Approved_____ Mayor
Veto _____
Override_____

Agenda Item F

ORDINANCE NO. _____

ORDINANCE APPROVING, ADOPTING AND RATIFYING PROPRIETARY BUDGETS, SPECIAL ASSESSMENT DISTRICT BUDGETS, AND OTHER BUDGETS OF MIAMI-DADE COUNTY, FLORIDA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2005, AND ENDING SEPTEMBER 30, 2006; PROVIDING A SHORT TITLE; INCORPORATING THE FY 2005-06 PROPOSED BUDGET AS AMENDED; APPROPRIATING ALL BUDGETED EXPENDITURES; AUTHORIZING THE INVESTMENT OF COUNTY FUNDS IN TIME WARRANTS OF MIAMI-DADE COUNTY; AUTHORIZING THE TRANSFER OF FUNDS AS CASH ADVANCES PENDING RECEIPT OF TAXES; RATIFYING AND APPROVING ADMINISTRATIVE ORDERS AND OTHER ACTIONS OF THE COUNTY COMMISSION WHICH SET CHARGES, AUTHORIZING FEES CONSISTENT WITH APPROPRIATIONS AND PROVIDING FOR THEIR AMENDMENT; APPROVING REVISED FEES, CHARGES, AND ADMINISTRATIVE ORDERS FOR VARIOUS DEPARTMENTS AND AGENCIES; ADOPTING THE FY 2005-06 PAY PLAN; AUTHORIZING ALLOCATIONS AND REALLOCATIONS OF BOND PROCEEDS AND INTEREST EARNINGS; AUTHORIZING THE COUNTY MANAGER TO PROVIDE BOND ISSUE RESERVES; ESTABLISHING SUCH FUNDS AS MAY BE APPROVED DURING THE YEAR AND PROVIDING FOR THEIR EXPENDITURE; AUTHORIZING PAYMENT OF FPL FRANCHISE FEE TO VILLAGE OF KEY BISCAYNE, CITY OF AVENTURA, VILLAGE OF PINECREST, TOWN OF MIAMI LAKES, VILLAGE OF PALMETTO BAY, CITY OF DORAL, CITY OF MIAMI GARDENS, AND CITY OF SUNNY ISLES BEACH, AND PAYMENT OF OCCUPATIONAL LICENSE TAX SURCHARGE TO BEACON COUNCIL; APPROPRIATING GRANT, DONATION, AND CONTRIBUTION FUNDS; AUTHORIZING THE COUNTY MANAGER TO EXECUTE CERTAIN FUNDING AGREEMENTS; CONTINUING THE MUNICIPAL SERVICES TRUST FUND; AMENDING THE TRANSPORTATION IMPROVEMENT PLAN; REPEALING PRIOR ORDINANCES AND RESOLUTIONS IN CONFLICT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED, BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. This ordinance shall be known and may be cited as the "2005-06 Miami-Dade County Self-Supporting Budget Ordinance."

Section 2. Pursuant to Section 4.03(B) of the Home Rule Charter, the County Manager has recommended a proposed budget for Miami-Dade County, Florida, for the fiscal year commencing October 1, 2005. Said budget document as submitted to and amended by the County Commission is by reference incorporated herein.

Section 3. The budget proposed is hereby approved, adopted and ratified, and the budgeted revenues and expenditures therein are hereby appropriated. Department expenditure allocations established by the County Manager as revised and summarized in the attached budget are adopted as limitations of all expenditures, except as hereinafter provided; and appropriations hereby have been provided for outstanding indebtedness for the payment of vouchers that have been incurred in the current or prior year, but are not expected to be paid until the commencement of the new fiscal year. Receipts from sources not anticipated in the attached budget may be appropriated and expended by ordinance duly enacted by the County Commission in accordance with Section 129.06(2)(d), Florida Statutes, and Section 1.02(A) of the Miami-Dade County Home Rule Charter. Adjustments within the same fund to departmental appropriations made in the attached budget may be approved from time to time by motion duly adopted by the County Commission in accordance with Section 129.06(2), Florida Statutes. The Director of the Office of Strategic Business Management is authorized to approve adjustments to expenditure code allocations within the limit of the departmental or other appropriations made in the attached budget. All adjustments heretofore approved as herein provided are ratified.

Section 4. Pursuant to the authority of Chapter 8015, Special Acts of Florida, 1919, which authorizes the Board of County Commissioners of Miami-Dade County, Florida, to borrow money and to issue time warrants, and pursuant to the authority of Section 129.02(5), Florida Statutes, which permits funds of the County to be invested in securities of the federal government and of the local governments in Florida, or both, the Finance Director is hereby authorized to invest these monies in the time warrants of Miami-Dade County, Florida.

Section 5. As provided in Section 4.03(C) of the Home Rule Charter, the Board hereby authorizes the transfer of any portion of the earnings or balance of the several funds, other than sinking funds, for obligations not yet retired, to the general funds of the County provided that such transfer be deemed a cash advance to meet operating and other expenses approved by the Board, Florida, and that all such advances shall be reimbursed before the end of the fiscal year upon receipt of adequate tax or other appropriate revenues. Provided, however, that this section in no way limits or restricts the power of the Board to transfer any unencumbered appropriation balance, or any portion thereof, from one department, fund or agency to another as provided by law pursuant to Section 4.03(C) of the Home Rule Charter.

