the Agenda - Public Discussion - Any individual may speak on any subject pertinent to the City at the second regularly scheduled meeting of each month. Individuals must sign in with the City Clerk prior to the meeting. The Mayor will recognize those persons who signed in, under the agenda item "Public Discussion."
4. Addressing Commission, Manner & Time - Public discussion during all items is limited to three minutes maximum per person, however, the Mayor at his/her discretion may allow more time. Each person who addresses the Commission shall step up to the speaker's podium and shall give his/her name and address.

The above represents a summarization of the Commission Procedures Resolution. Copies of this resolution are available from the City Clerk's office. Any person requiring auxiliary aids and services at this meeting may call the City Clerk's Office at 954-602-3011 at least two calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by using the following numbers: 1-800-955-8770 (voice) or 1-800-955-8771 (TDD).

If a person decides to appeal any decision made by the City Commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and for such purpose may need to insure that a verbatim recording of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.



**CITY OF MIRAMAR  
FISCAL YEAR 2008 BUDGET PUBLIC HEARING  
September 26, 2007**

**CALL TO ORDER:**

**ROLL CALL/ANNOUNCEMENTS:**

**PLEDGE OF ALLEGIANCE:**

**PRESENTATIONS:**

**RESOLUTIONS**

1. Temp. Reso. #R4043 accepting and adopting in principle, subject to annual revision and authorization, the City of Miramar **Capital Improvement Program** document for Fiscal Years 2008 to 2012. *(Budget Director Helen Ostlund)*

**PUBLIC HEARING**

2. **SECOND READING** of Temp. Ord. No. O1441 establishing and adopting the City of Miramar Ad Valorem Tax Operating **Millage Levy Rate** at 5.2975 mills, which is 9.0% less than the rolled back rate, and is equal to \$5.2975 per thousand dollars of taxable assessed property value for the 2007 tax year; providing for conflicts. *(Passed 1<sup>st</sup> Reading 9/13/07) (Budget Director Helen Ostlund)*

3. **SECOND READING** of Temp. Ord. No. O1442 adopting the tentative Operating and Capital Improvement Program, as reviewed by the City Commission at the workshop meeting held on August 29, 2007, as the City of Miramar's **final budget for Fiscal Year 2008**, allocating, appropriating, and authorizing expenditures in accordance with and for the purposes stated in said budget, excepting certain appropriations and expenditures from requiring further City Commission action; authorizing budgetary control by department total for all appropriations; providing for the authorization of all budgeted employment positions; providing for the creation of trust fund(s) for receipt of monies by gift, grant, or otherwise, and the management and disbursement thereof; providing that the budget hereby adopted may be adjusted or modified by subsequent resolution of this City Commission; providing for the authorization to lapse all encumbrances outstanding on September 30, 2007; and authorization to re-appropriate lapsed capital outlay encumbrances in the 2008 Fiscal Year. *(Passed 1<sup>st</sup> Reading 9/13/07) (Budget Director Helen Ostlund)*

## ADJOURNMENT

1.  
RESOLUTIONS  
September 26, 2007  
CITY OF MIRAMAR  
PROPOSED CITY COMMISSION AGENDA ITEM

**Meeting Date:** September 26, 2007

**Second Reading Date:**

**Presenter's Name and Title:** Helen G. Ostlund, Budget Director

**Temp Reso Number:** R4043

**Item Description:** Temp. Reso. No. R4043 accepting and adopting in principle, subject to annual revision and authorization, the City of Miramar Capital Improvement Program document for Fiscal Years 2008 to 2012. (Budget Director Helen G. Ostlund)

Consent  Resolution  Ordinance  Quasi-Judicial  Public Hearing

**Summary Explanation and Background:** Each year the City updates the five year Capital Improvement Program, a new fifth year is added and modifications are made to the existing four years based on new requirements and current information.

