



CITY OF DORAL COUNCIL MEETING MEMORANDUM

ITEM TITLE:

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, REPEALING ORDINANCE #2025-36; RATIFYING AND ADOPTING RESOLUTION No. 25-281; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCORPORATION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE

DEPARTMENT RECOMMENDATION:

Approval

BRIEF HISTORY:

In accordance with all applicable laws, on August 13th, 2025 the City of Doral (the "City") held a public workshop to review its budget and obtain public input. Also, on September 3rd and 17th, 2025, the City held two public hearings to review the City's budget and to consider public recommendations. As required by law, the finalized millage and budget were submitted to the State of Florida for the State's review and acceptance.

After said review of the millage and budget by Florida's Department of Revenue, the State notified the City that the 2025 millage rate adopted at the second budget hearing necessitated a two-thirds vote of the City's Mayor and Council, which was not achieved.

Accordingly, in order to address this statutory compliance issue, City staff reviewed all available statutory options, and recommended that the City Council lower the operating millage and adopt a final Fiscal Year 25-26 operating budget for the General Fund at a new publicly advertised final hearing, in accordance with the requirements provided in Florida Statutes § 200.065(5).

Florida Statutes § 200.065, provides for the exclusive method by which a municipality must set their annual millage rate, and Florida Statutes § 166.241, provides for the exclusive method by which a municipality must set their annual budget.

Both Florida Statutes §§ 200.065 and 166.241, provide that the millage and budget must be passed by resolution or ordinance. The statute does not provide a preference for either.

Florida Statute § 166.041, establishes the exclusive uniform method for the adoption of Ordinances, and requires that all Ordinances be read twice and provide ten (10) days between first and second reading.

All aforementioned statutes, supersede the City's charter and ordinances. Accordingly, in the event the City's charter or ordinance(s) are in conflict with State statute, it is the State's statute that prevails.

The City of Doral's Charter Section 8.07, (b), states that "The first full fiscal year budget of the City for the fiscal year which commences on October 1, 2003, and ends on September 30, 2004, shall be adopted by resolution of the Council. The annual City budget for subsequent fiscal years shall be adopted by ordinance.

Florida Statute § 200.065 (13), states that in order to cure the 2/3 vote deficiency, a "taxing authority" must advertise a new final hearing, within fifteen (15) days of notification, and Florida Statute § 200.065 (2)(d) provides that a hearing must be held no less than two (2) and no more than five (5) days after the advertisement date. Additionally, during the final hearing the City must pass a new final millage and adopt a final Fiscal Year 25-26 operating budget for the General Fund.

Given the strict statutory fifteen (15) day advertisement and rehearing requirement, for passage of a final millage and budget, it is impossible for the City to meet its statutory obligation through the adoption of an ordinance. Given this conflict, in order for the City to meet its statutory obligation, it is necessary for the City to pass its final budget by resolution.

As such, on November 22, 2025, the City passed Resolution 25-_____ adopting a final budget, thereby complying with Florida law. However, in order to comply with the City's charter, it is recommended that during the November 22, 2025 hearing on the adoption of the City's 2025/26 millage, that the City adopt an ordinance repealing Ordinance No. 2025-36, and adopting and ratifying Resolution 25-_____.

Through the passage of Resolution 25-_____ and this Ordinance, the City has met its obligation prescribed by Florida Statute and the City's Charter.

LEGISLATIVE ACTION: (IF APPLICABLE)

Date:	Resolution/Ordinance No.	Comments

FINANCIAL INFORMATION: (IF APPLICABLE)

No.	Amount	Account No.	Source of Funds
I.	\$0		
Total:	\$0		
Fiscal Impact Statement: The proposed item has a fiscal impact on revenues and/or expenditures of less than \$50,000.00.			

STRATEGIC PLAN ALIGNMENT:

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ATTACHMENT(S):

A. Memo