

MEMORANDUM

BPS

Agenda Item No. 1G1

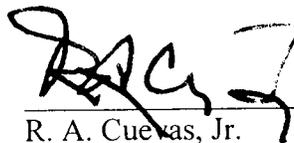
TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: May 11, 2010

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

SUBJECT: Ordinance amending Section
2-1795 of the Code related to
procedures to be followed by
the Commission Auditor in
the preparation and adoption
of the County's annual budget

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez.



R. A. Cuevas, Jr.
County Attorney

RAC/up

Memorandum



Date:

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

From: George M. Burgess
County Manager

A handwritten signature in cursive script, appearing to read "Burgess".

Subject: Ordinance amending Section 2-1795 of the Code related to procedures to be followed
by the Commission Auditor

The Proposed Ordinance amending Section 2-1795 of the Code of Miami-Dade County, related to procedures to be followed by the Commission Auditor in the preparation and adoption of the County's annual budget will have no fiscal impact.

A handwritten signature in cursive script, appearing to read "Jennifer Glazer-Moon".

Jennifer Glazer-Moon,
Special Assistant/ Director of the Office of Strategic Business Management

Fis04110



MEMORANDUM
(Revised)

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

DATE: April 6, 2010

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

SUBJECT: Agenda Item No. 4(D)

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 _____

Agenda Item No. 4(D)
4-6-10

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 2-1795 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATED TO PROCEDURES TO BE FOLLOWED BY THE COMMISSION AUDITOR IN THE PREPARATION AND ADOPTION OF THE COUNTY'S ANNUAL BUDGET; 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. Section 2-1795 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec 2-1795. **Allocation of County Resources.**

* * *

(d) The County Manager shall, no later than January 31 of each year, transmit to the Board of County Commissioners no more than twenty (20) of his or her top recommendations to be reflected in the coming year's budget. These recommendations shall be presented in measurable, quantifiable terms to the extent possible and shall be considered by the appropriate committees of the County Commission. Each committee shall formulate its top priorities and policy objectives and forward those recommendations to the County Commission. The County Commission shall no later than the first meeting in April of each year consider the Committees' priorities and policy objectives and, by motion, approve up to twenty (20) priorities and policy objectives for the coming year's budget. This list shall guide the

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.

Commission when adopting the budget. On an annual basis, the County Manager shall present the proposed budget, including the proposed resource allocation plans, to the Board of County Commissioners for approval in accordance with the requirements of Section 5.03 of the Home Rule Charter. The Commission Auditor shall work with the Office of Strategic Business Management in the development of the proposed budget. Copies of the proposed budget referenced in the first sentence of Section 5.03(B) of the Home Rule Charter shall be made available to the County Commission and the Commission Auditor on the same date as such budget is presented by the County Manager to the Mayor. The Commission Auditor shall then commence an in-depth review and analysis of such budget giving full consideration to the County Commission's adopted priorities and policy directives >>, including specifically, an in-depth review and analysis of the proposed budget of the Office of the Inspector General, the Commission on Ethics and Public Trust and the Office of Commission Auditor and Legislative Analysis Division under the Board of County Commissioners' fund<<. The Commission Auditor's in-depth review and analysis shall include a review and analysis of any changes to ~~[[such proposed]]~~ >>the budget proposed by the Mayor<< made as a result of the budget prepared and recommended by the County Manager, and the Mayor's written response thereto, presented to the Commission in accordance with the second sentence of Section 5.03(B) of the Home Rule Charter. >>In addition to the foregoing, the Commission Auditor, in consultation with the Chair of the committee having jurisdiction over budgetary matters and the Mayor's designee from the Office of Strategic Business Management, shall prepare a separate budget for the Office of the Inspector General, the Commission on Ethics and Public Trust and the Office of Commission Auditor and Legislative Analysis Division under the Board of County Commissioners' fund. Prior to the first meeting of the Committee of the Whole, the Commission Auditor shall present same to the Committee of the Whole.<< Between August 15th and the first budget hearing, a Committee of the Whole shall meet to review and discuss the >>Mayor's<< proposed budget >>and the Commission Auditor's proposed budgets for the Office of the Inspector General, the Commission on Ethics and Public Trust and the Office of Commission Auditor and Legislative Analysis Division under the Board of County Commissioners' fund<< in relation to the County Commission's approved budget priorities and policy objectives and the findings, results and recommendations of the Commission Auditor. Prior to the first budget hearing and after consultation

with the Commission Chair and the Chair of the committee having jurisdiction over budgetary matters, the Commission Auditor, in cooperation with the Mayor or his/her designee, shall prepare and issue any recommended written changes to the >>Mayor's<< proposed budget and shall present same together with proposed budget amendments to the County Commission at the first budget hearing. A Committee of the Whole shall meet between the first and second budget hearings to discuss any proposed changes and recommendations which may result from the first budget hearing. At the second budget hearing, after consultation with the Chair of the Commission and the Chair of the committee having jurisdiction over budgetary matters and in cooperation with the Mayor or his/her designee, the Commission Auditor shall issue any final recommended written changes to the tentative budget and then present implementing amendments thereto to the County Commission. This paragraph is not intended to be construed in any way as a limitation on the Mayor's right to participate in the budget process as set forth in the Home Rule Charter, including specifically the right to attend and be heard at the budget hearings to express a difference of opinion with the Commission Auditor's recommendations and proposed changes >>, or the Commission Auditor's proposed budgets for the Office of the Inspector General, the Commission on Ethics and Public Trust and the Office of Commission Auditor and Legislative Analysis Division under the Board of County Commissioners' fund<<. The responsibilities assigned by this section to the Commission Auditor shall be deemed a permanent element of the Commission Auditor's annual work program for each ensuing fiscal year without need for further Commission approval.

Section 2. 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 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. 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.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:



JAC

Prepared by:



GBK

Geri Bonzon-Keenan

Prime Sponsor: Commissioner Joe A. Martinez