

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, 2013 AND ENDING SEPTEMBER 30, 2014; PROVIDING A SHORT TITLE; INCORPORATING THE FISCAL YEAR 2013-14 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; APPROVING THE FY 2013-14 PAY PLAN; AUTHORIZING ALLOCATIONS AND REALLOCATIONS OF BOND PROCEEDS AND INTEREST EARNINGS; AUTHORIZING THE COUNTY MAYOR OR DESIGNEE 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 OR HIS DESIGNEE TO EXECUTE CERTAIN FUNDING AGREEMENTS; CONTINUING THE MUNICIPAL SERVICES TRUST FUND; WAIVING FOR FISCAL YEAR 2013-14 PROVISIONS OF SECTIONS 2-1799(e) AND 2-1799(f)1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATED TO THE DISPOSITION OF UNEXPENDED MAYOR OFFICE BUDGET AND UNALLOCATED CARRYOVER FUNDING IN THE COUNTYWIDE GENERAL FUND AND THE UNINCORPORATED MUNICIPAL SERVICES AREA BUDGETS, RESPECTIVELY; AMENDING, WAIVING OR RESCINDING, IF NECESSARY, VARIOUS CHAPTERS OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, APPLICABLE IMPLEMENTING ORDERS AND OTHER LEGISLATIVE ENACTMENTS TO CONFORM SUCH ENACTMENTS TO THE FISCAL YEAR 2013-14 ADOPTED BUDGET, INCLUDING, BUT NOT LIMITED TO, AMENDMENTS TO SECTION 1-4.3 OF THE CODE RELATING TO VARIOUS ADMINISTRATIVE DEPARTMENTS AND DELEGATIONS OF COMMISSION AUTHORITY, POWER, AND RESPONSIBILITY ASSOCIATED THEREWITH AND WAIVER OF SECTION 2-1605 OF THE CODE RELATED TO FINANCIAL SUPPORT OF THE SPORTS COMMISSION; SUPERSEDING CONFLICTING PROVISIONS OF PRIOR ORDINANCES AND

RESOLUTIONS IN CONFLICT; PROVIDING SEVERABILITY,
INCLUSION IN THE CODE 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 "2013-14 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, 2013. Said proposed budget document as submitted to the Board of County Commissioners ("Board") is incorporated herein by reference and is amended to include: (a) all of the applicable changes contained in this Ordinance; (b) the changes contained in the September 10, 2013 memorandum entitled "Information for First Budget Hearing – FY 2013-14 Proposed Budget" >>; and (c) the appropriation of Emergency Contingency Reserve funds and Library District Operating Reserve funds to maintain existing programs, operating hours and existing filled positions for the Library System as read on the record during the September 10, 2013 Budget Hearing in the amounts noted in the schedules attached hereto<<.

Section 3. The budget proposed, including the five-year financial plan contained therein >>as amended as set forth in this ordinance<<, 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 Management and Budget 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 provisions of Section 2-1799(a) of the Code of Miami-Dade County, Florida, limiting use of Emergency Contingency Reserve funds, requiring Mayor and committee recommendation, and providing for supermajority voting requirements, are waived for Fiscal Year 2013-14 to permit the use of Emergency Contingency Reserve funds to maintain existing programs, operating hours and existing filled positions for the Library System as read

on the record during the September 10, 2013 Budget Hearing.<< The provisions of Section 2-1799(e) of the Code of Miami-Dade County, Florida, requiring that unexpended funds in Mayoral office budget be designated as reserves at the end of the fiscal year in which the funds were unexpended and added to the Mayoral office budget in the following fiscal year, are waived to permit the use of funds unexpended as of September 30, 2013 from the Mayoral office budget as Fiscal Year 2012-13 General Fund carryover for appropriation to the Fiscal Year 2013-14 Adopted Budget as approved by the Board. The provisions of Section 2-1799(f)1 of the Code of Miami-Dade County, Florida, requiring that fifty (50) percent of the unallocated carryover funds in the Countywide and Unincorporated Municipal Service Area (UMSA) general fund budgets be allocated to the Capital Outlay Reserve fund in the fiscal year following the fiscal year the funds were identified to support County Services, are waived for fiscal year 2013-14 to permit the use of Countywide and UMSA carryover funds that remain unallocated as of September 30, 2013 for appropriation to the Fiscal Year 2013-14 Proposed Budget as approved by the Board.

