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

Approved	Mayor	
Veto		Agenda Item H
Override		_

ORDINANCE NO. 25-98

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, 2025 AND ENDING SEPTEMBER 30, 2026; PROVIDING A SHORT TITLE; INCORPORATING FISCAL YEAR 2025-26 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 2025-26 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; APPROPRIATING GRANT, DONATION, AND CONTRIBUTION FUNDS; AUTHORIZING MAYOR OR MAYOR'S DESIGNEE TO NEGOTIATE AND EXECUTE CERTAIN FUNDING AGREEMENTS; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO APPLY FOR CERTAIN GRANTS; CONTINUING MUNICIPAL SERVICES FUND; AUTHORIZING DISBURSEMENT FROM THE **ENVIRONMENTALLY ENDANGERED LANDS** ("EEL") ACQUISITION TRUST FUND TO SUPPLEMENT THE EEL LANDS MANAGEMENT TRUST FUND PURSUANT TO SECTION 24-50.5 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"); WAIVING FOR FISCAL YEAR 2025-26, (A) SECTION 29-7(G) OF THE CODE RELATED TO ALLOCATION OF DOCUMENTARY SURTAX FUNDS, (B) PROVISIONS OF SECTION 24-50.5(2) RELATED TO THE REQUIRED PRINCIPAL BALANCE OF THE EEL LANDS MANAGEMENT TRUST FUND AND DISBURSEMENTS THEREFROM; (C) PROVISIONS OF SECTION 24-40 OF THE CODE TO ALLOW VESSEL REGISTRATION FUNDS DEPOSITED IN THE BISCAYNE BAY ENVIRONMENTAL ENHANCEMENT TRUST FUND TO BE USED FOR CERTAIN STUDIES FOR THE COUNTY'S REASONABLE ASSURANCE PLAN, (D) PROVISIONS OF SECTION 2-

1803(4) OF THE CODE REQUIRING RECOMMENDATIONS FROM THE BUILDING BETTER COMMUNITIES CITIZEN'S ADVISORY COMMITTEE FOR USE OF SURPLUS FUNDS FOR CERTAIN PROJECTS, (E) PROVISIONS OF THE CODE AND RESOLUTIONS REOUIRING EXECUTION OF COUNTY AFFIDAVITS FOR NON-PROFITS RECEIVING CERTAIN COUNTY FUNDING, (F) SECTION 25B-36 OF THE CODE REQUIRING DEPOSITS INTO THE LUDLAM TRAIL IMPROVEMENT DISTRICT TRUST FUND, (G) SECTION 2-2364 OF THE CODE REQUIRING **DEPOSITS** THE TRANSPORTATION INFRASTRUCTURE INTO IMPROVEMENT TRUST FUND, AND (F) RESOLUTION NO. R-454-25 REQUIRING \$11.4 **MILLION** THE COUNTYWIDE IN DEPARTMENTAL EXPENDITURES FOR WAGE AND SEPARATION RESERVE; AMENDING, WAIVING OR RESCINDING, IF NECESSARY, VARIOUS SECTIONS OF THE CODE, APPLICABLE IMPLEMENTING ORDERS, AND OTHER LEGISLATIVE ENACTMENTS TO CONFORM **ENACTMENTS** TO FISCAL YEAR 2025-26 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 2025-26 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, 2025. Said proposed budget document as submitted to the Board of County Commissioners ("Board") is incorporated herein by reference and (a) is amended to include all the applicable changes contained in this ordinance and (b) is further amended to include the changes (i) contained in the August 28, 2025 memorandum entitled "Information for First Budget Hearing FY 2025-26 Proposed Budget," which changes are noted on the version that shall be attached hereto following final adoption of this ordinance (ii) contained in the September 12, 2025 memorandum entitled "Information for Second Budget Hearing FY 2025-26 Proposed Budget," which changes are noted on the version that shall be attached hereto following final adoption of this ordinance, (iii) read into the record by the Director of

