

**MEMORANDUM**

**RCT**  
Agenda Item No. **2(C)**

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

**DATE:** **June 7, 2010**

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

**SUBJECT:** Ordinance approving and adopting supplemental budgets for various funds; approving \$750,000 funding allocation to Miami Children's Museum; directing and authorizing the County Mayor to execute funding agreement with Miami Children's Museum

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The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro, and Co-Sponsors Commissioner Audrey M. Edmonson, Commissioner Sally A. Heyman and Commissioner Natacha Seijas.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/jls

# Memorandum



**Date:**

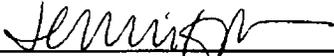
**To:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**From:** George M. Burgess   
County Manager

**Subject:** Ordinance approving and adopting supplemental budgets for various funds

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The proposed ordinance approving and adopting supplemental funding in FY 2009-10 for the Miami Children's Museum will result in a fiscal impact of \$750,000 to Miami-Dade County. Furthermore, this item conflicts with the FY 2009-10 mid-year supplemental budget and mid-year budget amendment items which utilize the same funding source used to close the current year operating budget gap.



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

Fis04210



**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(H)

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(H)

4-6-10

ORDINANCE NO. \_\_\_\_\_

ORDINANCE APPROVING AND ADOPTING SUPPLEMENTAL BUDGETS FOR VARIOUS FUNDS; APPROVING \$750,000 FUNDING ALLOCATION TO MIAMI CHILDREN'S MUSEUM; DIRECTING AND AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE FUNDING AGREEMENT WITH MIAMI CHILDREN'S MUSEUM; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE

**WHEREAS**, the Miami Children's Museum has generously served the families of Miami-Dade County and countless South Florida residents and tourists since its founding in 1983; and

**WHEREAS**, the Miami Children's Museum is dedicated to enriching the lives of all children by fostering a love of learning and enabling children to realize their highest potential; and

**WHEREAS**, the Miami Children's Museum's current facility opened on Watson Island in 2003; and

**WHEREAS**, Miami-Dade County was a significant contributor to that current facility, having appropriated \$5 million in convention development tax funds toward its construction costs; and

**WHEREAS**, by memorandum to the Board of County Commissioners dated September 17, 2009, the County Manager designated six organizations for budgetary purposes to be "County affiliated major cultural institutions," specifically Fairchild Tropical Botanic Garden, Historical Association (Museum) of Southern Florida, Miami Art Museum, Museum of Science,

Vizcaya Museum and Gardens and the Zoological Society of South Florida; and

**WHEREAS**, the Board of Commissioners, by a vote of 10-3 on October 13, 2009, as a matter of public policy designated the Miami Children’s Museum, a not-for-profit educational and instructional center, to be the seventh “County affiliated major cultural institution”; and

**WHEREAS**, by that same vote the Board of County Commissioners instructed the County administration to identify an appropriate, non-general-fund source or sources of funds in the amount of \$750,000 to be allocated as the Miami Children’s Museum’s annual support, beginning in the 2009-2010 budget year, with regard to its specific status as a “County affiliated major cultural institution,” just as each of the other six such designated institutions are supported specific to their same status; and

**WHEREAS**, by memorandum to the Board of County Commissioners dated February 25, 2010, the County Manager reported the existence of \$4.464 million of recaptured, unexpended funds appropriated in prior years to community based organizations (the “Recaptured Funds”); and

**WHEREAS**, this Board wishes to amend the fiscal year 2009-10 Countywide General Fund Budget and the Unincorporated Municipal Service Area Fund Budget to appropriate \$585,000 of the Recaptured Funds to the Non-departmental – Recreation and Culture Fund within the Countywide General Fund and \$165,000 of the Recaptured Funds to the Non-departmental – Recreation and Culture Fund within the Unincorporated Municipal Service Area Fund, to allocate such Recaptured Funds to the Miami Children’s Museum, and to direct and authorize the County Mayor to execute the necessary agreement with the Miami Children’s Museum for a funding allocation in an amount equal to \$750,000, in the form approved by the County Attorney,

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF  
MIAMI-DADE COUNTY, FLORIDA:**

Section 1. In compliance with the provisions of Section 1.02(A) of the Miami-Dade County Home Rule Charter and Section 129.06 of the Florida Statutes, the supplemental budgets attached hereto and made a part hereof are hereby approved, adopted, and ratified, and the budgeted expenditures therein provided are hereby appropriated.

Section 2. This Board hereby approves a \$750,000 funding allocation to the Miami Children's Museum to be funded from the Fiscal Year 2009-2010 Non-departmental – Recreation and Culture Fund within the Countywide General Fund in an amount equal to \$585,000 and from the Non-departmental – Recreation and Culture Fund within the Unincorporated Municipal Service Area Fund in an amount equal to \$165,000. The County Mayor or the Mayor's designee is hereby authorized to execute an agreement with the Miami Children's Museum for such \$750,000 funding allocation in the form approved by the County Attorney. Notwithstanding any other provision of the County Code, resolution or implementing order to the contrary, the Miami Children's Museum 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 3. 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 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. 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.

PASSED AND ADOPTED:

Approved by County Attorney as  
to form and legal sufficiency:



Prepared by:



Geri Bonzon-Keenan

Prime Sponsor: Commissioner Bruno A. Barreiro  
Co-Sponsors: Commissioner Audrey M. Edmonson  
Commissioner Sally A. Heyman  
Commissioner Natacha Seijas

**ATTACHMENT 1  
COUNTYWIDE GENERAL FUND**

<b>From:</b>	<b><u>2009-10</u></b>
Recaptured Community-based Organization Funding	<u>585,000</u>
Total	<u>\$585,000</u>

<b>To:</b>	
Non-Departmental - Recreation and Culture	<u>585,000</u>
Total	<u>\$585,000</u>

ATTACHMENT 2

UNINCORPORATED MUNICIPAL SERVICE AREA GENERAL FUND

<b>From:</b>	<b><u>2009-10</u></b>
Recaptured Community-based Organization Funding	<u>165,000</u>
Total	<u>\$165,000</u>
<b>To:</b>	
Non-Departmental- Recreation and Culture	<u>165,000</u>
Total	<u>\$165,000</u>