Approved_____ Mayor
Veto _____ Agenda Item J
Override_____

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, 2014 AND ENDING SEPTEMBER 30, 2015; PROVIDING A SHORT TITLE; INCORPORATING THE FISCAL YEAR 2014-15 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 2014-15 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 2014-15 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 2014-15 ADOPTED BUDGET, INCLUDING, BUT NOT LIMITED TO, AMENDMENT OF SECTION 24-34 RELATED TO SERVICE FEE COLLECTED AND PAID BY EACH WATER AND SEWER UTILITY TO COUNTY AND SECTION 21-276 RELATED TO ANNUAL BURGLAR ALARM REGISTRATION FEE AND PENALTIES FOR FALSE ALARMS, AND WAIVER OF SECTION 2-1605 OF THE CODE RELATED TO FINANCIAL SUPPORT OF THE SPORTS COMMISSION AND SECTION 29-7(G) RELATED TO ALLOCATION

OF DOCUMENTARY SURTAX FUNDS; 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 "Fiscal Year 2014-15 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, 2014. 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 4, 2014 memorandum entitled "Information for First Budget Hearing – FY 2014-15 Proposed Budget" >>as amended to correct the scrivener's errors read on the record at the September 4, 2014 budget hearing; (c) the changes contained in the September 4, 2014 memorandum entitled "Supplement - Information for First Budget Hearing – FY 2014-15 Proposed Budget"; and (d) a requirement that the expenditure of the funds appropriated in the Miami-Dade Police Department budget for the purchase of body cameras is subject to prior Board approval of the purchase of such cameras and the policy for use of the cameras[1]<<.

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

[1] Amendments approved at the first budget hearing are indicated as follows: Words double stricken through and/or [[double bracketed]] are deleted, words double underlined and/or >>double arrowed<< are added.

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(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, 2014 from the Mayoral office budget as Fiscal Year 2013-14 General Fund carryover for appropriation to the Fiscal Year 2014-15 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 2014-15 to permit the use of Countywide and UMSA carryover funds that remain unallocated as of September 30, 2014 for appropriation to the Fiscal Year 2014-15 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 2014-15.

Section 8. The provisions of Section 29-7 (G) of the Code of Miami-Dade County, Florida, that requires that no allocation of documentary surtax funds shall be made except as part of a competitive Request for Applications (RFA) process, unless otherwise directed by the Board of County Commissioners, shall be waived for Fiscal Year 2014-15.

Section 9. Section 24-34 of the Code of Miami-Dade County, Florida, is hereby amended as follows: [2]

[2] 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.

Sec. 24-34. Service fee payable to County

* * *

Each water or sewer utility shall collect from its customers and pay to the County a County service fee equal to [[~~seven~~]] >>eight<< dollars [[~~and fifty cents~~]] ($[[~~7.50~~]]>>8.00<<) per each one hundred dollars ($100.00) of the receipts of said utility derived from its water and/or sewer utility operations conducted within the County to cover the cost of providing certain environmental services to and certain environmental regulation of said water or sewer utilities. Receipts from bulk water and sewerage service to other water or sewer utilities shall be excluded from the imposition of the County service fee provided for herein. Said service fee shall be due and payable to the County annually and shall be based upon receipts from water and/or sewerage service for the period from the first of October through the thirtieth of September of the following year. The fee shall be paid to Miami-Dade County no later than the first of December of each year for the period ending September 30 of that year. The first such period shall be October 1, [[~~1980~~]]>>2014<< through September 30, [[~~1981~~]]>>2015<<, and the first fee payment shall be paid to the County on or before December 1, [[~~1981~~]]>>2015<<. Failure to pay said service fee to the County on or before each December 1 shall obligate the utility to pay to the County a late charge. Said late charge shall be one and one-half (1½) percent of the unpaid balance of the fee for each month or part of each month that the fee remains unpaid.

* * *

Section 10. Section 21-276 of the Code of Miami-Dade County, Florida, is hereby amended as follows:

(4) *Registration of alarm system and fee.*

(a) *Registration of burglar alarm systems.* All burglar alarm systems which

operate at locations within the unincorporated area of Miami-Dade County shall be registered with the Miami-Dade Police Department by the user. The user shall complete and submit to the MDPD an initial registration or an annual registration renewal with the appropriate fee. Initial registration shall be necessary to register any system which is not currently registered with the Department or upon a change in the user of an alarm.

(b) Annual registration fee. Effective with registrations for registration periods beginning on or after January 1, 2002, there shall be an annual registration fee of twenty-five dollars ($25.00) for all alarm registrations. Separate alarm systems require separate registrations. The registration period will be for one year. Upon renewal for registration periods beginning on or after January 1, [[~~2003~~]] >>2015<<, the fee will be [[~~waived~~]] >>fifteen dollars ($15.00)<< if the burglar alarm system has had no false burglar alarms requiring police dispatch during the prior registration period>>; if the burglar alarm system has had one or more false burglar alarms requiring police dispatch during the prior registration period, the fee will be twenty-five dollars ($25.00)<<.

