

**CITY OF MIRAMAR
PROPOSED CITY COMMISSION AGENDA ITEM**

First Reading Date: July 6, 2022

Second Reading Date: August 17, 2022

Presenter's Name and Title: Rafael Sanmiguel, Director, Management & Budget

Temp. Ord. Number: #O1792

Item Description: (FIRST READING) Temp. Ord. #O1792 APPROVING THE SECOND AMENDMENT TO THE FISCAL YEAR 2022 OPERATING AND CAPITAL IMPROVEMENT PROGRAM BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE. (Management & Budget Director Rafael Sanmiguel)

Consent ☐ Resolution ☐ Ordinance ☒ Quasi-Judicial ☐ Public Hearing ☒

Instructions for the Office of the City Clerk: NONE

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 _____; 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 by the City Commission.

Fiscal Impact: Yes ☒ No ☐

REMARKS: Utility Fund (410) and Stormwater Management Fund (415) adjusted as provided in the Memo.

Content:

- Agenda Item Memo from the City Manager to City Commission
- Ordinance TO 1792
 - Exhibit A: UTILITIES FUND (410)
 - Exhibit B: Stormwater (415)



**CITY OF MIRAMAR
INTEROFFICE MEMORANDUM**

TO: Mayor, Vice Mayor, & City Commissioners

FROM: Dr. Roy L. Virgin, City Manager 

BY: Rafael Sanmiguel, Director, Management & Budget

DATE: June 30, 2022

RE: FIRST READING of Temp. Ord. No. 1792 budget amendment for FY22

RECOMMENDATION: The City Manager recommends approval of Temp. Ord. No. 1792, providing for the second budget amendment of the Fiscal Year 2022 Operating and Capital Improvement Program Budgets.

ISSUE: Pursuant to Section 2-203(a), City Commission approval is required to amend the budget by passage of an ordinance.

BACKGROUND: Per F.S. 166.241(5), the governing body can amend the Fiscal Year 2022 Operating and Capital Improvement Program Budgets only via ordinance.

The City's Procurement Department advertised Invitation for Bid No. 22-008 Historic Miramar Drainage Infrastructure Improvement Project-Phase IV. The lowest responsive responsible bid received by the City totals \$12,907,320.67. This amount excludes allocating a construction allowance of 15 percent and cost for construction management and inspection services. Funds totaling \$13,111,900 are currently available for the project. Due to budget shortfall, additional funds totaling \$3M from the respective fund balances (\$2M from Utilities and \$1M from Stormwater) are being requested to proceed with City Commission award of a construction contract for the project.

DISCUSSION & ANALYSIS: The following items are included in the second Fiscal Year 2022 budget amendment:

Utility Fund (410) – Exhibit A

Revenues (\$2,000,000 adjustment)

- Appropriation of Fund Balance: Increase \$2,000,000 to fund CIP Project.

Expenses (\$2,000,000 adjustment)

- Historic Miramar Drainage Improvements-Phase IV (Project No. 52066). Increase CIP Construction by \$1,600,000 and CIP Contingency by \$400,000 to account for rising costs of materials, equipment, and labor.

Stormwater Management Fund (415) – Exhibit B

Revenues (\$1,000,000 adjustment)

- Appropriation of Fund Balance: Increase \$1,000,000 to fund CIP Project.

Expenses (\$1,000,000 adjustment)

- Historic Miramar Drainage Improvements - Phase IV (Project No. 52066). Increase CIP Contingency by \$1,000,000 to account for rising costs of materials, equipment, and labor.

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**CITY OF MIRAMAR
MIRAMAR, FLORIDA**

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF
MIRAMAR, FLORIDA, APPROVING THE SECOND AMENDMENT
OF THE FISCAL YEAR 2022 OPERATING AND CAPITAL
IMPROVEMENT PROGRAM BUDGET; AND PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, based upon the periodic review and analysis of current budgetary commitments and obligations, the projected needs and requirements of the City and the recommendations of the City Manager, and with the concurrence of the Finance Director as to Accounting Principles, it is deemed necessary to adjust, amend, and implement the Fiscal Year 2022 Operating and Capital Improvement Program Budget; and