Section 7. The provisions of Section 2-1605 of the Code of Miami-Dade County, Florida, that provide for financial support to the Sports Commission in the amount of \$250,000 in the official Miami-Dade County budget each year, unless otherwise directed by the Board of County Commissioners, shall be waived for Fiscal Year 2013-14.

Section 8. Section 1-4.3 of the Code of Miami-Dade County, Florida, is hereby amended as follows: ¹

Section 1-4.3. Reorganization of County Administrative Departments

* * *

- (f) The powers, functions and responsibilities of the Office of Americans with Disabilities Act Coordination and the Departments of General Services Administration (except for those powers, functions and responsibilities that set forth, define or otherwise affect infill housing), Procurement Management, Capital

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. The remaining provisions are now in effect and remain unchanged.

Improvement (except for those powers, functions and responsibilities that set forth, define or otherwise affect bond programs), and Human Resources provided in Legislative Enactments are hereby transferred to the Department of Internal Services. All references in Legislative Enactments relating to the Office of Americans with Disabilities Act Coordination and the Departments of General Services Administration (except for those references that set forth, define or otherwise affect infill housing), Procurement Management, Capital Improvement (except for those references which set forth, define or otherwise affect bond programs), and Human Resources shall be deemed to be references to the Department of Internal Services. All delegations of Commission authority, power and responsibility to the Directors of the Office of Americans with Disabilities Act Coordination and the Departments of General Services Administration (except for those delegations which set forth, define or otherwise affect infill housing), Procurement Management, Capital Improvement (except for those delegations which set forth, define or otherwise relate to bond programs), and Human Resources shall be deemed to be a delegation to the Director of the Department of Internal Services or, at the County Mayor's discretion, to the County Mayor's designee. Notwithstanding the foregoing, the Director of the Department of Internal Services shall hold the powers and responsibilities of the personnel director as set forth in Section 5.05 of the Miami-Dade County Home Rule Charter.

>>Commencing upon the later of October 1, 2013 or the effective date of this ordinance, and notwithstanding and prevailing over the foregoing provisions of this subsection:

(i) The powers, functions, and responsibilities provided in Legislative Enactments that set forth, define or otherwise affect (a) Human Resources, including, but not limited to, the powers, functions, and responsibilities related to

payroll and information management, labor relations, compensation and benefits, recruitment, testing and career development, are hereby transferred from the Department of Internal Services to the Department of Human Resources; and (b) the Office of Human Rights and Fair Employment Practices are hereby transferred to the Department of Human Resources; and

(ii) The references in Legislative Enactments to (a) Human Resources and the Department of Internal Services that set forth, define or otherwise affect Human Resources or human resources functions, including, but not limited to, the functions related to payroll and information management, labor relations, compensation and benefits, recruitment, testing and career development, and (b) the Office of Human Rights and Fair Employment Practices, shall be deemed to be references to the Department of Human Resources; and

(iii) Those delegations to the Directors of the Departments of Human Resources or Internal Services that set forth, define or otherwise affect Human Resources or human resources functions, including, but not limited to, the functions related to payroll and information management, labor relations, compensation and benefits, recruitment, testing and career development, or to the Director of the Office of Human Rights and Fair Employment Practices, shall be deemed a delegation to the Director of the Department of Human Resources, or, at the County Mayor's discretion, to the County Mayor's designee; and

(iv) The Director of the Department of Human Resources shall hold the powers and responsibilities of the personnel director as set forth in Section 5.05 of the Miami-Dade County Home Rule Charter.<<

* * *

Section 9. Section 8-12 of the Code of Miami-Dade County, Florida, is hereby amended as follows:

Section 8-12. Fees.

* * *

(e) Assessment of code administration fee.

Prior to the issuance of any building permit pursuant to the Building Code, including any premise permit, each building official for Miami-Dade County or any municipality shall assess a code administration fee in the amount ~~[[of sixty cents (\$0.60) per one thousand dollars (\$1,000.00) or fractional value of the work to be done under the permit]]~~ >>specified in the relevant departmental fee schedule established by separate implementing order and approved by the Board of County Commissioners.<< This code administration fee shall be in addition to and not in derogation of other fees and costs that may be payable as a condition of obtaining the permit and shall be nonrefundable. ~~[[For purposes of the calculation of the code administration fee, the value of the work to be done under the permit shall be determined as follows:~~

~~(1) For new construction of and additions to Building Code occupancies, the value of the work shall be sixty five dollars (\$65.00) per square foot of construction except as noted below.~~

~~(2) For Building Code occupancy Groups S1 and F (Storage and Industrial), the value of the work shall be forty five dollars (\$45.00) per square foot of construction.~~

