

MEMORANDUM

Agenda Item No. 4(B)

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

DATE: July 8, 2010

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

SUBJECT: Ordinance relating to the
County Budget; amending
Section 2-1795 of the Code to
provide that allocations from
commission district budgets to
fund expenditures previously
funded from the Board's pool
budget shall be subject to
approval by the Board

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM
(Revised)

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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(B)
7-8-10

ORDINANCE NO. _____

ORDINANCE RELATING TO THE COUNTY BUDGET; AMENDING SECTION 2-1795 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO PROVIDE THAT ALLOCATIONS FROM COMMISSION DISTRICT BUDGETS TO FUND EXPENDITURES PREVIOUSLY FUNDED FROM THE BOARD'S POOL BUDGET SHALL BE SUBJECT TO APPROVAL BY THE BOARD; AMENDING SECTION 2-1796 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO AUTHORITY OF COUNTY MANAGER OR HIS DESIGNEE TO MAKE CERTAIN INTRADEPARTMENTAL BUDGET AMENDMENTS, PROSCRIPTION ON ALLOWING DEPARTMENTAL EXPENDITURES FOR ANY LINE ITEM TO EXCEED APPROPRIATIONS ABSENT PRIOR BOARD APPROVAL, NOTIFICATION OF POSSIBLE DEFICIENCY AND REPORTING REQUIRED; 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. 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.

* * *

>>(g) Any allocation from commission district budgets to fund expenditures previously funded from the Board's pool budget shall be subject to approval by the Board.<<

Section 2. Section 2-1796 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

Sec. 2-1796. Managerial Accountability and Performance, authority to make certain intradepartmental budget amendments, proscription on allowing departmental expenditures for any line item to exceed appropriations therefor, notification of possible deficiency and ~~[[quarterly]]~~ >>monthly<< reporting required.

(a) Managers shall be held accountable for the achievement of performance objectives, as outlined in the strategic plan and departmental business plans, through performance evaluation and other appropriate managerial tools.

(b) Management and staff shall employ progressive techniques to ensure continuous efficiency and effectiveness in County operations.

(c) Managers and staff shall not allow the expenditures for any line item (as specified in Section 2-1795(b)) for their department or agency to exceed the total amount appropriated for such line item by the approved budgets providing revenues to that department or agency, as same may be amended administratively in accordance with subsection (d) below.

(d) The County Manager or his or her designee shall have the authority to make intradepartmental budget amendments that reallocate appropriations amongst a department's line item appropriations in each fund provided such reallocations do not cumulatively exceed ~~[[ten]]~~ >>two<< percent of that fund's total appropriations to the department and, further provided that that fund's total appropriations to the department may not be changed. The County Manager shall report such reallocations to the County Commission at the last Commission meeting in July. Reallocations amongst a fund's line item appropriations for expenditures in excess of ~~[[ten]]~~ >>two<< percent of that fund's total appropriations to a department, or which reallocate line item appropriations from personnel services to any other line item, or which cause an increase in a fund's total appropriations to a department must be approved by the County Commission >>prior to the implementation of the expenditure reduction or incurring the expenditure<<.

(e) Any department director, executive director or individual with the responsibility of budget development and monitoring who anticipates or has reason to believe that the annual budget of a department or agency may exceed the sum appropriated in the approved budget shall immediately provide written notification to the Budget Director >>and the County Manager<<. ~~[[If verified,~~

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.

~~this information would then be forwarded by]] >>No later than ten calendar days from the County Manager's receipt of such written notification,<< the County Manager >>shall forward the written notification and corresponding information<< to the Mayor, the County Commission, and the Clerk of the Board.~~

(f) The County Manager shall present [[quarterly]] >>monthly<<, except during the month of the Commission's summer recess, a written report on the status of the County's budget to the >>Board and the<< Commission Committee having oversight of the budget. At a minimum, this report should generally include, but not be limited to, the following information in a form acceptable to >>Board and the<< the Committee; fund summary, revenues by category and expenditure by major object, and revenues by category and expenditure by department.

(g) In the case of those administrative departments of the County under the management of the Mayor, the Mayor and those assisting the Mayor in the management of such departments (including the County Manager, any responsible Assistant County Manager and the department directors) shall comply with the requirements of this section.

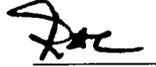
Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions 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.

Section 5. 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:



Prepared by:



Geri Bonzon-Keenan

Prime Sponsor: Commissioner Rebeca Sosa