

(Public Hearing 6-3-10)
Date: April 6, 2010

To: Honorable Chairman Dennis C. Moss
And Members, Board of County Commissioners

From: George M. Burgess
County Manager 

Subject: FY 2009-10 Mid-Year Supplemental Budget

Agenda Item No. 5(C)

Ordinance No. 10-33

Recommendation

It is recommended that the Board approve the attached supplemental budgets in accordance with the Home Rule Charter and Section 129.06 of the Florida Statutes so that budgets will reflect changes in projected expenditures that have occurred since the September 2009 budget hearings.

Scope and Fiscal Impact/Funding Source

The scope, fiscal impact and funding sources are detailed below.

Background

A supplemental budget is required by the Home Rule Charter and state law when expenditures exceed budgeted appropriations. To meet this requirement, supplemental budgets for various funds are needed to reflect expenditures now projected to exceed approved appropriation due to extraordinary events which occurred since the FY 2009-10 Budget was adopted in September 2009. It is anticipated that during any fiscal year certain proprietary operations may require supplemental budget adjustments due to changes such as federal and state grant funding, increased energy costs, and other unanticipated events. Some of the adjustments included are technical in nature such as the correction of a scrivener error associated with the Police Department School Crossing Guard Trust Fund. At this time a number of adjustments are required to meet the above mentioned requirements; in addition to adjustments necessary due to delays in the implementation of the collective bargaining agreements. A description of each required supplemental budget is provided below.

General Fund

The General Fund requires a supplemental budget of \$20.578 million. This includes the carryover for the respective offices in the Board of County Commissioners (\$4.728 million) and unexpended funding from community-based organization allocations (\$4.5 million) as referenced in the Collective Bargaining and FY 2009-10 Budget memorandum transmitted to the Board on February 25, 2010. It also includes \$11.350 million of carryover in excess of the FY 2009-10 Adopted Budget adjusted by the RNG Properties Public Housing Agency settlement which must be reflected as a FY 2008-09 expenditure funded by General Fund Revenues as required by the settlement agreement (\$1.250 million). The additional revenue is allocated as detailed in the accompanying amendment.

Animal Services

The Animal Services Department requires a mid-year supplemental budget in the amount of \$456,000, to fund higher than anticipated personnel expenditures associated with the delayed implementation of the collective bargaining agreements. Funding will be provided from higher than anticipated fee revenues.

Community Advocacy

The Office of Community Advocacy requires a mid-year supplemental budget of \$342,000 to fund higher than anticipated personnel expenditures as a result of the delayed implementation of position reductions contemplated as part of the FY 2009-10 Adopted Budget and termination payouts. Funding is provided from the Office of the Chair Pool Budget as referenced in Resolution No. 197-10 (\$267,000) and R-1296-09 (\$75,000).

Human Rights and Fair Employment Practices

The Office of Human Rights Fair Employment Practices requires a mid-year supplemental budget of \$202,000 to reflect the transfer of the Commission on Human Rights function from the Office of Community Advocacy along with four positions as reflected in the Table of Organization (Attachment 1). The office name will also be changed to Office of Human Rights and Fair Employment Practices. Funding for this function is provided by a Community Development Block Grant (\$97,000), an Equal Employment Opportunity Commission contract (\$105,000) and the transfer of existing General Fund subsidy appropriation from Fund 010 to Fund 030 (\$954,000).

Capital Improvements

The Office of Capital Improvements requires a mid-year supplemental budget of \$220,000 to correct an error that occurred when finalizing the adopted budget ordinances which inadvertently reflected a FY 2009-10 budget reductions twice. This supplemental budget will be funded by the Capital Working fund.

Cultural Affairs

The Cultural Affairs Department requires a mid-year supplemental budget of \$1.5 million for expenditures associated with increased community-based organization funding as directed by the Board during its October 13, 2009 meeting. Funding is provided by the Library Taxing District.

Government Information Center

The Government Information Center requires a mid-year supplemental budget of \$592,000 for personnel expenditures associated with the reinstatement of seven positions that support the BCC Chambers, MDTV programming and photography functions, and 311 service hours.