(c) *Change in registration information.* In the event of a change in any of the information required as part of the initial or annual registration, the user shall notify the Miami-Dade Police Department of the change. An updated registration shall be filed within ten (10) days of any change.

(d) *Application of funds.* Funds collected under this section shall be applied to the operational costs and enforcement of this ordinance, to reduce the number of false alarms received by Miami-Dade County, and to reduce the time spent by Miami-Dade Police handling false alarm calls.

* * *

(9) *False burglar alarms prohibited.* No burglar alarm user shall cause, allow, or permit the burglar alarm system to give [[~~four (4)~~]] <<two (2)>> or more false alarms in any registration period.

(10) *Penalties.*

(a) Each violation of this section shall be punished as follows:

1. For a first violation of Sections 21-276(4) or (5), by a fine of fifty dollars ($50.00).

2. For a second and each additional violation of Sections 21-276(4) or (5), by a fine of one hundred dollars ($100.00).

3. For the [[~~fourth~~]] >>second<< false burglar alarm in the user's registration period, by a fine of fifty dollars ($50.00).

4. For the [[~~fifth~~]] >>third<< false burglar alarm in the user's registration period, by a fine of one hundred dollars ($100.00).

5. For the [[~~sixth~~]] >>fourth<< and each additional false burglar alarm in the user's registration period, by a fine of two hundred dollars ($200.00).

6. For each violation of Section 21-276(6), (7) or (8), by a fine of one hundred dollars ($100.00).

All citations for violations set forth in this section shall be issued, and may be appealed, in accordance with, and shall be governed by the procedures set forth in Chapter 8CC of the Miami-Dade County Code.

(b) An alarm user shall not be fined more than two hundred dollars ($200.00) for false alarms that occur at the same premises in any twenty-four-hour period.

[[~~(a)~~]] <<(c)>> No penalty specified hereunder shall be imposed or assessed against any entity that qualifies as tax exempt under the provisions of Section 501(c)(3) of the Internal Revenue Code provided that the premises is used exclusively by said entity for such tax exempt purposes.

* * *

Section 11. 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 resolution adopted by the Board during the fiscal year.

Section 12. 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 resolution adopted by Board action during the fiscal year.

Section 13. The revised Implementing Order setting Police 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 resolution adopted by Board action during the fiscal year.

Section 14. The revised Implementing Order setting Animal Services 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 resolution adopted by Board action during the fiscal year.

Section 15. The revised summary setting the Public Works and Waste Management Solid Waste rates, fees and charges as reflected in attachment D is made part hereof and these rates, fees and charges may be subsequently amended by resolution adopted by Board action during the fiscal year.

Section 16. The revised Implementing Order setting the Internal Service Department parking facilities rates, fees and charges as reflected in attachment E is made part hereof and these rates, fees and charges may be subsequently amended by resolution adopted by Board action during the fiscal year.

Section 17. The revised Implementing Order setting the Medical Examiner rates, fees and charges as reflected in attachment F is made part hereof and these rates, fees and charges may be subsequently amended by resolution adopted by Board action during the fiscal year.

Section 18. The revised Implementing Order setting the Community Information and Outreach rates, fees, and charges 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 resolution adopted by Board action during the fiscal year.

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

Section 20. The revised Implementing Order setting the Regulatory and Economic Resources 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 21. The revised Implementing Order setting the Corrections and Rehabilitation rates, fees and charges as reflected in attachment J is made part hereof and these rates, fees and charges may be subsequently amended by resolution adopted by Board action during the fiscal year.

Section 22. The revised Implementing Order setting the Parks, Recreation and Open Spaces rates, fees and charges as reflected in attachment K is made part hereof and these rates, fees and charges may be subsequently amended by resolution adopted by Board action during the fiscal year.

Section 23. The revised Implementing Order setting Vizcaya Museum and Gardens rates, fees, and charges as reflected in attachment L is made a part hereof and the rates, fees, and charges may be subsequently amended by resolution adopted by Board action during the fiscal year.

Section 24. The revised Implementing Order setting Aviation 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 resolution adopted by Board action during the fiscal year.

Section 25. The revised Implementing Order setting Miami-Dade Transit Department rates, fees and charges as reflected in attachment N is approved and is made a part hereof and the rates, fees and charges may be subsequently amended by resolution adopted by Board action during the fiscal year.

Section 26. The pay rates set forth in the FY 2014-15 Pay Plan are hereby approved.

Section 27. All allocations and reallocations of bond proceeds and interest earnings included in the 2014-15 Proposed Capital Budget and Multi-Year Capital Plan, as may be amended, are hereby authorized.

Section 28. 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 29. 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 2014-15 fiscal year.

Section 30. The Finance Director is hereby authorized to make payment of local business tax surcharge revenues for FY 2014-15 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 31. 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 32. 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 33. 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 34. 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 35. 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 36. 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 37. 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 38. This ordinance does not contain a sunset provision.

Section 39. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of Sections 9 and 10 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. _____

ORD/ITEM J Proposed