

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

**First Reading Date:** May 15, 2024

**Second Reading Date:** June 18, 2024

**Presenter's Name and Title:** Carmen Dominguez, Assistant Director of Management & Budget

**Prepared By:** Carmen Dominguez, Assistant Director of Management & Budget

**Temp. Ord. Number:** #O1828

**Item Description:** (FIRST READING) Temp. Ord. #O1828 APPROVING THE THIRD AMENDMENT TO THE FISCAL YEAR 2024 OPERATING AND CAPITAL IMPROVEMENT PROGRAM BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE. (Management & Budget Assistant Director Carmen Dominguez)

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:** General Fund 001, Park Development Fund 387, 2022 CIP Loan Fund 394, and Capital Projects Fund 395, adjusted as provided in the Memo.

**Content:**

- **Agenda Item Memo from the City Manager to City Commission**
- **Ordinance TO 1828**
  - **Exhibit A: GENERAL FUND (001)**
  - **Exhibit B: 2022 CIP LOAN FUND (394)**
  - **Exhibit C: CAPITAL PROJECTS FUND (395)**
  - **Exhibit D: PARK DEVELOPMENT FUND (387)**



**CITY OF MIRAMAR  
INTEROFFICE MEMORANDUM**

**TO:** Mayor, Vice Mayor, & City Commissioners

**FROM:** Dr. Roy L. Virgin, City Manager

**BY:** Carmen Dominguez, Assistant Director, Management & Budget

**DATE:** May 9, 2024

**RE:** FIRST READING of Temp. Ord. No. 1828 Budget Amendment for FY24

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**RECOMMENDATION:** The City Manager recommends approval of Temp. Ord. No. 1828, providing for the third budget amendment of the Fiscal Year 2024 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 2024 Operating and Capital Improvement Program Budgets only via ordinance.

**DISCUSSION:**

**General Fund (001):** Reduce use of fund balance by \$132,279 and increase transfer out to Capital Projects Fund 395 by \$132,279 to partially fund the Audio-Visual Upgrades for Cultural Arts Theater (CIP Project #54019). Additional funding in the amount of \$972,873 is needed to complete the audio-visual repairs and improvements at the Cultural Arts Theater. The original budget of \$2,158,602 was earmarked to replace and upgrade the outdated, out-of-warranty Audio Visual and Lighting equipment in the Cultural Arts Theater with state-of-the-art audio visual and lighting technologies. On January 17, 2024, Invitation for Bids #24-009 was advertised and closed on February 20, 2024. The bid received came in higher than anticipated. The additional funding in the amount of \$972,873 will allow the City to move forward with the needed repairs/improvements. Commission approved Resolution 24-86 on 3/20/2024.

The additional amount needed will also be funded by the 2022 CIP Loan Fund 394 (\$89,856) and Capital Projects Fund 395 (\$750,738) as shown below.

**2022 CIP Loan Fund (394):** Reduce Audio Visual Upgrades for Commission Conference Room (CIP Project #54022) by \$23,456 as the upgrades have been completed. Remaining funds are available for reprogramming; and reduce use of fund balance by \$66,400. Increase Audio Visual Upgrades for Cultural Arts Theater (CIP Project #54019) by \$89,856 to allow the City to move forward with the needed repairs/improvements.

**Capital Projects Fund (395):** Barrier Wall at County Line Road (CIP Project #52099): Reduce by \$98,138 as this project has been cancelled. The City has no jurisdiction over this wall and FDOT has agreed to make some improvements at the City's request. Remaining funds are available for reprogramming.

Buffer Wall along University Drive adjacent to University Park Plat (CIP Project #52110): Reduce by \$453,000 as the project scope has been estimated to not exceed \$80,000. Remaining funds in the amount of \$453,000 are available for reprogramming.

Increase Transfer in from the General Fund (001) by \$132,279 and reduce Use of Fund Balance by \$199,600.

Audio Visual Upgrades for Cultural Arts Theater (CIP Project #54019): Increase \$883,017 to allow the City to move forward with the needed repairs/improvements.

**Park Development Fund (387):** Decrease Monarch Lakes Park Playground (CIP Project #51031) \$6,329 as this project has been completed; remaining funds are available for reprogramming to Park Improvements-Variou (CIP Project #51003) to replace the pump equipment at the East Historic Miramar Aquatic Complex.

**ANALYSIS:** The following items are included in the second Fiscal Year 2024 budget amendment:

**General Fund (001) – Exhibit A**

**Expenses (\$0 adjustment)**

- Appropriated Fund Balance: Decrease \$132,279 use of fund balance.
- Transfer to Capital Projects Fund (395): Increase \$132,279 to partially fund the Audio Visual Upgrades for Cultural Arts Theater (CIP Project #54019).

**2022 CIP Loan Fund (394) – Exhibit B**

**Expenses (\$0 adjustment)**

- Audio Visual Upgrades for Commission Conference Room (CIP Project #54022): Decrease \$23,456 as the upgrades have been completed; remaining funds are available for reprogramming.
- Appropriated Fund Balance: Decrease \$66,400 use of fund balance.

- Audio Visual Upgrades for Cultural Arts Theater (CIP Project #54019): Increase \$89,856 to allow the City to move forward with the needed repairs/improvements.

#### Capital Projects Fund (395) – Exhibit C

##### Revenues (\$132,279 adjustment)

- Transfers in from General Fund (001): Increase \$132,279 transfer in from General Fund.

##### Expenses (\$132,279 adjustment)

- Barrier Wall at County Line Road (CIP Project #52099): Decrease \$98,138 as this project has been cancelled; remaining funds are available for reprogramming.
- Buffer Wall along University Drive adjacent to University Park Plat (CIP Project #52110): Reduce \$453,000 as this project scope has been estimated to not exceed \$80,000; remaining funds in the amount of \$453,000 are available for reprogramming.
- Appropriated Fund Balance: Decrease use of fund balance \$199,600.
- Audio Visual Upgrades for Cultural Arts Theater (CIP Project #54019): Increase \$883,017 to allow the City to move forward with the needed repairs/improvements.

#### Park Development Fund (387) – Exhibit D

##### Expenses (\$0 adjustment)

- Monarch Lakes Park Playground (CIP Project #51031): Decrease \$6,329 as this project has been completed, and remaining funds are available for reprogramming.
- Park Improvements-Variou (CIP Project #51003): Increase \$6,329 to replace the pump equipment at the East Historic Miramar Aquatic Complex.

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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 THIRD AMENDMENT  
OF THE FISCAL YEAR 2024 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 2024 Operating and Capital Improvement Program Budget; and

**WHEREAS**, the proposed amendment to the Fiscal Year 2024 Operating and Capital Improvement Program Budget is set forth in Exhibits "A-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 Management & Budget Director 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 2024 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 2024 Operating and Capital Improvement Program Budget as set forth in Exhibits “A-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, Alexandra P. Davis

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	_____
Commissioner Yvette Colbourne	_____
Vice Mayor Alexandra P. Davis	_____
Mayor Wayne M. Messam	_____

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