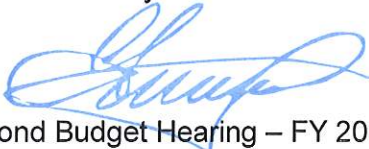


Memorandum



Date: September 19, 2019

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

From: Carlos A. Gimenez
Mayor 

Subject: Information for Second Budget Hearing – FY 2019-20 Proposed Budget

This memorandum accompanies the FY 2019-20 Budget Ordinances for your consideration at the Second Budget Hearing on September 19, 2019. This document provides information requested and recommendations for budget adjustments for your consideration. The total of all adjustments approved at the first budget hearing and those additional adjustments included in this memorandum results in an increase to the total operating budget of \$13.008 million. The adjustments included an increase in the total number of recommended positions by four, for a total of 28,414 positions in the County. This total is 821 positions more than authorized in FY 2018-19. Implementing Order 2-5 (Attachment A to Item H) is being amended to better clarify the process for both timely and untimely requests for rescheduling a hearing, as referenced in the section titled "Code Enforcement, County Clerk Division Responsibilities" (Attachment A). As this memorandum was not provided to the Board at least four business days prior to the Second Budget Hearing as required by Ordinance No. 19-46, a waiver of Ordinance No. 19-46 is required.

During the First Budget Hearing on September 5, 2019, the Board approved the tentative millage rates included in the Proposed Budget: Countywide 4.6669, Unincorporated Municipal Services Area 1.9283, Fire Rescue Service District 2.4207, and Library System 0.284 mills. These rates cannot be increased. At these millage rates, the Proposed Budget is balanced and the adjustments included in this memorandum may be supported.

Community-based Organizations and other Funding Allocations

Over the past few months, a number of organizations have identified specialized funding needs that either do not comport with the competitive processes we have in place or provide an opportunity for an expansion of focused services to benefit our community. One such entity is the Live Like Bella, Inc. (for the Live Like Bella Childhood Cancer Foundation). Live Like Bella is a recognized leader in childhood cancer research and advocacy while providing financial and emotional support to families whose children are battling cancer. The foundation has helped more than 650 families in Miami-Dade County with mortgage/rent payments, medical co-pays, medications, utilities, transportation costs, groceries and numerous other unexpected expenses. I recommend \$500,000 be allocated from the Future Services Reserve to support this important effort.

Another organization providing a unique service is the Sundari Foundation Inc., operators of the Lotus House Women's Shelter. Survivors of domestic violence often find themselves and their children homeless. I recommend \$450,000 from the Future Services Reserve be allocated to Lotus House for emergency shelter to provide evidence-based, trauma-informed housing and services to homeless women, youth and children with special needs. The population served will include families with female only heads-of-household, including homeless victims of crime, survivors of domestic violence not requiring an undisclosed location for crisis placement, and unaccompanied youth ages 18-24, including parenting, pregnant and LGBTQ youth. Referrals will be subject to the Miami-Dade County Homeless Trust's Coordinated Entry policy.

Since I first became Mayor, we have shown a commitment to the compassionate care of animals in Miami-Dade County. This is not limited to small domesticated animals such as dogs and cats. In FY 2018-19, we allocated funding to provide rabies vaccinations to wild animals and for many years, we have had a cooperative agreement with the South Florida Society for the Prevention of Cruelty to Animals (SPCA), Inc. to help care for abused and neglected large animals, such as horses. The annual funding for this effort has been \$200,000. Last year, however, an extraordinary case required care to be provided to 282 livestock, completely depleting the resources of the SPCA. We are working closely with the SPCA in the current fiscal year to ensure that funding that is needed to make up for this expenditure is provided, along with seeking opportunities for in-kind services to be provided to the SPCA from County departments. To make sure that the SPCA does not face such a crisis again, I recommend that \$200,000 be set aside in the Future Services Reserve for expenses associated with extraordinary caseloads. The base contract with the SPCA will remain \$200,000 annually, paid in quarterly installments. Should an extraordinary need occur, at the discretion of the Animal Services Department Director, submitted invoices may be reimbursed for up to another \$200,000.

The Black Archives History and Research Foundation of South Florida, Inc. is a national resource for the history of the 19th and 20th centuries, providing a repository of materials that is used by scholars, students, teachers and the media. The Black Archives also works to preserve historical sites in the Historic District of Overtown, including the Lyric Theater, which was renovated with funding from the Building Better Communities General Obligation Bond Program. In order to help support the legacy honored by the Black Archives, I recommend additional funding in the amount of \$100,000 from the Future Services Reserve be allocated to the organization.

The Proposed Budget includes \$1 million to support the return of the Orange Blossom Classic and Battle of the Bands at Hard Rock Stadium on September 6, 2020. This is a unique opportunity to reinvigorate interest in marching bands in Miami-Dade County. For several years, through a grant with the Parks Foundation of Miami-Dade, Inc., Youth Bands of America has been providing a summer band camp program for middle school students at Richmond Heights Middle School. Participation in marching band gives kids an activity in which to be involved, promotes learning in all subjects in school and provides opportunities for college scholarships. I recommend \$100,000 be allocated from the Future Services Reserve to the Parks Foundation as fiscal agent to support the continuance of the Youth Bands of America summer youth band camp.

