

RESOLUTION NO. 17-__

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING THE TENTATIVE OPERATING AND CAPITAL OUTLAY BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2017 THROUGH SEPTEMBER 30, 2018 PURSUANT TO FLORIDA STATUTES SECTION 200.065; AUTHORIZING THE TOWN MANAGER TO MAKE EXPENDITURES CONSISTENT THEREWITH AND AUTHORIZING THE TOWN MANAGER TO MAKE CERTAIN BUDGET AMENDMENTS WITHIN A DEPARTMENT PROVIDED THAT THE TOTAL OF THE APPROPRIATIONS IS NOT CHANGED; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Manager presented to the Town Council of the Town of Cutler Bay (the “Town”) the proposed Operating and Capital Outlay Budget for the Fiscal Year commencing October 1, 2017; and

WHEREAS, on July 19, 2017, the Town Council adopted Resolution No. 17-60 which adopted a proposed millage rate for the Fiscal Year commencing October 1, 2017 and scheduled the first public hearing required by Section 200.065 of the Florida Statutes for September 13, 2017 at 7:00 p.m.; and

WHEREAS, the Town Council also held three (3) budget workshops, on June 6, 2017, July 10, 2017 and July 26, 2017, to discuss the Town Manager’s proposed Operating and Capital Outlay Budget for fiscal year commencing October 1, 2017; and

WHEREAS, the Property Appraiser of Miami-Dade County properly noticed the public hearing scheduled for September 13, 2017, at 7:00 p.m., at the Cutler Bay Town Hall, 10720 Caribbean Blvd., Cutler Bay, Florida as required by Florida Statutes; and

WHEREAS, in anticipation of the impact of Hurricane Irma, a State of Emergency was declared by Florida Governor Rick Scott, via Executive Order No. 17-235 on September 4, 2017 and Miami-Dade County Mayor Carlos Gimenez declared a County-wide State of Emergency on September 5, 2017; and

WHEREAS, pursuant to Section 12-23 of the Town Code, the Town Manager declared a State of Emergency for the Town of Cutler Bay on September 6, 2017 due to Hurricane Irma; and

WHEREAS, due to the impending landfall of Hurricane Irma, the Town's first budget hearing scheduled for Wednesday, September 13, 2017 was cancelled; and

WHEREAS, pursuant to the Florida Department of Revenue's Emergency Order Implementing Provisions of Executive Order Number 17-235 (Re: Hurricane Irma) issued on September 6, 2017, and related amended Emergency Orders, the Town was required to comply with certain notice requirements due to the cancellation of the first budget hearing; and

WHEREAS, the Town issued a Notice of Cancellation of the first budget hearing, which was posted on the entrance of Town Hall, Council Chambers, and on the Town's website and was emailed to over 1,000 eNotification subscribers; and

WHEREAS, the Town issued a Notice of Rescheduling the first budget hearing for Thursday, September 21, 2017, which was posted in the same locations and advertised in *The Miami Herald*; and

WHEREAS, the Town Council had an opportunity to amend the Town Manager's proposed budget as it deemed appropriate, considered the comments of the public regarding the proposed budget and complied with the requirements of Florida Statutes; and

WHEREAS, the amount of funds available from taxation and other non-ad valorem revenues equals the total appropriations for expenditures and reserves.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF CUTLER BAY, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by reference.

Section 2. Adoption of Tentative Budget. That the Operating and Capital Outlay Budget for the fiscal year commencing October 1, 2017 through September 30, 2018, attached as Exhibit "A", as presented by the Town Manager and amended by the Town Council, with total expenditure in the amount of \$_____ be and is hereby tentatively adopted (First Hearing), subject to amendments and final adoption (Second Hearing), as provided by Section 200.065 of the Florida Statutes. The Town Manager is authorized to expend funds appropriated in the Town Budget in accordance with the Town Charter and applicable law. Pending receipt of adequate ad valorem tax or other revenue collections, the Town Manager is hereby authorized to expend necessary funds from the Contingency Account or other available Town funds to meet the obligations and requirements of the Town and to charge the appropriate line item of the budget for such purpose once adequate ad valorem tax or other revenues are received. The Town Manager as the designated budget officer of the Town may authorize certain budget amendments within a department, provided that the total of the appropriations of the department is not

changed. The final public hearing to adopt the budget for the Fiscal Year commencing October 1, 2017 through September 30, 2018 be and is hereby set for September 27, 2017, 7:00 p.m., in the Cutler Bay Town Hall, 10720 Caribbean Blvd., Cutler Bay, Florida.

Section 3. Expenditure of Funds. The Town Manager or his designee is authorized to expend or contract for expenditures such funds as are necessary for the operation of the Town government in accordance with the Budget. The Town Manager may transfer any unencumbered line item allocation of funds, or any portion thereof, to another line item classification within the same department.

Section 4. Amendments. Upon the passage and adoption of the Budget, if the Town Council determines that a department, category or line item will exceed its original allocation, the Town Council is authorized to modify any department, category total or line item of the Budget by resolution so long as the modification does not exceed the Town's total budgeted funds for the Fiscal Year 2017-2018.

Section 5. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this ____ day of September, 2017 at _____ p.m.

Attest:

PEGGY R. BELL
Mayor

DEBRA E. EASTMAN, MMC
Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE TOWN OF CUTLER BAY:

WEISS SEROTA HELFMAN
COLE & BIERMAN, P.L.
Town Attorney

Moved By: _____
Seconded By: _____

FINAL VOTE AT ADOPTION:

Mayor Peggy R. Bell _____

Vice Mayor Sue Ellen Loyzelle _____

Council Member Mary Ann Mixon _____

Council Member Michael P. Callahan _____

Council Member Roger Coriat _____