

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item D  
As Amended

ORDINANCE NO. 13-90

ORDINANCE APPROVING AND ADOPTING THE UNINCORPORATED MUNICIPAL SERVICE AREA FUND BUDGET FOR MIAMI-DADE COUNTY, FLORIDA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2013, AND ENDING SEPTEMBER 30, 2014; PROVIDING A SHORT TITLE; INCORPORATING THE FISCAL YEAR 2013-14 PROPOSED BUDGET AS AMENDED; APPROPRIATING ALL BUDGETED EXPENDITURES; AUTHORIZING THE INVESTMENT OF COUNTY FUNDS IN THE TIME WARRANTS OF MIAMI-DADE COUNTY; AUTHORIZING THE TRANSFER OF FUNDS AS CASH ADVANCES PENDING RECEIPT OF TAXES; AUTHORIZING DEPOSIT OF INTEREST EARNED TO THE GENERAL FUND; RATIFYING AND APPROVING IMPLEMENTING ORDERS AND OTHER ACTIONS OF THE BOARD WHICH SET CHARGES, AUTHORIZING FEES CONSISTENT WITH APPROPRIATIONS AND PROVIDING FOR THEIR AMENDMENT; RECOGNIZING AND CONTINUING THE UNINCORPORATED MUNICIPAL SERVICE AREA; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE CERTAIN FUNDING AGREEMENTS; WAIVING FOR FISCAL YEAR 2013-14 PROVISIONS OF SECTIONS 2-1799(e) AND 2-1799(f)1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATED TO THE DISPOSITION OF UNEXPENDED MAYOR OFFICE BUDGET AND UNALLOCATED CARRYOVER FUNDING IN THE COUNTYWIDE GENERAL FUND AND THE UNINCORPORATED MUNICIPAL SERVICES AREA BUDGETS, RESPECTIVELY; AMENDING, WAIVING OR RESCINDING, IF NECESSARY, VARIOUS CHAPTERS OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, APPLICABLE IMPLEMENTING ORDERS AND OTHER LEGISLATIVE ENACTMENTS TO CONFORM SUCH ENACTMENTS TO THE FISCAL YEAR 2013-14 ADOPTED BUDGET, INCLUDING, BUT NOT LIMITED TO, AMENDMENTS TO SECTION 1-4.3 OF THE CODE RELATING TO VARIOUS ADMINISTRATIVE DEPARTMENTS AND DELEGATIONS OF COMMISSION AUTHORITY, POWER, AND RESPONSIBILITY ASSOCIATED THEREWITH AND WAIVER OF SECTION 2-1605 OF THE CODE RELATED TO FINANCIAL SUPPORT OF THE SPORTS COMMISSION; SUPERSEDING CONFLICTING PROVISIONS OF PRIOR ORDINANCES AND RESOLUTIONS IN CONFLICT; 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. This ordinance shall be known and may be cited as the "2013-14 Miami-Dade County Unincorporated Municipal Service Area Budget Ordinance".

Section 2. Pursuant to Section 5.03(B) of the Home Rule Charter, the County Mayor has recommended a proposed budget for Miami-Dade County, Florida, for the fiscal year commencing October 1, 2013. Said proposed budget document as submitted to the Board of County Commissioners ("Board") is incorporated herein by reference and is amended to include: (a) all of the applicable changes contained in this Ordinance; (b) the changes contained in the September 10, 2013 memorandum entitled "Information for First Budget Hearing – FY 2013-14 Proposed Budget"; and (c) the changes contained in the September 19, 2013 memorandum entitled "Information for Second Budget Hearing – FY 2013-14 Proposed Budget".