Technology Initiatives

On July 10, 2019, the Board adopted Resolution No. R-701-19, which approved the allocation of \$100,000 to the Technology Foundation of the Americas, Inc. for the creation of a Miami-Dade County/MIT IMES Global Co-Creation Lab to help better understand and catalyze activities in medical research and innovation, medical engineering and entrepreneurship. The cover memorandum to that resolution indicated that \$1 million was included in the FY 2019-20 Proposed Budget to continue support for this effort. Another successful program for which the County has partnered with the Technology Foundation of the Americas, Inc. is the annual eMerge Americas conference held at the Miami Beach Convention Center. The 2019 Conference brought more than 15,000 attendees, from more than 40 countries, representing over 400 companies. The event is helping to transform Miami into the tech hub of the Americas. It is a unique convening of global enterprises, leading startups and government leaders focused on innovative digital solutions transforming industries.

The Proposed Budget includes a line item in the General Government allocations for Technology Initiatives of \$1.4 million. It is recommended that this line item be increased by \$150,000 from the Future Services Reserve, for a total of \$1.55 million. From this, \$400,000 will be for the eMerge Americas conference to take place in March 2020 and \$1 million will be allocated to the Technology Foundation of the Americas, Inc., acting as fiscal agent for the Global Co-Creation Lab. The balance of \$150,000 will be allocated to

the Venture Hive program, which will provide consultation between the County and the Miami-Dade County/MIT IMES Global Co-Creation Lab.

Food Programs

Two weeks ago, several islands of the Bahamas were devastated by Hurricane Dorian. Our community stepped up with donations of equipment, personal supplies and food. Yet every day, there are people in our community who struggle to put healthy food on the table. I recommend that the total funding for Food Programs budgeted in our General Government allocations be increased by \$400,000 transferred from the Future Services Reserve, for a total of \$1.06 million. Farm Share, Inc. has traditionally received significant funding from the County. Because other organizations have assumed a number of families formerly supported by Farm Share, I recommend that the allocations be redistributed and we add Curley's House of Style, Inc. to the mix. Allocations for FY 2019-20 will be to Feeding South Florida, Inc. (\$200,000), Victory for Youth, Inc (Share Your Heart) (\$200,000), Curley's House (\$200,000), Joshua's Heart Foundation, Inc. (\$200,000) and Farm Share, Inc (\$460,000).

Affordable and Workforce Housing

The issue addressed by the highest number of speakers at the First Budget Hearing was the lack of affordable and workforce housing opportunities in Miami-Dade County. In my Budget Message transmitting the Proposed Budget, I expressed my frustration that the amount of funding in the budget for affordable housing continues to grow (\$263 million for FY 2019-20), but we do not seem to make much progress in providing affordable housing to our residents. I indicated that at the beginning of the fiscal year, I would be convening a working group to develop proposals to get the projects moving or reallocate funding to new projects. At the same time, Commissioner Moss has sponsored legislation to address certain process issues related to the affordable housing permitting process and has organized an Affordable Housing Summit to be held on October 7, 2019, to bring community stakeholders together to come up with ideas to move the needle on this issue.

At the First Budget Hearing, a number of people raised the issue that additional funding needed to be allocated to the Affordable Housing Trust Fund (AHTF) in order to be able to attract a third-party administrator (TPA) to activate the funding for the Revolving Loan Fund (RLF). The Internal Services Department (ISD), on behalf of the AHTF board of trustees, has on two separate occasions attempted to solicit such services, but has been unsuccessful. To resolve this issue and activate the RLF, I recommend the Board consider the following action at this time:

- The AHTF currently has a balance of \$8.6 million, with a pending transfer of an additional \$3 million from the Homestead Exemption (HEX) Mitigation Reserve. Based on the legislation governing deposits in the AHTF, \$726,000 of this funding is for administration, \$3.808 million is for the RLF and \$4.108 million is included in the "General Trust." Section 17-132.1 of the Code of Miami-Dade County (Code) requires that funding distributed to the AHTF from the actual carryover in excess of budget each year be placed in the RLF, but it does not limit other funding in the AHTF from being used similarly. I recommend that the \$3 million from the HEX Mitigation Reserve be utilized for the RLF, bringing that total to \$6.808 million and the Board consider allocating additional funding from the "General Trust" to the RLF.

In addition to the recommendation above, the Board may wish to consider amending the Code, which must be done in a separate ordinance, to do the following:

- Section 17-132 of the Code which establishes the AHTF includes section 4 which excludes funds allocated to Miami-Dade County by the United States Department of Housing and Urban Development (USHUD) for the administration of federally subsidized housing programs, such as the public housing and the Section 8 Housing Choice Voucher programs, and the Surtax and SHIP program funds and other funds received or budgeted for Miami-Dade County's Local Housing Assistance program and deposited into the Local Housing Assistance Trust Fund. While federally allocated and SHIP funds should be exempted from the AHTF, the goals of the AHTF and those of

the Surtax program share many aspects. Therefore, the Board may wish to consider amending that section of the Code to no longer exempt Surtax from being deposited into the General Trust and by extension into the RLF.

