

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item B

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

ORDINANCE APPROVING AND ADOPTING THE COUNTYWIDE GENERAL FUND BUDGET FOR MIAMI-DADE COUNTY, FLORIDA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011; PROVIDING A SHORT TITLE; INCORPORATING THE FISCAL YEAR 2010-11 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; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE CERTAIN FUNDING AGREEMENTS; WAIVING SECTION 2-11.1(s)(2)(b) RELATED TO LOBBYIST TRUST FUND REVENUE USES; REPEALING AND REPLACING SECTIONS 2-1501 THROUGH SECTION 2-1506 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO THE INTERNATIONAL TRADE CONSORTIUM AND CREATING THE OFFICE OF ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE; REPEALING SECTION 2-2011 THROUGH SECTION 2-2023 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO THE COMMUNITY PERIODICAL ADVERTISING PROGRAM; SUPERSEDING CONFLICTING PROVISIONS OF PRIOR ORDINANCES AND RESOLUTIONS IN CONFLICT; 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. This ordinance shall be known and may be cited as the "2010-11 Miami-Dade County Countywide Budget Ordinance."

Section 2. Pursuant to Section 5.03(B) of the Home Rule Charter, the County Mayor has recommended a proposed budget for Miami-Dade County, Florida, for the fiscal year commencing October 1, 2010. Said proposed 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 13, 2010 memorandum entitled “Information for First Budget Hearing – FY 2010-11 Proposed Budget.”

Section 3. The Countywide General Fund 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, are hereby ratified, confirmed and approved; and may be amended by subsequent Board action during the fiscal year.

Section 8. 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 9. The Board waives Section 2-11.1(s)(2)(b) of the Code of Miami-Dade County for FY 2010-11 to allow for use of revenues towards Clerk of the Board operational expenses related to lobbyist registration functions.

Section 10. To effectuate the consolidation of functions necessary to achieve reductions in the budget of the International Trade Consortium and other economic development entities in County government, Sections 2-1501 through and including Section 2-1506 of the Code of Miami-Dade County are hereby repealed and shall be replaced by the following:

**Section -----.** **Purpose and Duties.** The Office of Economic Development and International Trade (herein after referred to as “The Office”) shall promote Miami-Dade County as a Global Gateway and enhance access to economic development opportunities. It shall be authorized to exercise such powers and to perform such duties as are hereinafter provided:

- (a) Advocate and support the development of Miami-Dade County as a premiere hemispheric platform for two-way trade.
- (b) Promote Miami-Dade County as a Global Gateway both locally and abroad by developing and expanding trade opportunities with Africa, Asia, Europe, and the Western Hemisphere.
- (c) Liaise with trade offices and chambers of commerce.
- (d) Establish and maintain a database of local businesses involved in international trade to foster import and export opportunities.
- (e) Recommend trade policy.
- (f) Cultivate relations with Miami-Dade County’s Sister Cities.
- (g) Coordinate and integrate Miami-Dade County’s various economic development initiatives in pursuit of the County’s strategic economic development goals.
- (h) Conduct economic and demographic research and other evaluative studies; and issue periodic analysis, reports, information, and/or recommendations that support the development of economic policies.
- (i) Improve access to economic development opportunities through the Targeted Job Incentive Fund (TJIF) and Qualified Target Industry (QTI) Programs.
- (j) Staff and support the International Trade Advisory Board and the Social and Economic Development Council.
- (k) Administer the ITC Trust Fund Account, which shall hereafter be named the OEDIT Trust Fund Account, the Trade Mission Center of the Americas, Inc. funds, and the Miami-Dade County Sister Cities Program including its trust funds, pursuant to previously authorized resolutions. Notwithstanding anything to the contrary including any directive in Resolution R-1169-06, the OEDIT Trust Fund Account shall be administered by the Office.
- (l) Represent and advocate Miami-Dade County’s economic development and international trade interests at the local, state and federal level.
- (m) Accept, receive, and expend public and private monies, gifts, fees, revenues and donations in addition to County funds.

- (n) Coordinate and act as a proactive liaison between the County and the Consular Corps of Miami.
- (o) Submit an annual report to the Mayor and Board of County Commissioners detailing the Office's activities, goals, outcomes, and statement of all its accounts.
- (p) Perform any other such functions reasonably related to the execution of the Office's functions and responsibilities.

**Section ----. Organization and Staff Support.**

- a) *Employees.* The Mayor shall appoint the Executive Director of the Office who shall have the authority to administer its activities, and to hire and terminate its employees. The Executive Director may be a County employee or a contract employee of the Office. The employees of the Office shall be Miami-Dade County employees in the Exempt service.
- b) *Budget.* Subject to the Miami-Dade County budgetary process and the availability of funds, the Mayor shall include in the County's annual budget, administrative costs and additional funds for the implementation of the Office's programmatic activities.

