

Approved _____ Mayor
Veto _____

Agenda Item B

Override _____

ORDINANCE NO. _____

ORDINANCE APPROVING AND ADOPTING THE COUNTYWIDE GENERAL FUND BUDGET FOR MIAMI-DADE COUNTY, FLORIDA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010; PROVIDING A SHORT TITLE; INCORPORATING THE 2009-10 PROPOSED BUDGET AS AMENDED; APPROPRIATING ALL BUDGETED EXPENDITURES; AUTHORIZING THE INVESTMENT OF COUNTY FUNDS IN THE TIME WARRANTS OF MIAMI-DADE COUNTY; AUTHORIZING THE TRANSFER OF FUNDS AS CASH ADVANCES PENDING RECEIPT OF TAXES; AUTHORIZING DEPOSIT OF INTEREST EARNED TO THE GENERAL FUND; RATIFYING AND APPROVING IMPLEMENTING ORDERS AND OTHER ACTIONS OF THE BOARD WHICH SET CHARGES, AUTHORIZING FEES CONSISTENT WITH APPROPRIATIONS AND PROVIDING FOR THEIR AMENDMENT; AUTHORIZING THE COUNTY MAYOR TO EXECUTE CERTAIN FUNDING AGREEMENTS; WAIVING SECTION 2-1799(a)2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO EXPENDITURES OF EMERGENCY CONTINGENCY RESERVE FUNDS; AMENDING SECTION 2-1503 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO THE INTERNATIONAL TRADE CONSORTIUM MEMBERSHIP; WAIVING SECTION 2-1605 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO FINANCIAL SUPPORT PROVIDED TO THE MIAMI-DADE SPORT COMMISSION; AMENDING THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO CHANGE THE NAMES OF "OFFICE OF NEIGHBORHOOD COMPLIANCE" AND THE "BUILDING DEPARTMENT" TO "BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT"; REPEALING RESOLUTION NOS. R-829-06 AND R-1225-86; SUPERSEDING CONFLICTING PROVISIONS OF PRIOR ORDINANCES AND RESOLUTIONS IN CONFLICT; AND 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 "2009-10 Miami-Dade County Countywide 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 Countywide General Fund budget, including the five-year financial plan contained therein, is hereby approved and adopted, 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 have been hereby 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 9. The Board waives the voting requirements and the plan for replenishment of reserve funding as specified in Section 2-1799(a)2 of the Code of Miami-Dade County, Florida and authorizes the utilization of the Emergency Contingency Reserve Fund as specified in this Budget.

Section 10. To effectuate the consolidation of functions necessary to achieve reductions in the budget of the International Trade Consortium (ITC) provided by this ordinance, the Miami-Dade Sister Cities Coordinating Council is hereby abolished as an independent board; the authority, duties and responsibilities of the Miami-Dade Sister Cities Coordinating Council shall hereafter be vested in the ITC governing board; the current members of the Miami-Dade Sister Cities Coordinating Council will hereafter become ex-officio members of the ITC governing board for a period of one (1) year from the effective date of this ordinance at which time such ex-officio members' term on the ITC governing board shall expire; to implement such action, Section 2-1503 of the Code of Miami-Dade County is amended to read as follows¹: Section 2-1503 Appointment and Tenure (a) *Composition.* The voting members of the ITC governing board shall be appointed as follows: The Chairperson of the Board of County Commissioners shall appoint the Chairperson of the ITC who shall be a member of the County Commission. The Chairperson of the County Commission shall also appoint the Vice-Chairperson of the ITC who shall be a well-respected member of the business community. The Mayor of Miami-Dade County shall appoint three (3) voting members to the ITC. Each member of the BCC, with the exception of the Chairperson of the County Commission, shall appoint one (1) voting member to the ITC. The Chairperson of the ITC shall appoint one (1) voting member. In addition, the following organizations shall each appoint one (1) voting member to the ITC: Greater Miami Chamber of Commerce, Mayor's African Trade Task Force, Enterprise Florida Inc., Miami International Airport, Port of Miami, the Greater Miami Convention and Visitors Bureau, the Beacon Council, Latin Chamber of Commerce (CAMACOL), Miami-Dade Chamber of Commerce, World Trade Center, Florida International Bankers Association, the Florida

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 Finance Director, pursuant to Section 5.03(C) of the Home Rule Charter, is hereby authorized to deposit to the accounts of the General Fund any interest on deposits earned or accrued to the benefit of any trust funds, revolving accounts, working capital reserves or other funds held in trust by Miami-Dade County, unless specifically prohibited from doing so by trust or other agreements.

Section 7. All Implementing Orders and other actions of the Board setting fees and charges, are hereby ratified, confirmed and approved; and may be amended by subsequent Board action during the fiscal year.

Section 8. 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.

Custom Brokers and Freight Forwarders Association, the District Export Council, and the Foundation for Democracy in Africa. ~~[[The Chair of the Miami-Dade Sister Cities Coordinating Council shall also serve as voting members of the ITC]].~~

ITC members appointed by the above listed organizations must be members of the board of directors of said organizations and not paid staff members with the exception of the appointees of Miami International Airport, Port of Miami, and a representative of Enterprise Florida, Inc. Voting members of Miami International Airport and the Port of Miami shall be appointed by the County Manager. The ITC shall retain the existing members of the ITC governing board until the expiration of their terms.