- Section 17-132.1 of the Code which establishes the RLF includes the requirement that a TPA be selected through a competitive process to make loan awards in order to expedite the granting of loans. The Code further requires the TPA, among other things, to demonstrate the ability and financially commit to provide the TPA's funds to leverage the funds in the RLF. Ironically, the program has not been activated because of the lack of success in selecting a TPA. Therefore, the Board may wish to consider amending the Code to authorize Public Housing and Community Development (PHCD) or a successor department, instead of a TPA, to oversee the administration of the RLF in order to put the RLF to use more quickly. In the event the Board desires to amend the Code to authorize PHCD to administer the RLF, then the Code will need to be amended further to no longer require the use of private funds to leverage the monies in the RLF.

I hope that the Board will consider these options along with other ideas to address the need for affordable housing in Miami-Dade County. I look forward to the Summit and its outcomes so that we may move forward to address housing that is affordable for residents of all income levels in our community.

Community Disparity Subcommittee

Chairwoman Edmonson created the Community Disparity Subcommittee to “develop strategies to address equality gaps resulting in disparities within our communities, including those arising from income inequality, poverty, housing costs, access to public transportation, crime in certain neighborhoods, and to promote social justice and civil rights in our community.” The Subcommittee has identified a number of programs for which seed funding or initial funding for a pilot effort may be appropriate in order to determine viability. To be able to react quickly to such interest, I recommend a reserve of \$1 million be created for the Community Disparity Subcommittee. Recommendations may be made by the Subcommittee and then forwarded to the full Board for approval. The Subcommittee will work with the County Attorney and Administration in order to determine contracting and monitoring requirements for such programs.

One program identified by the Subcommittee, the Miami Community Ventures (MCV) program, was created by the Beacon Council Economic Development Foundation, Inc. in partnership with CareerSource South Florida and corporate hiring partners to provide low-income “structurally unemployed” individuals access to sustainable living wage jobs. Program services include the provision of on-going wrap-around support services in the areas of transportation, success coaching, recruitment, job training, childcare, education (emphasizing financial literacy), and social services for up to two years. The targeted populations are public assistance recipients, returning citizens and the disabled with an emphasis on sub-groups consisting of female heads-of-household, veterans and at-risk youth (ages 19-29). Program expansion will target neighborhoods in zip codes which experience poverty rates above 25 percent.

Miami-Dade County, through the Community Action and Human Services Department (CAHSD), serves as the local grantee for the Head Start/Early Head Start (HS/EHS) program. HS/EHS is a free, high-quality educational program for eligible children from birth through 5 years of age. Early Head Start serves children from birth until they are 3 years old, as well as expectant mothers. Head Start serves children who are 3 to 4 years old by September 1, or no older than 5 years old after September 1. Services include full-day educational programs, child development screenings, health and nutrition services, free breakfast, lunch and snack, parent engagement opportunities, support services for children with special needs, and transportation assistance. HS/EHS is designed as a program that addresses issues with the entire family in order to improve educational opportunities for children. As part of the enrollment process, employment information is collected and today more than 40 percent of HS/EHS parents are unemployed or underemployed. This may be for a number of reasons, but one such reason may be the inability to pay for before-school or after-school childcare for the hours before and after the HS/EHS services are provided. Identifying the HS/EHS families as a targeted population for the MCV program will provide us with the

opportunity to make real and lasting changes in the futures of these families. I recommend that the County provide funding in the amount of \$1 million to serve more than 150 individuals whose children are currently participating in the HS/EHS program and reside in the targeted neighborhoods. In addition to entering into an agreement with the Beacon Council Foundation, we will work with the HS/EHS delegate agencies to promote this program and work with us to provide additional childcare options for our parents.

Resilience Initiatives

As always, what brings together all of our services is the over-arching priority of building and sustaining a resilience community. We strive to provide services that support the health and wellbeing of our residents, strengthen our infrastructure and protect our environment, allow our economy and society to flourish, and provide leadership and a strategy to achieve our goals and objectives.

To support the health and wellbeing of our residents, we should continue to make investments in our public safety and security efforts. Implementation of the Predictive Policing software will allow us to better use the resources we have available to us. Filling vacant community service aide positions and hiring additional civilian crime scene technicians will make it possible to put more sworn officers on the streets in our neighborhoods (Attachment B). I recommend that \$650,000 of additional funding be allocated to the Miami-Dade Police Department to support these efforts (\$400,000 of Police Impact Fees and \$250,000 from the Future Services Reserve). Specifically, in our parks, which should be safe havens for our families to enjoy, the Proposed Budget included more than \$1 million for security enhancements as part of our Countywide Infrastructure Improvement Program. A competitive solicitation will be initiated this month for improvements to our streetlights, asking for the incorporation of technology to support cameras and other technologies for roads surrounding parks and throughout our community. I recommend an additional \$500,000 be allocated from the Future Services Reserve to enhance safety and security measures in our UMMA parks. I also recommend that the funding for Citizens Crime Watch of Miami Dade County, Inc. be increased by \$50,000, funded by the Future Services Reserve.

