

MEMORANDUM

Agenda Item No. 11(A) (12)

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

DATE: December 7, 2010

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

SUBJECT: Resolution establishing County policy to allocate to certain County Departments FY 2009-10 unallocated general fund carryover to fund performance of public service activities for FY 2010-11

This substitute differs from the original in that it clarifies that of the total 2009-10 unallocated carryover, the unexpended funds attributed to individual commission district budgets will be appropriated to each respective commission district budget the following fiscal year. It is proposed that a portion of the balance of the 2009-10 unallocated carryover (after subtraction of the commission district budget portion) be appropriated to fund public service activities.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Dennis C. Moss.



R. A. Cuevas, Jr.
County Attorney

RAC/up



MEMORANDUM
(Revised)

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

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SUBJECT: Agenda Item No. 11(A)(12)

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. 11(A)(12)
12-7-10

RESOLUTION NO. _____

RESOLUTION ESTABLISHING COUNTY POLICY TO ALLOCATE TO CERTAIN COUNTY DEPARTMENTS FISCAL YEAR 2009-10 UNALLOCATED GENERAL FUND CARRYOVER TO FUND PERFORMANCE OF PUBLIC SERVICE ACTIVITIES FOR FISCAL YEAR 2010-11 IN AN AMOUNT EQUAL TO \$2,604,000, TO REMOVE FROM COUNTY DEPARTMENTS COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING APPROPRIATED FOR SAME PUBLIC SERVICE ACTIVITIES IN SAME AMOUNT, AND TO REALLOCATE SAME COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO THE HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT TO FUND PUBLIC SERVICE ACTIVITIES WITHIN NEIGHBORHOOD REVITALIZATION STRATEGY AREAS; AND DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO PREPARE AN APPROPRIATE BUDGET AMENDMENT TO THE FISCAL YEAR 2010-11 COUNTY BUDGET TO EFFECTUATE THE FOREGOING, TO PREPARE ANY NECESSARY AMENDMENTS TO THE 2011 ACTION PLAN TO EFFECTUATE SUCH ALLOCATION FOR BOARD CONSIDERATION AND APPROVAL AND TO CONDUCT A REQUEST FOR PROPOSAL PROCESS FOR THE AWARD OF SAME COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO COMMUNITY BASED GROUPS FOR SUCH PURPOSE

WHEREAS, Miami-Dade County's (the "County") Neighborhood Revitalization Strategy Areas, as defined by the U.S. Department of Housing and Urban Development ("NRSAs), are the most distressed communities within the County and are in dire need of public services; and

WHEREAS, community based groups within the NRSAs are uniquely qualified to carry out these public services; and

WHEREAS, Community Development Block Grant (“CDBG”) monies were appropriated as part of the County’s adopted budget for Fiscal Year 2010-11 (the “Budget”) to fund certain departments’ undertaking of public service activities; and

WHEREAS, while such County departments were appropriated CDBG funds to provide public services, community based groups located within or providing services to the NRSAs often lack access to funds other than CDBG funds to provide these much needed services; and

>>WHEREAS, approximately \$8.234 million of 2009-10 unallocated carryover has been identified (the “Total Unallocated Portion”); and

WHEREAS, of that amount approximately \$3 million is from the various budgets within the Board of County Commissioners’ fund; and

WHEREAS, Section 2-1799 of the Miami-Dade County Code provides that any unexpended funds in the commission district budgets be designated as unexpended reserves at the end of the fiscal year in which they were unexpended and then appropriated to each respective commission district budget the following year as part of the mid-year budget amendment process; and

WHEREAS, accordingly, of the \$8.234 million of Total Unallocated Carryover, approximately \$5.234 million may be appropriated for other purposes (the “Available Unallocated Carryover”); and<<¹

WHEREAS, recognizing the importance of providing public service activities in the County and specifically within NRSAs, for Fiscal Year 2010-11, this Board wishes to establish as its policy to allocate >>\$2.604 million<< from the >>approximately \$5.234 million of

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.

Available Unallocated Carryover<< ~~[[2009-10 unallocated general fund carryover in an amount equal to \$2,604,000]]~~ to County departments currently receiving CDBG funds for performance of public service activities for the same purpose, to remove from same County departments CDBG funding appropriated for same public service activities in the same amount, and to reallocate same CDBG funds to the Housing and Community Development Department to fund public service activities within NRSAs; and

WHEREAS, Section 129.06(2), Florida Statutes, and Section 1.02A of the Miami-Dade County Home Rule Charter authorize the Board of County Commissioners to amend the general fund budgets and establish procedures for doing so; and

WHEREAS, accordingly, this Board directs the County Mayor or the Mayor's designee to prepare the appropriate budget amendment to the Budget to effectuate the foregoing and bring such amendment back to the Board for its approval as part of the mid-year budget amendment process; and

WHEREAS, because it would be necessary to amend the 2011 Action Plan to effectuate the foregoing, this Board desires to direct the County Mayor or the Mayor's designee to prepare any appropriate amendment and bring such amendment to the Board for its consideration and approval; and