Fire Rescue

The Fire Rescue Department requires a supplemental budget of \$20.210 million due to higher than anticipated personnel costs associated with the delayed implementation of the collective bargaining agreement. Funding is provided from higher than anticipated carryover revenues as a result of increased medical transportation revenues (\$9 million), mostly attributable to delayed Medicare payments from the prior year; reduced expenditures as part of the implementation of the FY 2008-09 departmental savings plan, including reductions in debt service from not issuing new bonds and interest swaps (\$5 million); and other line item expenditures such as fuel (\$2 million), and deferred payments for heavy fleet vehicles invoiced but not delivered (\$4 million).

MDFR also requires supplemental budget of \$145,000 due to increased revenues from a recently awarded Florida Inland Navigation (FIND) Waterways Grant (\$111,000) which will be used to construct a floating dock at the Port of Miami to facilitate MDFR's Fireboat deployment, and to correct a scrivener error associated with the EMS grant revenue (\$34,000).

The supplemental budget ordinance schedule includes a correction to Fund 720, Subfund 720 to accurately reflect the information included in the Information for Second Budget Hearing – FY 2009-10 Proposed Budget Memorandum dated September 17, 2009, handwritten page 4 associated with Fire Rescue, State Grant Awards, and the FEMA Fire Prevention and Safety Grant Program.

Park and Recreation Department

The Park and Recreation Department (Fund 040) requires a mid-year supplemental budget of \$3.5 million as a result of underperforming revenues and higher than anticipated personnel expenditures associated with separation payouts. The Miami Metrozoo (Fund 125) requires a mid-year supplemental budget of \$471,000 associated with the delayed implementation of collective bargaining agreements.

End-of-Year Adjustments

Although departments began reducing expenditures during this fiscal year to adjust for the delayed implementation of the various collective bargaining agreements, there are other personnel adjustments such as separation costs, and/or delayed implementation of position reductions contemplated as part of the FY 2009-10 Adopted Budget that may require end-of-year adjustments, as well as the appropriation of additional revenues received throughout the fiscal year (federal and/or state grants) for the following departments:

- *Community Advocacy, Commission on Ethics and Public Trust, Office of the Clerk, Human Services, Film and Entertainment, Juvenile Services, Medical Examiner, Property Appraiser, the Park and Recreation, and Public Works*, associated with the delayed implementation of the collective bargaining agreements and/or revenue shortfalls;
- *Community Action Agency* to reflect additional ARRA grant funding for Head Start programming;
- *Human Services* to reflect additional grant funding associated with various programs such as Early Learning Coalition, Federal Title III for meals for the elderly, and Byrne Grant supported programs;
- *Law Library* to reflect additional donation and/or grant revenues;
- *Police* to cover expenses associated with termination and/or leave payouts;
- *Enterprise Services Technology Department* to cover expenses associated with higher than budgeted pass-through charges responding to customer demand and;
- *Small Business Development* to cover revenue shortfalls associated with project and contract monitoring functions.

Prior Year Supplemental Note

Last year's budget amendment and supplemental items approved by the Board at the February 2, 2010 commission meeting included an adjustment to the Office of Neighborhood Compliance (ONC) due to underperforming revenues. Although the companion amendment to ONC was clearly disclosed as part of the overall county's budget amendment schedules, the companion ordinance supplemental schedule inadvertently omitted the section referencing ONC. This note serves as a technical adjustment necessary to complete the audit process.

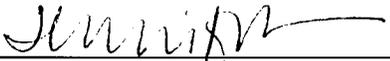
OSBM staff continues to work with each of these departments in order to minimize, to the extent possible, end-of-year adjustments.

Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners
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Track Record/Monitor

N/A

Attachments



Jennifer Glazer-Moon
Director, OSBM

cmo12510

Memorandum



Date: February 26, 2010

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Office of Community Advocacy

In the FY 2009-10 Proposed Resource Allocation Plan, the Commission on Human Rights was recommended to be transferred from the Office of Community Advocacy to the Office of Fair Employment Practices (OFEP) and the OFEP renamed the Office of Human Rights and Fair Employment Practices to reflect the added functions.

This change was proposed as it was felt that the core function of the Commission on Human Rights in enforcing the County's anti-discrimination ordinance was more in line with the mission of the OFEP. While the Commission on Human Rights is classified as an advisory board, it is not a typical board and functions very differently than the other boards under the Office of Community Advocacy. Further, given the proposed reduction of the Executive Director position from the Commission on Human Rights, it was believed that the duties of this position would be more easily assumed by the Director of the OFEP.

Subsequently, at the final budget hearing after discussion, the Board adopted a motion that left the Commission on Human Rights in the Office of Community Advocacy with the elimination of the Executive Director position.