The Proposed Budget included an allocation of \$500,000 to fund efforts to support the Resilient 305 Strategy. In addition to this funding, the \$200,000 allocated for seed funding for a refresh of the Social Services Master Plan remains available. In addition, I now recommend that \$50,000 from the Future Services Reserve be used to fund the Marine Research Hub of South Florida. A partnership amongst local universities and leaders in the marine industry, the Marine Research Hub of South Florida, Inc. hopes to make the region the next Silicon Valley or Durham Research Triangle for marine sciences. Also, from the Future Services Reserve, I recommend \$75,000 be allocated for an Urban Tree Master Plan to be completed in conjunction with Neat Streets Miami and the introduction of a Tree Data Steward (TDS) Program. A TDS program not only promotes a healthy urban tree canopy, it also provides an opportunity to train young people within disaffected communities to help advance digital literacy and bridge the local digital divide in the development of a Digital master Tree Inventory for Miami-Dade (\$100,000).

Maintaining current infrastructure and assets is a priority. The Proposed Budget includes funding for the Fire Rescue Infrastructure Improvement Program designed to address the replacement of outdated fire stations, renovation of the hazardous materials warehouse and improvements to fire stations throughout the district. Currently the department is completing the selection process for architectural and engineering design services associated with the program. Additionally, in response to the June 4, 2019 directive relating to mold remediation and roof replacement activities, the Department has spent \$424,000 on mold inspections and remediation (28 stations) and spent \$323,000 on roof repairs and replacement (16 stations) throughout the Fire Rescue District. The department is also using new software that has been created to rank roofs and other building envelope components according to their condition and degree of deterioration. This software will also expedite and improve the accuracy of development of the exact measurements and specifications required to replace each individual fire station roof. This technology will further support the facility assessment needs and required funding as part of the Fire Rescue Infrastructure Improvement Program and operating capital budget.

As we discussed during the First Budget Hearing and in meetings before and after, the adjustment to the retail water and wastewater fees is critical to supporting our water and sewer infrastructure. Failure to approve these fees would not only delay important maintenance work on our existing infrastructure, it would lead to demobilization of contractors and put our compliance with the consent decree in jeopardy. The combination of liquidated damages from the demobilization and the fines from non-compliance would easily total twice as much as the total revenue generated by the recommended increase. For FY 2020-21, it would necessary to not only do the work delayed from the current year, but also cover the cost of the damages and fines. And we would continue to put our residents in jeopardy of further system failures, impacting not only our water and sewer service, but our environment. I must strongly recommend against delaying the fee adjustments.

Citizenship and Community Awareness

The Office of New Americans of Miami-Dade, Inc., is a countywide initiative to raise awareness about the importance of citizenship and empower immigrants eligible for naturalization by facilitating access to the resources they need to attain citizenship. The Office of New Americans connects people with education and assistance necessary for naturalization and other economic prosperity services. I recommend an increase of \$100,000 in support for the Office of New Americans of Miami-Dade, Inc., which would result in a total subsidy of \$150,000, funded by the Future Services Reserve.

Another unique organization in our community is the Friends of the Military Museum of South Florida at NAS Richmond, Inc. operating as Miami Military Museum and Memorial. The Museum, located in a facility used by the military since World War II, collects and displays memorabilia and artifacts from all branches of the military. The Museum hosts nationally recognized youth groups such as the Scouts and Sea Cadets. Veterans receive one-on-one counseling from qualified VA professionals within the Museum. Interns from Florida International University receive instruction and experience in collections management and historic preservation. The Museum works with local schools to support curricula focused on critical thinking, contextual thinking, and better citizenship. Lectures, patriotic events, and traveling and special exhibits round out the activities offered by the Museum. To sustain these critical needs for our veterans and ensure that our community remembers the importance of our military and its history, I recommend \$250,000 be allocated to the Museum for operating support from the Future Services Reserve.

One of the most important community efforts in the coming fiscal year is the 2020 Census. The Census Task Force is working hard to make sure that the entire community is aware of and will participate in the decennial census count. To ensure that any outreach requirements are met, I recommend \$500,000 be set aside in the Future Services Reserve for allocation at the recommendation of the Census Task Force. Such allocations would be brought to the full Board for approval.

Finally, the balance of the Future Services Reserve, \$2.424 million, will be set aside for voter education campaigns that may be necessary to ensure the residents of Miami-Dade County are aware of and fully informed regarding any potential threats to the governance and provision of services in our community.

Attachments

mayor06719

Administrative Order No.: 2-5
 Ordered: ~~7/25/2000~~ 9/19/2019
 Effective: ~~8/4/2000~~ 10/1/2019

Code Enforcement

AUTHORITY:

~~Section 4.02 of the~~ The Miami-Dade County Home Rule ~~Amendment and~~ Charter, including, among others, Sections 1.01, 2.02(A), 5.01 and 5.03, and Chapter 8CC, Code of Miami-Dade County.

SUPERSEDES:

This ~~Administrative~~ Implementing Order supersedes Administrative Order 2-5 ordered ~~May~~ July 25, ~~1999,~~ 2000 and effective ~~June~~ August 4, ~~1999~~ 2000.

POLICY:

It shall be the policy of Miami-Dade County to foster compliance with the ordinances passed by the Board of County Commissioners, as embodied in the Code of Miami-Dade County (~~hereinafter referred to as~~ the "Code") by encouraging its Code Inspectors to utilize available enforcement mechanisms, including the issuance of Uniform Civil Violation Notices ("CVNs"), to attain this goal. It shall also be the policy of Miami-Dade County to recover enforcement fines levied, administrative hearing and enforcement costs incurred by the departments involved in code enforcement activities, and accrued interest by utilizing administrative settlement and lien procedures as permitted by law.

