

**MEMORANDUM**

Agenda Item No. 11(A) (10)

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners


**DATE:** April 4, 2011

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

**SUBJECT:** Resolution appointing the Miami-  
Dade County Manager or the County  
Manager's designee as the County's  
Budget Officer for Fiscal Year 2011-  
2012

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

  
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R. A. Cuevas, Jr.  
County Attorney

RAC/cp



# MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

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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. 11(A)(10)

4-4-11

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPOINTING THE MIAMI-DADE COUNTY  
MANAGER OR THE COUNTY MANAGER'S DESIGNEE AS  
THE COUNTY'S BUDGET OFFICER FOR FISCAL YEAR  
2011-2012

**WHEREAS**, the County's annual budget for Fiscal Year 2011-2012 must be prepared and presented to the Board of County Commissioners (the "Board"), pursuant to the requirements of state law and the Miami-Dade County Home Rule Charter; and

**WHEREAS**, the Mayor or the Mayor's designee has acted as Miami-Dade County's budget officer, following amendments to the County's Home Rule Charter in 2007; and

**WHEREAS**, there is a currently a vacancy in the Office of Mayor of Miami-Dade County; and

**WHEREAS**, state law provides a means for the annual budget to be prepared and presented, during a vacancy in the Office of Mayor; and

**WHEREAS**, the Board is authorized to designate a County Budget Officer to prepare and present the proposed County budget, pursuant to Florida Statutes Sections 129.021, 129.025 and 129.03; and

**WHEREAS**, if the Board does not designate a person to act as the County Budget Officer, state law provides that the Clerk of the Circuit Court will serve as the County Budget Officer during any vacancy; and

**WHEREAS**, appointment of the County Manager or the County Manager's designee ensures that persons who are intimately familiar with the County's budgetary and operational

needs and resources will prepare the annual budget for consideration by the Board of County Commissioners; and

**WHEREAS**, the Board is desirous of appointing the County Manager or the County Manager's designee to carry out the functions necessary to prepare and present the Miami-Dade County's Fiscal Year 2011-2012 Annual Budget,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that the Board of County Commissioners appoints the County Manager or the County Manager's designee as the County's Budget Officer and directs the County Manager or the County Manager's designee to perform the responsibilities of the County Budget Officer pursuant to law, including preparing and presenting Miami-Dade County's Fiscal Year 2011-2012 Annual Budget. This appointment shall be automatically rescinded without further action of the Board upon appointment or election of a person to fill the vacancy in the Office of Mayor of Miami-Dade County.

The Prime Sponsor of the foregoing resolution is Chairman Joe A. Martinez. 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:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto

The Chairperson thereupon declared the resolution duly passed and adopted this 4<sup>th</sup> day of April, 2011. 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.



Cynthia Johnson-Stacks