

Approved _____ Mayor
Veto _____
Override _____

Agenda Item I
Amended

ORDINANCE NO. 17-65

ORDINANCE APPROVING, ADOPTING AND RATIFYING PROPRIETARY BUDGETS, SPECIAL ASSESSMENT DISTRICT BUDGETS, AND OTHER BUDGETS OF MIAMI-DADE COUNTY, FLORIDA, FOR FISCAL YEAR COMMENCING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018; PROVIDING A SHORT TITLE; INCORPORATING FISCAL YEAR 2017-18 PROPOSED BUDGET AS AMENDED; APPROPRIATING ALL BUDGETED REVENUES AND EXPENDITURES; AUTHORIZING INVESTMENT OF COUNTY FUNDS IN TIME WARRANTS OF MIAMI-DADE COUNTY; AUTHORIZING TRANSFER OF FUNDS AS CASH ADVANCES PENDING RECEIPT OF TAXES OR OTHER REVENUES; RATIFYING AND APPROVING IMPLEMENTING ORDERS AND OTHER ACTIONS OF BOARD WHICH SET FEES, RATES, AND CHARGES; AUTHORIZING FEES, RATES, AND CHARGES CONSISTENT WITH APPROPRIATIONS AND PROVIDING FOR THEIR AMENDMENT; APPROVING REVISED FEES, CHARGES, AND IMPLEMENTING ORDERS FOR VARIOUS DEPARTMENTS AND AGENCIES; APPROVING PAY RATES IN FISCAL YEAR 2017-18 PAY PLAN; AUTHORIZING ALLOCATIONS AND REALLOCATIONS OF BOND PROCEEDS AND INTEREST EARNINGS; AUTHORIZING MAYOR OR MAYOR'S DESIGNEE TO PROVIDE BOND ISSUE RESERVES; ESTABLISHING SUCH FUNDS AS MAY BE APPROVED DURING YEAR AND PROVIDING FOR THEIR EXPENDITURE; AUTHORIZING PAYMENT OF LOCAL BUSINESS TAX SURCHARGE TO BEACON COUNCIL; APPROPRIATING GRANT, DONATION, AND CONTRIBUTION FUNDS; AUTHORIZING MAYOR OR MAYOR'S DESIGNEE TO EXECUTE CERTAIN FUNDING AGREEMENTS; CONTINUING MUNICIPAL SERVICES FUND; WAIVING FOR FISCAL YEAR 2017-18 PROVISIONS OF SECTIONS 2-1799(E) AND 2-1799(F)1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"), RELATED TO DISPOSITION OF UNEXPENDED MAYORAL OFFICE BUDGET FUNDS AND UNALLOCATED CARRYOVER FUNDING IN COUNTYWIDE AND UNINCORPORATED MUNICIPAL SERVICES AREA GENERAL FUND BUDGETS, RESPECTIVELY; WAIVING SECTION 29-7(G) OF THE CODE RELATED TO ALLOCATION OF DOCUMENTARY SURTAX FUNDS; AMENDING SECTION 8-12(C) OF THE CODE RELATED TO BUILDING PERMIT FEE WHEN WORK BEGINS PRIOR TO OBTAINING A PERMIT; AMENDING SECTION 24-34 RELATED TO UTILITY SERVICE FEE PAYABLE TO THE COUNTY; AMENDING, WAIVING OR RESCINDING, IF NECESSARY, VARIOUS SECTIONS OF THE CODE, APPLICABLE IMPLEMENTING ORDERS AND OTHER LEGISLATIVE ENACTMENTS TO CONFORM SUCH ENACTMENTS TO FISCAL YEAR 2017-18 ADOPTED BUDGET; SUPERSEDING CONFLICTING PROVISIONS OF PRIOR LEGISLATIVE ENACTMENTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE OF CODE AMENDMENTS, EXCLUSION FROM THE CODE OF BALANCE OF ORDINANCE 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 2017-18 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, 2017. 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 7, 2017 memorandum entitled "Information for First Budget Hearing – FY 2017-18 Proposed Budget"; and (c) the changes contained in the September 28, 2017 memorandum entitled "Information for Second Budget Hearing – FY 2017-18 Proposed Budget" as further amended by changes read on the record by the First Assistant County Attorney correcting scrivener's errors on pages 31 and 33 of Implementing Order 4-68 (Attachment B of the Information for Second Budget Hearing memorandum previously referenced above) correcting the "Residential Container Service per household" to read \$358.00 and the "Multi-family Collection per living unit" to read \$186.00; and (d) the amendments adopted by motion to: i) with respect to transit, maintain the status quo regarding Sunday service for six holidays, ii) allocate proceeds resulting from settlements with Uber Technologies, Inc. and Lyft, Inc., if such settlements are reached, as follows: \$500,000.00 to the Miami Children's Museum for the replacement of the heating, ventilation and air conditioning (HVAC) system, \$500,000.00 to the African American (Black History) Museum for plans and studies for the construction of a new museum, and the remainder of any such proceeds to the Affordable Housing Trust Fund, iii) fund from the Parks, Recreation and Open Spaces Department budgeted allocation for part-time employees ten (10) new full-time Park Manager 1 positions to be filled by waiving the competitive recruitment process for such positions, iv) provide a status report on Little Havana Activities and Nutrition Center within 30 days of the second budget hearing, v) establish as County policy that, subject to annual

