

ORDINANCE NO. 1336

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 2 OF THE CITY CODE OF ORDINANCES ENTITLED "ADMINISTRATION", SPECIFICALLY AT ARTICLE I ENTITLED "IN GENERAL", TO CREATE A NEW SECTION 2-2 ENTITLED "RESERVE FUND ACCOUNT", IN ORDER TO ESTABLISH AND ADMINISTER A RESERVE FUND ACCOUNT IN ACCORDANCE WITH THE GOVERNMENT ACCOUNTING STANDARD BOARD STATEMENT NO. 54, FUND BALANCE REPORTING AND GOVERNMENT FUND TYPE DEFINITIONS (GASB 54), WITH AN INITIAL MINIMUM ALLOCATION OF FIVE MILLION DOLLARS (\$5,000,000.00) FROM THE BISCAYNE LANDING LEASE PROCEEDS; PROVIDING FOR CONFLICTS, REPEAL, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Government Accounting Standard Board Statement No. 54, Fund Balance Reporting and Government Fund Type Definitions ("GASB 54") require government entities to adhere to financial reporting guidelines and addresses how general fund reserves may properly be classified and expended; and

WHEREAS, the City of North Miami ("City") administration respectfully recommends to the Mayor and City Council, the creation of a reserve fund account in accordance with GASB 54, with an initial minimum allocation of Five Million Dollars (\$5,000,000.00) from the Biscayne Landing Lease proceeds; and

WHEREAS, the creation of a reserve fund account will enable the City to conduct long-term strategic planning with greater precision, while having the assurance of a "rainy-day" fund in the event of an emergency; and

WHEREAS, the reserve fund amount may be reviewed and adjusted annually or on an as needed basis, as part of the City's Fiscal Year Budget process; and

WHEREAS, the Mayor and City Council find that the proposed Ordinance reinforces the strategic goals, plans, objectives and policies of the City to better serve and protect the public's health, safety and welfare.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, THAT:

Section 1. Chapter 2, of the City Code of Ordinances entitled "Administration" is hereby amended, specifically at Article I entitled "In General", to create a new Section 2-2 entitled "Reserve Fund Account", in order to establish and administer a reserve fund account in accordance with the Government Accounting Standard Board Statement No. 54, Fund Balance Reporting and Government Fund Type Definitions (GASB 54), with an initial minimum allocation of Five Million Dollars (\$5,000,000.00) from the Biscayne Landing Lease proceeds, as follows:

CHAPTER 2. ADMINISTRATION

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ARTICLE I. IN GENERAL.

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~~Sec. 2-2-2-15. Reserved.~~

Sec. 2-2. Reserve Fund Account.

(a) The city shall establish and maintain a reserve fund account in accordance with the Government Accounting Standard Board Statement No. 54, Fund Balance Reporting and Government Fund Type Definitions ("GASB 54"). The initial minimum allocation shall be five million dollars (\$5,000,000.00) from proceeds derived from the Biscayne Landing lease.

(b) The amount maintained in the reserve fund account may be adjusted, from time to time, by recommendation of the city manager to the mayor and city council, as part of the city's fiscal year budget process. Any adjustments causing a decrease of the initial minimum fund allocation amount set forth in subparagraph (a) above, shall only be made by ordinance requiring at least a 4/5th affirmative vote of the mayor and city council. The mayor and city council are required to replenish deficits below the minimum allocation amount as soon as it is practicable.

Sec. 2-3-2-15. Reserved.

Section 2. Conflicts. In the event that the provisions of this Ordinance are in conflict with any other ordinance, rule or regulation, the provisions of this Ordinance shall prevail.

Section 3. Repeal. All ordinances or parts of ordinances in conflict herewith are repealed.

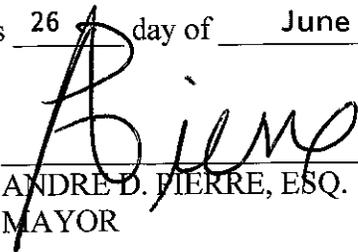
Section 4. Severability. If any word, clause, phrase, sentence, paragraph or section of this Ordinance is held to be invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other word, clause, phrase, sentence, paragraph or section of this Ordinance.

Section 5. Codification. The provisions of this Ordinance may become and be made a part of the code of ordinances of the City of North Miami, Florida. The sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article" or any other appropriate word.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption on second reading.

PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, on first reading this 12 day of June, 2012.

PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, on second reading this 26 day of June, 2012.



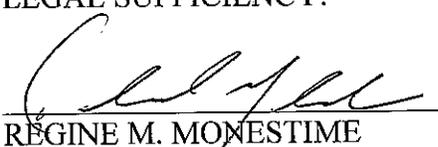
ANDRE D. FIERRE, ESQ.
MAYOR

ATTEST:



MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Councilman Blynn

Seconded by: Vice Mayor Marcellus

Vote:

Mayor Andre D. Pierre, Esq.	<u>X</u>	(Yes)	<u> </u>	(No)
Vice Mayor Jean R. Marcellus	<u>X</u>	(Yes)	<u> </u>	(No)
Councilperson Michael R. Blynn, Esq.	<u>X</u>	(Yes)	<u> </u>	(No)
Councilperson Scott Galvin	<u>X</u>	(Yes)	<u> </u>	(No)
Councilperson Marie Erlande Steril	<u>X</u>	(Yes)	<u> </u>	(No)

Additions shown by underlining. Deletions shown by ~~overstriking~~.