

ORDINANCE No. 2025-51

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

WHEREAS, in accordance with the City Charter of the City of Doral (the “City”) and applicable laws of the State of Florida, the Finance department has presented to the City Council a proposed operating budget for the City for the fiscal year beginning on October 1, 2025, and ending on September 30, 2026 (“Fiscal Year 2025-2026”); and

WHEREAS, in accordance with applicable laws, the City Council has conducted a public workshop meeting, which occurred on August 13, 2025, as well as held public hearings, which occurred on September 3 and 17, 2025, to review said budget and to consider the recommendations of the public relative to the adoption of said budgets; and

WHEREAS, the Florida Department of Revenue has notified the City that the 2025 millage rate adopted at the second budget hearing necessitated a two-thirds vote of the governing body, which was not achieved; and

WHEREAS, to address this compliance issue, staff recommends the lowering of the operating millage rate, and hold a new final hearing to formally adopt the adjusted millage rate in accordance with the voting requirements stipulated in s. 200.065(5) F.S. and balance the General Fund budget; and

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

WHEREAS, Florida Statutes § 166.241, provides for the exclusive method by which a municipality must set their annual budget; and

WHEREAS, Florida Statutes §§ 200.065 and 166.241, provide that the millage and budget must be passed by resolution or ordinance; and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, during the final hearing the City must pass a new final millage and budget; and

WHEREAS, 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; and

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WHEREAS, given the strict fifteen (15) day advertisement and rehearing statutory 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; and

WHEREAS, on November 22, 2025, the City passed Resolution No. 25-____ adopting a final budget, thereby complying with Florida Statutes; and

WHEREAS, in order to comply with the City's Charter, on November 22, 2025, the City adopted this Ordinance in first reading, repealing Ordinance No. 2025-36, and adopting and ratifying Resolution No. 25-___; and

WHEREAS, on December 10, 2025, the City adopted this Ordinance in Second Reading repealing Ordinance No. 2025-36, and adopting and ratifying Resolution No. 25-____.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA AS FOLLOWS:

Section 1. Recitals. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance upon adoption hereof.

Section 2. Repeal of Ordinance 2025-36 and Adoption of Resolution No. 25-
The Mayor and City Council hereby repeal Ordinance 2025-36, and adopt Resolution No. 25 - __ which establishes the City of Doral's final budget.

Section 3. Conflicts. All ordinances, or parts of ordinances in conflict herewith be, and the same, are hereby repealed.

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Section 4. **Severability.** If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

Section 5. **Effective Date** This Ordinance shall be effective immediately upon passage by the City Council on second reading.

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The foregoing Ordinance was offered by _____, who moved its adoption. The motion was seconded by _____ upon being put to a vote, the vote was as follows:

Mayor Christi Fraga	_____
Vice Mayor Digna Cabral	_____
Councilman Rafael Pineyro	_____
Councilwoman Maureen Porras	_____
Councilwoman Nicole Reinoso	_____

PASSED AND ADOPTED on FIRST READING this 22 day of November, 2025.

PASSED AND ADOPTED on SECOND READING this 10 day of December, 2025.

CHRISTI FRAGA, MAYOR

ATTEST:

CONNIE DIAZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:

LORENZO COBIELLA
GASTESI, LOPEZ, MESTRE & COBIELLA, PLLC
CITY ATTORNEY

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