Section 11. The Board authorizes waiver of Section 2-1605 of the Code of Miami-Dade County, Florida suspending the financial support provision of two hundred fifty thousand dollars (\$250,000) for the 2009-10 Fiscal Year to the Miami-Dade Sport Commission.

Section 12. All references to "Office of Neighborhood Compliance" in the Code of Miami-Dade County, including Article LXXIA of the Code of Miami-Dade County, are hereby amended to change the department's name referenced therein from "Office of Neighborhood Compliance" to the "Building and Neighborhood Compliance Department".

Section 13. All references to "Building Department" in the Code of Miami-Dade County, including Article XC of the Code of Miami-Dade County, are hereby amended to change the department's name referenced therein from "Building Department" to the "Building and Neighborhood Compliance Department".

Section 14. 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.

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

Section 15. 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 Elected Officials 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 16. 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 17. 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 18. The 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 an 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 19. This ordinance does not contain a sunset provision.

Section 20. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of Sections 10, 12 and 13 of this Ordinance shall become and be made a 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. 

COUNTYWIDE GENERAL FUND REVENUE

	Net* 2009-10 <u>Budget</u>
<u>TAXES</u>	
General Property Tax (Tax Roll: \$222,141.817,140)	\$1,020,963,000
Local Option Gas Tax	40,667,000
Ninth Cent Gas Tax	<u>10,439,000</u>
Subtotal	<u>\$1,072,069,000</u>
<u>OCCUPATIONAL LICENSES</u>	
Business Taxes	<u>\$4,550,000</u>
Subtotal	<u>\$4,550,000</u>
<u>INTERGOVERNMENTAL REVENUES</u>	
State Sales Tax	\$51,693,000
State Revenue Sharing	26,449,000
Gasoline and Motor Fuels Tax	12,130,000
State Crime Lab Reimbursement	699,000
Alcoholic Beverage Licenses	587,000
Secondary Roads	500,000
Race Track Revenue	447,000
State Insurance Agent License Fee	<u>464,000</u>
Subtotal	<u>\$92,969,000</u>
<u>CHARGES FOR SERVICES</u>	
Sheriff and Police Fees	\$2,834,000
Other	<u>500,000</u>
Subtotal	<u>\$3,334,000</u>
<u>INTEREST INCOME</u>	
Interest	<u>\$3,600,000</u>
Subtotal	<u>\$3,600,000</u>

COUNTYWIDE GENERAL FUND REVENUE (cont'd)

	Net* 2009-10 <u>Budget</u>
<u>OTHER</u>	
Administrative Reimbursements	\$35,782,000
Transfer from Emergency Contingency Reserve	\$43,907,000
Miscellaneous	<u>1,522,000</u>
Subtotal	<u>\$81,211,000</u>
<u>CASH CARRYOVER</u>	
Cash Carryover	<u>\$20,634,000</u>
Subtotal	<u>\$20,634,000</u>
Total	<u>\$1,278,367,000</u>

* All anticipated receipts have been adjusted as necessary in accordance with Chapter 129.01(2)(b) of the Florida Statutes.

COUNTYWIDE GENERAL FUND EXPENDITURES

**2009-10
Budget**

County Executive Office	5,672,000
Board of County Commissioners (BCC)	12,859,000
County Attorney	13,040,000
Animal Services	1,786,000
Clerk of Court	4,597,000
Corrections and Rehabilitation	307,395,000
Emergency Management	2,339,000
Miami-Dade Fire Rescue	25,929,000
Judicial Administration	22,105,000
Juvenile Services	8,411,000
Legal Aid	1,376,000
Medical Examiner	9,155,000
Miami-Dade Police	168,688,000
Non-departmental - Public Safety	21,091,000
Transit	148,071,000
Non-departmental - Transportation	370,000
Park and Recreation	42,865,000
Non-departmental - Recreation and Culture	3,832,000
Planning and Zoning	2,924,000
Public Works	24,377,000
Non-departmental - Neighborhood and Unincorporated Area Municipal Services	1,079,000
Community Action Agency	2,721,000
Community Advocacy	820,000
Homeless Trust	100,000
Human Services	20,961,000
Public Health Trust	158,478,000
Non-departmental - Health and Human Services	28,120,000
Housing and Community Development	425,000
Consumer Services	309,000
Film and Entertainment	302,000
International Trade Consortium	878,000
Metro-Miami Action Plan	1,118,000
Non-departmental - Economic Development	48,833,000

COUNTYWIDE GENERAL FUND EXPENDITURES (cont'd)

	<u>2009-10 Budget</u>
Agenda Coordination	540,000
Americans with Disabilities Act Coordination	358,000
Audit and Management Services	3,419,000
Commission on Ethics and Public Trust	1,920,000
Elections	18,410,000
Enterprise Technology Services	28,326,000
Fair Employment Practices	871,000
General Services Administration	37,152,000
Government Information Center	10,089,000
Grants Coordination	1,857,000
Human Resources	7,385,000
Inspector General	1,204,000
Property Appraisal	28,788,000
Strategic Business Management	3,433,000
Sustainability	516,000
Non-departmental - Enabling Strategies	<u>43,073,000</u>
Total	<u>\$1,278,367,000</u>