appropriation, the amounts referenced in the extraordinary adjustments in Countywide General Fund support included in the 40-year PTP pro forma represented by the information for fiscal years 2019 through 2023 as referenced on page 109 of Volume 1 of the FY 2017-18 Proposed Budget and Multi-Year Plan be allocated to implementation of the Smart Plan rapid transit corridors and directing the Mayor or designee to incorporate this policy into upcoming budgets, and vi) reduce the operating subsidy to the Perez Art Miami Museum from \$4 million to \$3.45 million and allocate \$550,000.00 to the American Museum of the Cuban Diaspora (The Cuban Museum) as an operating grant. These changes are incorporated into the version 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 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 the 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, 2017 from the Mayoral office budget as Fiscal Year 2016-17 General Fund carryover for appropriation to the Fiscal Year 2017-18 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 50 percent of the unallocated carryover funds in the Countywide and Unincorporated Municipal Service Area 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 2017-18 to permit the use of carryover funds in the Countywide and UMSA general fund budgets that remain unallocated as of September 30, 2017 for appropriation to the Fiscal Year 2017-18 Proposed Budget as approved by the Board.

Section 7. The provisions of Section 29-7(G) of the Code of Miami-Dade County, Florida, requiring that no allocation of documentary surtax funds shall be made except as part of a competitive Request for Applications process shall be waived for Fiscal Year 2017-18.

Section 8. Section 24-34 of the Code of Miami-Dade County, Florida, is hereby amended as follows: ¹

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 eight dollars (\$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. >>Effective October 1, 2017, the service fee shall be reduced to \$6 per each \$100 of the receipts of each water or sewer utility derived from its water and/or sewer utility operations conducted within the County.<< 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, 2014 through September 30, 2015, and the first fee payment shall be paid to the County on or before December 1, 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

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.

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

Sec. 8-12. - Fees.

* * *

(c) Double fee. When work for which a permit is required is started prior to the obtaining of said permit, the applicant for a permit shall be required to pay ~~[[~~\$100.00 plus~~]]~~ double the fee as specified herein as the cost of the permit. The payment of a permit fee shall not relieve any person>>_<< firm or corporation from fully complying with the requirements of this Code, nor from any other penalties prescribed therein.

Section 10. All Implementing Orders, as amended hereby, other actions of the Board setting fees, rates, and charges, and fees, rates and charges 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 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 resolution adopted by Board action during the fiscal year.

Section 12. The revised Implementing Order setting the Regulatory and Economic Resources (Environmental Resources Management Services) fees and charges as reflected in attachment B is made 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 the Animal Services rates, fees and charges as reflected in attachment C is made part hereof and the Implementing Order may be subsequently amended by resolution adopted by Board action during the fiscal year.

Section 14. The revised Implementing Order setting the Rickenbacker Causeway rates, fees and charges as reflected in attachment D is made part hereof and the Implementing Order may be subsequently amended by resolution adopted by Board action during the fiscal year.

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

Section 16. The revised Implementing Order setting the Regulatory and Economic Resources (Building and Neighborhood Compliance) rates, fees and charges as reflected in attachment F is made part hereof and the Implementing Order may be subsequently amended by resolution adopted by Board action during the fiscal year.

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

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

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

Section 20. The revised Implementing Order setting the Corrections and Rehabilitation Department Routine Medical Service Rendered to Incarcerated Inmates rates, fees and charges as reflected in attachment J is made part hereof and the Implementing Order may be subsequently amended by resolution adopted by Board action during the fiscal year.

