

MEMORANDUM

Agenda Item No. 7(E)

**TO:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

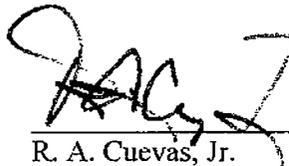
**DATE:** November 6, 2007

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

**SUBJECT:** Ordinance amending  
Section 2-1796 of the  
Code; related to budgeting

O#07-168

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Joe A. Martinez and Senator Javier D. Souto.



R. A. Cuevas, Jr.  
County Attorney

RAC/bw

# Memorandum



**Date:** November 6, 2007

**To:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

**From:** George W. Brown  
County Manager

**Subject:** Ordinance amending Section 2-1796 of the Code; related to budgeting

---

The ordinance amending Section 2-1796 of the Code related to budgeting will not have fiscal impact to Miami-Dade County.

A handwritten signature in cursive script, appearing to read "Jennifer Glazer-Moon".

---

Jennifer Glazer-Moon, Director  
Office of Strategic Business Management

fs03407

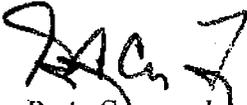


# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

**DATE:** November 6, 2007

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

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

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved \_\_\_\_\_ Mayor Agenda Item No. 7(E)  
Veto \_\_\_\_\_ 11-6-07  
Override \_\_\_\_\_

ORDINANCE NO. 07-168

ORDINANCE RELATED TO BUDGETING; AMENDING SECTION 2-1796; PROHIBITING TRANSFERS OF FUNDS FROM ONE DEPARTMENT TO ANOTHER DEPARTMENT WITHOUT PRIOR BOARD APPROVAL; PROHIBITING TRANSFERS OF FUNDS TO A NEWLY-CREATED DEPARTMENT WITHOUT PRIOR BOARD APPROVAL; 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 2-1796 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:<sup>1</sup>

**Sec. 2-1796. Managerial Accountability and Performance, authority to make certain intradepartmental budget amendments, proscription on allowing departmental expenditures for any line item to exceed appropriations therefor, notification of possible deficiency and quarterly reporting required.**

\* \* \*

(d) The County Manager or his or her designee shall have the authority to make intradepartmental budget amendments that reallocate appropriations amongst a department's line item appropriations in each fund provided such reallocations do not cumulatively exceed ten percent of that fund's total appropriations to the department and, further provided that that fund's total appropriations to the department may not be changed. The County Manager shall report such reallocations to the County Commission at the last Commission meeting in July. >>No funds appropriated in the adopted budget shall be transferred from one department to another department prior to the Board approving the funds transfer. except in the case of a hurricane or other emergency. No funds

<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.

appropriated in the adopted budget shall be transferred to any newly-created department prior to the Board approving the transfer, except in the case of a hurricane or other emergency.<< Reallocations amongst a fund's line item appropriations for expenditures in excess of ten percent of that fund's total appropriations to a department, or which reallocate line item appropriations from personnel services to any other line item, or which cause an increase in a fund's total appropriations to a department, >>as well as funds transferred from one department to another or to a newly-created department in the case of an emergency.<<must be approved by the County Commission.

\* \* \*

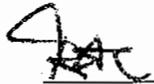
Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

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: **November 6, 2007**

Approved by County Attorney as to form and legal sufficiency:



Prepared by:



Jess M. McCarty

Sponsored by Commissioner Joe A. Martinez and Senator Javier D. Souto



# Memorandum



**Date:** November 6, 2007

Supplement to  
Agenda Item No. 7(E)

**To:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

**From:**   
R. A. Cuevas, Jr.  
County Attorney

**Subject:** Ordinance relating to budgeting

---

This item was amended by the Budget and Finance Committee ("BFC"). The sponsor, Commissioner Martinez, has requested that this office apprise the Board as to the nature of the BFC's amendments.

The BFC put back in the proposed changes to the existing Code language allowing budget transfers within a department that do not exceed ten percent (10%) without prior Board approval, and clarified that transfers between different departments or to a newly-created department may be made in the event of a hurricane or other emergency without prior board approval.