**Section -----. Creation of Advisory Board.**

- a) There is hereby created and established a new advisory board that replaces the International Trade Consortium Board, which may be revoked or modified by the Miami-Dade County Board of County Commissioners, which shall be named and known as the International Trade Advisory Board (herein after referred to as the "Advisory Board"). The Advisory Board shall be generally governed by County Code Section 2-11.38 governing advisory boards unless specifically addressed herein.
- b) The Advisory Board shall provide the Mayor and the Board of County Commissioners with advice on policy matters relating to international trade initiatives and Sister Cities program activities.

**Section -----. Composition, Qualifications, and Appointment and Tenure.**

- a) *Composition.* The members of the Advisory Board shall be appointed as follows: The Mayor of Miami-Dade County shall appoint the Chairperson from among the members of the Board of County Commissioners, and the Chairperson of the Board of County Commissioners shall appoint the Vice Chair who shall be a well-respected member of the business community. The Mayor shall also appoint three other members. Each member of the Board of County Commissioners shall appoint one member to the Advisory Board. The Chair of the Advisory Board shall appoint a member. In addition, the following organizations shall appoint one member to the Advisory Board: the Beacon Council, the Greater Miami Chamber of Commerce, the Greater Miami Convention & Visitors Bureau, Enterprise Florida, Inc., the Latin Chamber of Commerce (CAMACOL), World Trade Center Miami, the Miami-Dade Chamber of

Commerce, the District Export Council, the Florida International Bankers Association, the Florida Custom Brokers and Forwarders Association and the Foundation for Democracy in Africa. The Directors of Miami International Airport and the Port of Miami shall each appoint a representative from their respective departments.

- b) *Qualifications.* Each member of the Advisory Board shall be a United States citizen, a permanent resident, and duly qualified elector of Miami-Dade County, unless the Board of County Commissioners waives the permanent residency and qualified elector requirements by a two-thirds vote of its membership. Members who represent economic development organizations must be members of the Board of Directors of said organizations and not paid staff members with the exception of the appointees of Miami International Airport, Port of Miami, and Enterprise Florida, Inc. Advisory Board members who are representatives of, or who are employed by, any State or local governmental agency may not vote on matters affecting the governmental agency by whom they are employed or whom they represent. The provision of Section 2-11.38 of the Miami-Dade County Code providing that no person shall serve on more than one County board simultaneously, shall not apply to the members of the Advisory Board appointed since its inception.
- c) *Tenure.* The members of the ITC Board that are serving on the ITC Board at the time of the adoption of this ordinance that: (1) were appointed by the Mayor and the Board of County Commissioners or (2) that have appointments on the Advisory Board representing economic development agencies shall hereafter serve on the Advisory Board until the expiration of their terms as such terms were existing on the ITC Board and shall be eligible to be reappointed for additional two-year terms up to a maximum of eight years. Those remaining ITC Board members representing agencies not having appointments on the Advisory Board shall continue to serve for a period of one year from the adoption of this ordinance. Advisory Board appointees that are appointed after the adoption of this ordinance shall serve two-year staggered terms from the time of appointment and may be reappointed to three additional two-year terms at the conclusion of their first term for a maximum of eight years.
- d) *Compensation.* Advisory Board members shall serve without compensation.
- e) *Removal.* Board members may be removed by a majority vote of the Board of County Commissioners for cause.
- f) *Vacancy.* Upon any vacancy of the Advisory Board member, the appropriate appointing agency or authority shall fill the vacancy.
- g) *Organization.* Members of the Advisory Board shall elect one of its members as Secretary and Treasurer, and such other officers as deemed to be necessary. The Chairperson, Vice Chairperson, the Secretary and the Treasurer, the Chairs of standing Committees, and the representatives of Miami International Airport and the Port of Miami shall constitute the Executive Committee, and shall serve for a two-year term. The Executive Committee shall act on behalf of the Advisory Board when the Advisory Board is not meeting but its decisions are subject to ratification by the full

Advisory Board at a later date. The Executive Committee shall provide all Advisory Board members with an advanced copy of the agenda of the Executive Committee meetings.

*h) By-Laws.* The Advisory Board shall make adopt, and amend its own By-Laws and Rules.

*i) Meetings, Sunshine and Public Records.* The Advisory Board shall hold regular meetings in accordance with its By-Laws. All meetings shall be public and in accordance with Section 286.011 of the Florida Statutes, the "Sunshine Law." In addition, the books and records of the Board shall be open to the public in the manner provided in Chapter 119 of the Florida Statutes, the "Public Records Act."

*j) Applicability of Conflict of Interest and Code of Ethics Ordinance.*

The Miami-Dade County Conflict of Interest and Code of Ethics Ordinance Section 2-11.1 of the Code of Miami-Dade County Florida shall be applicable to Advisory Board members and members of the staff.