ENFORCEMENT PROCEDURE FOR MUNICIPALITIES:

Municipalities within Miami-Dade County shall be entitled to utilize the applicable provisions of Chapter 8CC within their municipal boundaries by entering into an interlocal agreement with Miami-Dade County ~~which shall contain, at a minimum, the following:~~

- ~~1. The section or sections of the Code as listed in Section 8CC-10, which the municipality wishes to enforce through this chapter.~~
- ~~2. The job title of the agents or employees of the municipality authorized to perform the enforcement functions and the number of agents or employees so authorized.~~
- ~~3. The amount reimbursable to Miami-Dade County for administrative costs relating to the conduct of hearings on appeals from CVNs issued by the municipality, including, but not limited to, attorney's fees and costs, costs of transcription and clerical costs.~~

- ~~4. The amount of revenue reimbursable to the municipality from any fine collected pursuant to the issuance of a CVN.~~
- ~~5. An agreement to indemnify and save the County harmless from and against any and all liability, actions and cause of action relating to the municipality's utilization of the provisions of Chapter 8CC and the Code of Miami-Dade County, if applicable.~~
- ~~6. A term not to exceed three years.~~

pursuant to Code Section 8CC-11. The County reserves the right to set minimum education, training and background check requirements to be met by municipal employees or agents enforcing the Code. Furthermore, the County shall provide oversight and auditing authority in order to withdraw delegation if it is determined that the municipality is improperly enforcing the ~~code.~~

Code. Any appeals to the Circuit Court or beyond from CVNs issued by a municipality shall be handled by that municipality and its legal staff.

HEARING OFFICERS:

~~Passage of Ordinance No. 85-33 created and established a code enforcement position to be filled by Hearing Officers. The County Manager, or his designee, shall prepare and submit for ratification to the Clerk of the Board of County Commissioners a list of qualified candidates nominated for appointment as Hearing Officers pursuant to the provisions of Section 8CC-2 of the Code. Compensation for Hearing Officers shall be \$ 50.00 per hour for a minimum of \$200.00 and up to a maximum of \$400.00 per day.~~

DEPARTMENTS' RESPONSIBILITIES:

~~Code Enforcement department~~Department directors of those departments charged with code enforcement, or their designees, shall be responsible for the following:

1. Prior to being provided the authority to initiate enforcement proceedings under Section 8CC-3(a) of the Code, a Code Inspector shall be required to successfully complete a ~~"Triple I"~~Level 2 state and national criminal ~~background history record~~ check, which shall be conducted by the ~~Miami-Dade Police Human Resources Department~~ at through the Florida Department of Law Enforcement and the Federal Bureau of Investigation at the request ~~of~~ Code Enforcement departments. This criminal history background ~~investigation, which check~~ consists ~~of a complete computer search of nationwide search of~~ law enforcement ~~databases, shall include and includes~~ a review of ~~Federal, State~~federal, state and local criminal activity. ~~In addition, driving~~The Level 2 criminal history records ~~shall be reviewed as a part of the initial criminal background check and subsequently on an annual basis. Existing Code Inspectors shall be subject to annual driving record checks and shall be provided with notification of this requirement prior to implementation of this Administrative Order. The "Triple I"~~

~~background~~ check requirements shall be included in all Code Inspector job announcements. Municipal employees shall also be required to successfully complete a “Triple-I” background investigation Level 2 criminal history record check or its equivalent prior to ~~—~~being provided authority to initiate enforcement proceedings under Chapter 8CC of the Code. In addition, driving records shall be reviewed as a part of the initial criminal background check and subsequently on an annual basis.

2. Code Inspectors shall enforce the ordinances listed in ~~Section 8CC-10 of the~~ Code within the jurisdiction of their respective departments.
- ~~3. Upon issuance of a CVN to a violator, a completed copy of the CVN must be sent to Code Enforcement, County Clerk Division.~~
3. All Upon the issuance of a CVN the issuing Department will transmit a copy of the CVN, or the required data, to the Code Enforcement division of the Miami-Dade County Finance Department. Processes pertaining to the enforcement of the Code, including, but not limited to the enforcement language written on the CVN, all notices and due process requirements, shall be the responsibility of the Department. The Departments will collaborate with the Finance Department prior to the modification of the stated forms and notices to coordinate efficiencies among the enforcement and collection processes.
4. Named violators shall be notified on the CVN that: (a) all original civil penalty payments, ~~continuing civil penalty payments~~ and administrative hearing costs imposed pursuant to the provisions of Chapter 8CC shall be remitted directly to the Code Enforcement, ~~division of the Miami-Dade County Clerk Division~~ Finance Department, with a check made payable to the ~~Clerk of the Circuit and~~ “Miami-Dade County Courts Finance”, unless the case is the subject of a settlement agreement; and (b) all appeals of a CVN or Assessment of Continuing Penalties shall be sent directly to, and filed with, Code Enforcement, County Clerk Division.
5. For any CVN issued in which a date of correction has been given, or ~~for any case in which a Hearing Officer has set a date of correction (see Sec. 8CC-4(f) of the Code),~~ or in which the Department has extended the date of compliance by Agreement, a Code Inspector must prepare an Affidavit of Compliance or Non-Compliance as appropriate and send a copy to Code Enforcement, County Clerk Division. The Affidavit must indicate whether payment of the civil penalty has been made and the violation has been corrected by the applicable date of correction set forth in the CVN or by the Hearing Officer; and, if ~~the violation~~ the violation has not, ~~the violation has not been corrected or payment of the civil penalty has not been made, an Affidavit of Non-Compliance must so reflect and must set forth a request that the Hearing Officer issue an Order finding the violator guilty of a continuing violation, if applicable, imposing and assess continuing violation penalties based upon the length of time the civil penalty remained unpaid and/or the violation continued to be effective beginning on the original date of correction and ending at a specified date, exist beyond the applicable date, and setting forth the total amount of penalties and costs to be paid by the violator of compliance.~~

