MEMORANDUM

Agenda Item No. 7(A)

(Second Reading 1-22-14)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: November 19, 2013

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

SUBJECT: Ordinance relating to the Rules of Procedure of the Board of County Commissioners; amending Section 2-1 of the Code to require a separate vote for approval of each millage rate levied by the County at the time the Board considers the millage rates to be included in the truth in millage (TRIM) notice to taxpayers and approval of millage rates at its annual public budget hearings

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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 Esteban L. Bovo, Jr., Commissioner Audrey M. Edmonson, Commissioner Sally A. Heyman and Commissioner Xavier L. Suarez.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum

MIAMI-DADE COUNTY

Date: January 22, 2014

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Ordinance relating to the rules of procedure of the Board of County Commissioners; amending Section 2-1 of the Code

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The proposed ordinance amends Section 2-1 of the Code to require a separate vote for approval of each millage rate levied by the County at the time the board considers the millage rates to be included in the Truth in Millage (TRIM) notice to taxpayers and approval of millage rates at its annual public budget hearings.

Implementation of this ordinance will not have a fiscal impact to the County.

Edward Marquez
Deputy Mayor

Fls1714

MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: January 22, 2014

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

SUBJECT: Agenda Item No. 7(A)

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 Mayor'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. 7(A)
1-22-14

ORDINANCE NO. _____

ORDINANCE RELATING TO THE RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO REQUIRE A SEPARATE VOTE FOR APPROVAL OF EACH MILLAGE RATE LEVIED BY THE COUNTY AT THE TIME THE BOARD CONSIDERS THE MILLAGE RATES TO BE INCLUDED IN THE TRUTH IN MILLAGE (TRIM) NOTICE TO TAXPAYERS AND APPROVAL OF MILLAGE RATES AT ITS ANNUAL PUBLIC BUDGET HEARINGS; 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 2-1 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:[1]

Sec. 2-1. RULES OF PROCEDURE OF COUNTY COMMISSION

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PART 9. ADDITIONAL ORDINANCES PRESCRIBING COUNTY COMMISSION PROCEDURE

Rule 9.01. ANNUAL BUDGET.

>>(a)<<The mayor shall prepare and deliver a budgetary address annually to the people of the county in March. Such address shall be prepared after consulting with the budget

[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.

director and shall set forth the mayor's funding priorities for the county. By July 15, the mayor shall prepare and submit a proposed budget in a line item format pursuant to Section 2-1800 containing a complete financial plan, including capital and operating budgets, for the ensuing fiscal year. Other formats, such as narrative, pie charts and graphs may also be used to supplement the line item format. The budget prepared and recommended by the mayor shall be presented by the mayor or his or her designee to the commission in a line item format pursuant to Section 2-1800 on or before the board adopts tentative millage rates for the ensuing fiscal year. A summary of the budget shall be published and the board shall hold hearings on and adopt a budget on or before the dates required by law.

>>(b) The Board shall adopt its proposed millage rates for use in the preparation of the truth in millage (TRIM) notice of proposed property taxes by separate resolution for each of the following rates:

(1) Countywide General Fund;
(2) Unincorporated Municipal Service Area;
(3) Miami-Dade Fire and Rescue Service District for operating purposes;
(4) Miami-Dade Library System for operating purposes;
(5) Countywide bonded debt service; and
(6) Miami-Dade Fire and Rescue Service District bonded debt service.

The date, time, and place at which the annual public hearings are scheduled shall be approved by motion or set forth in a separate resolution adopted by the Board.

(c) The Board shall adopt millage rates at the first and second budget hearing by a separate vote for each millage rate. The Board's adoption of each proposed millage rate at the first budget hearing and each final millage rate at the second budget hearing shall be by separate ordinance for each of the following millage rates:

(1) Countywide General Fund;
(2) Unincorporated Municipal Service Area;
(3) Miami-Dade Fire and Rescue Service District

millage for operating purposes;
(4) Miami-Dade Library System millage for operating purposes;
(5) Countywide bonded debt service; and
(6) Miami-Dade Fire and Rescue Service District bonded debt service.<<

Section 2. 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 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

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.

PASSED AND ADOPTED:

Approved by County Attorney as to form and legal sufficiency:

Prepared by: GBK

Geri Bonzon-Keenan

Prime Sponsor: Commissioner Bruno A. Barreiro
Co-Sponsors: Commissioner Esteban L. Bovo, Jr.
Commissioner Audrey M. Edmonson
Commissioner Sally A. Heyman
Commissioner Xavier L. Suarez