

# MEMORANDUM

Agenda Item No. 7(F)

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

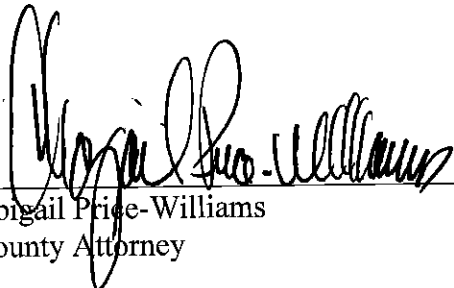
**DATE:** (Second Reading 2-19-20)  
December 17, 2019

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Ordinance relating to procedure  
for adopting proposed millage  
rates; amending section 2-1795  
of the Code; eliminating  
requirement that County  
Commission convene as a  
Committee of the Whole prior  
to adoption of proposed millage  
rates; providing for applicability

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

  
Abigail Price-Williams  
County Attorney

APW/smm

# Memorandum



**Date:** February 19, 2020

**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". The signature is written in a cursive style with a large, stylized initial "C".

**Subject:** Fiscal Impact Statement for Ordinance Relating to Procedure for Adopting Proposed Millage Rates; Eliminating Committee of the Whole

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

A handwritten signature in black ink, appearing to read "Jennifer Moon". The signature is written in a cursive style with a large, stylized initial "J".

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Jennifer Moon  
Deputy Mayor

FIS02920 192901

# Memorandum



**Date:** February 19, 2020 ..

**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". The signature is written in a cursive, flowing style.

**Subject:** Social Equity Statement for Ordinance Relating to Procedure for Adopting Proposed Millage Rates; Eliminating Committee of the Whole

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

A handwritten signature in black ink, appearing to read "Jennifer Moon". The signature is written in a cursive, flowing style.

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Jennifer Moon  
Deputy Mayor

FIS02920 192901



**MEMORANDUM**  
(Revised)

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

**DATE:** February 19, 2020

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 7(F)

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(F)  
2-19-20

ORDINANCE NO. \_\_\_\_\_

ORDINANCE RELATING TO PROCEDURE FOR ADOPTING PROPOSED MILLAGE RATES; AMENDING SECTION 2-1795 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; ELIMINATING REQUIREMENT THAT COUNTY COMMISSION CONVENE AS A COMMITTEE OF THE WHOLE PRIOR TO ADOPTION OF PROPOSED MILLAGE RATES; PROVIDING FOR APPLICABILITY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**WHEREAS**, section 200.065, Florida Statutes, requires that the Board of County Commissioners (“Board”) meet and adopt tentative millage rates for the ensuing fiscal year no later than 35 days following the July 1<sup>st</sup> deadline for the Property Appraiser to certify the value of property in Miami-Dade County; and

**WHEREAS**, at a July meeting each fiscal year, this Board first discusses the County Mayor’s proposed budget and proposed millage rates, and then approves a resolution adopting tentative millage rates for the ensuing fiscal year in accordance with section 200.065, Florida Statutes; and

**WHEREAS**, section 2-1795 of the Code of Miami-Dade County currently provides that the Board shall hold a public hearing and convene as a Committee of the Whole to discuss the proposed millage rates prior to the Board’s consideration of the resolution adopting such tentative millage rates; and

WHEREAS, this Committee of the Whole requirement is not needed because both the Board and the public have ample and sufficient opportunity to discuss the proposed millage rates when the resolution is considered by the Board,

**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:<sup>1</sup>

**Sec. 2-1795. Allocation of County Resources.**

\* \* \*

(f) The County shall adopt budgets and develop its long and short-term financial and capital improvement plans containing estimates developed utilizing a professional revenue estimating process. Participants in the process shall include, but not be limited to: the Director of the Office of Management and Budget (or its successor department), or his/her designee; the Director of the Finance Department or his/her designee; and the Commission Auditor or his/her designee. If there is not unanimity amongst the participants as to what an estimate should be, each participant's estimate shall be presented to the County Commission.

~~[[g) Commencing Fiscal Year 2012-13, prior to the Board's consideration of the resolution adopting its proposed millage rates for use in the preparation of the notice of proposed property taxes, a public hearing shall be held before a Committee of the Whole to discuss the proposed millage rates for the ensuing fiscal year, including, but not limited to, the impact of such proposed millage rates on funding for community-based organizations and the community.]]~~

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<sup>1</sup> 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.** The provisions of this ordinance shall apply to the process for the approval of the County budget for Fiscal Year 2020-2021 and every fiscal year 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:

MBV

Michael B. Valdes

Prime Sponsor: Commissioner Joe A. Martinez