6. Departments shall be authorized to signer into agreements, extending dates of compliance with the Code, settling civil ~~penalties~~ and liens for amounts less than the maximum continuing penalty, costs and accrued interest. Such agreements shall contain the justification for settlement; the CVN number; the original penalty amount; the settlement amount; the amount collected (indicating full payment or partial payment); and, the signature of the department director, or designee, with notification to the Code Enforcement division of the Miami-Dade County Finance Department and to Code Enforcement, County Clerk Division. If any penalties have been made the subject of court actions, settlements must also include an approval from the County Attorney's Office, ~~as applicable.~~ Unless otherwise specifically provided in the Code, the department will require the violator to remit the original amount of the ticket and any administrative hearing ~~costs~~ ~~imposed~~ ~~by~~ ~~the~~ Hearing ~~Officer~~ ~~to~~ ~~the~~ Code Enforcement, division of the Miami-Dade County Clerk—Division Finance Department and ~~will~~ ~~collect~~ ~~the~~ remainder ~~of~~ the settlement amount directly. The ~~departments~~ Departments shall provide to the Code Enforcement, division of the Miami-Dade County Clerk Division Finance Department a written settlement ~~form~~ memorandum which includes the following information: CVN number, settlement amount, amount received, date received, and record of collection number. If the settlement is based upon installment payments, the department shall provide the foregoing information for each payment until satisfaction of the agreement.

7. Whenever a violator has corrected a violation but failed to pay the civil penalty, or has failed to correct the violation and pay the civil penalty, or has paid the civil penalty but failed to correct the violation, thethen, upon the assessment of continuing penalties by a Hearing Officer, the named violator will be advised that if payment of the assessed penalties is not received, a lien shall be placed against the named violator's real and/or personal property unless the Department enters into a settlement agreement with the named violator. The departments shall notify the violator of Miami-Dade County's intent to file asaid lien against the violator's real or personal property when permitted by law. The Notice of Intent to Lien shall offer the violator an opportunity within a specified time period to avoid placement of the lien by executing a settlement agreement which provides for correction of the violation, payment of the original amount of the CVN, payment of continuing penalties, payment of administrative hearing costs where applicable, payment of all enforcement costs incurred by the department and accrued interest. A copy of the Notice of Intent to Lien shall be sent to mortgage holders and may be sent to insurance carriers, credit bureaus and any other parties holding a legal, equitable or beneficial interest in the property.

8. A lien shall be placed on a violator's real or personal property, except as provided for herein, if the violator does not respond within the prescribed time period to the Notice of Intent to Lien by correcting the violations and paying all penalties, costs and interest due, or executing a settlement agreement and complying with said agreement. The lien document shall make specific reference to the civil violation notice number and the issuing department. The lien shall be recorded in the ~~public records~~ Official Records of Miami-Dade County, and the Code Enforcement,

division of the Miami-Dade County Clerk Division, Finance Department shall be notified of same.

9. Departments ~~may offer a payment plan in~~ negotiating settlements prior to or after placement of liens upon written request of the violator and establishment of economic need or extenuating circumstances. In order to insure the department's ability to collect all civil penalties, administrative hearing and enforcement costs and interest due, departments are required to file a lien where possible whenever the violator enters into a payment plan in response to a Notice of Intent to Lien.
10. Upon placement of a lien against real or personal properties, the individual ~~or business entity holding a mortgage on the property~~ and credit bureaus shall be notified of the lien placement by the department. The department may notify credit bureaus, insurance carriers and other parties holding a legal, equitable or beneficial interest in the property of the placement of the lien.
11. The department may initiate collection proceedings including, but not limited to, referral to collection agencies and filing of civil suits as warranted in an effort to recover monies owed Miami-Dade County resulting from the issuance of CVNs.
12. For any lien placed against real property pursuant to Chapter 8CC or other provisions of the Code which remains unsatisfied one year from the date of recordation of the lien, the departments shall may notify the Office of the County Attorney and request mailing of a Notice of Intent to Foreclose. It shall be the responsibility of the County Attorney to initiate foreclosure actions in Circuit Court on non-homestead properties where foreclosure of the property is in the best interest of Miami-Dade County.
13. Upon final payment under a settlement agreement or full payment of a lien, all accrued interest and the costs of lien recordation and satisfaction, the departments shall record a Satisfaction of Lien in the Miami-Dade County public records. The Satisfaction of Lien document shall make specific reference to the civil violation notice number and the issuing department.

