



MEMORANDUM

Substitute
Agenda Item No. 11(A)(20)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: October 6, 2009

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution directing the County Mayor to prepare an ordinance amending the Fiscal Year 2009-10 County Budget by removing appropriated funding, revenue, expenditures and positions from the Office of Community Advocacy

The substitute differs from the original in that the Mayor or his designee is directed to prepare, in consultation with the Office of the County Attorney, an ordinance amending the Fiscal Year 2009-10 County budget to remove appropriated funding, revenues, expenditures and positions from the Office of Community Advocacy and appropriate the same to the Office of the Chair, and amending the County Code to effectuate the foregoing, including to provide that the Office of the Chair, rather than the County Mayor or the County Manager, shall provide support for the Community Relations Board, the Miami-Dade County Hispanic Affairs Advisory Board, the Miami-Dade County Black Affairs Advisory Board, the Miami-Dade County Asian-American Advisory Board, and the Miami-Dade County Commission on Human Rights. In addition, the transfer of the functions, appropriations, revenues supporting such appropriations, and ten budgeted positions from the Office of Community Advocacy to the Office of the Chair shall be effective upon the enactment of the ordinance described above. Such ordinance shall be presented to the Board at its next regularly scheduled meeting.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.



R. A. Cuevas, Jr.
County Attorney

RAC/cp



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: October 6, 2009

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Substitute
Agenda Item No. 11(A)(20)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised**
- 6 weeks required between first reading and public hearing**
- 4 weeks notification to municipal officials required prior to public hearing**
- Decreases revenues or increases expenditures without balancing budget**
- Budget required**
- Statement of fiscal impact required**
- Ordinance creating a new board requires detailed County Manager's report for public hearing**
- No committee review**
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve**
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Substitute
Agenda Item No. 11(A)(20)
10-6-09

RESOLUTION NO. _____

RESOLUTION DIRECTING COUNTY MAYOR OR HIS DESIGNEE TO PREPARE AN ORDINANCE AMENDING THE FISCAL YEAR 2009-10 COUNTY BUDGET BY REMOVING APPROPRIATED FUNDING, REVENUES, EXPENDITURES AND POSITIONS FROM THE OFFICE OF COMMUNITY ADVOCACY AND APPROPRIATING SAME FUNDING, REVENUES, EXPENDITURES AND POSITIONS TO THE OFFICE OF THE CHAIR AND AMENDING THE CODE OF MIAMI-DADE COUNTY TO EFFECTUATE THE FOREGOING; AND RESCINDING ADMINISTRATIVE ORDER NO. 9-2 RELATING TO THE OFFICE OF COMMUNITY RELATIONS

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The >>County Mayor or his designee is directed to prepare, in consultation with the Office of the County Attorney, an ordinance to amend: (i) the<<¹ Fiscal Year 2009-10 ~~[[Countywide General Fund]]~~ >>County<< budget, as amended and passed on September 18, 2009 (the "Budget"), ~~[[is amended]]~~ to remove the appropriated revenues and expenditures in the Budget for the Office of Community Advocacy, together with the revenues supporting such appropriations and the 10 budgeted positions, and >>to appropriate<< said amount, revenues, expenditures and budgeted positions ~~[[shall be appropriated]]~~ to the Office of the Chair >>and, (ii) the relevant provisions of the Code of Miami-Dade County to effectuate the foregoing, including to provide that the Office of the Chairperson, rather than the County Mayor or the County Manager, shall provide support for the Community Relations Board, the Miami-

¹ The differences between the substitute and the original item are indicated as follows: words stricken through and/or ~~[[double bracketed]]~~ shall be deleted, words underscored and/or >>double arrowed<< constitute the amendment proposed.

Dade County Hispanic Affairs Advisory Board, the Miami-Dade County Black Affairs Advisory Board, the Miami-Dade County Asian-American Advisory Board and the Miami-Dade County Commission on Human Rights. The County Mayor or his designee shall present such item to the board at its next regularly scheduled meeting<<.

Section 2. Administrative Order No. 9-2 entitled "Office of Community Relations" is hereby rescinded in its entirety.

Section 3. >>The functions, appropriations, revenues supporting such appropriations, and 10 budgeted positions of the Office of Community Advocacy shall be transferred to the Office of the Chair<< ~~[[This Resolution shall become effective]]~~ upon the enactment of an ordinance ~~[[or ordinances]]~~ that ~~[[amend]]~~ >>amends the Fiscal Year 2009-10 County Budget and amends<< ~~[[Sections 2-207, 2-535, 2-835, 2-1090, 11A-3 and 11A-4 of]]~~ the Code of Miami-Dade County, Florida ~~[[relating to the Miami-Dade County Hispanic Affairs Advisory Board, the Miami-Dade County Black Affairs Advisory Board, the Miami-Dade County Asian-American Advisory Board and the Miami-Dade County Commission on Human Rights, respectively, to provide that the Office of the Chairperson of the County Commission, rather than the County Mayor and County Manager, shall provide support for such advisory boards]]~~ >>as set forth in Section 1 above<<.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman
Bruno A. Barreiro
Carlos A. Gimenez
Barbara J. Jordan
Dorin D. Rolle
Katy Sorenson
Sen. Javier D. Souto
Audrey M. Edmonson
Sally A. Heyman
Joe A. Martinez
Natacha Seijas
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of October, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board [~~provided that by such date the condition set forth in Section 3 above has been satisfied, and if not, by such later date as such condition is satisfied~~].

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

GBK

Geri Bonzon-Keenan

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