

MEMORANDUM

UMSA
Agenda Item No. 1G1

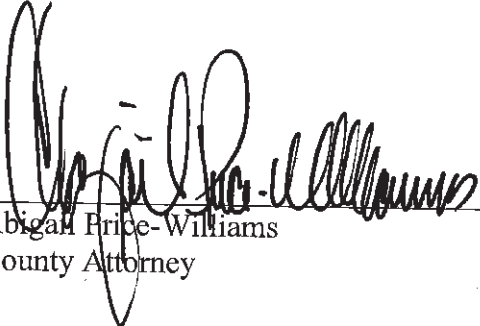
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 14, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Ordinance relating to impact fees; amending reporting requirements for impact fee trust funds and requiring report of impact fee collections and expenditures in each Commission District; amending Sections 33E-11, 33H-11, 33I-10, 33J-11, and 33K-10 of the Code

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro.


Abigail Price-Williams
County Attorney


APW/lmp

Memorandum



Date: July 6, 2016

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

From: Carlos A. Gimenez 
Mayor

Subject: Fiscal Impact Statement for Ordinance Amending Code for Purposes of Reporting Requirements for Impact Fee Trust Funds and Impact Fee Collections

The proposed ordinance amends the various sections of the Code of Miami-Dade County pertaining to road (Section 33E), parks (Section 33H), police (Section 33I), fire and emergency medical services (Section 33J) and educational facilities (Section 33K) impact fees to require the following:

- An annual financial report to the Board of the County Commissioners (Board) on the expenditures and unexpended funds for each impact fee benefit district/zone; and
- A quarterly report with impact fee collections and expenditures by each County Commission District.

The County can rather easily report on impact fee collections by either benefit district/zone or Commission District based on the data from the Impact Fee System housed at the Department of Regulatory and Economic Resources.

With respect to expenditures, the information in the County's financial system, FAMIS, is currently tracked by impact fee benefit district/zone, but a commission district location is not required to post/track expenditures. Some activities may have the address identified, which can be used to determine if it falls within one or more commission districts, but others may only include enough information to post against the respective impact fee benefit district/zone. In those particular cases where the commission district is not clearly identifiable, and the benefit district/zone boundaries within each program do not align with County commission district boundaries, staff will need to prorate the expenditures. In the case that an activity represents expenditures at various locations throughout a specific impact fee benefit/district zone, it may also fall within multiple County commission districts and therefore will be recorded in a Countywide multidistrict account. Preparing the information into a legible reporting format will require significant staff time at the various managing departments to properly identify the proper activity, benefit district/zone and Commission District location. Moving forward, the information necessary to provide the report requested under this proposed ordinance needs to be collected and tracked by each managing department responsible for implementing its respective impact fee program. Additionally, because the current accounting structure does not identify the commission district location, new accounting structures will have to be established to capture the commission district location accordingly. Staff from the various departments impacted by this ordinance will work with the Finance Department to create the new structure that will enable the County to report expenditures by commission district beginning October 1, 2016 for fiscal year 2017. At this time, staff cannot estimate the staff time necessary to track, implement the new financial structure, and generate the requisite report.



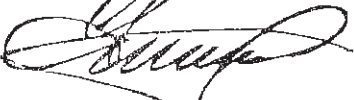
Jack Osterholt
Deputy Mayor

Memorandum



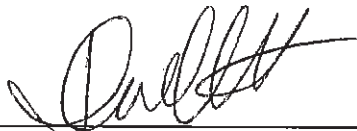
Date: July 6, 2016

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

From: Carlos A. Gimenez 
Mayor

Subject: Social Equity Statement for Ordinance Amending Code for Purposes of Reporting
Requirements for Impact Fee Trust Funds and Impact Fee Collections

While this item is intended to provide the Board of County Commissioners with more information on the collections and expenditures associated with the various impact fee programs, the proposed ordinance is not anticipated to have a specific social equity benefit or burden as described in Ordinance No. 15-83. This item simply amends the existing Code pertaining to the preparation of quarterly and an annual report to the Board of County Commissioners.