**Instructions for the Office of the City Clerk:**

**Public Notice** – As Required by Sec. \_\_\_\_\_ of the City Code and/or Sec. \_\_\_\_\_, Florida Statutes, public notice for this item was provided as follows: on \_\_\_\_\_, in a \_\_\_\_\_ ad in the Sun Sentinel; by posting the property on \_\_\_\_\_ and/or by sending mailed notice to property owners within \_\_\_\_\_ feet of the property on \_\_\_\_\_. (Fill in all that apply)

**Special Voting Requirement** – As required by Sec. \_\_\_\_\_, of the City Code and/or Sec. \_\_\_\_\_ Florida Statutes, approval of this item requires a \_\_\_\_\_ (unanimous 4/5ths etc. vote of the City Commission).

**Fiscal Impact:** Yes  No

**REMARKS:** This document represents the City's Capital Improvement needs for the next five years. The first year will be included in the FY 2008 Budget for the General, Utility, CIAC, Special Revenues, and Capital Projects funds.

**Attachments:**

1. Cover Memo
2. Resolution



**CITY OF MIRAMAR  
INTEROFFICE MEMORANDUM**

**TO:** Robert A. Payton, City Manager

**FROM:** Helen G. Ostlund, Budget Director

**DATE:** September 18, 2007

**RE:** Temp. Reso. No. 4043. Resolution Adopting and Accepting in concept the Five Year Capital Improvement Program for Fiscal Years 2008 to 2012.

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**RECOMMENDATION:** Attached for your consideration is a Resolution that accepts and adopts the CIP document in principle subject to annual revision and authorization relating to the attached Capital Improvement Program document for Fiscal Years 2008 to 2012.

**ISSUE:** Capital Improvement Program Document for Fiscal Years 2008 to 2012.

**BACKGROUND:** Each year the City updates the five year Capital Improvement Program, a new fifth year is added and modifications are made to the existing four years based on new requirements and current information.

**ATTACHMENTS: None**

Temp. Reso. No. 4043

9/18/07

9/19/07

**CITY OF MIRAMAR  
MIRAMAR, FLORIDA**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA, ACCEPTING AND ADOPTING IN PRINCIPLE, SUBJECT TO ANNUAL REVISION AND AUTHORIZATION, THE CITY OF MIRAMAR CAPITAL IMPROVEMENT PROGRAM DOCUMENT FOR FISCAL YEARS 2008 TO 2012 ; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Capital Improvement Program document for fiscal years 2008 to 2012, attached hereto, was presented and recommended to the City Commission by the City Manager as a long term plan of proposed capital expenditures, the means and methods of financing the projects and an action plan for the implementation of the projects; and

**WHEREAS**, the City Commission reviewed the Capital Improvement Program document at a scheduled public meeting of the City Commission; and

**WHEREAS**, the City Commission recognizes the need to adopt a Capital Improvement Program to address Park Development and Renovation, Public Facilities, Infrastructure Redevelopment and Improvements and Capital Equipment Purchase and Replacement, which represents a commitment by the community toward achievement and maintenance of a desirable quality of life for all residents; and

Reso. No. \_\_\_\_\_

Temp. Reso. No. 4043

9/18/07

9/19/07

**WHEREAS**, the City Commission recognizes the need to formulate an ongoing Capital Improvement Program that addresses the long-term infrastructure needs of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA AS FOLLOWS:**

**Section 1.** That the foregoing “**WHEREAS**” clauses are ratified and confirmed as being true and correct and are made a specific part of this Resolution.

**Section 2.** That the City Commission accepts and adopts in principle, subject to annual revisions and authorization, the City of Miramar Capital Improvement Program document for fiscal years 2008 to 2012, attached as Exhibit “A”.

**Section 3.** That the appropriate City Officials are authorized to do all things necessary to carry out the aims of this Resolution.

**Section 4.** That this Resolution shall take effect immediately upon adoption.

Temp. Reso. No. 4043

9/18/07

9/19/07

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Mayor, Lori C. Moseley

\_\_\_\_\_  
Vice Mayor, Winston F. Barnes

ATTEST:

\_\_\_\_\_  
Yvette M. McLeary, City Clerk

I HEREBY CERTIFY that I have  
approved this RESOLUTION  
as to form:

\_\_\_\_\_  
City Attorney  
Weiss Serota Helfman Pastoriza  
Cole & Boniske, P.L.

