

RESOLUTION NO. R2021-XX

A RESOLUTION OF THE COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ADOPTING THE FINAL ANNUAL BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022; AUTHORIZING THE EXPENDITURE OF FUNDS APPROPRIATED IN THE BUDGET; ACKNOWLEDGING THE LEVY AND COLLECTION OF TAXES ON REAL AND PERSONAL PROPERTY AND OTHER REVENUES NECESSARY TO MEET THE EXPENDITURES PROVIDED IN THE BUDGET; PROVIDING FOR TRANSMITTAL BY THE CITY CLERK; CONFIRMING ADDITIONAL POWERS AND CONDITIONS; AUTHORIZING ENCUMBRANCES AND CARRY FORWARD; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to Section 200.065, Florida Statutes, the Miami-Dade County Property Appraiser has certified the taxable value within the City of North Miami Beach (the “City”) for the year 2021, which includes all real property within the City; and

WHEREAS, the Notice of Proposed Property Taxes (“TRIM Notice”) advertised the Final Budget Public Hearing for September 21, 2021, at 5:30 P.M.; and

WHEREAS, the City Manager has submitted to the City Commission a budget for Fiscal Year 2021-2022 showing estimates of revenues and expenditures, together with the character and object of expenditures and an estimate of all municipal projects pending or to be undertaken; and

WHEREAS, copies of said budget have been made available for public inspection on the City's website pursuant to Section 166.241, Florida Statutes; and

WHEREAS, the City Budget, attached hereto, sets forth the appropriations, transfers and revenue estimates for the General Fund Budget for Fiscal Year 2022 in the amount of \$172,977,076; and

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

WHEREAS, the City held the Tentative Budget Public Hearing on September 13, 2021 and the Final Budget Public Hearing on September 21, 2021, as required by Florida Statute 200.065; and

WHEREAS, the City Commission has reviewed the Final Budget for Fiscal Year 2021-2022, considered an estimate of the necessary expenditures contemplated for in the Budget, and calculated with a proposed millage rate levy of 6.2000 mills to provide the necessary funds for such expenditures; and

WHEREAS, from time to time during the normal conduct of the City's operations, situations arise requiring amendments or modifications of the City's annual adopted budget; and

WHEREAS, the City Commission desires to allow the City Manager the flexibility to adjust the City's annual adopted budget when necessary without further action by the City Commission, subject to the limitations contained herein.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AS FOLLOWS:

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

Section 2. **Final Budget Adoption.** The Final Annual Budget of the City of North Miami Beach, Florida, for the Fiscal Year commencing October 1, 2021, and ending September 30, 2022, inclusive of the Public Utilities Budget, is hereby approved and adopted, a copy of which

is attached hereto as Exhibit “A”, available on the City’s website, and incorporated herein and made a part hereof by this reference.

Section 3. Expenditure of Funds Appropriated in the Budget Authorized. Funds appropriated in the Budget may be expended by and with the approval of the City Manager and/or the Mayor and Commission, as applicable, in accordance with the provisions of the City Charter and Code and applicable law. Funds of the City shall be expended in accordance with the appropriations provided in the Budget adopted by this Resolution and shall constitute an appropriation of the amounts specified therein. The City Manager is hereby granted the authority to transfer funds from one division to another as the necessity may occur. Appropriations to a department for a specific use may be used for any lawful purpose of the department with the consent of the City Manager when not needed for the purpose for which appropriated.

Section 4. The Levy and Collection of Taxes and Other Revenues Necessary to Meet Expenditures. The sums shall be raised by a tax levy upon all non-exempt taxable property, both real and personal, within the limits of the City of North Miami Beach, Florida, in addition to the amounts raised from fines and forfeitures, business tax receipts, utility taxes, franchise fees, and all other miscellaneous sources of authorized revenues, as may be necessary to meet the expenditures required for the Budget.

Section 5. Notice. The City Clerk is directed to forward certified copies of this Resolution to the Miami-Dade Property Appraiser, Miami-Dade Tax Collector, and the Florida Department of Revenue.

Section 6. No Limitation. The provisions of this Resolution shall not be deemed to be a limitation on the powers granted to the City Commission by the City Charter and which relate to the fiscal management of the City's funds.

Section 7. **Encumbrances.** All outstanding encumbrances at September 30, 2021, shall lapse at that time; and all lapsed capital outlay encumbrances shall be re-appropriated in the 2021/2022 Fiscal Year.

Section 8. **Outside Funding Sources.** When the City receives a grant or donation from any private or public source with a condition of acceptance limiting the use of the grant or donation, the funds received are not required to be reflected in the Operating Budget as money received or as an amendment to the expenditures said grant or donation 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 grant or donation received by the City, all monies received 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 same.

Section 9. **Amendment by City Manager.** The Mayor and City Commission hereby authorize the City Manager to amend, modify, or otherwise adjust the City's annual budget in accordance with the spending limitations as established by Chapter 3 Purchasing of the North Miami Beach Code of Ordinances.

Section 10. **Implementation.** The City Manager, City Clerk, and City Attorney are hereby authorized and directed to implement the provisions of this Resolution and to take any and all necessary administrative actions as may be appropriate by their position to execute the purpose of this Resolution.

Section 11. **Effective Date.** This Resolution shall take effect immediately upon its adoption and implemented on October 1, 2021, upon final adoption of the City Budget for Fiscal Year 2021-2022.

The motion to adopt the Final Budget for Fiscal Year 2022 was offered by _____ seconded by _____.

APPROVED AND ADOPTED by the City Commission of the City of North Miami Beach, Florida at the second and Final Public Budget Hearing assembled on this **21st day of September 2021.**

ATTEST:

ANDRISE BERNARD, CMC
CITY CLERK

ANTHONY F. DEFILLIPO
MAYOR

(CITY SEAL)

APPROVED AS TO FORM, LANGUAGE
AND FOR EXECUTION

HANS OTTINOT
INTERIM CITY ATTORNEY