the Office of Management and Budget at the first and second budget hearing, (iv) include the changes contained in the September 12, 2025 memorandum entitled "Information for Second Budget Hearing – FY 2025-26 Proposed Budget," which changes are noted on the version that shall be attached hereto following final adoption of this ordinance, (v) include the changes contained in the September 12, 2025 memorandum titled "Supplemental Information for Second Budget Hearing - FY 2025-26 Proposed Budget," which changes are noted on the version that shall be attached hereto following final adoption of this ordinance, (vi) include the changes read into the record by the Director of the Office of Management and Budget at the second budget hearing; (vii) waive the provisions of section 2-2364 of the Code of Miami-Dade County, Florida ("Code") requiring an allocation be made to the Transportation Infrastructure Improvement Trust Fund, eliminate all proposed fare increases for Metrorail, Metrobus, and STS services, and appropriate and allocate \$10,500,000.00 to the Department of Transportation and Public Works' ("DTPW") budget to fund such transit services with \$9 million of such funding to come from funds that otherwise would have been appropriated to the Transportation Infrastructure Improvement District Trust Fund and the balance to come from additional Tax Collector carryover funds, (viii) reduce the Underline Operations and Maintenance Trust Fund ("Underline Fund") in DTPW's budget by \$200,000.00 of Tourist Development Tax funds, and appropriate and reallocate those funds to the Cultural Affairs Department's budget for Miami Fashion Week, and establish, as the policy of this Board, that the amount of County funds, regardless of funding source, disbursed from the Underline Operations and Maintenance Trust Fund (Fund ET046), or any other County fund, used to pay for the maintenance or operation of The Underline shall be no greater than \$2,000,000.00 in fiscal year 2026-2027 and \$1,411,000.00 in fiscal year 2027-2028, inclusive of the amounts obligated by The Management Agreement for the Underline, as amended by Resolution No. R-972-20 and any future amendments approved by this Board, and the cost to the County of any in-kind services provided for The Underline, if any, and (ix) take the relevant funding, revenue and positions within the Department of Regulatory and Economic Resources that are associated with the Miami-Dade

County Film & Entertainment Office and the coordination of film activities and permitting and transfer them to a newly created Office of Film and Entertainment that would be under the Board of County Commissioners.

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. 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 Clerk of Court and Comptroller of Miami-Dade County ("Clerk") is hereby authorized to invest these monies in the time warrants of Miami-Dade County, Florida 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.

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 2025-26.

Section 7. The County Mayor or County Mayor's designee is authorized to apply for grants with other governmental and non-governmental entities provided that: (i) either no matching County funds are required or, if matching funds are required, that any such matching funds have been budgeted and appropriated for the purposes sought by the grant; (ii) if the grant is for a capital project, the capital project is part of the County's five-year capital plan; (iii) if the grant is for operations or programs, acceptance of the grant and use of the funds in accordance with the terms of the grant would not violate any Board policies; and (iv) if the County is awarded the grant, such grant award is brought to the Board for approval. The authorization set forth herein is supplementary to and does not supersede any other existing legislation relating to delegations of authority for grant applications and acceptance thereof.

Section 8. The provisions of section 24-40 of the Code are hereby waived for FY 2025-26 for the limited purpose of allowing vessel registration fees deposited into the Biscayne Bay Environmental Enhancement Trust Fund to be used for studies for the regulation and maintenance of

Biscayne Bay and waters flowing into Biscayne Bay associated with the County's Reasonable Assurance Plan, provided that such studies are for the regulation and maintenance of Biscayne Bay and waters flowing into Biscayne Bay.

Section 9. The provisions of section 2-1803(4) of the Code requiring Building Better Communities General Obligation Bond Program ("Bond Program") Citizens' Advisory Committee to advise on use of surplus funds from the Bond Program are hereby waived for purpose of approving the use of surplus funds from significant modifications and additions of Bond Program projects as set forth in this section 9. The Board approves:

- a. The significant modification of Bond Program Project No. 10 "Purchase Development Rights (PDR)" as identified in Appendix A to Resolution No. R-913-04 ("Parks Resolution") to reduce its allocation from \$20,000,000.00 to \$8,093,378.10 and thereby declaring \$11,906,621.90 as surplus funds; and
- b. The significant modification of Bond Program Project No. 2 "Environmentally Endangered Lands (EEL) Program" as identified in Appendix A of the Parks Resolution to increase its allocation by \$11,906,621.90 from \$40,000,000.00 to \$51,906,621.90 using surplus funds from Bond Program Project No. 10 for the purchase of additional lands at various sites throughout Miami-Dade County to support environmental protection initiatives and to advance the program; and
- c. The significant modification of Bond Program Project No. 30 "Redland Fruit and Spice Park" as identified in Appendix A of the Parks Resolution to reduce its allocation from \$4,000,000.00 to \$3,158,139.52 and thereby declaring \$841,860.48 as surplus funds; and
- d. The significant modification of Bond Program Project No. 40 "West Kendall District Park" as identified in Appendix A of the Parks Resolution to reduce its allocation from

