

MEMORANDUM

Agenda Item No. 7(E)

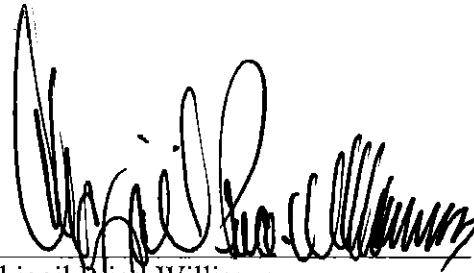
TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: (Second Reading 6-4-19)
April 9, 2019

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Ordinance relating to preparation
of the County's annual budget;
amending section 2-1795 of the
Code; eliminating certain
requirements for commission
committees and Committee
of the Whole; providing for
application beginning with
the budget process for a certain
fiscal year

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez, and Co-Sponsors Chairwoman Audrey M. Edmonson and Commissioner Sally A. Heyman.



Abigail Price-Williams
County Attorney

APW/smm

Memorandum



Date: June 4, 2019

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez".

Subject: Fiscal Impact Statement for Ordinance Relating to Preparation of the County's
Annual Budget

The implementation of this ordinance will not have a fiscal impact to Miami-Dade County.

A handwritten signature in black ink, appearing to read "Edward Marquez".

Edward Marquez
Deputy Mayor

Fis03419 190961

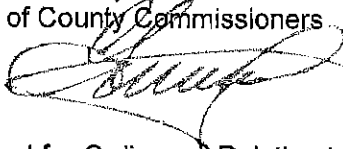
Memorandum

MIAMI-DADE
COUNTY

Date: June 4, 2019

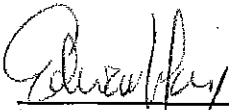
To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor



Subject: Social Equity Statement for Ordinance Relating to Preparation of the County's
Annual Budget

The implementation of this ordinance will not have any measurable social equity benefit or burden.



Edward Marquez
Deputy Mayor

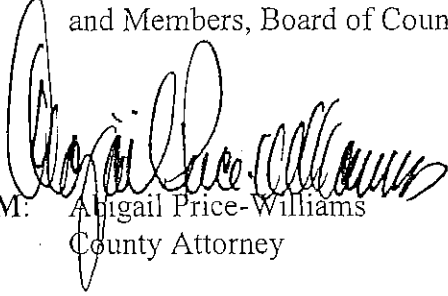
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MEMORANDUM
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: June 4, 2019

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 7(E)

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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) 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(E)
6-4-19

ORDINANCE NO. _____

ORDINANCE RELATING TO PREPARATION OF THE COUNTY'S ANNUAL BUDGET; AMENDING SECTION 2-1795 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; ELIMINATING CERTAIN REQUIREMENTS FOR COMMISSION COMMITTEES AND COMMITTEE OF THE WHOLE; PROVIDING FOR APPLICATION BEGINNING WITH THE BUDGET PROCESS FOR A CERTAIN FISCAL YEAR; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, section 5.03(B) of the Home Rule Charter ("Charter") requires the County Mayor to prepare, between June 1, and July 15, a proposed budget for the ensuing year and to present the proposed budget to the Board of County Commissioners ("Board") on or before the Board adopts the tentative millage rates for the ensuing fiscal year; and

WHEREAS, section 200.065, Florida Statutes, requires that the Board meet and adopt the tentative millage rates for the ensuing fiscal year on a date that no later than 35 days following the July 1st deadline for the Property Appraiser to certify value of property in the County; and

WHEREAS, at the July meeting where the Board adopts the tentative millage rates for the ensuing fiscal year, the Board has an opportunity to discuss the County Mayor's proposed budget and the proposed tentative millage rates; and

WHEREAS, section 200.065, Florida Statutes, also requires the Board to hold two public hearings on the proposed budget and tentative millage rates before final adoption thereof, which meetings are customarily both held in September of each year; and

WHEREAS, these meetings provide the Board with ample and sufficient opportunity to review, analyze and discuss the County Mayor's proposed budget and tentative millage rates; and

WHEREAS, it is therefore unnecessary to require that any additional meetings be held to discuss the proposed budget,

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.

2. >>At least ten days prior<< [[Prior]] to the first budget hearing, >>the County Mayor or Mayor's designee shall provide each Commissioner with a written report detailing<< [[a Committee of the Whole shall meet to review and discuss 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. The Mayor or the Mayor's designee will present the Mayor's proposed budget and any proposed amendments to such budget set forth in the Mayor's memoranda related to information

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.

~~for the first budget hearing and shall include as part of such presentation, at a minimum, the information required by Section 2-1800.~~

~~3. The commission committee having jurisdiction over budgetary matters shall meet prior to the meeting of the Committee of the Whole held prior to the first budget hearing to review and discuss]] all new fees, rates or charges and adjustments to any existing fees, rates or charges included in the Mayor's proposed budget >>and<< [[, and to forward any recommendations to the County Commission regarding such fees, rates and charges. The Mayor or the Mayor's designee will present a report detailing such new fees, rates and charges or adjustments to existing fees, rates and charges at the committee meeting and shall include as part of such presentation, at a minimum,]] the reason for the proposed new fees, rates or charges or the proposed adjustments, as well as information regarding additional anticipated increases over the ensuing five fiscal years and the assumptions used to forecast such anticipated increases. [[The Chair of the committee having jurisdiction over budgetary matters shall present any approved committee recommendations regarding the fees, rates and charges included in the Mayor's proposed budget at the Committee of the Whole held prior to the first budget hearing.~~

~~4.]]>>3.<< 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.~~

~~[[5.]]>>4.<< 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.

~~[[6.]]>>5. At least four business days prior<< ~~[[Prior]]~~ to the first budget hearing ~~[[, The committee with jurisdiction over budgetary matters shall meet immediately prior to the first and second budget hearings 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, and to forward any recommendations to the Board regarding such proposed budget. The]]>>and at least four business days prior to the second budget hearing, the~~<< Mayor or the Mayor's designee >>shall<< ~~[[will present the Mayor's proposed budget and]]~~ >>provide each Commissioner with<< 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 committee meetings]]~~ and shall include ~~[[as part of such presentation]]~~, at a minimum, the information required by Section 2-1800. ~~[[The chair of the committee with jurisdiction over budgetary matters 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.~~~~

~~7.]]>>6.<< This section 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 recommendations and proposed changes. 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.~~

~~[[8.]]>>7.<< The Board may by resolution or motion suspend the requirements imposed on the Commission Auditor and commission committees pursuant to this subsection.~~

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Section 2. The provisions of this ordinance shall apply to the process for the approval of the County budget for fiscal 2019-2020 and every budget thereafter.

Section 3. 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 4. 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 5. 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:

APW

Prepared by:

MRP

Monica Rizo Perez

Prime Sponsor: Commissioner Joe A. Martinez
Co-Sponsors: Chairwoman Audrey M. Edmonson
Commissioner Sally A. Heyman