Section 21. The revised Implementing Order setting the Regulatory and Economic Resources (Consumer Protection) rates, fees and charges as reflected in attachment K is made part hereof and the Implementing Order may be subsequently amended by resolution adopted by Board action during the fiscal year.

Section 22. The revised Implementing Order setting the Miami-Dade Water and Sewer fees and charges as reflected in attachment L is made part hereof and the Implementing Order may be subsequently amended by resolution adopted by Board action during the fiscal year.

Section 23. The revised Implementing Order setting the Regulatory and Economic Resources (Planning, Zoning, and Platting Services) rates, fees and charges as reflected in attachment M is made part hereof and the Implementing Order may be subsequently amended by resolution adopted by Board action during the fiscal year.

Section 24. The revised Implementing Order setting the Corrections and Rehabilitation Department Monitored Release Program rates, fees and charges as reflected in attachment N is made part hereof and the Implementing Order may be subsequently amended by resolution adopted by Board action during the fiscal year.

Section 25. The revised Implementing Order setting the Parks, Recreation and Open Spaces Department rates, fees and charges as reflected in attachment O is made part hereof and the Implementing Order may be subsequently amended by resolution adopted by Board action during the fiscal year.

Section 26. The revised Implementing Order setting the Aviation Department rates, fees and charges as reflected in attachment P is made part hereof and the Implementing Order may be subsequently amended by resolution adopted by Board action during the fiscal year.

Section 27. The revised Implementing Order setting the Department of Cultural Affairs rates, fees, and charges as reflected in attachment Q is made part hereof and the Implementing Order may be subsequently amended by resolution adopted by Board action during the fiscal year.

Section 28. The revised Implementing Order setting the For Hire Transportation rates, fees, and charges as reflected in attachment R is made part hereof and the Implementing Order may be subsequently amended by resolution adopted by Board action during the fiscal year.

Section 29. The revised Implementing Order setting the Miami-Dade County, Florida Department of Health rates, fees, and charges as reflected in attachment S is made part hereof and the Implementing Order may be subsequently amended by resolution adopted by Board action during the fiscal year.

Section 30. The pay rates set forth in the Fiscal Year 2017-18 Pay Plan, which is attached and incorporated by reference herein, are hereby approved.

Section 31. All allocations and reallocations of bond proceeds and interest earnings included in the Fiscal Year 2017-18 Proposed Capital Budget and Multi-Year Capital Plan, as may be amended, are hereby authorized.

Section 32. The Mayor or the Mayor's designee, 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 33. 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 during the 2017-18 fiscal year.

Section 34. The Finance Director is hereby authorized to make payment of local business tax surcharge revenues for Fiscal Year 2017-18 to Miami-Dade County Beacon Council, Inc., in accordance with state law and Resolution No. 1066-88 which authorized the agreement between Miami-Dade County and the Beacon Council.

Section 35. 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 36. The Mayor or the Mayor's designee is hereby authorized to negotiate and execute agreements for funding allocations for community-based organizations and Mom and Pop Program participants approved in this ordinance as a result of a request for proposals or other formal selection process or other allocations, including individual allocations, approved by the Board in the form approved by the County Attorney.

Section 37. Notwithstanding any other provision of the Code of Miami-Dade County, Florida, or any resolution or Implementing Order to the contrary, non-profit entities awarded grants of County monies from the prior fiscal year's and Fiscal Year 2017-18's District Discretionary Reserve, Commission office funds, or County Services Reserve, or Mom and Pop Program funds 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 38. The Municipal Services Fund is hereby recognized and continued. Payment by a municipality to the Municipal Services Fund shall be used for services which provide benefits to the municipality or the residents thereof.

Section 39. 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 of the Code of Miami-Dade County, Florida, in conflict herewith.

Section 40. 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 41. 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 42. It is the intention of the Board and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code of Miami-Dade County, Florida.

PASSED AND ADOPTED: September 28, 2017

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

ORD/ITEM I Adopted

STATE OF FLORIDA)
) SS:
COUNTY OF MIAMI-DADE)

I, HARVEY RUVIN, Clerk of the Circuit and County Courts, in and for Miami-Dade County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said county, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Ordinance 17-65 , adopted by the said Board of County Commissioners at its meeting held on September 28, 2017 , as appears of record.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 16th day of October , A.D., 2017 .

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida

SEAL

By: _____
Deputy Clerk

