

MEMORANDUM

SPAGO
Agenda Item No. 1G3

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 9, 2015

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

SUBJECT: Ordinance related to
approval of the County
Budget; amending Section
2-1795 of the Code
to revise the duties of
the Commission Auditor
and the roles and timing
of Commission
Committees related to
the Budget

The accompanying ordinance was prepared and placed on the agenda at the request of Co-Prime Sponsors Chairman Jean Monestime and Commissioner Juan C. Zapata.



R. A. Cuevas, Jr.
County Attorney

RAC/lmp

Memorandum



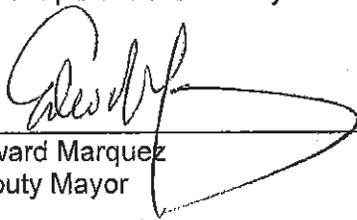
Date:

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez 
Mayor

Subject: Ordinance Related to Approval of The County Budget

The proposed Ordinance relating to the approval of the County Budget amends Section 2-1795 of the Code and revises the duties of the Commission Auditor and the roles and timing of the Commission Committees related to the Budget. Implementation of this ordinance should not create an additional fiscal impact to the County.


Edward Marquez
Deputy Mayor

Fis05415



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: May 5, 2015

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

SUBJECT: Agenda Item No. 4(M)

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. 4(M)
5-5-15

ORDINANCE NO. _____

ORDINANCE RELATED TO APPROVAL OF THE COUNTY BUDGET; AMENDING SECTION 2-1795 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO REVISE THE DUTIES OF THE COMMISSION AUDITOR AND THE ROLES AND TIMING OF COMMISSION COMMITTEES RELATED TO THE BUDGET; 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.

* * *

(d) >>1<< On an annual basis, the Mayor shall present the proposed budget, in a line item format, to the Board of County Commissioners for approval in accordance with the requirements of Section 5.03 of the Home Rule Charter and Section 2-1800. Other formats, such as narrative, pie charts and graphs may also be used in addition to the line item format to supplement the line item format and a separate schedule containing the following specific expenditures for each department, office, division or other unit of County government shall be included: advertising, rent, security services, utilities, fuel, travel and registrations, temporary services and employee overtime. ~~[[The Commission Auditor shall work with the Office of Management and Budget (or its successor department) in the development of the proposed budget. Copies of the proposed 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.

~~referenced in Section 5.03(B) of the Home Rule Charter shall be made available to the Commission Auditor on the same date as such budget is presented by the Mayor or his or her designee to the Board of County Commissioners. The Commission Auditor shall then commence an in-depth review and analysis of such budget giving full consideration to the County Commission's adopted policy directives, including specifically, an in-depth review and analysis of the proposed budget of the Board of County Commissioners and all departments and divisions that report directly to the Board, including the County Attorney's Office, Office of the Inspector General, the Commission on Ethics and Public Trust and the Office of Commission Auditor and Legislative Analysis Division under the Board of County Commissioners' fund.]]~~

~~[[In addition to the foregoing, the Commission Auditor, in consultation with the Chair of the committee having jurisdiction over budgetary matters and the Mayor's designee from the Office of Management and Budget (or its successor department), shall prepare a separate budget for the Board of County Commissioners and all departments and divisions that report directly to the Board, including the County Attorney's Office, the Office of the Inspector General, the Commission on Ethics and Public Trust and the Office of Commission Auditor and Legislative Analysis Division under the Board of County Commissioners' fund.]]~~

~~[[Prior to the first meeting of the Committee of the Whole, the Commission Auditor shall present same to the Committee of the Whole. Between August 15th and the first budget hearing, a Committee of the Whole shall meet to review and discuss the Mayor's proposed budget and the Commission Auditor's proposed budgets for the Board of County Commissioners and all departments and divisions that report directly to the Board, including the County Attorney's Office, the Office of the Inspector General, the Commission on Ethics and Public Trust and the Office of Commission Auditor and Legislative Analysis Division under the Board of County Commissioners' fund, and the findings, results and recommendations of the Commission Auditor. Prior to the first meeting of the Committee of the Whole, the Commission Auditor shall provide to the Commission a report by department to reflect each line~~

~~item set forth in Section 2-1795. Such report shall be as of June 30th of the current fiscal year and shall include the prior fiscal year's budgeted and actual expenditures, the current year's budgeted expenditures and unaudited actual amounts as of June 30th, and the amounts included in the proposed budget. The report shall be filed with the Clerk of the Board and shall be posted on the County's website so it may be available to the general public. In addition, the]]~~
>>The<< County Mayor or the Mayor's designee shall post on the County's website the proposed budget in a line item format by program.