**Requested by Administration**

Vice Mayor Winston F. Barnes

Commissioner Yvonne Garth

Commissioner Fitzroy D. Salesman

Commissioner Troy R. Samuels

Mayor Lori C. Moseley

**Voted**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2.  
PUBLIC HEARING  
September 26, 2007  
CITY OF MIRAMAR  
PROPOSED CITY COMMISSION AGENDA ITEM

**Meeting Date:** September 13, 2007

**Second Reading Date:** September 26, 2007

**Presenter's Name and Title:** Helen G. Ostlund, Budget Director

**Temp Ord Number:** O1441

**Item Description:** Temp. Ord. No. O1441 establishing and adopting tax year 2007 Ad Valorem Millage Rate which will generate ad valorem tax revenue for the Fiscal Year 2008 budget. (Passed 1<sup>st</sup> Reading 9/13/2007) (Budget Director Helen G. Ostlund)

Consent  Resolution  Ordinance  Quasi-Judicial  Public Hearing

**Summary Explanation and Background:** In accordance with Chapter 200.065 Florida Statutes, a taxing authority is required to adopt, on an annual basis, a final budget and adopt a Resolution or Ordinance stating the millage rate to be levied. The Ad Valorem millage rate for tax year 2007 is 5.2975 mils, which is equal to \$5.2975 per thousand dollars of taxable assessed property value.

**Instructions for the Office of the City Clerk:**

**Public Notice** – As Required by the Sec. \_\_\_\_\_ of the City Code and/or Sec. \_\_\_\_\_, Florida Statutes, public notice for this item was provided as follows: on \_\_\_\_\_, in a \_\_\_\_\_ ad in the Sun Sentinel; by the posting the property on \_\_\_\_\_ and/or by sending mailed notice to property owners within \_\_\_\_\_ feet of the property on \_\_\_\_\_. (Fill in all that apply)

**Special Voting Requirement** – As required by Sec. \_\_\_\_\_, of the City Code and/or Sec. \_\_\_\_\_ Florida Statutes, approval of this item requires a \_\_\_\_\_ (unanimous 4/5ths etc. vote of the City Commission).

**Fiscal Impact:** Yes  No

**REMARKS:**

**This millage rate will generate ad valorem tax revenue for the FY 2008 budget.**

**Attachments:**

1. Cover Memo
2. Ordinance



**CITY OF MIRAMAR  
INTEROFFICE MEMORANDUM**

**TO:** Robert A. Payton, City Manager

**FROM:** Helen G. Ostlund, Budget Director

**DATE:** August 30, 2007

**RE:** Temp Ordinance No. 1441 Adopting the Ad Valorem Tax Rate for Fiscal Year 2008

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**RECOMMENDATION:** Request that the City Commission adopt the referenced ordinance for the 2007 Tax Year Millage Rate.

**ISSUE:** Adopting the Ad Valorem Millage Rate for Tax Year 2007. Ad Valorem tax revenue in the Fiscal Year 2008 annual budget is based on this millage rate.

**BACKGROUND:** In accordance with Chapter 200.065, Florida Statutes, a taxing authority is required to adopt a final budget and adopt a Resolution or Ordinance stating the millage rate to be levied. The Resolution or Ordinance shall state the percent, if any, by which the millage rate to be levied exceeds the rolled-back rate. The adoption of the budget and the millage levy Resolution or Ordinance shall be by separate votes. The millage levy shall be publicly read in full prior to its adoption. In no event may the millage rate adopted exceed the millage rate tentatively adopted.

The millage rate in the attached ordinance represents the rate tentatively adopted at the July 3, 2007 commission meeting and is the rate shown on the taxpayers TRIM notice sent out by the Property Appraiser's Office.