Since the start of the fiscal year, the Office of Community Advocacy has struggled with management of the functions of the Commission on Human Rights. Currently, the Commission has a reported back log of 306 pending cases and is in jeopardy of not being able to achieve its contracted goals, which are directly tied to receipt of the revenues that support the unit. One of the reasons for this is the lack of management staff's experience in performing the duties associated with the Commission on Human Rights.

Therefore, in the best interest of this County and the residents that we serve, I am transferring the Commission on Human Rights with all its associated functions, staff and revenues to the OFEP effective immediately. I have discussed this transfer with Commissioner Jordan, as she put forth the original motion at the budget hearing that cancelled the transfer of the Commission to OFEP. The Commissioner concurs that our original intent is the best course of action for the Commission on Human Rights at this time.

The Director of OFEP, Lucia Davis-Raiford, is a Civil Rights Attorney and is uniquely qualified to perform the tasks associated with the management of the Commission. She has the requisite skills in addition to prior experience in mediation and more than a cursory familiarity with fair housing regulations. I am confident that she will get things back on track. To accurately capture the transfer of the Commission, the upcoming FY 2010-11 Proposed

Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

Resource Allocation Plan will include a change in the name of the Office of Fair Employment to the Office of Human Rights and Fair Employment Practices.

Attached are the revised tables of organization for both the Office of Community Advocacy and the Office of Fair Employment Practices reflecting these changes.

Attachments

C: Honorable Carlos Alvarez, Mayor
 Robert A. Cuevas, Jr., County Attorney
 Irene Taylor-Wooten, Special Assistant for Social Services
 Howard Piper, Special Assistant to the County Manager
 Jennifer Glazer-Moon, Special Assistant/Director, OSBM
 Lucia Davis-Raiford, Director, OFEP
 Larry Capp, Executive Director, OCA
 Charles Anderson, Commission Auditor

**OFFICE OF FAIR EMPLOYMENT PRACTICES
FY -2009-2010- REVISED
TABLE OF ORGANIZATION**

Office of the Director	
<u>2010</u>	
1	Director
1	Asst. to the Director
1	Sr. Executive Secretary
3	

Fair Employment Practices	
<u>2010</u>	
1	Systems Analyst
2	Specialist
2	FBP Specialist 1
1	Legal Liaison
6	

Commission on Human Rights and Housing Civil Rights Oversight Board	
<u>2010</u>	
1	SPA 2
2	SPA 1
1	Admin Sec
4	

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**OFFICE OF COMMUNITY ADVOCACY
FY 2009-2010 – REVISED
TABLE OF ORGANIZATION**

Executive Director
Assistant to Executive Director

Asian American Advisory Board
2010
1 Prog. Off. 2 *
1

Black Affairs Advisory Board
2010
1 Prog. Off. 2 *
1

Commission for Women
2010
1 Prog. Off. 2 *
1

Community Relations Board
2010
2 Prog. Off. 2 (1*)
1 Prog. Off.
1 Comm. Relation Asst.
4

Hispanic Affairs Advisory Board
2010
1 Prog. Off. 2
1

*Restored Positions



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: June 3, 2010

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

SUBJECT: Agenda Item No. 5(C)

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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) 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. 5(C)
6-3-10

ORDINANCE NO. 10-33

ORDINANCE APPROVING AND ADOPTING MID-YEAR SUPPLEMENTAL BUDGET ADJUSTMENTS FOR VARIOUS COUNTY DEPARTMENTS AND FUNDS; RATIFYING AND APPROVING IMPLEMENTING ORDERS AND OTHER BOARD ACTIONS WHICH SET CHARGES AND PROVIDING FOR THEIR AMENDMENT; APPROPRIATING GRANT, DONATION AND CONTRIBUTION FUNDS; AND PROVIDING SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by this reference,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. In compliance with the provisions of Section 1.02(A) of the Miami-Dade County Home Rule Charter and Section 129.06, Florida Statutes, the Fiscal Year 2009-10 County budget is amended to remove \$202,000 of the appropriation to the Office of Community Advocacy, together with the revenues supporting such appropriation and the four (4) budgeted positions, and said amount, revenues, expenditures and budgeted positions shall be appropriated to the Office of Human Rights and Fair Employment Practices, and to make such other changes to various County departments and funds, all as more fully set forth in the accompanying memorandum and the supplemental budgets attached as Exhibit A, a copy of which is attached hereto and made a part hereof. In compliance with the provisions of Section 1.02(A) of the Miami-Dade County Home Rule Charter and Section 129.06 Florida Statutes, the Fiscal Year 2009-10 budget as amended by the supplemental budgets attached hereto and made a part hereof are hereby approved, adopted, and ratified, and the budgeted expenditures therein provided are hereby appropriated.