Section 3. The Unincorporated Municipal Service Area budget, including the five-year financial plan contained therein, as amended as set forth in this ordinance, is hereby approved and adopted, and the budgeted revenues and expenditures therein are hereby appropriated. Department expenditure allocations established by the County Mayor as revised and summarized in the attached budget are adopted as limitations of all expenditures, except as hereinafter provided, and appropriations have been hereby provided for outstanding indebtedness for the payment of vouchers that have been incurred in the current or prior year, but are not expected to be paid until the commencement of the new fiscal year. Receipts from sources not anticipated in the attached budget may be appropriated and expended by ordinance duly enacted by the Board in accordance with Section 129.06(2)(d), Florida Statutes, and Section 1.02(A) of the Miami-Dade County Home Rule Charter. Adjustments within the same fund to departmental appropriations made in the attached budget may be approved from time to time by motion duly adopted by the Board in accordance with Section 129.06(2)(a), Florida Statutes and Ordinance No. 07-45, as amended. The Director of the Office of Management and Budget is authorized to approve adjustments to expenditure code allocations within the limit of

the departmental or other appropriations made in the attached budget. All adjustments made in accordance with this ordinance are approved and ratified.

Section 4. Pursuant to the authority of Chapter 8015, Special Acts of Florida, 1919, which authorizes the Board of County Commissioners of Miami-Dade County, Florida, to borrow money and to issue time warrants, and pursuant to the authority of Section 129.02(5), Florida Statutes, which permits funds of the County to be invested in securities of the federal government and of the local governments in Florida, or both, the Finance Director is hereby authorized to invest these monies in the time warrants of Miami-Dade County, Florida.

Section 5. As provided in Section 5.03(C) of the Home Rule Charter, the Board hereby authorizes the transfer of any portion of the earnings or balance of the several funds, other than sinking funds, for obligations not yet retired, to the general funds of the County provided that such transfer be deemed a cash advance to meet operating and other expenses approved by the Board, and that all such advances shall be reimbursed before the end of the fiscal year upon receipt of adequate tax or other appropriate revenues. Provided, however, that this section in no way limits or restricts the power of the Board to transfer any unencumbered appropriation balance, or any portion thereof, from one department, fund or agency to another as provided by law pursuant to Section 5.03(C) of the Home Rule Charter.

Section 6. The Finance Director, pursuant to Section 5.03(C) of the Home Rule Charter, is hereby authorized to deposit to the accounts of the General Fund any interest on deposits earned or accrued to the benefit of any trust funds, revolving accounts, working capital reserves or other funds held in trust by Miami-Dade County, unless specifically prohibited from doing so by trust or other agreements.

Section 7. The provisions of Section 2-1799(e) of the Code of Miami-Dade County, Florida, requiring that unexpended funds in Mayoral Office budget be designated as reserves at the end of the fiscal year in which the funds were unexpended and added to the Mayoral office budget is following fiscal year, are waived to permit the use of funds unexpended as of

September 30, 2013 from the Mayoral office budget as Fiscal Year 2013-14 General Fund carryover for appropriation to the FY 2013-14 Adopted Budget as approved by the Board. This provision of Section 2-1799(f)1 of the Code of Miami-Dade County, Florida, requiring that fifty (50) percent of the unallocated carryover funds in the Countywide and Unincorporated Municipal Service Area (UMSA) general fund budgets be allocated to the Capital Outlay Reserve fund in the fiscal year following the fiscal year the funds were identified to support County Services, are waived for fiscal year 2013-14 to permit the use of Countywide and UMSA carryover funds that remain unallocated as of September 30, 2013 for appropriation to the Fiscal Year 2013-14 Adopted Budget as approved by the Board.

Section 8. All Implementing Orders, as amended hereby, and other actions of the Board setting fees and charges as well as all fees and charges consistent with appropriations adopted herein, are hereby ratified, confirmed and approved; and may be amended by subsequent Board action during the fiscal year.

Section 9. The Unincorporated Municipal Service Area is hereby recognized and continued. All funds budgeted for this area are provided by general taxes and other revenue related to this area.

