

**OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA**

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

Agenda Item H

ORDINANCE NO. 23-81

ORDINANCE APPROVING, ADOPTING AND RATIFYING PROPRIETARY BUDGETS, SPECIAL ASSESSMENT DISTRICT BUDGETS, AND OTHER BUDGETS OF MIAMI-DADE COUNTY, FLORIDA, FOR FISCAL YEAR COMMENCING OCTOBER 1, 2023 AND ENDING SEPTEMBER 30, 2024; PROVIDING A SHORT TITLE; INCORPORATING FISCAL YEAR 2023-24 PROPOSED BUDGET AS AMENDED; APPROPRIATING ALL BUDGETED REVENUES AND EXPENDITURES; AUTHORIZING INVESTMENT OF COUNTY FUNDS IN TIME WARRANTS OF MIAMI-DADE COUNTY; AUTHORIZING TRANSFER OF FUNDS AS CASH ADVANCES PENDING RECEIPT OF TAXES OR OTHER REVENUES; RATIFYING, CONFIRMING AND APPROVING IMPLEMENTING ORDERS AND OTHER ACTIONS OF BOARD WHICH SET FEES, RATES, AND CHARGES; AUTHORIZING FEES, RATES, AND CHARGES CONSISTENT WITH APPROPRIATIONS AND PROVIDING FOR THEIR AMENDMENT; APPROVING REVISED FEES, CHARGES, AND IMPLEMENTING ORDERS FOR VARIOUS DEPARTMENTS AND AGENCIES AND AUTHORIZING SUBSEQUENT AMENDMENTS BY RESOLUTION; APPROVING FISCAL YEAR 2023-24 PAY PLAN; AUTHORIZING ALLOCATIONS AND REALLOCATIONS OF BOND PROCEEDS AND INTEREST EARNINGS; AUTHORIZING MAYOR OR MAYOR'S DESIGNEE TO PROVIDE BOND ISSUE RESERVES; ESTABLISHING SUCH FUNDS AS MAY BE APPROVED DURING FISCAL YEAR AND PROVIDING FOR THEIR EXPENDITURE; AUTHORIZING PAYMENT OF LOCAL BUSINESS TAX SURCHARGE TO BEACON COUNCIL; APPROPRIATING GRANT, DONATION, AND CONTRIBUTION FUNDS; AUTHORIZING MAYOR OR MAYOR'S DESIGNEE TO NEGOTIATE AND EXECUTE CERTAIN FUNDING AGREEMENTS; CONTINUING MUNICIPAL SERVICES FUND; AUTHORIZING DISBURSEMENT FROM THE ENVIRONMENTALLY ENDANGERED LANDS ("EEL") ACQUISITION TRUST FUND TO SUPPLEMENT THE EEL LAND MANAGEMENT TRUST FUND TO MAINTAIN THE PRINCIPAL BALANCE REQUIRED UNDER SECTION 24-50.5 (2)(B)(I) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"); WAIVING FOR FISCAL YEAR 2023-24, (A) SECTION 29-7(G) OF THE CODE RELATED TO ALLOCATION OF DOCUMENTARY SURTAX FUNDS, AND (B) RESOLUTION NO. R-924-08 RELATING TO TRANSIT FARES, FEES, AND CHARGES; WAIVING PROVISIONS OF THE CODE AND RESOLUTIONS REQUIRING EXECUTION OF COUNTY AFFIDAVITS FOR NON-PROFITS RECEIVING CERTAIN COUNTY FUNDING; AUTHORIZING THE TERMINATION OF FINANCIAL