Section 2. All resolutions, implementing orders and other actions taken by the Board of County Commissioners setting fees, charges, and assessments are hereby ratified, confirmed and approved, and may be amended during the year.

Section 3. All grant, donation and contribution funds received by the County are hereby appropriated at the levels and for the purposes intended by the grants, donations and contributions.

Section 4. 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 5. All 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 an 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: **June 3, 2010**

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Geri Bonzon-Keenan

**COUNTYWIDE GENERAL FUND
(Fund 010, Subfund 010)**

<u>Revenues</u>	<u>2009-10</u>
Previously Approved Revenues	\$1,277,708,000
Additional Carryover	14,050,000
Recaptured Community-based Organization appropriation	<u>3,510,000</u>
Total	<u>\$1,295,268,000</u>
 <u>Expenditures:</u>	
Previously Approved Revenues	\$1,277,708,000
Additional Expenditures	<u>17,560,000</u>
Total	<u>\$1,295,268,000</u>

**UMSA GENERAL FUND
(Fund 010, Subfund 010)**

<u>Revenues</u>	<u>2009-10</u>
Previously Approved Revenues	\$433,972,000
Additional Carryover	2,028,000
Recaptured Community-based Organization appropriation	<u>990,000</u>
Total	<u>\$436,990,000</u>
 <u>Expenditures:</u>	
Previously Approved Revenues	\$433,972,000
Additional Expenditures	<u>3,018,000</u>
Total	<u>\$436,990,000</u>

**FIRE RESCUE
Fire Rescue District
(Fund 011, Subfund 111) TYPE = SF**

<u>Revenues:</u>	<u>2009-10</u>
Previously Approved Revenues	\$340,790,000
Additional Carryover Revenues	<u>20,210,000</u>
Total	<u>\$361,000,000</u>
 <u>Expenditures:</u>	
Previoualy Approved Expenditures	\$340,790,000
Additional Fire Protection and Emergency Medical Rescue Operations Expenses	<u>20,210,000</u>
Total	<u>\$361,000,000</u>

**ANIMAL SERVICES
Animal Care and Control
(Fund 030, Subfund 022, Project 022111)**

<u>Revenues:</u>	<u>2009-10</u>
Previously Approved Revenues	\$8,462,000
Additional Revenues	<u>456,000</u>
Total	<u>\$8,918,000</u>
<u>Expenditures:</u>	
Previously Approved Expenditures	\$8,462,000
Additional Expenditures	<u>456,000</u>
Total	<u>\$8,918,000</u>

**OFFICE OF CAPITAL IMPROVEMENT
(Fund 030, Subfund 023)**

<u>Revenues:</u>	<u>2009-10</u>
Previously Approved Revenues	\$3,935,000
Additional Transfer from Capital Working Fund	<u>\$220,000</u>
Total	<u>\$4,155,000</u>
<u>Expenditures:</u>	
Previously Approved Expenditures	\$3,935,000
Additional Expenditures	<u>220,000</u>
Total	<u>\$4,155,000</u>

**GOVERNMENT INFORMATION CENTER
(Fund 030, Subfund 043)**

<u>Revenues:</u>	<u>2009-10</u>
Previously Approved Revenues	\$17,373,000
Additional Revenues	<u>592,000</u>
Total	<u>\$17,965,000</u>
<u>Expenditures:</u>	
Previously Approved Expenditures	\$17,373,000
Additional Expenditures	<u>592,000</u>
Total	<u>\$17,965,000</u>

**OFFICE OF COMMUNITY ADVOCACY
(Fund 030, Subfund 048)**

<u>Revenues:</u>	<u>2009-10</u>
Previously Approved Revenues	\$1,158,000
Additional Revenues (Resolution 197-10 and R 1297-09)	342,000
Federal Grants/Contracts and Interagency Transfer to Office of Human Rights and Fair Employment	<u>(202,000)</u>
Total	<u>\$1,298,000</u>
<u>Expenditures:</u>	
Previously Approved Expenditures	\$1,158,000
Additional Expenditures	342,000
Transfer of Expenditure to Office of Human Rights and Fair Employment	<u>(202,000)</u>
Total	<u>\$1,298,000</u>