Section 10. The County Mayor or his or her designee is hereby authorized to execute agreements for funding allocations for Community-based Organizations approved in this ordinance as a result of a Request for Proposal or other formal selection process or individual allocations approved by the Board in the form approved by the County Attorney.

Section 11. The provisions of Section 2-1605 of the Code of Miami-Dade County, Florida, that provide for financial support to the Sports Commission by including the amount of \$250,000 in the official Miami-Dade County budget each year unless otherwise directed by the Board of County Commissioners shall be waived for Fiscal Year 2013-14.

Section 12. Section 1-4.3 of the Code of Miami-Dade County, Florida, is hereby amended as follows:<sup>1</sup>

**Section 1-4.3.** Reorganization of County Administrative Departments

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- (f) The powers, functions and responsibilities of the Office of Americans with Disabilities Act Coordination and the Departments of General Services Administration (except for those powers, functions and responsibilities that set forth, define or otherwise affect infill housing), Procurement Management, Capital Improvement (except for those powers, functions and responsibilities that set forth, define or otherwise affect bond programs), and Human Resources provided in Legislative Enactments are hereby transferred to the Department of Internal Services. All references in Legislative Enactments relating to the Office of Americans with Disabilities Act Coordination and the Departments of General Services Administration (except for those references that set forth, define or otherwise affect infill housing), Procurement Management, Capital Improvement (except for those references which set forth, define or otherwise affect bond programs), and Human Resources shall be deemed to be references to the Department of Internal Services. All delegations of Commission authority, power and responsibility to the Directors of the Office of Americans with Disabilities Act Coordination and the Departments of General Services Administration (except for those delegations which set forth, define or otherwise affect infill housing), Procurement Management, Capital Improvement (except for those delegations which set forth, define or otherwise relate to bond programs), and Human Resources shall be deemed to be a delegation to the Director of the Department

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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. The remaining provisions are now in effect and remain unchanged.

of Internal Services or, at the County Mayor's discretion, to the County Mayor's designee. Notwithstanding the foregoing, the Director of the Department of Internal Services shall hold the powers and responsibilities of the personnel director as set forth in Section 5.05 of the Miami-Dade County Home Rule Charter.

>>Commencing upon the later of October 1, 2013 or the effective date of this ordinance, and notwithstanding and prevailing over the foregoing provisions of this subsection:

(i) The powers, functions, and responsibilities provided in Legislative Enactments that set forth, define or otherwise affect (a) Human Resources, including, but not limited to, the powers, functions, and responsibilities related to payroll and information management, labor relations, compensation and benefits, recruitment, testing and career development, are hereby transferred from the Department of Internal Services to the Department of Human Resources; and (b) the Office of Human Rights and Fair Employment Practices are hereby transferred to the Department of Human Resources; and

(ii) The references in Legislative Enactments to (a) Human Resources and the Department of Internal Services that set forth, define or otherwise affect Human Resources or human resources functions, including, but not limited to, the functions related to payroll and information management, labor relations, compensation and benefits, recruitment, testing and career development, and (b) the Office of Human Rights and Fair Employment Practices, shall be deemed to be references to the Department of Human Resources; and

(iii) Those delegations to the Directors of the Departments of Human Resources or Internal Services that set forth, define or otherwise affect Human

Resources or human resources functions, including, but not limited to, the functions related to payroll and information management, labor relations, compensation and benefits, recruitment, testing and career development, or to the Director of the Office of Human Rights and Fair Employment Practices, shall be deemed a delegation to the Director of the Department of Human Resources, or, at the County Mayor's discretion, to the County Mayor's designee; and

(iv) The Director of the Department of Human Resources shall hold the powers and responsibilities of the personnel director as set forth in Section 5.05 of the Miami-Dade County Home Rule Charter.<<

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Section 13. Notwithstanding any other provision of the County Code, resolution or Implementing Order to the contrary, non-profit entities awarded grants of County monies from prior years' Elected Officials Discretionary Reserve or County Services Reserve or Commission Office Funds shall not be required to complete affidavits of compliance with the various policies or requirements applicable to entities contracting or transacting business with the County.