Section 6. All administrative orders and other actions of the County Commission setting fees and charges, as well as all fees consistent with appropriations adopted herein, are hereby ratified, confirmed and approved and may be amended during the year.

Section 7. The revised administrative order setting the Miami-Dade Seaport Department rates and charges as reflected in attachment A is made part hereof and the administrative order may be amended by motion of the Board at a later date.

Section 8. The revised administrative order setting the General Services Administration's Parking Facilities fees as reflected in attachment B is made part hereof and the administrative order may be amended by motion of the Board at a later date.

Section 9. The revised administrative order setting Department of Solid Waste Management fees as reflected in attachment C is made part hereof and the administrative order may be amended by motion of the Board at a later date.

Section 10. The revised administrative order setting Park and Recreation Department fees as reflected in attachment D is made part hereof and the administrative order may be amended by motion of the Board at a later date.

Section 11. The revised administrative order setting Miami-Dade Water and Sewer Department rates, fees and charges as reflected in attachment E are made part hereof and may be amended by motion of the Board at a later date.

Section 12. The revised administrative order setting Venetian Causeway fees and tolls as reflected in attachment F are made part hereof and may be amended by motion of the Board at a later date.

Section 13. The revised administrative order setting Rickenbacker Causeway fees and tolls as reflected in attachment G are made part hereof and may be amended by motion of the Board at a later date.

Section 14. The revised administrative order setting Platting Fees as reflected in attachment H are made part hereof and may be amended by motion of the Board at a later date.

Section 15. The revised summary of Vizcaya fees as reflected in attachment I are made part hereof and these rates and charges may be amended by motion of the Board at a later date.

Section 16. The FY 2005-06 Pay Plan as attached is hereby adopted. The Pay Plan may be amended by motion of the Board. The County Manager is directed to amend all personnel rules and administrative orders to be consistent with the Pay Plan.

Section 17. All allocations and reallocations of bond proceeds and interest earnings included in the 2005-06 Proposed Capital Budget and Multi-Year Capital Plan are hereby authorized.

Section 18. The County Manager, or whomever he shall so designate, is hereby authorized to use interest earned on deposit of Public Improvement Bond funds to establish and maintain an Interest and Sinking Fund Reserve Account in an amount not to exceed one year's maximum principal and interest. Interest earned in excess of the reserve shall be distributed to

Public Improvement Bonds Construction Funds in accordance with standard accounting practices.

Section 19. The Finance Director is hereby authorized to establish and to received and expend funds up to amounts received without specific appropriation pursuant to Section 4.03(C) of the Home Rule Charter for existing trust funds, working capital funds, bond construction funds, pension funds, revolving funds and any other such funds as may be approved by motion of the Board of County Commissioners during the 2005-06 fiscal year.

Section 20. The Finance Director is hereby authorized to make payment of Florida Power and Light franchise fee revenue to the Village of Key Biscayne, in accordance with Resolution No. R-970-92, to the City of Aventura in accordance with Resolution No. R-679-97, to the Village of Pinecrest in accordance with Resolution No. R-680-97, to the City of Sunny Isles in accordance with Resolution No. R-1437-98, to the Town of Miami Lakes in accordance with Ordinance No. 00-112, to the Village of Palmetto Bay in accordance with Ordinance No. 02-118, the City of Doral in accordance with Ordinance No. 03-88, and the City of Miami Gardens in accordance with Ordinance No. 03-59. The Finance Director is further authorized to make payment of occupational license tax surcharge revenues to the Miami-Dade County Beacon Council, Inc., in accordance with state law and Resolution No. R-1066-88 which authorizes the agreement between Miami-Dade County and the Beacon Council.

Section 21. All grant, donation, and contribution funds received by the County are hereby appropriated at the levels and for the purposes intended by the grants, donations and contributions.

Section 22. The County Manager is hereby authorized to execute County Attorney-approved agreements for funding allocations approved in this ordinance as a result of a Request for Proposal or other formal selection process or individual allocations approved by the Board of County Commissioners.

Section 23. Notwithstanding any other provision of the County Code, resolution or administrative order to the contrary, non-profit entities awarded grants of County monies from the District Discretionary Reserve, Commission Office Funds, or In-kind Reserve shall not be required to complete affidavits of compliance with the various policies or requirements applicable to entities contracting or transacting business with the County.

Section 24. Payment by a municipality to the Municipal Services Trust Fund shall be used for services which provide benefits to the municipality or the residents thereof.

Section 25. The Transportation Improvement Plan is hereby amended to include any and all projects set forth in this budget but not previously included in the Transportation Improvement Plan as well as those previously included in the Transportation Improvement Plan.

Section 26. All ordinances and parts of ordinances and all resolutions in conflict herewith are hereby repealed.

Section 27. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 28. All provisions of this ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon override by this Board. In the event all or any portions of this ordinance are vetoed, the remaining portions, if any, shall become effective ten (10) days after the date of enactment and the portions vetoed shall become effective only upon override by this Board.

Section 29. This ordinance does not contain a sunset provision.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency. _____

ORD/ITEM Ffirst reading