**OFFICE OF HUMAN RIGHTS AND FAIR EMPLOYMENT
(Fund 030, Subfund 049)**

<u>Revenues:</u>	<u>2009-10</u>
Previously Approved Revenues	\$954,000
Federal Grants/Contracts and Interagency Transfer from Office of Community Advocacy	<u>202,000</u>
Total	<u>\$1,156,000</u>
<u>Expenditures:</u>	
Previously Approved Expenditures	\$954,000
Additional Expenditures	<u>202,000</u>
Total	<u>\$1,156,000</u>

**PARK AND RECREATION
(Fund 040, Subfund 001, 002, and 003)**

<u>Revenues:</u>	<u>2009-10</u>
Previously Approved Revenues	\$87,609,000
Additional Transfer from General Fund	<u>3,500,000</u>
Total	<u>\$91,109,000</u>
<u>Expenditures:</u>	
Previously Approved Expenditures	\$87,609,000
Additional Expenditures	<u>3,500,000</u>
Total	<u>\$91,109,000</u>

**MIAMI-DADE POLICE DEPARTMENT
SCHOOL CROSSING GUARD TRUST FUND
(Fund 110, Subfund 115)**

<u>Revenues:</u>	<u>2009-10</u>
Parking Ticket Surcharge for School Crossing Guard Programs	\$3,235,000
Interest Earnings	<u>45,000</u>
Total	<u>\$3,280,000</u>
<u>Expenditures:</u>	
Transfer to Miami-Dade Police Department (Fund 110, Subfund 112)	\$1,885,000
Disbursements to Municipalities	<u>1,395,000</u>
Total	<u>\$3,280,000</u>

**PARK AND RECREATION
Miami Metrozoo
(Fund 125, Subfund 126)**

<u>Revenues:</u>	<u>2009-10</u>
Previously Approved Revenues	\$18,717,000
Additional Transfer from General Fund	<u>471,000</u>
Total	<u>\$19,188,000</u>
<u>Expenditures:</u>	
Previously Approved Expenditures	\$18,717,000
Additional Expenditures	<u>471,000</u>
Total	<u>\$19,188,000</u>

**DEPARTMENT OF CULTURAL AFFAIRS
(Fund 125, Subfund 127)**

<u>Revenues:</u>	<u>2009-10</u>
Previously Approved Revenues	\$17,409,000
Additional Transfer from Library (Fund 090 Subfund 091)	<u>1,500,000</u>
Total	<u>\$18,909,000</u>
<u>Expenditures:</u>	
Previously Approved Expenditures	\$17,409,000
Additional Expenditures	<u>1,500,000</u>
Total	<u>\$18,909,000</u>

CAPITAL WORKING FUND

<u>Revenues:</u>	<u>2009-10</u>
Previously Approved Revenues	\$6,180,000
Additional Transfer to Office Capital Improvement	<u>\$220,000</u>
Total	<u>\$6,400,000</u>
<u>Expenditures:</u>	
Previously Approved Expenditures	\$6,180,000
Additional Transfer to Office of Capital Improvements (Fund 030, Subfund 023)	<u>220,000</u>
Total	<u>\$6,400,000</u>

**FIRE RESCUE
State Grant Awards
(Fund 720, Subfund 720)**

<u>Revenues:</u>	<u>2009-10</u>
Previously Approved State EMS Grant	\$1,254,000
Additional EMS Grant Revenues technical correction	34,000
Additional State FIND Grant Revenues	<u>111,000</u>
	<u>\$1,399,000</u>
<u>Expenditures:</u>	
Previously Approved Expenditures	\$1,254,000
Additional Miami-Dade Objectives	34,000
Additional Capital Expenses Port of Miami MDR	<u>111,000</u>
Total	<u>\$1,399,000</u>

**FIRE RESCUE
FEMA Fire Prevention and Safety Grant Program
(Fund 720, Subfund 720)**

<u>Revenues:</u>	<u>2009-10</u>
Previously Approved Revenue	\$0
Additional FEMA Grant Revenues	<u>284,000</u>
Total	<u>\$284,000</u>
<u>Expenditures:</u>	
Previously Approved Expenditures	\$0
Additional Operating Expenditures	<u>284,000</u>
Total	<u>\$284,000</u>