

Approved _____ Mayor
Veto _____
Override _____

Agenda Item E

ORDINANCE NO. 21-95

ORDINANCE APPROVING AND ADOPTING THE UNINCORPORATED MUNICIPAL SERVICE AREA FUND BUDGET FOR MIAMI-DADE COUNTY, FLORIDA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022; PROVIDING A SHORT TITLE; INCORPORATING THE FISCAL YEAR 2021-22 PROPOSED BUDGET AS AMENDED; APPROPRIATING ALL BUDGETED REVENUES AND 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 OR OTHER REVENUES; AUTHORIZING DEPOSIT OF INTEREST EARNED TO THE GENERAL FUND; RATIFYING, CONFIRMING AND APPROVING IMPLEMENTING ORDERS AND OTHER ACTIONS OF THE BOARD WHICH SET FEES, RATES, AND CHARGES; AUTHORIZING FEES, RATES, AND CHARGES CONSISTENT WITH APPROPRIATIONS, AND PROVIDING FOR THEIR AMENDMENT AND AUTHORIZING SUBSEQUENT AMENDMENTS BY RESOLUTION; RECOGNIZING AND CONTINUING THE UNINCORPORATED MUNICIPAL SERVICE AREA; AUTHORIZING THE MAYOR OR MAYOR’S DESIGNEE TO NEGOTIATE AND EXECUTE CERTAIN FUNDING AGREEMENTS; WAIVING FOR FISCAL YEAR 2021-22 PROVISIONS OF THE CODE AND RESOLUTIONS REQUIRING EXECUTION OF COUNTY AFFIDAVITS FOR NON-PROFITS RECEIVING CERTAIN COUNTY FUNDING; AMENDING, WAIVING OR RESCINDING, IF NECESSARY, VARIOUS SECTIONS OF THE CODE, APPLICABLE IMPLEMENTING ORDERS, AND OTHER LEGISLATIVE ENACTMENTS TO CONFORM SUCH ENACTMENTS TO THE FISCAL YEAR 2021-22 BUDGET; SUPERSEDING CONFLICTING PROVISIONS OF PRIOR LEGISLATIVE ENACTMENTS; PROVIDING SEVERABILITY, EXCLUSION FROM 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 "Fiscal Year 2021-22 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, 2021. 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 7, 2021 memorandum entitled "Information for First Budget Hearing – FY 2021-22 Proposed Budget", as such memorandum was amended to include the changes read on the record by the County's Budget Director at the September 14, 2021 first budget hearing to: (i) correct scrivener's errors; (ii) on page 4 of the memorandum, correct the balance in the Enhanced County and District Program ("ECDP") fund; (iii) on page 5 of the memorandum, correct the costs associated with the one-time bonus and cost of living adjustments; (iv) on page 10 of the memorandum, correct the sum of the ECDP to be allocated to the General Government Improvement Fund; (v) on page 12 of the memorandum, correct information on the five year financial outlook; and (vi) include additional positions in the table of organization for Judicial Administration, and which changes are noted on the version attached hereto; and (c) the changes contained in the September 21, 2021 memorandum entitled "Information for Second Budget Hearing – FY 2021-22 Proposed Budget", which memorandum is attached hereto, and as such memorandum was supplemented and amended: (i) by the changes contained in the September 28, 2021 memorandum entitled "Supplement – Information for Second Budget Hearing – FY 2021-22 Proposed Budget", which memorandum is attached hereto; (ii) to transfer \$158,000.00 and one staff position from the Department of Cultural Affairs budget to, and create one additional staff position in, the Office of Community

Advocacy under the Office of the Chair of the Board of County Commissioners and revise the table of organization accordingly; and (iii) to require that, prior to the execution of a grant agreement with the South Florida Pioneer Museum, Inc. for \$1,500,000.00 set forth in the budget, an amendment to the lease agreement be negotiated and presented to this Board within 60 days of today's date which would: (1) amend the permitted and required use of the property to that of an agricultural and culinary business incubator to be used for farm to table dining, culinary education, a farmer's market and event space for the rural community, development of products for farm operations, after school programming, and vocational and educational and vocational training for high school and college students; (2) require that, no later than 22 months of the date of approval of the lease amendment, all construction be completed, as evidenced by a final certificate of occupancy; and (3) require that, no later than 2 years from the approval of the lease amendment, programming and full use and operations of the facility, in accordance with the permitted and required use, be available and in effect.

