

**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:** (SECOND 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. *(Passed 1<sup>st</sup> Reading on 07/06/22)* (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:** 2017 CIP Loan Fund (389), Capital Projects Fund (395), 2020 CIP Loan – Non-Taxable Fund (391), 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: 2017 CIP Loan Fund (389) and Capital Projects Fund (395)
  - Exhibit B: 2020 CIP Loan – Non-Taxable Fund (391)
  - Exhibit A C: Utility Fund (410)
  - Exhibit B-D: Stormwater Management Fund (415)



**CITY OF MIRAMAR  
INTEROFFICE MEMORANDUM**

**TO:** Mayor, Vice Mayor, & City Commissioners  
**FROM:** Dr. Roy L. Virgin, City Manager   
**BY:** Rafael Sanmiguel, Director of Management & Budget  
**DATE:** August 11, 2022  
**RE:** SECOND READING of Temp. Ord. No. 1792 budget amendment for FY22

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**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 Capital Improvement Project for the Amphitheater at Miramar Regional Park (Project No. 51006) had a total of \$40,000 allocated for the purchasing of items needed to furnish the Back of House area. This funding is insufficient to complete the project, thus we are requesting an additional \$10,000 for furniture/fixture/equipment costs. In addition, as we proceed to complete the remaining Fire Department Triage portion of this project, we are requesting an additional \$10,652 for contingency. To provide the additional funding needed to complete this project, it is requested to reprogram the remaining funds of \$9,189 from completed project Lakeshore Park Improvements (Project No. 51012), and \$11,463 from project Fire & Rescue Logistics & Storage Space at the West Police Substation (Project No. 53026) which is not expected to move forward due to change in priority.

The Harbour Lakes Park – Parking Improvements (Project No. 51033) has been completed with available funds of \$13,074. We are requesting to reprogram the available funds to Park Improvements – Various (Project No. 51003) to support the 2nd phase of the Island Park Improvements.



The City's Procurement Department advertised Invitation for Bid No. 22-008 Historic Miramar Drainage Infrastructure Improvement Project-Phase IV (Project No. 52066). 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.

This item went before the Commission and passed on first reading at the Commission Meeting held on July 6<sup>th</sup>, 2022.

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

**2017 CIP Loan Fund (389) & Capital Projects Fund (395) – Exhibit A**

**Expenses (\$0 adjustment)**

- Lakeshore Park Improvements (Project No. 51012).  
Decrease CIP Contingency by \$6,591 (2017 CIP Loan Fund 389) and decrease CIP Construction by \$2,598 (Capital Projects Fund 395).
- Fire & Rescue Logistics & Storage Space at the West Police Substation (Project No. 53026).  
Decrease CIP Plan/Design/Engineering by \$11,463 (Capital Projects Fund 395).
- Amphitheater at Miramar Regional Park (Project No. 51006).  
Increase CIP Contingency by \$6,591 (2017 CIP Loan Fund 389), increase CIP Contingency by \$4,061 and CIP Furniture/Fixture/Equipment by \$10,000 (Capital Projects Fund 395).

**2020 CIP Loan Fund (391) – Exhibit B**

**Expenses (\$0 adjustment)**

- Harbour Lakes Park – Parking Improvements (Project No. 51033).  
Decrease CIP Plan/Design/Engineering by \$3,000, decrease CIP Permits by \$2,000, decrease CIP Construction by \$74 and decrease CIP Furniture/Fixture/Equipment by \$8,000.
- Park Improvements – Various (Project No. 51003).  
Increase CIP Construction by \$13,074.

