

Approved _____ Mayor
Veto _____
Override _____

Agenda Item F

ORDINANCE NO. _____

ORDINANCE APPROVING, ADOPTING AND RATIFYING PROPRIETARY BUDGETS, SPECIAL ASSESSMENT DISTRICT RATES AND BUDGETS, AND OTHER BUDGETS OF MIAMI-DADE COUNTY, FLORIDA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; PROVIDING A SHORT TITLE; INCORPORATING THE FY 2009-10 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 IMPLEMENTING ORDERS AND OTHER ACTIONS OF THE BOARD WHICH SET CHARGES, AUTHORIZING FEES CONSISTENT WITH APPROPRIATIONS AND PROVIDING FOR THEIR AMENDMENT; APPROVING REVISED FEES, CHARGES, AND IMPLEMENTING ORDERS FOR VARIOUS DEPARTMENTS AND AGENCIES; ADOPTING THE FY 2009-10 PAY PLAN; AUTHORIZING ALLOCATIONS AND REALLOCATIONS OF BOND PROCEEDS AND INTEREST EARNINGS; AUTHORIZING THE COUNTY MAYOR TO PROVIDE BOND ISSUE RESERVES; ESTABLISHING SUCH FUNDS AS MAY BE APPROVED DURING THE YEAR AND PROVIDING FOR THEIR EXPENDITURE; AUTHORIZING PAYMENT OF LOCAL BUSINESS TAX SURCHARGE TO BEACON COUNCIL; APPROPRIATING GRANT, DONATION, AND CONTRIBUTION FUNDS; AUTHORIZING THE COUNTY MAYOR TO EXECUTE CERTAIN FUNDING AGREEMENTS; CONTINUING THE MUNICIPAL SERVICES TRUST FUND; REPEALING RESOLUTION NO. R-829-06 AND R-1225-86; SUPERSEDING PRIOR ORDINANCES AND RESOLUTIONS IN CONFLICT; PROVIDING SEVERABILITY AND 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 "2009-10 Miami-Dade County Self-Supporting Budget Ordinance."

Section 2. Pursuant to Section 5.03(B) of the Home Rule Charter, the County Mayor has recommended a proposed budget for Miami-Dade County, Florida, for the fiscal year commencing October 1, 2009. Said budget document as submitted to the Board of County

Commissioners ("Board") is incorporated herein by reference and is amended to reflect the transfer of \$4.886 million in additional General Fund Revenue from the transfer of Countywide Emergency Contingency Reserve to reinstate the 3.5 percent Maintenance of Effort contribution to the Miami-Dade Transit Agency and is further amended to include all of the applicable changes contained in the September 17, 2009 memorandum entitled Information for Second Budget Hearing – 2009-10 Proposed Budget that are adopted by this Board.

Section 3. The budget proposed, including the five-year financial plan contained therein, is hereby approved and adopted, including the budgets for Special Assessment Districts, and the budgeted revenues and expenditures therein are hereby appropriated. Department expenditure allocations established by the County Mayor 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 Board 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 Board in accordance with Section 129.06(2)(a), Florida Statutes, and Ordinance No. 07-45, as amended. 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 made in accordance with this ordinance are approved and 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 5.03(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, 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 5.03(C) of the Home Rule Charter.

Section 6. The Board repeals Resolution No. 829-06 directing the County Manager to allocate and fund fifty thousand (\$50,000) from the County Budget for the Roxcy Bolton Rape Treatment Center and Resolution No. 1225-86, as amended by Resolution No. R-1364-91, establishing the Minority Business Development Conference Trust Fund and authorizes the County Manager to transfer the trust fund balance toward the operations budget of the Small Business Development Department for FY 2009-10.

Section 7. All Implementing Orders and other actions of the Board setting fees and charges, as well as all fees consistent with appropriations adopted herein, are hereby ratified, confirmed and approved; and may be subsequently amended by Board action during the fiscal year.

Section 8. The revised Implementing Order setting the Miami-Dade Seaport Department rates, fees and charges as reflected in attachment A is made part hereof and the Implementing Order may be amended by motion of the Board at a later date.