INTEREST RATE SWAP AGREEMENTS AND ALLOWING REINVESTMENT OF TERMINATION PROCEEDS IN ACCORDANCE WITH COUNTY INVESTMENT POLICY; AMENDING, WAIVING OR RESCINDING, IF NECESSARY, VARIOUS SECTIONS OF THE CODE, APPLICABLE IMPLEMENTING ORDERS, AND OTHER LEGISLATIVE ENACTMENTS TO CONFORM SUCH ENACTMENTS TO FISCAL YEAR 2023-24 BUDGET; SUPERSEDING CONFLICTING PROVISIONS OF PRIOR LEGISLATIVE ENACTMENTS; PROVIDING SEVERABILITY AND 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 2023-24 Miami-Dade County Self-Supporting 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, 2023. 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 1, 2023 memorandum entitled "Information for First Budget Hearing – FY 2023-24 Proposed Budget," which changes are noted on the version attached hereto; (c) the revisions read into the record by the Director of the Office of Management and Budget at the first budget hearing, which are reflected in Attachment B to this ordinance and on page 441 of the Operating Budget and Appropriation Schedules attached hereto; (d) the changes contained in the September 19, 2023 memorandum entitled "Information for Second Budget Hearing – FY 2023-24 Proposed Budget" which memorandum is attached hereto; (e) the revisions read into the record by the Director of the Office of Management and Budget at the second budget hearing; and (f) an amendment to the capital project program #2000003116 within the FY 2023-24 proposed budget in the Homeless Trust's capital programs budget to revise the title of the capital project and the project description

to the following: “Purchase/Renovate/Construct Housing for Homeless Individuals and Families,” and “Purchase, renovate or construct a facility to provide housing for chronically homeless individuals and families,” respectively.

Section 3. The proprietary budgets, special assessment district budgets, and other budgets proposed, including the five-year financial plan contained therein, as amended as set forth in this ordinance, are 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 budgets are adopted as limitations of all expenditures, except as hereinafter provided and appropriations hereby have been 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 budgets 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 budgets 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 County Mayor is designated, pursuant to section 129.025(1), Florida Statutes, and 5.03(B) of the Home Rule Charter, as the county budget officer for Miami-Dade County. 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 budgets. 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 appropriations 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 provisions of section 29-7(G) of the Code requiring that no allocation of documentary surtax funds shall be made except as part of a competitive Request for Applications process shall be waived for Fiscal Year 2023-24.

Section 7. The County Mayor or County Mayor's designee is authorized to: (i) terminate any of the County's existing interest rate swap agreements authorized by this Board in accordance with the County's Swap Policy approved by this Board pursuant to Resolution No. R-311-05, subject to a favorable recommendation by the County's financial swap advisor; (ii) invest any termination proceeds in accordance with the County's Investment Policy approved by this Board pursuant to Resolution No. R-1074-04, as amended by Resolution Nos. R-31-09, R-367-16, and R-1181-20; and (iii) finalize and execute any documents and certificates necessary in order to effectuate the terminations.

Section 8. The provisions of Resolution No. R-924-08 relating to transit fares, fees and charges which require adjustments to said fares, fees and charges every three years in accordance with the average rate of the Consumer Price Index for the preceding three years shall be waived for Fiscal Year 2023-24.

Section 9. 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 subsequently amended by resolution adopted by the Board during the fiscal year.

Section 10. The revised Implementing Order setting the Miami-Dade Port of Miami fees and charges as reflected in attachment A is made part hereof.

Section 11. The revised Implementing Order setting the Solid Waste Services rates, fees and charges as reflected in attachment B is made part hereof.

Section 12. The revised Implementing Order setting the Cultural Affairs rates, fees and charges as reflected in attachment C is made part hereof.

Section 13. The revised Implementing Order setting the Regulatory and Economic Resources (Consumer Protection Services) rates, fees and charges as reflected in attachment D is made part hereof.

Section 14. The revised Implementing Order setting the Water and Sewer rates, fees and charges as reflected in attachment E is made part hereof.

Section 15. The revised Implementing Order setting the Aviation Department rates, fees and charges as reflected in attachment F is made part hereof.

Section 16. The revised Implementing Order setting the Transit fares, fees and charges as reflected in attachment G is made part hereof.

Section 17. The revised Implementing Order setting the Regulatory and Economic Resources (Building and Neighborhood Compliance) rates, fees and charges as reflected in

attachment H is made part hereof.