~~(3) For large and unusual projects, including but not limited to stadiums, airports, and water treatment plants, and for miscellaneous permit activity not otherwise provided for in this section, including, but not limited to repair, or alterations, or changes to electrical service, the value of the work shall be the actual cost of such work as determined by the applicant and approved by the Building Official. The applicant shall be responsible for accurate reporting of the value of the work, and the reported value shall be subject to review and verification by the Building Official.]]~~

* * *

Section 10. All Implementing Orders, as amended hereby, 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 11. The revised Implementing Order setting the Miami-Dade Port of Miami rates, fees and charges as reflected in attachment A is made a part hereof and the Implementing Order may be subsequently amended by Board action during the fiscal year.

Section 12. The revised Implementing Order setting Public Works and Waste Management rates, fees, and charges as reflected in attachment B is made a part hereof and these rates, fees and charges may be subsequently amended by Board action during the fiscal year.

Section 13. The revised Implementing Order setting County Parking Facilities rates, fees, and charges as reflected in attachment C is made a part hereof and these rates, fees and charges may be subsequently amended by Board action during the fiscal year.

Section 14. The revised summary setting the Aviation Department rates, fees and charges as reflected in attachment D is made part hereof and these rates, fees and charges may be subsequently amended by Board action during the fiscal year.

Section 15. The revised Implementing Order setting the Vizcaya rates, fees and charges as reflected in attachment E is made part hereof and these rates, fees and charges may be subsequently amended by Board action during the fiscal year.

Section 16. The revised Implementing Order setting the Cultural Affairs rates, fees and charges as reflected in attachment F is made part hereof and these rates, fees and charges may be subsequently amended by Board action during the fiscal year.

Section 17. The revised Implementing Order setting the Miami-Dade Fire Rescue inspection and permit fees as reflected in attachment G is made part hereof and these rates, fees and charges and these rates, fees, and charges may be subsequently amended by Board action during the fiscal year.

Section 18. The revised Implementing Order setting the Regulatory and Economic Resources rates, fees and charges as reflected in attachment H is made part hereof and these rates, fees and charges may be subsequently amended by Board action during the fiscal year.

Section 19. The revised Implementing Order setting the Miami-Dade Library Department rates, fees and charges as reflected in attachment I is made part hereof and these rates, fees and charges may be subsequently amended by Board action during the fiscal year.

Section 20. The revised Implementing Order setting the Miami-Dade Transit rates, fees and charges as reflected in attachment J is made part hereof and these rates, fees and charges may be subsequently amended by Board action during the fiscal year.

Section 21. The revised Implementing Order setting Water and Sewer Department rates, fees, and charges as reflected in attachment K is made a part hereof and the rates, fees, and charges may be subsequently amended by Board action during the fiscal year.

Section 22. The revised Implementing Order setting Miami-Dade Police Department Off-Duty rates, fees and charges as reflected in attachment L is approved and is made a part hereof and the rates, fees and charges may be subsequently amended by Board action during the fiscal year.

Section 23. The revised Implementing Order setting Animal Services Department rates, fees and charges as reflected in attachment M is approved and is made a part hereof and the rates, fees and charges may be subsequently amended by Board action during the fiscal year.

Section 24. The revised annual Special Taxing District rates as reflected in attachment N are approved and made a part hereof. These rates for the referenced Special Taxing Districts are hereby levied.

Section 25. The pay rates set forth in the FY 2013-14 Pay Plan are hereby approved.

Section 26. All allocations and reallocations of bond proceeds and interest earnings included in the 2013-14 Proposed Capital Budget and Multi-Year Capital Plan, as may be amended, are hereby authorized.

Section 27. 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 28. 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 2013-14 fiscal year.

Section 29. The Finance Director is hereby authorized to make payment of local business tax surcharge revenues for FY 2013-14 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 30. 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 31. 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 32. 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 prior year's 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 33. 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 34. Unless otherwise prohibited by law, this ordinance shall supersede all enactments of this Board including, but not limited to, ordinances, resolutions, implementing orders, regulations, rules, and provisions in the Code of Miami-Dade County in conflict herewith; provided, however, nothing in this ordinance shall amend or supersede the requirements of Ordinance 07-45, as amended.

Section 35. 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 36. 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 37. This ordinance does not contain a sunset provision.

Section 38. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of Sections 8 and 9 of this Ordinance shall become and be made part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

PASSED AND ADOPTED:

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

ORD/ITEM F Proposed