

MEMORANDUM

TO:	Honorable Chairman Oliver G. Gilbert, III and Members, Board of County Commissioners	DATE:	Agenda Item No. 7(E) (Second Reading: 7-2-24) May 21, 2024
FROM:	Geri Bonzon-Keenan County Attorney	SUBJECT:	Ordinance relating to non-ad valorem assessments; amending section 2-1796 of the Code; requiring the County Mayor to provide annual report regarding proposed non-ad valorem assessment rates

Ordinance No. 24-75

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Chairman Oliver G. Gilbert, III.



Geri Bonzon-Keenan
County Attorney

GBK/jp

Memorandum



Date: July 2, 2024

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

Subject: Fiscal Impact Statement for Ordinance Relating to Non-Ad Valorem Assessment Rates

It is anticipated that the implementation of this ordinance will not have a fiscal impact on Miami-Dade County. The ordinance requires a report on non-ad valorem assessment rates approved and proposed for the next fiscal year by May 1st.

A handwritten signature in blue ink, appearing to read "Carladenise Edwards".

Carladenise Edwards
Chief Administrative Officer

Memorandum



Date: July 2, 2024

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink, reading "Daniella Levine Cava".

Subject: Social Impact Statement for Ordinance Relating to Non-Ad Valorem Assessment Rates

The proposed ordinance will provide additional transparency of approved non-ad valorem assessment rates of the prior fiscal year by requiring the administration to delineate services funded by the prior year's rates. Additionally, the item provides added public access to future proposed rates by requiring the administration to present the proposed rates no later than May 1st, which is before the release of the proposed budget on July 15th, thus providing a social benefit to the residents of Miami-Dade County.

A handwritten signature in blue ink, reading "Carladenise Edwards".

Carladenise Edwards
Chief Administrative Officer



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: July 2, 2024

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 7(E)

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(E)
7-2-24

ORDINANCE NO. 24-75

ORDINANCE RELATING TO NON-AD VALOREM ASSESSMENTS; AMENDING SECTION 2-1796 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING THE COUNTY MAYOR OR DESIGNEE TO PROVIDE ANNUAL REPORT REGARDING PROPOSED NON-AD VALOREM ASSESSMENT RATES; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, Section 2-1796 of the Code of Miami-Dade County (Code), requires the County Mayor or County Mayor's designee to provide certain budgetary reports to the Board to assist in planning and administering the County's budget; and

WHEREAS, this Board desires to require the County Mayor or County Mayor's designee to also provide the Board with timely information regarding the County's proposed non-ad valorem assessment rates, which will assist the Board in planning the budgets for those County services funded by means of non-ad valorem assessments,

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:¹

Sec. 2-1796. - Managerial Accountability and Performance, authority to make certain intradepartmental budget amendments, proscription on allowing departmental

¹ 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.

expenditures for any line item to exceed appropriations therefor, notification of possible deficiency and quarterly reporting and mid-year budget amendment required~~[[.]]>>~~
reporting regarding non-ad valorem assessment rates required.<<

* * *

(g) Not earlier than April 1 of every year and not later than May 31 of every year, the Mayor or Mayor's designee shall prepare and present to the County Commission a mid-year budget amendment setting forth any necessary revisions to the then-current fiscal year's budget, including but not limited to, to appropriations and expenditures, and to account for increased or decreased revenues and source of funds, provide for allocations or appropriations from reserve funds, and make any other amendments in accordance with applicable law. Nothing contained herein shall prohibit the Mayor or Mayor's designee from presenting additional budget amendments to the County Commission.

>>(h) Not later than May 1 of every year, the Mayor or Mayor's designee shall prepare and present to the County Commission a report setting forth a list of all County non-ad valorem assessment rates approved in the prior year, a description of the services funded by those non-ad valorem assessments, the County Mayor's proposed non-ad valorem assessment rates for the upcoming fiscal year, and a proposed schedule for setting such non-ad valorem assessment rates.<<

~~[[h]]>>~~i<<) In the case of those administrative departments of the County under the management of the Mayor, the Mayor and those assisting the Mayor in the management of such departments (including any responsible Deputy Mayor and the department directors) shall comply with the requirements of this section.

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:

July 2, 2024

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:

Jorge Martinez-Esteve

Prime Sponsor: Chairman Oliver G. Gilbert, III