Section 9. The revised Implementing Order setting the Department of Environmental Resources Management fees as reflected in attachment B are made part hereof and the Implementing Order may be amended by motion of the Board at a later date.

Section 10. The revised Implementing Order setting Animal Services Department fees as reflected in attachment C is made part hereof and the Implementing Order may be amended by motion of the Board at a later date.

Section 11. The revised Implementing Order setting Department of Solid Waste Management service levels and fees as reflected in attachment D is made part hereof and the Implementing Order may be amended by motion of the Board at a later date.

Section 12. The revised Implementing Order setting Library Department fees as reflected in attachment E is made part hereof and the Implementing Order may be amended by motion of the Board at a later date.

Section 13. The revised Implementing Order setting the Building and Neighborhood Compliance Department fees as reflected in attachment F is made part hereof and the Implementing Order may be amended by motion of the Board at a later date.

Section 14. The revised Implementing Order setting the Consumer Services Department fees as reflected in attachment G is made part hereof and the Implementing Order may be amended by motion of the Board at a later date.

Section 15. The revised Implementing Order setting Planning and Zoning Department fees as reflected in attachment H is made part hereof and the Implementing Order may be amended by motion of the Board at a later date.

Section 16. The revised Implementing Order setting the Corrections and Rehabilitation Department fees as reflected in attachment I is made part hereof and the Implementing Order may be amended by motion of the Board at a later date.

Section 17. The revised Implementing Order setting the Parks and Recreation Department fees as reflected in attachment J is made part hereof and the Implementing Order may be amended by motion of the Board at a later date.

Section 18. The revised summary of Building Code Compliance fees and charges as reflected in attachment K is made part hereof and the Implementing Order may be amended by motion of the Board at a later date.

Section 19. The revised summary of Aviation rates, fees and charges as reflected in attachment L are made part hereof and these rates, fees and charges may be amended by motion of the Board at a later date.

Section 20. The revised annual Special Taxing District rates as reflected in attachment M are approved and made a part hereof. These rates for the referenced Special Taxing Districts are hereby levied.

Section 21. The FY 2009-10 Pay Plan as attached is hereby adopted. The Pay Plan may be amended by motion of the Board. Implementation of the pay plan for the County bargaining unit employees is contingent upon the completion of collective bargaining negotiations for the fiscal year. Until such time the negotiations are completed, the County will continue to provide wages and benefits for bargaining unit employees in accordance with the current status quo. The County Mayor or his designee is directed to amend all personnel rules and administrative orders to be consistent with the Pay Plan.

Section 22. All allocations and reallocations of bond proceeds and interest earnings included in the 2009-10 Proposed Capital Budget and Multi-Year Capital Plan are hereby authorized.

Section 23. The County Mayor, 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 24. The Finance Director is hereby authorized to establish and to receive and expend funds up to amounts received without specific appropriation pursuant to Section 5.03(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 2009-10 fiscal year.

Section 25. The Finance Director is hereby authorized to make payment of local business tax surcharge revenues for FY 2009-10 to the Miami-Dade County Beacon Council, Inc., in accordance with state law and Resolution No. 1066-88 which authorizes the agreement between Miami-Dade County and the Beacon Council.

Section 26. 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 27. The County Mayor or his or her designee is hereby authorized to execute agreements for funding allocations for Community-based Organizations approved in this ordinance as a result of a Request for Proposal or other formal selection process or individual allocations approved by the Board in the form approved by the County Attorney.

Section 28. Notwithstanding any other provision of the County Code, resolution or Implementing Order to the contrary, non-profit entities awarded grants of County monies from the District Discretionary Reserve, Commission Office Funds, or County Services 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 29. 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 30. Unless otherwise prohibited by law, this ordinance shall supersede all provisions of prior ordinances and resolutions in conflict herewith; provided, however, nothing in this ordinance shall amend or supersede the requirements of Section 2-1796.

Section 31. 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 32. 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 particular component of this ordinance are vetoed, the remaining components, if any, shall become effective ten (10) days after the date of enactment and the components vetoed shall become effective only upon override by this Board.

Section 33. This ordinance does not contain a sunset provision.

PASSED AND ADOPTED:

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

ORD/ITEM F second reading