*k) The County Attorney shall provide support to the Advisory Board.*

Section 11. Section 2-2011 through and including Section 2-2023 of the Code of Miami-Dade County related to the Community Periodical Advertising Program are hereby repealed.

Section 12. 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 13. 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 Ordinance 07-45, as amended.

Section 14. 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 15. 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 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.

Section 16. This ordinance does not contain a sunset provision.

Section 17. 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 as  to form and legal sufficiency. \_\_\_\_\_

ORD/ITEM B first reading

## COUNTYWIDE GENERAL FUND REVENUE

	<b>Net*</b> <b>2010-11</b> <b><u>Budget</u></b>
<b><u>TAXES</u></b>	
General Property Tax (Tax Roll: \$192,268,347,808)**	\$991,359,000
Local Option Gas Tax	39,535,000
Ninth Cent Gas Tax	<u>10,338,000</u>
Subtotal	<u>\$1,041,232,000</u>
<b><u>OCCUPATIONAL LICENSES</u></b>	
Business Taxes	<u>\$4,550,000</u>
Subtotal	<u>\$4,550,000</u>
<b><u>INTERGOVERNMENTAL REVENUES</u></b>	
State Sales Tax	\$47,337,000
State Revenue Sharing	25,378,000
Gasoline and Motor Fuels Tax	11,995,000
Alcoholic Beverage Licenses	587,000
Secondary Roads	500,000
Race Track Revenue	447,000
State Insurance Agent License Fee	<u>464,000</u>
Subtotal	<u>\$86,708,000</u>
<b><u>CHARGES FOR SERVICES</u></b>	
Sheriff and Police Fees	\$2,779,000
Other	<u>500,000</u>
Subtotal	<u>\$3,279,000</u>
<b><u>INTEREST INCOME</u></b>	
Interest	<u>\$1,362,000</u>
Subtotal	<u>\$1,362,000</u>

**COUNTYWIDE GENERAL FUND REVENUE (cont'd)**

	<b>Net*</b> <b>2010-11</b> <b><u>Budget</u></b>
<b><u>OTHER</u></b>	
Administrative Reimbursements	\$35,522,000
Water Utility Transfer	\$25,133,000
Miscellaneous	<u>5,682,000</u>
Subtotal	<u>\$66,337,000</u>
<b><u>CASH CARRYOVER</u></b>	
Cash Carryover**	<u>\$36,874,000</u>
Subtotal	<u>\$36,874,000</u>
Total	<u>\$1,240,342,000</u>

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

\*\*Schedules reflect adjustments included in the memorandum entitled "Information for First Budget Hearing – FY 2010-11 Proposed Budget."

## COUNTYWIDE GENERAL FUND EXPENDITURES

	<b><u>2010-11 Budget</u></b>
County Executive Office	5,508,000
Board of County Commissioners (BCC)	12,763,000
County Attorney	12,760,000
Animal Services	1,275,000
Clerk of Court	3,573,000
Corrections and Rehabilitation	311,593,000
Emergency Management	1,869,000
Miami-Dade Fire Rescue	29,466,000
Judicial Administration	20,457,000
Juvenile Services	6,737,000
Legal Aid	1,417,000
Medical Examiner	8,797,000
Miami-Dade Police	145,442,000
Non-departmental - Public Safety	14,805,000
Consumer Services	986,000
Transit	153,188,000
Non-departmental - Transportation	45,000
Cultural Affairs	7,915,000
Park and Recreation	46,853,000
Non-departmental - Recreation and Culture	863,000
Planning and Zoning	1,738,000
Public Works	20,288,000
Non-departmental - Neighborhood and Unincorporated Area Municipal Services	417,000
Community Action Agency	7,990,000
Community Advocacy	728,000
Human Services	29,128,000
Public Health Trust	133,443,000
Non-departmental - Health and Human Services	21,715,000
Film and Entertainment	340,000
Economic Development and International Trade	1,370,000
Miami-Dade Economic Advocacy Trust	829,000
Non-departmental - Economic Development	47,277,000

**COUNTYWIDE GENERAL FUND EXPENDITURES (cont'd)**

	<b><u>2010-11 Budget</u></b>
Agenda Coordination	426,000
Americans with Disabilities Act Coordination	373,000
Audit and Management Services	2,652,000
Commission on Ethics and Public Trust	2,074,000
Elections	16,494,000
Enterprise Technology Services	23,293,000
Human Rights and Fair Employment Practices	666,000
General Services Administration	34,842,000
Government Information Center	7,556,000
Grants Coordination	2,968,000
Human Resources	6,457,000
Inspector General	922,000
Property Appraisal	31,709,000
Strategic Business Management	2,396,000
Non-departmental - Enabling Strategies	<u>55,940,000</u>
 Total	 <u>\$1,240,342,000</u>

**\*\*Schedules reflect adjustments included in the memorandum entitled "Information for First Budget Hearing – FY 2010-11 Proposed Budget."**