>>2. Commencing in calendar year 2016, no later than April 1st of each year, the Commission Auditor shall provide to the Commission a written report detailing, as of the commencement of the fiscal year, for each department, office, division or other unit of County government the services provided to the community, the resources allocated for the delivery of such services, and the achievement of performance measures with respect to the delivery of services. The report shall include the Commission Auditor's recommendations regarding adjustments to resource allocations to yield desired service delivery results. Each commission committee shall meet no later than May 1st of each year to: review and discuss the Commission Auditor's report; identify new service delivery priorities for the ensuing fiscal year for those services under the commission committee's jurisdiction; approve by motion new service delivery priorities for the ensuing fiscal year; and forward its recommended priorities to the Commission. No later than June 1st of each year, the committee with jurisdiction over budgetary matters shall meet to: review and discuss the commission committees' recommended new service delivery priorities for the ensuing fiscal year; identify revenues and resources necessary to fund such priorities; and no later than June 15th, forward its findings to the Commission for its consideration at its regularly scheduled meeting immediately following June 15th or a special meeting called for such purpose. At such meeting, the Commission shall, by motion, approve those new service delivery priorities it wishes to implement in the ensuing fiscal year's County budget.<<

>>3. The committee with jurisdiction over budgetary

matters<< ~~[[Each commission committee]]~~ shall meet ~~[[between the first meeting of the Committee of the Whole and]]~~ >>immediately prior to<< the first >>and second<< budget >>hearings<< ~~[[hearing]]~~ to review and discuss the Mayor's proposed line item budget >>and any proposed amendments to such budget set forth in the Mayor's memoranda related to information for the first budget hearing and second budget hearing, respectively<< ~~[[for each administrative department within the committee's jurisdiction]]~~, and to forward any recommendations to the Board regarding such proposed budget. The Mayor or the Mayor's designee will present ~~[[each departmental]]~~ >>the Mayor's proposed budget and any proposed amendments to such budget set forth in the Mayor's memoranda related to information for the first budget hearing and second budget hearing, respectively<< at the ~~[[appropriate]]~~ committee >>meetings<< ~~[[meeting]]~~ and shall include as part of such presentation, at a minimum, the information required by Section 2-1800. ~~[[Each]]~~ >>The chair of the committee with jurisdiction over budgetary matters<< ~~[[committee chair]]~~ shall present any approved committee recommendations regarding the Mayor's proposed budget >>and the Mayor's proposed amendments as set forth in the Mayor's memoranda<< at the >>first and second budget hearings<< ~~[[second Committee of the Whole]]~~.

~~[[Prior to the first budget hearing and after consultation with the Commission Chair and the Chair of the committee having jurisdiction over budgetary matters, the Commission Auditor, in cooperation with the Mayor or his/her designee, shall prepare and issue any recommended written changes to the Mayor's proposed budget and shall present same together with proposed budget amendments to the County Commission at the first budget hearing. A Committee of the Whole shall meet between the first and second budget hearings to discuss any proposed changes and recommendations which may result from the first budget hearing. At the second budget hearing, after consultation with the Chair of the Commission and the Chair of the committee having jurisdiction over budgetary matters and in cooperation with the Mayor or his/her designee, the Commission Auditor shall issue any final recommended written changes to the tentative budget and then present implementing amendments thereto to the County Commission.]]~~

~~[[In addition, the Commission Auditor shall review and analyze any midyear and year-end budget amendments proposed by the Mayor or his/her designee giving full consideration to the County Commission's policy directives. The Commission Auditor shall issue any final recommended written changes to the Mayor's proposed midyear and year-end budget amendments and present same to the County Commission prior to its consideration of such proposed budget amendments.]]~~

>>4.<< This >>section<< ~~[[subsection]]~~ is not intended to be construed in any way as a limitation on the Mayor's right to participate in the budget process as set forth in the Home Rule Charter, including specifically the right to attend and be heard at the budget hearings to express a difference of opinion with >>any<< ~~[[the Commission Auditor's]]~~ recommendations and proposed changes~~[[, or the Commission Auditor's proposed budgets for the Board of County Commissioners and all departments and divisions that report directly to the Board, including the County Attorney's Office, Office of the Inspector General, the Commission on Ethics and Public Trust and the Office of Commission Auditor and Legislative Analysis Division under the Board of County Commissioners' fund]].~~ The responsibilities assigned by this section to the Commission Auditor shall be deemed a permanent element of the Commission Auditor's annual work program for each ensuing fiscal year without need for further Commission approval.

* * *

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:

Geri Bonzon-Keenan

Co-Prime Sponsors: Chairman Jean Monestime
Commissioner Juan C. Zapata

JAC
GBK