

RESOLUTION NO. 18

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, PROVIDING FOR ADOPTION OF THE INTERIM BUDGET OF THE CITY FOR THE FISCAL YEAR COMMENCING ON JUNE 24, 2003 AND ENDING ON SEPTEMBER 30, 2003; AUTHORIZING EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; PROVIDING FOR BUDGETARY CONTROL; PROVIDING FOR PERSONNEL AUTHORIZATION; PROVIDING FOR GIFTS AND GRANTS; PROVIDING FOR AMENDMENTS; PROVIDING FOR FUNDS EARNED AFTER DATE OF ADOPTION; PROVIDING FOR ENCUMBRANCES; PROVIDING FOR ISSUANCE OF CHECKS; PROVIDING FOR POST AUDIT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Doral (the "City") Charter was adopted by voters on June 24, 2003; and

**WHEREAS**, Section 8.07(a) of the City Charter provides that the budget for the first fiscal year shall be adopted by resolution within ten days of the induction into office of the first City Council; and

**WHEREAS**, the first City Council was inducted into office August 21, 2003; and

**WHEREAS**, Section 8.07(a) of the City Charter requires that the first fiscal year apply to the period preceding September 30, 2003; and

**WHEREAS**, the City Council finds it necessary and appropriate to adopt a budget for the period of June 24, 2003 through September 30, 2003.

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:**

**Section 1. Interim Budget Approved and Adopted.** The Interim Budget of the City for the partial fiscal year beginning on June 24, 2003 and ending September 30, 2003 (the "Interim Budget") was considered at public hearing and is hereby approved and adopted. A copy of the Interim Budget of the City is attached hereto and incorporated herein by reference.

**Section 2. Expenditure of Funds Appropriated in the Interim Budget Authorized.** Funds appropriated in the Interim Budget may be expended by and with the approval of the Manager in accordance with the provisions of the Charter and applicable law. Funds of the City shall be expended in accordance with the appropriations provided in the Interim Budget adopted by this Resolution and shall constitute an appropriation of the amounts specified therein. Supplemental appropriations or the reduction of appropriations, if any, shall be made in accordance with the City Charter.

**Section 3. Budgetary Control.** The Interim Budget establishes a limitation on expenditures by department or category total. Said limitation requires that the total sum allocated to each department or category for operating and capital expenses may not be increased or decreased without specific authorization by a duly-enacted Resolution of the Council affecting such amendment or transfer.

**Section 4. Personnel Authorization.** The Interim Budget enumerates all authorized budgeted positions for appointment by the Mayor and Council or Manager.

**Section 5. Grants and Gifts.** When the City receives monies from any source, be it private or governmental, by grant, gift, or otherwise, to which there is attached as a condition of acceptance any limitation regarding the use or expenditures of the monies received, the funds so received need not be shown in the Interim Budget nor shall said Interim Budget be subject to

amendment of expenditures as a result of the receipt of said monies, but said monies shall only be disbursed and applied toward the purposes for which the said funds were received. To ensure the integrity of the Interim Budget, and the integrity of the monies received by the City under grants or gifts, all monies received as contemplated above 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 the gift or grant as aforesaid.

**Section 6. Amendments.** Upon the passage and adoption of this Interim Budget for the City, if the Manager determines that a department or category total will exceed its original appropriation, the Manager is hereby authorized and directed to prepare such Resolutions for adoption by the Council as may be necessary and proper to modify any department or category total or line item of the Interim Budget.

**Section 7. Funds Earned After Date of Adoption.** Funds earned after the effective date of this Resolution but before September 30, 2003 shall be incorporated into this budget in accordance with applicable law.

**Section 8. Encumbrances.** All outstanding encumbrances at September 30, 2003 shall lapse at that time; and any lapsed capital outlay encumbrances shall be reappropriated in the next fiscal year.

**Section 9. Checks Issued.** Checks issued from or withdrawals made from accounts maintained by the City in public depositories shall be signed as provided by resolution of the Council.

**Section 10. Post Audit Provided.** The City Council hereby provides for annual post

audits of the City's financial accounts. The Manager is authorized to take all steps necessary to cause such post audit to be made by a certified public accountant or firm of such accountants in accordance with law.

**Section 11. Severability.** The provisions of this Resolution are declared to be severable and if any section, sentence, clause or phrase of this Resolution shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Resolution but they shall remain in effect, it being the legislative intent that this Resolution shall stand notwithstanding the invalidity of any part.

**Section 12. Effective Date.** This Resolution shall be effective immediately upon adoption.

The foregoing Resolution was offered by Councilmember Cabrera, who moved its adoption. The motion was seconded by Van Name and upon being put to a vote, the vote was as follows: 5-0

Mayor Juan Carlos Bermudez  
Vice Mayor Peter Cabrera  
Councilmember Michael DiPietro  
Councilmember Sandra Ruiz  
Councilmember Robert Van Name

JCB  
PJC  
MDP  
SR  
RVN

PASSED AND ADOPTED this 27<sup>th</sup> day of August, 2003.

JCB  
JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:

[Signature]  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

  
CITY ATTORNEY