- \$23,000,000.00 to \$1,549,500.89 and thereby declaring \$21,450,499.11 as surplus funds; and
- e. The significant modification of Bond Program Project No. 113 "Unincorporated Municipal Service Area Wild Lime Park" as identified in Appendix A of the Parks Resolution to increase its allocation by \$1,450,499.11 from \$720,855.00 to \$2,171,354.11 using surplus funds from Bond Program Project No. 40 to complete funding for local park improvements and to advance the program; and
- f. The significant modification of Bond Program Project No. 371 "Miami-Dade County Park Facilities Upgrades & Improvements" as identified in Appendix A of the Parks Resolution to increase its allocation by \$20,841,860.48 from \$11,813,017.79 to \$32,654,878.27 using surplus funds from Bond Program Project Nos. 30 and 40 for improvement of additional sites and to advance the program; and
- g. The significant modification of Bond Program Project No. 143 "Metrorail Bike Path" as identified in Appendix A to Resolution No. R-914-04 ("Public Infrastructure Resolution") to reduce its allocation from \$1,400,000.00 to \$1,273,730.20 and thereby declaring \$126,269.80 as surplus funds; and
- h. The significant modification of Bond Program Project No. 145 "Bike Path Improvements along South Florida Water Management District (SFWMD) Canals" as identified in Appendix A of the Public Infrastructure Resolution to reduce its allocation from \$1,000,000.00 to \$535,500.25 and thereby declaring \$464,499.75 as surplus funds; and
- i. The addition of new Bond Program Project No. 396 "Public Infrastructure Improvements at Miami-Dade County Parks" to Appendix A of the Public Infrastructure Resolution with a municipal project location of "Countywide and UMSA," a Commission District location of Various, a street address of Various, an allocation of \$590,769.55 to be funded with surplus funds from Bond Program Project Nos. 143 and 145 and a project description as follows:

- "Various public infrastructure improvements to include but not limited to; sidewalks, resurfacing, water and sewer infrastructure, drainage and roadway improvements at Miami-Dade County Parks and Park Facilities"; and
- j. The significant modification of Bond Program Project No. 215 "Neighborhood Service Center Demolition and Reconstruction (Wynwood)" as identified in Appendix A to Resolution No. R-917-04 ("Public Service Resolution") to reduce its allocation from \$15,000,000.00 to \$2,845,501.00 and thereby declaring \$12,154,499.00 as surplus funds; and
- k. The addition of new Bond Program Project No. 397 "Acquire, Renovate and/or Furnish New Animal Service Facility" to Appendix A of the Public Service Resolution with a municipal project location of "UMSA," a Commission District location of District 8, a street address of 29500 Harriet Tubman Highway, Miami, Florida, an allocation of \$12,154,499.00 to be funded with surplus funds from Bond Program Project No. 215 and a project description as follows: "Acquire, develop, design, construct, furnish and perform any necessary renovations, upgrades, or expansions to the New Animal Service Facility"; and
- The significant modification of Bond Program Project No. 261 "Facility Renovation and Rehabilitation of the Culmer/Overtown Branch Library" as identified in Appendix A to Resolution No. R-919-04 ("Cultural Resolution") to reduce its allocation from \$235,000.00 to \$194,421.76 and thereby declaring \$40,578.24 as surplus funds;
- m. The significant modification of Bond Program Project No. 259 "Renovation and Rehabilitation of the Lemon City Branch Library" to Appendix A of the Cultural Resolution to increase its allocation by \$40,578.24 from \$305,000.00 to \$345,578.24 using surplus funds from Bond Program Project No. 261 for ongoing improvements to the Lemon City Branch Library and to advance the program;

- n. The significant modification of Bond Program Project No. 297 "New Miami Museum of Science & Planetarium Facility/HistoryMiami" to reduce its allocation from \$170,750,000.00 to \$169,250,000.00 and thereby declaring \$1,500,000.00 as surplus funds; and
- o. The significant modification of Bond Program Project No. 290 "Vizcaya's Restoration of Main House and Gardens" to increase its allocation from \$50,000,000.00 to \$51,500,000.00 using \$1,500,000.00 of surplus funds from Bond Program Project No. 297.