The Ad Valorem millage rate for Tax Year 2007 is 5.2975 mils, which is equal to \$5.2975 per thousand dollars of taxable assessed property value. This represents a 9.0% decrease in the total amount of property taxes to be collected by the City.

Temp. Ord. No. 1441  
8/30/07  
9/6/07

**CITY OF MIRAMAR  
MIRAMAR, FLORIDA**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA, ESTABLISHING AND ADOPTING THE CITY OF MIRAMAR AD VALOREM TAX OPERATING MILLAGE LEVY RATE AT 5.2975 MILS, WHICH IS 9.0% LESS THAN THE ROLLED BACK RATE, AND IS EQUAL TO \$5.2975 PER THOUSAND DOLLARS OF TAXABLE ASSESSED PROPERTY VALUE FOR THE 2007 TAX YEAR; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission and the City Administration of the City of Miramar has reviewed the 2008 Fiscal Year budget for the various operating departments of the City, and the means of financing said budget; and

**WHEREAS**, the City Commission has determined that a millage rate of 5.2975 is necessary to fund the FY 2008 budget; and

**WHEREAS**, all public notice and hearings required by Chapter 200, Florida Statutes, have occurred.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA, AS FOLLOWS:**

**Section 1.** That it establishes and adopts the City of Miramar Ad Valorem Tax Operating Millage Levy Rate of 5.2975 mils for the 2007 tax year, which is equal to \$5.2975 per thousand dollars of taxable assessed property value. This millage rate is 9.0% less than the rolled back rate and therefore constitutes a 9 percent decrease in the total amount of property taxes to be collected by the City.

Ord. No. \_\_\_\_\_

Temp. Ord. No. 1441

8/30/07

9/6/07

**Section 2.** All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**Section 3.** This Ordinance shall take effect on October 1, 2007.

Temp. Ord. No. 1441

8/30/07

9/6/07

**PASSED FIRST READING:** \_\_\_\_\_

**PASSED AND ADOPTED ON SECOND READING:** \_\_\_\_\_

\_\_\_\_\_  
Mayor, Lori C. Moseley

\_\_\_\_\_  
Vice Mayor, Winston F. Barnes

ATTEST:

\_\_\_\_\_  
City Clerk Yvette M. McLeary

I HEREBY CERTIFY that I have approved this  
ORDINANCE as to form:

\_\_\_\_\_  
City Attorney  
Weiss Serota Helfman  
Pastoriza Cole & Boniske, P.L.

<u>Requested by Administration</u>	<u>Voted</u>
Vice Mayor Winston F. Barnes	_____
Commissioner Yvonne Garth	_____
Commissioner Fitzroy D. Salesman	_____
Commissioner Troy R. Samuels	_____
Mayor Lori C. Moseley	_____

Ord. No. \_\_\_\_\_

3.  
PUBLIC HEARING  
September 26, 2007  
CITY OF MIRAMAR  
**PROPOSED CITY COMMISSION AGENDA ITEM**

**Meeting Date:** September 13, 2007

**Second Reading Date:** September 26, 2007

**Presenter's Name and Title:** Helen G. Ostlund, Budget Director

**Temp Ord Number:** O1442

**Item Description:** Temp. Ord. No. O1442 adopting tentative operating and capital improvement program budget for Fiscal Year 2008. (Passed 1<sup>st</sup> Reading 9/13/07) (Budget Director Helen G. Ostlund)

Consent  Resolution  Ordinance  Quasi-Judicial  Public Hearing

**Summary Explanation and Background:**

**Instructions for the Office of the City Clerk:**

**Public Notice** – As Required by the Sec. \_\_\_\_\_ of the City Code and/or Sec. \_\_\_\_\_, Florida Statutes, public notice for this item was provided as follows: on \_\_\_\_\_, in a \_\_\_\_\_ ad in the Sun Sentinel; by the posting the property on \_\_\_\_\_ and/or by sending mailed notice to property owners within \_\_\_\_\_ feet of the property on \_\_\_\_\_. (Fill in all that apply)

**Special Voting Requirement** – As required by Sec. \_\_\_\_\_, of the City Code and/or Sec. \_\_\_\_\_ Florida Statutes, approval of this item requires a \_\_\_\_\_ (unanimous 4/5ths etc. vote of the City Commission).