Utility Fund (410) – Exhibit – A-C

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-D

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 "D", 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 “D”, 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

<b><u>Requested by Administration</u></b>	<b><u>Voted</u></b>
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

2017 CIP LOAN FUND (389) &  
CAPITAL PROJECTS FUND (395)

REVENUE/EXPENSE TYPE	ACCOUNT DESCRIPTION	BUDGET LINE ITEM	BUDGET CODE NO.	AMOUNT
<b>USE OF FUNDS</b>				
<b>CAPITAL IMPROVEMENT PROGRAM</b>				
<b><u>Lakeshore Park Improvements</u></b>				
CIP	CIP - CONTINGENCY	389-53-803-572-000-	606520-51012	\$ (6,591)
CIP	CIP - CONSTRUCTION	395-53-809-572-000-	606510-51012	(2,598)
	<b>TOTAL LAKESHORE PARK IMPROVEMENTS</b>			<b>\$ (9,189)</b>
<b><u>FIRE &amp; RESCUE LOGISTICS &amp; STORAGE SPACE AT THE WEST POLICE SUBSTATION</u></b>				
CIP	CIP - PLAN/DESIGN/ENGINEERING	395-55-800-522-000-	606502-53026	\$ (11,463)
	<b>TOTAL FIRE &amp; RESCUE LOG. &amp; STOR./W. PD SUB.</b>			<b>\$ (11,463)</b>
<b><u>AMPHITHEATER AT MIRAMAR REGIONAL PARK</u></b>				
CIP	CIP - CONTINGENCY	389-53-805-572-000-	606520-51006	\$ 6,591
CIP	CIP - CONTINGENCY	395-55-801-572-000-	606520-51006	4,061
CIP	CIP - FURNITURE/FIXTURE/EQUIPMENT	395-55-801-572-000-	606511-51006	10,000
	<b>TOTAL AMPHITHEATER AT MRP</b>			<b>\$ 20,652</b>
	<b>TOTAL CIP</b>			<b>\$ -</b>
	<b>TOTAL USE OF FUNDS</b>			<b>\$ -</b>

## CITY OF MIRAMAR

## EXHIBIT "B"

## BUDGET REVISION

## 2020 CIP LOAN - NON-TAXABLE FUND (391)

REVENUE/EXPENSE TYPE	ACCOUNT DESCRIPTION	BUDGET LINE ITEM	BUDGET CODE NO.	AMOUNT
<b>USE OF FUNDS</b>				
<b>CAPITAL IMPROVEMENT PROGRAM</b>				
<b>Harbour Lakes Park - Parking Improvements</b>				
CIP	CIP - PLAN/DESIGN/ENGINEERING	391-60-802-572-000-	606502-51033	\$ (3,000)
CIP	CIP - PERMITS	391-60-802-572-000-	606505-51033	(2,000)
CIP	CIP - CONSTRUCTION	391-60-802-572-000-	606510-51033	(74)
CIP	CIP - FURNITURE/FIXTURE/EQUIPMENT	391-60-802-572-000-	606511-51033	(8,000)
	TOTAL HARBOUR LKS PARK - PARKING IMPROV.			\$ (13,074)
<b>Park Improvements - Various</b>				
CIP	CIP-CONSTRUCTION	391-60-803-572-000-	606510-51003	\$ 13,074
	TOTAL PARK IMPROVEMENTS - VARIOUS			\$ 13,074
<b>TOTAL CIP</b>				<b>\$ -</b>
<b>TOTAL USE OF FUNDS</b>				<b>\$ -</b>

## Exhibit C

## CITY OF MIRAMAR

## EXHIBIT "A"-"C"

## BUDGET REVISION

## UTILITY FUND (410)

REVENUE/EXPENSE TYPE	ACCOUNT DESCRIPTION	BUDGET LINE ITEM	BUDGET CODE NO.	AMOUNT
	<b>SOURCE OF FUNDS</b>			
APPROPRIATION OF FUND BALANCE	UTILITY FUND BALANCE	410-00-000-000-000-	399999-	\$ 2,000,000
	<b>TOTAL SOURCE OF FUNDS</b>			<b>\$ 2,000,000</b>
	<b>USE OF FUNDS</b>			
<b>CAPITAL IMPROVEMENT PROGRAM</b>				
<b>Historic Miramar Drainage Improvements - Phase IV</b>				
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
	<b>TOTAL CIP</b>			<b>\$ 2,000,000</b>
	<b>TOTAL USE OF FUNDS</b>			<b>\$ 2,000,000</b>

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

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