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, adopted, and ratified, 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 sections 2-1792 through 2-1800A of the Code of Miami-Dade County, Florida (“Code”). 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, adopted and ratified.

Section 4. Pursuant to the authority of Chapter 8015, Special Acts of Florida, 1919, which authorizes the Board 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. However, 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. All Implementing Orders, as amended hereby, other actions of the Board setting fees, rates, and charges, and fees, rates, and charges consistent with appropriations adopted herein, are hereby ratified, confirmed and approved, and may be amended by resolution adopted by the Board during the fiscal year.

Section 8. 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 9. The Mayor or the Mayor's designee is hereby authorized to negotiate and execute agreements, in the form approved by the County Attorney, for funding allocations to community-based organizations, state agencies, and non-profit organizations, cultural organizations or for cultural events approved in this ordinance as a result of a request for proposals, or other formal selection process, or other allocations approved by the Board, including, but not limited to, for work or services resulting from natural disasters, emergency declarations or pandemics.

Section 10. Notwithstanding any other provision of the Code or any resolution or implementing order to the contrary, non-profit entities awarded grants of County monies from the Elected Officials Discretionary Reserve, 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 11. Unless otherwise prohibited by law, this ordinance shall supersede all prior enactments of the Board, including, but not limited to, ordinances, resolutions, implementing orders, regulations, rules, and provisions of the Code in conflict herewith.

Section 12. 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 13. It is the intention of the Board and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code.

Section 14. 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.

PASSED AND ADOPTED: September 28, 2021

Approved by County Attorney as
to form and legal sufficiency. GKS For GBK

**UNINCORPORATED MUNICIPAL SERVICE AREA
GENERAL FUND REVENUE**

	NET* 2021-22 <u>BUDGET</u>
 <u>TAXES</u>	
General Property Tax (Tax Roll: \$92,195,167,037)	\$168,890,000
Utility Tax	103,733,000
Communications Services Tax	<u>24,225,000</u>
Subtotal	<u>\$296,848,000</u>
 <u>OCCUPATIONAL LICENSES</u>	
Business Taxes	<u>\$3,923,000</u>
Subtotal	<u>\$3,923,000</u>
 <u>INTERGOVERNMENTAL REVENUES</u>	
State Sales Tax	\$105,299,000
State Revenue Sharing	48,210,000
Alcoholic Beverage Licenses	<u>161,000</u>
Subtotal	<u>\$153,670,000</u>
 <u>CHARGES FOR SERVICES</u>	
Sheriff and Police Fees	<u>\$1,920,000</u>
Subtotal	<u>\$1,920,000</u>
 <u>INTEREST INCOME</u>	
Interest	<u>\$193,000</u>
Subtotal	<u>\$193,000</u>

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

	<u>NET*</u> <u>2021-22</u> <u>BUDGET</u>
<u>OTHER</u>	
Administrative Reimbursements	\$13,479,000
Miscellaneous	<u>711,000</u>
Subtotal	<u>\$14,190,000</u>
<u>TRANSFERS</u>	
Transfers	<u>\$280,000</u>
Subtotal	<u>\$280,000</u>
<u>CASH CARRYOVER</u>	
Cash Carryover	<u>\$14,297,000</u>
Subtotal	<u>\$14,297,000</u>
Total	<u>\$485,321,000</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**

	<u>2021-22 Budget</u>
Office of the Mayor	\$1,670,000
Board of County Commissioners (BCC)	5,885,000
County Attorney	4,994,000
Miami-Dade Police	295,805,000
Transportation and Public Works	9,418,000
Parks, Recreation and Open Spaces	50,053,000
Regulatory and Economic Resources	323,000
Non-departmental - Economic Development	2,527,000
Audit and Management Services	678,000
Communications	2,809,000
Human Resources	2,430,000
Internal Services Department	13,075,000
Management and Budget	854,000
Non-departmental - General Government	94,800,000
Total	<u>\$485,321,000</u>

* *Schedule incorporates first and second change memo recommendations and all amendments approved at first and second budget hearings, including but not limited to, technical adjustments.*