CODE ENFORCEMENT, COUNTY CLERK DIVISION RESPONSIBILITIES:

Code Enforcement, County Clerk Division shall be responsible for the following:

- ~~1. Upon receipt of a CVN, a letter will be issued to the violator indicating the amount of the civil penalty and the date by which the penalty is to be paid, advising the violator the date by which the violation must be corrected (if applicable), and providing the deadline date to request an administrative hearing in writing, to appeal the issuance of the CVN.~~
- ~~2.1.~~ If payment has not been received for a Civil Violation Notice and/or the violation of the Code Section has not been corrected, a second letter will be issued Code

Enforcement, County Clerk Division shall issue a notice to the violator (where no timely appeal has been filed), indicating the civil penalty, accrued penalty, and the total amount due within 30 days. The violator ~~is~~shall be further advised that if payment is not received or the violation is not corrected within 30 days, a lien shall be placed against the violator's real or personal property. Upon the assessment of continuing penalties by a Hearing Officer, a Notice of Assessment of Continuing Penalties will be sent to the named violator pursuant to Section 8CC-4(g) of the Code.

2. When All requests for administrative hearings appealing either a CVN or an Assessment of Continuing Penalties shall be filed with Code Enforcement, County Clerk Division. Code Enforcement, County Clerk Division shall accept and process all requests for appeal that have been timely filed by the named violators such that it shall notify the issuing Department, and the Code Enforcement division of the Finance Department, of each appeal that has been filed and the; and request that the issuing Department provide the next available date and location for which to conduct the hearing
3. Upon the notification from the issuing Department of the available location and next available date to conduct the Administrative Hearing, the Code Enforcement, County Clerk Division shall select and assign a Hearing Officer finds the to hear such appeal and shall send a Notice of Hearing to the named violator pursuant to Section 8CC-6(b).
4. The Code Enforcement, County Clerk Division shall maintain the docket of the administrative hearings and shall provide same to the issuing Department confirming the appellant, date, location, and time that each appeal will be heard by the assigned Hearing Officer.
- 3-5. Upon a Hearing Officer finding a named violator guilty at the -Administrative Hearing, -a letter shall copy of the Hearing Officer's decision will be -sent-provided to the -violator -ordering correction of the which shall include, the amount of time or specific date by which to correct the violation -(if applicable) -and requiring payment of the requirement to pay the civil penalty, hearing administrative costs, enforcement costs, accruedassessed penalties,-and- (if applicable), and instructions that the total amount is to be paid- to the Code Enforcement division of the Finance Department. The violator isshall be further advised that if payment of the assessed penalties is not received orand the violation is not corrected within 30 days, a lien shallmay be placed against the violator's real and/or personal property.-To appeal a Hearing Officer's Final Order, a Notice of Appeal must be filed in the Circuit Court within the time provided by the Florida Rules of Appellate Procedure, unless the Department enters into a settlement agreement with the named violator.
- 4.6. If within five days prior to the hearing date a violator requests in writing that a hearing be rescheduled, Code Enforcement, County Clerk Division, will automatically advise the department in writing. The affected department will then either agree or object to the continuance request.

If a violator files a written request to reschedule the hearing and that written request is provided ten days or more prior to the administrative hearing date, Code Enforcement County Clerk Division shall advise the issuing department in writing of the request. The affected issuing department will then either agree or object to the continuance request. If the issuing department objects to the request, the Code Enforcement County Clerk Division shall forward the request to the standby Hearing Officer for ruling on the written request for rescheduling, and the Clerk shall notify the violator and the affected department of the Hearing Officer's ruling. If the standby Hearing Officer is not able to be reached or is unable to rule on the request prior to the scheduled hearing, the Code Enforcement Clerk Division shall notify the named violator that the request for rescheduling shall be presented and heard by the Hearing Officer at the scheduled hearing. The Code Enforcement County Clerk Division shall inform the violator that they have not been excused from the hearing and must appear or send a legally authorized representative on their behalf, including but not limited to a duly authorized power of attorney or attorney in fact.

If the request for rescheduling is made less than 10 days before the hearing date, Code Enforcement County Clerk Division shall advise the issuing department in writing of the request. The affected issuing department will then either agree or object to the continuance request. If the affected issuing department objects to the request the Code Enforcement County Clerk Division shall inform the violator that request is pending and that the Hearing Officer will adjudicate the request at the scheduled hearing prior to the commencement of testimony and the presentation of evidence. The Code Enforcement County Clerk Division shall inform the violator that they have not been excused from the hearing and must appear or send a legally authorized representative on their behalf, including but not limited to a duly authorized power of attorney or attorney in fact.

7. Management information reports for administrative hearings appealing either a CVN or the Assessment of Continuing Penalties will be generated twice per month for distribution to Departments sequenced by department, name of alleged violator, date of citation issuance, date of request for appeal, Code Inspector Name, address of violation, mailing address for named violator, and citation number.