Section 10. 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 11. The revised Implementing Order setting the Miami-Dade Port of Miami fees and charges as reflected in attachment A is made a part hereof.
- Section 12. The revised Implementing Order setting the Solid Waste Services rates, fees and charges as reflected in attachment B is made a part hereof.
- Section 13. The revised Implementing Order setting the Animal Services rates, fees and charges as reflected in attachment C is made a part hereof.
- Section 14. The revised Implementing Order setting the Community Services Department rates, fees and charges as reflected in attachment D is made a part hereof.
- Section 15. The revised Implementing Order setting the Florida Department of Health rates, fees and charges as reflected in attachment E is made a part hereof.
- Section 16. The revised Implementing Order setting the Department of Transportation and Public Works (Public Works) rates, fees and charges as reflected in attachment F is made a part hereof.

- Section 17. The revised Implementing Order setting the Department of Transportation and Public Works (Venetian Causeway) rates, fees and charges as reflected in attachment G is made a part hereof.
- Section 18. The revised Implementing Order setting the Department of Transportation and Public Works (Rickenbacker Causeway) rates, fees and charges as reflected in attachment H is made a part hereof.
- Section 19. The revised Implementing Order setting the Department of Transportation and Public Works (Stormwater Utility) rates, fees and charges as reflected in attachment I is made a part hereof.
- Section 20. The revised Implementing Order setting the Department of Transportation and Public Works (Transit Fares) rates, fees and charges as reflected in attachment J is made a part hereof.
- Section 21. The revised Implementing Order setting the Miami-Dade Aviation Department rates, fees and charges as reflected in attachment K is made a part hereof.
- Section 22. The revised Implementing Order setting the Miami-Dade Medical Examiner rates, fees and charges as reflected in attachment L is made a part hereof.
- Section 23. The revised Implementing Order setting the Parks, Recreation and Open Spaces Department rates, fees and charges as reflected in attachment M is made a part hereof.
- Section 24. The revised Implementing Order setting the Regulatory and Economic Resources (Film and Photo Productions) rates, fees and charges as reflected in attachment N is made a part hereof.
- Section 25. The revised Implementing Order setting the Regulatory and Economic Resources (Consumer Services) rates, fees and charges as reflected in attachment O is made a part hereof.
- Section 26. The revised Implementing Order setting the Water and Sewer Department rates, fees and charges as reflected in attachment P is made a part hereof.
- Section 27. The revised Implementing Order setting the Fire Rescue prevention rates, fees and charges as reflected in attachment Q is made a part hereof.

Section 28. The revised Implementing Order setting the Fire Rescue off duty rates, fees and charges as reflected in attachment R is made a part hereof.

Section 29. The Fiscal Year 2025-26 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 30. All allocations and reallocations of bond proceeds and interest earnings included in the Fiscal Year 2025-26 Adopted Capital Budget and Multi-Year Capital Plan, as may be amended, are hereby authorized.

Section 31. 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 32. The Clerk of the Court and Comptroller is hereby authorized 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 2025-26 fiscal year.

Section 33. 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 34. 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 and the Miami-Dade Rescue Plan District Designated Fund.

Section 35. 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 County policies or requirements applicable to entities contracting or transacting business with the County.

Section 36. The provisions of section 25B-36 of the Code requiring that an allocation be made to the Ludlam Trail Improvement District Trust Fund, the provisions of section 24-50.5(2) of the Code related to the required principal balance of the EEL Lands Management Trust Fund and disbursements therefrom, the provisions of Resolution No. R-454-25 requiring an appropriation of no less than \$11.4 million in Countywide Non-Departmental Expenditures for the Wage and Separation Reserve are hereby waived for FY 2025-26.

Section 37. The Board hereby authorizes the disbursement of \$5,732,000.00 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 38. 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 39. 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.

<u>Section 40.</u> 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 41. 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 42. 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 18, 2025

Approved by County Attorney as to form and legal sufficiency.