**Fiscal Impact:** Yes  No

**REMARKS:** Provides budgeted revenues & expenditures for all funds.

**Attachments:** 1. Cover Memo  
2. Ordinance



**CITY OF MIRAMAR  
INTEROFFICE MEMORANDUM**

**TO:** Robert A. Payton, City Manager

**FROM:** Helen G. Ostlund, Budget Director

**DATE:** August 30, 2007

**RE:** Temporary Ordinance No. 1442 Adopting Tentative Operating and Capital Improvement Program Budget for Fiscal Year 2008

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**RECOMMENDATION:** Request that the City Commission adopt the Temporary Ordinance No. 1442 for the 2008 Fiscal Year Annual Budget.

**ISSUE:** Adopting the tentative Operating and Capital Improvement Program Budget for Fiscal Year 2008.

**BACKGROUND:** In accordance with Chapter 200.065, Florida Statutes, a taxing authority is required to adopt a final budget by Resolution or Ordinance. The adoption of the budget and the millage levy by Resolution or Ordinance shall be by separate votes.

**ATTACHMENTS:** None

Temp. Ord. No. 1442  
8/30/07  
9/6/07

**CITY OF MIRAMAR  
MIRAMAR, FLORIDA**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA, ADOPTING THE TENTATIVE OPERATING AND CAPITAL IMPROVEMENT PROGRAM, AS REVIEWED BY THE CITY COMMISSION AT THE WORKSHOP MEETING HELD ON AUGUST 29, 2007, AS THE CITY OF MIRAMAR'S FINAL BUDGET FOR FISCAL YEAR 2008, ALLOCATING, APPROPRIATING, AND AUTHORIZING EXPENDITURES IN ACCORDANCE WITH AND FOR THE PURPOSES STATED IN SAID BUDGET, EXCEPTING CERTAIN APPROPRIATIONS AND EXPENDITURES FROM REQUIRING FURTHER CITY COMMISSION ACTION; AUTHORIZING BUDGETARY CONTROL BY DEPARTMENT TOTAL FOR ALL APPROPRIATIONS; PROVIDING FOR THE AUTHORIZATION OF ALL BUDGETED EMPLOYMENT POSITIONS; PROVIDING FOR THE CREATION OF TRUST FUND(S) FOR RECEIPT OF MONIES BY GIFT, GRANT, OR OTHERWISE, AND THE MANAGEMENT AND DISBURSEMENT THEREOF; PROVIDING THAT THE BUDGET HEREBY ADOPTED MAY BE ADJUSTED OR MODIFIED BY SUBSEQUENT RESOLUTION OF THIS CITY COMMISSION; PROVIDING FOR THE AUTHORIZATION TO LAPSE ALL ENCUMBRANCES OUTSTANDING ON SEPTEMBER 30, 2007; AND AUTHORIZATION TO RE-APPROPRIATE LAPSED CAPITAL OUTLAY ENCUMBRANCES IN THE 2008 FISCAL YEAR; AND PROVIDING FOR AN EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA, AS FOLLOWS:**

**Section 1.** That the tentative 2008 Operating and Capital Improvement Program Budget, reviewed and approved by the City Commission on September 13, 2007, copy of said budget being attached as Exhibit "A," is established and adopted as the City of Miramar's final budget for the 2008 fiscal year.

Ord. No. \_\_\_\_\_

Temp. Ord. No. 1442  
8/30/07  
9/6/07

**Section 2.** That the budget adopted hereby may be amended or adjusted by a motion approved by a majority vote of the City Commission at the public hearing in accordance with State Statutes.