WHEREAS, the proposed amendment to the Fiscal Year 2022 Operating and Capital Improvement Program Budget is set forth in Exhibits "A" through "B", attached hereto and made a part hereof; and

WHEREAS, Section 2-203(a) of the City Code provides that "if during the fiscal year, revenues in excess of those estimated in the budget are available for appropriation, the City Commission may make supplemental appropriations for the year up to the amount of such excess"; and

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WHEREAS, this Ordinance will provide funds for additional new projects and unanticipated expenses, as well as for projects that have been previously approved; and

WHEREAS, the City Manager and the Chief Budget Officer recommend approval of this Ordinance, providing funds for additional new projects and unanticipated expenses, as well as for projects that have been previously approved; and

WHEREAS, the City Commission deems it to be in the best interest of the citizens and residents of the City of Miramar to amend to approve the second amendment of the Fiscal Year 2022 operating and capital improvement budget.

NOW, THEREFORE, BE IT ORDAINED 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 Ordinance.

Section 2: That it approves the amendment of the Fiscal Year 2022 Operating and Capital Improvement Program Budget as set forth in Exhibits “A” through “B”, attached hereto and made a part hereof.

Section 3: If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid,

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such unconstitutional or invalid part or application shall be considered as eliminated and shall not affect the validity of the remaining portions or applications, which shall remain in full force and effect.

Section 4: That the appropriate City officials are authorized to do all things necessary and expedient to carry out the intent and purpose of this Ordinance.

Section 5: That this Ordinance shall take effect immediately upon its adoption on second reading.

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PASSED FIRST READING: _____

PASSED AND ADOPTED ON SECOND READING: _____

Mayor, Wayne M. Messam

Vice Mayor, Yvette Colbourne

ATTEST:

City Clerk, Denise A. Gibbs

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

City Attorney,
Austin Pamies Norris Weeks Powell, PLLC

<u>Requested by Administration</u>	<u>Voted</u>
Commissioner Winston F. Barnes	_____
Commissioner Maxwell B. Chambers	_____
Vice Mayor Yvette Colbourne	_____
Commissioner Alexandra P. Davis	_____
Mayor Wayne M. Messam	_____

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Exhibit A

CITY OF MIRAMAR
EXHIBIT "A"
BUDGET REVISION
UTILITY FUND (410)

REVENUE/EXPENSE TYPE	ACCOUNT DESCRIPTION	BUDGET LINE ITEM	BUDGET CODE NO.	AMOUNT
SOURCE OF FUNDS				
APPROPRIATION OF FUND BALANCE	UTILITY FUND BALANCE	410-00-000-000-000-	399999-	\$ 2,000,000
TOTAL SOURCE OF FUNDS				\$ 2,000,000
USE OF FUNDS				
CAPITAL IMPROVEMENT PROGRAM				
Historic Miramar Drainage Improvements - Phase IV				
CIP	CIP-CONSTRUCTION	410-50-800-533-000-	606510-52066	\$ 1,600,000
CIP	CIP-CONTINGENCY	410-50-800-533-000-	606520-52066	400,000
TOTAL CIP				\$ 2,000,000
TOTAL USE OF FUNDS				\$ 2,000,000

Exhibit B

CITY OF MIRAMAR
EXHIBIT "B"
BUDGET REVISION
STORMWATER MANAGEMENT FUND (415)

REVENUE/EXPENSE TYPE	ACCOUNT DESCRIPTION	BUDGET LINE ITEM	BUDGET CODE NO.	AMOUNT
	SOURCE OF FUNDS			
APPROPRIATION OF FUND BALANCE	STORMWATER MANAGEMENT FUND BALANCE	415-00-000-000-000-	399999-	\$ 1,000,000
	TOTAL SOURCE OF FUNDS			\$ 1,000,000
	USE OF FUNDS			
<u>CAPITAL IMPROVEMENT PROGRAM</u>				
<u>Historic Miramar Drainage Improvements - Phase IV</u>				
CIP	CIP-CONTINGENCY	415-50-802-538-000-	606520-52066	\$ 1,000,000
	TOTAL CIP			\$ 1,000,000
	TOTAL USE OF FUNDS			\$ 1,000,000