RESPONSIBILITIES OF THE CODE ENFORCEMENT DIVISION WITHIN MIAMI-DADE COUNTY FINANCE DEPARTMENT

1. The County Mayor, through the Code Enforcement Division of the Finance Department in collaboration with the issuing departments, shall develop and distribute to all issuing departments templates for all CVN notices to be issued, for affidavits of compliance and non-compliance, and for all other notices and records required to be sent to violators and to be maintained so as to ensure consistency and reasonable uniformity in the code enforcement process. Departments that issue

CVNs pursuant to Section 8CC of the Code will provide notification to the Finance Department of desired modifications to the format of all CVNs, related Affidavits, and all other notices and records required to be sent to named violators that pertain to the collection of fines, penalties, costs, liens, or related debt associated with the CVNs. Processes pertaining to the collection of debt, as provided herein, relating to fines, costs, penalties, and debt, as stated herein, shall be the responsibility of the Finance Department.

2. Within five (5) days of issuance of a CVN to a violator, a letter will be issued to the violator indicating the amount of the civil penalty and the date by which the penalty is to be paid, advising the violator the date by which the violation must be corrected (if applicable), and providing the deadline date to request an administrative hearing in writing to appeal the issuance of the CVN.

4.3. Upon receipt of the Mandate from the Circuit Court, pertaining to an appeal of a Hearing Officer's Final Order, where the County is the prevailing party, a letter will be issued to the violator indicating the amount of the civil penalty, administrative costs, any other applicable obligations, and enforcement costs that are due and payable within ten (10) days.—The violator is shall be further advised ~~that~~ if payment ~~is not received~~ or the violation is not corrected within ten (10) days, a lien shall be placed against the violator's real or personal property when permitted by law.

4. When appropriate, a Satisfaction of Lien will be filed in the Official Records of Miami-Dade County ~~public records~~.

5. Management ~~information reports will be generated monthly for~~ distribution, sequenced by department and badge number, indicating citations paid, citations complied with, and citations not complied with. A report will be generated on an annual basis, by department, detailing outstanding violations for the previous year.

~~5. A report will be generated on an annual basis, by department, detailing outstanding violations for the previous year.~~

~~6. A report will be generated, and distributed for each department, providing the estimated cost reimbursement deduction on an ongoing basis.~~

DEPARTMENT SUPPLEMENTAL COSTS:

Department supplemental costs shall mean certain administrative costs incurred by using departments while processing continuing violations and levying liens and expenses incurred in collection efforts. Department supplemental costs are not provided for under Chapter 8CC and can only be levied or collected if authorized by other ~~statutory Code provisions,~~ administrative or implementing order ~~or by~~ approval of the County ~~Commission approval~~.

ADMINISTRATIVE REIMBURSEMENT:

In order to cover the actual administrative expenses incurred by the County Clerk Division in supporting the Code Enforcement system, the Code Enforcement division of the Finance Department shall remit to the County Clerk ~~shall retain all original fines and its~~ administrative hearing costs that are assessed by a Hearing Officer. ~~After deduction of actual administrative~~ The expenses, ~~incurred by the Code Enforcement Division of the Miami-Dade County Finance Department, as well as any expenses incurred by the County Clerk, with concurrence of the~~ not fully reimbursed by its administrative hearing costs, will be covered from remaining code enforcement collections. Code enforcement departments shall be further entitled to compensation for costs and expenses pursuant to 8CC-6(l) and are not precluded from further assessment of such costs. The manner and timing of cost allocations and the subsequent distribution of remaining funds to Miami-Dade County code enforcement departments shall be determined by the Miami-Dade County Finance Department, Code Enforcement Departments, the County Clerk and the Budget Director, ~~shall annually return to non-general fund issuing departments but shall in any event occur on a prorated~~ not less than an annual basis ~~the remainder of retained original fines.~~ The continuing penalties, enforcement costs, and ~~department~~ departmental supplemental costs collected ~~which are not the result of a settlement agreement~~ shall be distributed to ~~non-general fund~~ issuing departments on a quarterly basis.

CLOSURE OF CASES:

Cases may be closed in the following circumstances:

1. Where the civil penalty is paid and the violation corrected (if applicable).
2. ~~Were~~Where the department has settled with the violator, pursuant to this ~~Administrative~~Implementing Order.
3. ~~Were~~Where the department voids or administratively closes the CVN.
4. ~~Were~~Where the Miami-Dade County Finance Department has been delegated the authority by the issuing department and administratively dismisses the CVN.
- 4-5. Where the Hearing Officer finds the named violator not guilty and no appeal is taken by the County or issuing municipality.
- 5-6. Where there is a final settlement, judgment, order or other resolution of a case by a court of competent jurisdiction.

This ~~Administrative~~Implementing Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

~~M. R. Stierheim~~
County ~~Manager~~Mayor

POLICE

OFFICE OF THE DIRECTOR/ ADMINISTRATION

Provides management direction and administration for departmental operation; provides legal counsel and strategic planning and development.

FY 18-19
51

FY 19-20
51

SUPPORT SERVICES

Provides administrative, operational and technical support to the Department; coordinates training.

FY 18-19
987

FY 19-20
1,015

POLICE SERVICES

Provides uniformed patrol services, general investigations and specialized police functions.

FY 18-19
2,213

FY 19-20
2,312

INVESTIGATIVE SERVICES

Provides centralized specialized criminal investigations, investigative support, and sheriff services

FY 18-19
949

FY 19-20
966

The FY 2019-20 total number of full-time equivalent positions is 4,557.57