WHEREAS, This Board finds that the award of Fiscal Year 2010-11 CDBG funds for public service activities shall be through a Request for Proposal ("RFP") process; therefore, it desires to direct the County Mayor or the Mayor's designee to conduct such RFP process for the award of CDBG funds to community based groups and bring the recommendations for award of such funds to the Board for its consideration and approval,

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

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. It shall be the policy of this Board to establish as its policy to allocate >>\$2.604 million<< from the >>approximately \$5.234 million of Available Unallocated Carryover<< ~~[[2009-10 unallocated general fund carryover in an amount equal to \$2,604,000]]~~ to County departments currently receiving CDBG funds for performance of public service activities for the same purpose, to remove from same County departments CDBG funding appropriated for such public service activities in the same amount, and to reallocate same CDBG funds to the Housing and Community Development Department to fund public service activities within NRSAs, in accordance with this resolution.

Section 3. The County Mayor or the Mayor's designee is hereby directed to prepare the appropriate amendment to the Budget to effectuate the foregoing and to bring such amendment to the Board for its consideration and approval as part of the mid-year budget amendment process.

Section 4. The County Mayor or the Mayor's designee is hereby directed to prepare any necessary amendments to the 2011 Action Plan to effectuate the allocation of Fiscal Year 2010-11 CDBG funds previously recommended for and/or allocated to County departments for public service activities to community based groups for public service activities, and bring such amendment to the Board for its consideration and approval.

Section 5. The award of Fiscal Year 2010-11 CDBG funds for public service activities shall be awarded through a Public Service RFP process. The County Mayor or the Mayor's designee is hereby directed to prepare conduct a Request for Proposal process for the

award of Fiscal Year 2010-11 CDBG funds to community based groups for public service activities, and bring such recommendations for award to the Board for its consideration and approval.

The Prime Sponsor of the foregoing resolution is Chairman Dennis C. Moss. 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	Lynda Bell
Audrey M. Edmonson	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of December, 2010. 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.

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

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 11(A)12
File Number: 102663
Committee(s) of Reference: Board of County Commissioners
Date of Analysis: November 11, 2010
Type of Item: FY 2009-10 Unallocated General Fund Carryover
Prime Sponsor: Chairman Dennis C. Moss

Summary

This resolution establishes County policy to allocate FY2009-10 unallocated general fund carryover in the amount of \$2,604,000 to be used for public service activities within Neighborhood Revitalization Strategy Areas (NRSA) for FY2010-11.

Additionally, this resolution directs the County Mayor or his designee to do the following:

- Prepare an appropriate budget amendment to the FY 2010-11 County budget;
- Prepare the necessary amendments to the Action Plan 2011 and bring such amendments to the Board for approval; and
- Conduct a Request for Proposal (RFP) process for the awards of CDBG funds to community based groups.

Background and Relevant Legislation

In addition to this item, there are two other proposals requesting funding from the unallocated general fund carryover from FY 2009-10 to include the following:

- Community Periodical Program - \$750,000 (Resolution R-1116-10); and
- Save Our Seniors Homeowner's Relief Fund -\$4,685,000 (Legislative item No. 102564 on the November 9, 2010 Budget, Planning & Sustainability Committee Agenda).

If all three proposals are funded, the total amount of FY 2009-10 unallocated general fund carryover used would be \$8,039,000 (Please see attachment).

Prepared by: Mia B. Marin and Ines Beecher

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FY 09-10 UNALLOCATED GENERAL FUND CARRYOVER

BASED ON COUNTY MANAGER MEMO DATED OCTOBER 15, 2010

<u>Revenue</u>	
-BCC Carryover	2,799,000
-Additional Carryover	<u>5,435,000</u>
	8,234,000
<u>Proposed Expenses</u>	
-Save Our Seniors-Homeowners Relief Fund	(4,685,000)
-Community Periodical Program	(750,000)
-NRSAs	<u>0</u>
	(5,435,000)
Revenue-Expense	2,799,000

BASED ON OSBM CARRYOVER PROJECTIONS-NOVEMBER 23,2010 (UNAUDITED)

<u>Revenue</u>	
-BCC Carryover-corrected on floor	3,976,000
-Additional Carryover	<u>5,435,000</u>
(\$4,258,000 original plus \$1,177,000 extra)	9,411,000
<u>Proposed Expenses</u>	
-Save Our Seniors-Homeowners Relief Fund	(4,685,000) Approved-BPSC item 2I-11/09/10
-Community Periodical Program	(750,000) Approved BCC 11/4/10
-NRSAs	<u>(2,604,000)</u> Approved-HCDC item 2A-11/10/10
	(8,039,000)
Revenue-Expense	1,372,000

Note: September 23, 2010, Information for Second Budget Hearing-FY 2010-11 Proposed Budget, page 11, Low Income Senior Assistance Program, stated, "In the event this program is approved it is recommended that disbursements be supported by the general fund tax equalization reserve or contingency reserve and that this appropriation be finalized by means of a mid-year amendment."