Section 14. Unless otherwise prohibited by law, this ordinance shall supersede all provisions of prior ordinances and resolutions in conflict herewith; provided, however, nothing in this ordinance shall amend or supersede the requirements of Ordinance 07-45, as amended.

Section 15. 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 16. The provisions of 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 override by this Board. In the event all or any particular component of this ordinance are

vetoed, the remaining components, if any, shall become effective ten (10) days after the date of enactment and the components vetoed shall become effective only upon override by this Board.

Section 17. This ordinance does not contain a sunset provision.

Section 18. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of Section 12 of this ordinance shall become and be made 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.

PASSED AND ADOPTED: September 19, 2013

Approved by County Attorney as ABK  
to form and legal sufficiency. for

ORD/ITEM D Adopted



**UNINCORPORATED MUNICIPAL SERVICE AREA  
GENERAL FUND REVENUE**

**NET\*  
2013-14  
BUDGET**

**TAXES**

General Property Tax (Tax Roll: \$55,401,084,606)	\$101,488,000
Utility Tax	73,328,000
Communications Services Tax	39,860,000
Franchise Tax	<u>35,455,000</u>
Subtotal	<u>\$250,131,000</u>

**OCCUPATIONAL LICENSES**

Business Taxes	<u>\$1,950,000</u>
Subtotal	<u>\$1,950,000</u>

**INTERGOVERNMENTAL REVENUES**

State Sales Tax	\$75,398,000
State Revenue Sharing	48,210,000
Alcoholic Beverage Licenses	<u>268,000</u>
Subtotal	<u>\$123,876,000</u>

**CHARGES FOR SERVICES**

Sheriff and Police Fees	<u>\$1,161,000</u>
Subtotal	<u>\$1,161,000</u>

**INTEREST INCOME**

Interest	<u>\$329,000</u>
Subtotal	<u>\$329,000</u>

**UNINCORPORATED MUNICIPAL SERVICE AREA  
GENERAL FUND REVENUE (cont'd)**

		<b>NET* 2013-14 <u>BUDGET</u></b>
<b><u>OTHER</u></b>		
Administrative Reimbursements		\$13,011,000
Miscellaneous		<u>1,696,000</u>
	Subtotal	<u>\$14,707,000</u>
 <b><u>CASH CARRYOVER</u></b>		
Cash Carryover		<u>\$25,356,000</u>
	Subtotal	<u>\$25,356,000</u>
	Total	<u>\$417,510,000</u>

\*All anticipated receipts have been adjusted as necessary in accordance with Chapter 129.01(2)(b) of the Florida Statutes.

**UNINCORPORATED MUNICIPAL SERVICE AREA  
EXPENDITURES\***

	<b><u>2013-14 Budget</u></b>
Office of the Mayor	\$1,495,000
Board of County Commissioners (BCC)	4,880,000
County Attorney	4,584,000
Miami-Dade Police	312,929,000
Non-departmental – Public Safety	787,000
Cultural Affairs	3,050,000
Parks, Recreation and Open Spaces	20,277,000
Non-departmental - Recreation and Culture	102,000
Public Works and Waste Management	4,796,000
Non-departmental – Neighborhood and Infrastructure	117,000
Non-departmental - Health and Human Services	70,000
Regulatory and Economic Resources	1,263,000
Non-departmental - Economic Development	300,000
Audit and Management Services	950,000
Human Resources	2,004,000
Information Technology Services	6,624,000
Internal Services Department	13,505,000
Community Information and Outreach	2,667,000
Management and Budget	1,767,000
Non-departmental - General Government	<u>35,343,000</u>
 Total	 <u>\$417,510,000</u>

\*Schedule incorporates first and second change memo recommendations including, but not limited to, technical adjustments.