**Section 3.** Subject to the adjustment and/or amendment process authorized in Section 2, amounts allocated in said budget for expenditure effective October 1, 2007 are authorized in accordance with the purposes as set forth in said budget, except that no funds shall be deemed authorized for expenditure in those instances where specific and additional City Commission action and authorization is required as provided in Chapter 2, Article VI, Division 3 of the Miramar City Code, as well as other applicable law.

**Section 4.** That the 2008 Operating and Capital Improvement Budget establishes limitations on expenditures by department total. Said limitation meaning that the total sum allocated to each department for operating expenses may not be increased or decreased without specific authorization by a duly enacted Resolution or Ordinance effecting such amendment or transfer. However, specific line item amounts may be exceeded so long as excesses exist in other line items within said department budget. When such excess expenditures occur, the City Manager, or his/her designee, is authorized to transfer such unencumbered appropriations from one line item to another to balance the deficiency.

**Section 5.** That the amounts allocated to Capital Outlay line items are

Ord. No. \_\_\_\_\_

specific authorizations for each line item and may be expended only for that specific purpose. The amount allocated to each line item may not be exceeded, increased, or decreased or funds transferred to or from line items without specific City Commission authorization by a duly enacted Resolution or Ordinance effecting such amendment or transfer.

**Section 6.** That the "Personnel Allocation Summary" included within each department budget enumerates all authorized budgeted positions. All personnel filling said authorized position shall be paid pursuant to and in accordance with the City of Miramar's Pay Plan or Collective Bargaining Agreements in effect at any given time for said position.

**Section 7.** That when the City of Miramar receives monies from any source, be it private or governmental, by Grant, Gift, or otherwise, to which there is attached as a condition of acceptance any limitation regarding the use or expenditure of the monies received, the funds so received need not be shown in the Operating Budget nor shall said budget be subject to amendment or expenditures as a result of the receipt of said monies, but said monies shall only be disbursed and applied toward the purposes for which the funds were received. To ensure the integrity of the Operating Budget, and the integrity of the monies received by the City under Grants or Gifts, all monies received as contemplated above must, upon receipt, be segregated and accounted for based upon generally accepted accounting principles and where appropriate, placed into

separate and individual trust and/or escrow accounts from which any money drawn may only be disbursed and applied within the limitations placed upon the Gift or Grant.

**Section 8.** That upon the passage and adoption of the 2008 fiscal year budget for the City of Miramar, if the City Manager determines that an Operating Department Total or a Capital Outlay Line Item will exceed its original appropriation, he is hereby authorized and directed to prepare such Resolutions or Ordinance as may be necessary and proper to administratively and publicly adjust or modify any line item from the Budget.

**Section 9.** That all outstanding encumbrances at September 30, 2007 shall lapse at that time; and all lapsed capital outlay encumbrances and available balance for active projects shall be re-appropriated in the 2008 fiscal year.

**Section 10.** If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**Section 11.** All Ordinances or parts of Ordinances, insofar as they are inconsistent or in conflict with the provisions of this ordinance, are hereby repealed.

**Section 12.** This Ordinance shall take effect on October 1, 2007.

Temp. Ord. No. 1442

8/30/07

9/6/07

**PASSED FIRST READING:** \_\_\_\_\_

**PASSED AND ADOPTED ON SECOND READING:** \_\_\_\_\_

\_\_\_\_\_  
Mayor, Lori C. Moseley

\_\_\_\_\_  
Vice Mayor, Winston F. Barnes

ATTEST:

\_\_\_\_\_  
City Clerk Yvette M. McLeary

I HEREBY CERTIFY that I have approved this  
ORDINANCE as to form:

\_\_\_\_\_  
City Attorney  
Weiss Serota Helfman  
Pastoriza Cole & Boniske, P.L.

<u>Requested by Administration</u>	<u>Voted</u>
Vice Mayor Winston F. Barnes	_____
Commissioner Yvonne Garth	_____
Commissioner Fitzroy D. Salesman	_____
Commissioner Troy R. Samuels	_____
Mayor Lori C. Moseley	_____

Ord. No. \_\_\_\_\_