

Approved _____ Mayor
Veto _____
Override _____

Agenda Item D

ORDINANCE NO. _____

ORDINANCE APPROVING AND ADOPTING THE UNINCORPORATED MUNICIPAL SERVICE AREA 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; RECOGNIZING AND CONTINUING THE UNINCORPORATED MUNICIPAL SERVICE AREA; AUTHORIZING THE COUNTY MAYOR TO EXECUTE CERTAIN FUNDING AGREEMENTS; WAIVING SECTION 2-1799(a)2 OF THE CODE OF MIAMI-DADE COUNTY RELATING TO EXPENDITURES OF EMERGENCY CONTINGENCY RESERVE FUNDS; AMENDING 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"; AND REPEALING RESOLUTION NOS. R-829-06 AND R-1225-86; SUPERSEDING PRIOR ORDINANCES AND RESOLUTIONS IN CONFLICT; PROVIDING SEVERABILITY, INCLUSION IN CODE AND PROVIDING 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 Unincorporated Municipal Service Area Budget Ordinance".

Section 2. Pursuant to Section 5.03(B) of the Home Rule Charter, the County Mayor has recommended a proposed budget for the Unincorporated Municipal Service Area of 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 include all of the applicable changes contained in the September 17, 2009, memorandum from the County Manager entitled Information for Second Budget Hearing – 2009-10 Proposed Budget that are adopted by this Board.

Section 3. The Unincorporated Municipal Service Area 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 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 as well as all fees and charges consistent with appropriations adopted herein, are hereby ratified, confirmed and approved; and may be amended by subsequent Board action during the fiscal year.

Section 8. The Unincorporated Municipal Service Area is hereby recognized and continued. All funds budgeted for this area are provided by general taxes and other revenue related to this area.

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. 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 "Building and Neighborhood Compliance Department".

Section 11. All references to the "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 the "Building Department" to "Building and Neighborhood Compliance Department".

Section 12. 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 establishing the Minority Business Development Conference Trust Fund and authorizes the County Manager to transfer the trust fund balance toward the operations of the Small Business Development Department for FY 2009-10.

Section 13. 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 14. 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 15. 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 16. 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 17. 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 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 18. This ordinance does not contain a sunset provision.

Section 19. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of Sections 10 and 11 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  to form and legal sufficiency.

ORD/ITEM D Second Reading

**UNINCORPORATED MUNICIPAL SERVICE AREA
GENERAL FUND REVENUE**

**NET*
2009-10
BUDGET**

TAXES

| | |
|---|----------------------|
| General Property Tax (Tax Roll: \$68,236,064,758) | \$130,187,000 |
| Utility Tax | 66,798,000 |
| Communications Services Tax | 43,796,000 |
| Franchise Tax | <u>52,407,000</u> |
| Subtotal | <u>\$293,188,000</u> |

OCCUPATIONAL LICENSES

| | |
|----------------|--------------------|
| Business Taxes | <u>\$1,950,000</u> |
| Subtotal | <u>\$1,950,000</u> |

INTERGOVERNMENTAL REVENUES

| | |
|-----------------------------|----------------------|
| State Sales Tax | \$60,486,000 |
| State Revenue Sharing | 45,800,000 |
| Alcoholic Beverage Licenses | <u>264,000</u> |
| Subtotal | <u>\$106,550,000</u> |

CHARGES FOR SERVICES

| | |
|-------------------------|--------------------|
| Sheriff and Police Fees | <u>\$1,102,000</u> |
| Subtotal | <u>\$1,102,000</u> |

INTEREST INCOME

| | |
|----------|------------------|
| Interest | <u>\$900,000</u> |
| Subtotal | <u>\$900,000</u> |

**UNINCORPORATED MUNICIPAL SERVICE AREA
GENERAL FUND REVENUE (cont'd)**

| | NET* 2009-10 <u>BUDGET</u> |
|---|---|
| <u>OTHER</u> | |
| Administrative Reimbursements | \$14,616,000 |
| Transfer from Emergency Contingency Reserve | \$14,637,000 |
| Miscellaneous | <u>619,000</u> |
| Subtotal | <u>\$29,872,000</u> |
| <u>CASH CARRYOVER</u> | |
| Cash Carryover | <u>\$679,000</u> |
| Subtotal | <u>\$679,000</u> |
| Total | <u>\$434,241,000</u> |

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

**UNINCORPORATED MUNICIPAL SERVICE AREA
EXPENDITURES**

| | <u>2009-10 Budget</u> |
|---|----------------------------------|
| County Executive Office | \$2,317,000 |
| Board of County Commissioners (BCC) | 5,252,000 |
| County Attorney | 5,326,000 |
| Miami-Dade Police | 311,228,000 |
| Non-departmental – Public Safety | 15,644,000 |
| Park and Recreation | 13,412,000 |
| Building and Neighborhood Compliance | 5,700,000 |
| Planning and Zoning | 2,256,000 |
| Public Works | 8,456,000 |
| Non-departmental – Neighborhood and Unincorporated Area Municipal Services | 0 136,000 |
| Non-departmental - Economic Development | 882,000 |
| Agenda Coordination | 221,000 |
| Americans with Disabilities Act Coordination | 146,000 |
| Audit and Management Services | 1,396,000 |
| Enterprise Technology Services | 11,570,000 |
| Human Rights and Fair Employment Practices | 273,000 |
| General Services Administration | 15,175,000 |
| Government Information Center | 4,121,000 |
| Grants Coordination | 195,000 |
| Human Resources | 3,017,000 |
| Strategic Business Management | 1,476,000 |
| Non-departmental - Enabling Strategies | <u>26,042,000</u> |
| Total | <u>\$434,241,000</u> |