Section 18. The revised Implementing Order setting the Fire Prevention rates, fees and charges as reflected in attachment I is made part hereof.

Section 19. The revised Implementing Order setting the Regulatory and Economic Resources (Planning, Zoning, and Platting) rates, fees and charges as reflected in attachment J is made part hereof.

Section 20. The revised Implementing Order setting the Parks, Recreation and Open Spaces rates, fees and charges as reflected in attachment K is made part hereof.

Section 21. The revised Implementing Order setting the Regulatory and Economic Resources (Environmental Resources Management) rates, fees and charges as reflected in attachment L is made part hereof.

Section 22. The revised Implementing Order setting the Florida Department of Health in Miami-Dade County rates, fees and charges as reflected in attachment M is made part hereof.

Section 23. The Fiscal Year 2023-24 Pay Plan, which is attached and incorporated by reference herein, is hereby approved, including the pay rates and all other provisions set forth therein.

Section 24. All allocations and reallocations of bond proceeds and interest earnings included in the Fiscal Year 2023-24 Adopted Capital Budget and Multi-Year Capital Plan, as may be amended, are hereby authorized.

Section 25. The County Mayor or the County Mayor's designee is hereby authorized to use interest earned on deposit of Public Improvement Bond funds to establish and maintain an Interest and Sinking Fund Reserve Account in an amount not to exceed one year's maximum principal and interest. Interest earned in excess of the reserve shall be distributed to Public Improvement Bonds Construction Funds in accordance with standard accounting practices.

Section 26. The Finance Director is hereby authorized to establish and to receive and expend funds up to amounts received without specific appropriation pursuant to section 5.03(C) of the Home Rule Charter for existing trust funds, working capital funds, bond construction funds, pension funds, revolving funds and any other such funds as may be approved by motion of the Board during the 2023-24 fiscal year.

Section 27. The Finance Director is hereby authorized to make payment of local business tax surcharge revenues for Fiscal Year 2023-24 to Miami-Dade County Beacon Council, Inc., in accordance with state law and Resolution No. 1066-88 which authorized the agreement between Miami-Dade County and the Beacon Council.

Section 28. 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 29. The County Mayor or the County Mayor's designee is hereby authorized to negotiate and execute agreements, following approval by the County Attorney for form and legal sufficiency, for funding allocations: (a) to Mom and Pop Program participants selected by the respective district commissioner pursuant to a request for proposal or other selection process; (b) to community-based organizations, other governmental agencies, non-profit organizations, cultural organizations or for cultural events approved in this ordinance as a result of a request for proposals, 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; and (c) from the Anti-Gun Violence and Prosperity Initiatives Trust Fund, Miami-Dade Rescue Plan District Designated Fund.

Section 30. 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 District Discretionary Reserve, County Services Reserve, Commission office

funds, Future Services Reserve, District Designated Program funds, Anti-Gun Violence and Prosperity Initiatives Trust Fund, Miami-Dade Rescue Plan or Mom and Pop Program 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 31. The Board hereby authorizes the disbursement of \$2,700,000.00 from the Environmentally Endangered Lands (“EEL”) Acquisition Trust Fund to the EEL Land Management Trust Fund, in order to supplement the EEL Land Management Trust Fund and maintain its principal established under section 24-50.5 (2)(b)(i) of the Code.

Section 32. The Municipal Services Fund is hereby recognized and continued. Payment by a municipality to the Municipal Services Fund shall be used for services which provide benefits to the municipality or the residents thereof.

Section 33. Unless otherwise prohibited by law, this ordinance shall supersede all enactments of this Board including, but not limited to, ordinances, resolutions, implementing orders, regulations, rules, and provisions of the Code in conflict herewith.

Section 34. 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 35. It is the intention of this Board and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code.

Section 36. All provisions of this ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the County 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 21, 2023

Approved by County Attorney as  
to form and legal sufficiency. 