A handwritten signature in black ink, appearing to read "Jack Osterholt", written over a horizontal line.

Jack Osterholt
Deputy Mayor

160570



MEMORANDUM

(Revised)

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

DATE: July 6, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No.

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
- Statement of social equity 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(A)
4-5-16

ORDINANCE NO. _____

ORDINANCE RELATING TO IMPACT FEES;
AMENDING REPORTING REQUIREMENTS FOR
IMPACT FEE TRUST FUNDS AND REQUIRING REPORT
OF IMPACT FEE COLLECTIONS AND EXPENDITURES
IN EACH COMMISSION DISTRICT; AMENDING
SECTIONS 33E-11, 33H-11, 33I-10, 33J-11, AND 33K-10
OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA;
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 33E-11 of the Code of Miami-Dade County, Florida, is hereby
amended to read as follows:¹

Sec. 33E-11. Impact fee benefit districts and trust accounts.

* * *

(c) A financial and management report >>outlining
expenditures and unexpended funds within each impact fee
benefit district<< [[on the impact fee trust funds]] shall be
prepared annually by [[the County Public Works Director
and submitted to]] the County Mayor >>or the Mayor's
designee and shall be submitted to the Board of County
Commissioners<< within one hundred twenty (120) days of
the end of the County's fiscal year. >>The County Mayor or
Mayor's designee shall also prepare and submit to the
Board of County Commissioners a quarterly report
providing information regarding impact fee collections and
expenditures within each commission district.<<

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.

Section 2. Section 33H-11 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 33H-11. - Impact fee benefit districts and trust accounts.

* * *

>>(e) A financial and management report outlining expenditures and unexpended funds within each impact fee benefit zone shall be prepared annually by the County Mayor or Mayor's designee and shall be submitted to the Board of County Commissioners within one hundred twenty (120) days of the end of the County's fiscal year. The County Mayor or Mayor's designee shall also prepare and submit to the Board of County Commissioners a quarterly report providing information regarding impact fee collections and expenditures within each commission district.<<

Section 3. Section 33I-10 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 33I-10. - Benefit zones and trust funds.

* * *

(d) A financial report outlining expenditures and unexpended funds within impact fee benefit zones shall be prepared annually by ~~[[the Miami-Dade Police Department and submitted to]]~~ the County Mayor >>or the Mayor's designee and shall be submitted to the Board of County Commissioners<< within one hundred twenty (120) days of the end of the County's fiscal year. >>The County Mayor or Mayor's designee shall also prepare and submit to the Board of County Commissioners a quarterly report providing information regarding impact fee collections and expenditures within each commission district.<<

Section 4. Section 33J-11 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 33J-11. – Benefit[[s,]] zones and trust funds.

* * *

(d) A financial and management report >>outlining expenditures and unexpended funds within each benefit zone<< ~~[[on the impact fee trust funds]]~~ shall be >>prepared<< ~~[[provided]]~~ annually by ~~[[the Fire Director to]]~~ the County Mayor >>or the Mayor's designee and shall be submitted to the Board of County Commissioners<< within one hundred twenty (120) days of the end of the County's fiscal year. >>The County Mayor or Mayor's designee shall also prepare and submit to the Board of County Commissioners a quarterly report providing information regarding impact fee collections and expenditures within each commission district.<<

Section 5. Section 33K-10 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 33K-10. - Benefit districts and trust funds.

* * *

>>(d) A financial and management report outlining expenditures and unexpended funds within each impact fee benefit district shall be prepared annually by the County Mayor or Mayor's designee, in consultation with the School Board, and shall be submitted to the Board of County Commissioners within one hundred twenty (120) days of the end of the County's fiscal year. The County Mayor or Mayor's designee shall also prepare and submit to the Board of County Commissioners a quarterly report providing information regarding impact fee collections and expenditures within each commission district.<<

Section 6. 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 7. 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 8. 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:



Dennis A. Kerbel

Prime Sponsor: Commissioner Bruno A. Barreiro