

Approved _____ Mayor
Veto _____
Override _____

Agenda Item C

ORDINANCE NO. 22-112

ORDINANCE APPROVING AND ADOPTING THE COUNTYWIDE GENERAL FUND BUDGET FOR MIAMI-DADE COUNTY, FLORIDA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; PROVIDING A SHORT TITLE; INCORPORATING THE FISCAL YEAR 2022-23 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; AUTHORIZING THE MAYOR OR MAYOR’S DESIGNEE TO NEGOTIATE AND EXECUTE CERTAIN FUNDING AGREEMENTS; WAIVING FOR FISCAL YEAR 2022-23 PROVISIONS OF THE CODE AND RESOLUTIONS REQUIRING EXECUTION OF COUNTY AFFIDAVITS FOR NON-PROFITS RECEIVING CERTAIN COUNTY FUNDING; AMENDING SECTION 1-4.3 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO PROCUREMENT MANAGEMENT FUNCTIONS; 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 2022-23 BUDGET; SUPERSEDING CONFLICTING PROVISIONS OF PRIOR LEGISLATIVE ENACTMENTS; AND PROVIDING SEVERABILITY, EXCLUSION FROM AND INCLUSION IN 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 2022-23 Miami-Dade County Countywide 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, 2022. 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 2, 2022 memorandum entitled "Information for First Budget Hearing – FY 2022-23 Proposed Budget," attached hereto and as such memorandum was amended to: (i) remove a \$300,000 allocation from the Miami Rescue Plan (Continuation of County Services) to be used to replace non-native trees in Arch Creek Preserve Park; (ii) increase the funding to the Miami Museum of Contemporary Art of the African Diaspora (MoCAAD) by \$100,000 from the Miami Rescue Plan (Continuation of County Services) for a total allocation of \$200,000 and clarify that the entity to receive the funds is the Miami-Dade North Arts & Humanities Foundation, Inc. which is registered to do business as MoCAAD; and (iii) approve a \$200,000 allocation to the City of North Miami from the Miami Rescue Plan (Continuation of County Services) for the North Miami Learn to Swim Program; (c) transfer of \$4,550,000.00 currently on deposit in the Affordable Housing Trust Fund to Public Housing and Community Development Department's Capital Project Program #2000002154 titled "Redevelopment of Public and Affordable Housing;" (d) waiver of all applicable legal requirements that relate to income-tiering or other expenditure restrictions included in sections 17-130, 17-132, and 17-132.1 of the Code of Miami-Dade County and Resolution No. R-1330-19 with respect to the use and allocation of all funds in Capital Project Program #2000002154; (e) delegation of authority to the County Mayor or Mayor's designee to negotiate and execute agreements, including the standard rental regulatory agreement and other required documents, subject to approval for form and legal sufficiency by the County Attorney's

Office, for the disbursement of the funds in Capital Project Program #2000002154, after consultation with and approval from the Commissioners of the districts in which the public, affordable or workforce housing projects are located; (f) the changes contained in the September 16, 2022 memorandum entitled “Information for Second Budget Hearing – FY 2022-23 Proposed Budget,” which memorandum is attached hereto, and as such memorandum was amended to: (i) correct scrivener’s errors; (ii) on page 3 of the memorandum, under section C titled “Infrastructure Project Programs,” the \$3 million to the City of North Miami for the construction of Cagney Park is instead for the construction of a community theatre and the last sentence of the last paragraph therein is replaced with the following: “Additionally, while the Homeless Trust was provided \$10 million through the HOMES Plan and \$6 million from the Infrastructure Project Programs category, there remains a funding gap of \$4 million to meet future capital needs that will be met in one of the following ways: 1) from the unallocated \$50.875 million, which is currently set aside to provide match funding for federal and state grant awards, or 2) repurposed Building Better Communities General Obligation Bond Program funds, based on availability, with approval from the General Obligation Bond Program Community Advisory Committee and the Board;” (iii) on page 4 of the memorandum, 1) the allocation to the Family Action Network Movement Inc. for the provision of Temporary Protected Services is instead for the provision of immigration services, 2) the allocations to the Haitian Neighborhood Center Sant La, Inc. and to the Hispanic Unity of Florida, Inc. are removed, 3) the \$250,000 allocation to the Catholic Charities of the Archdiocese of Miami, Inc. for the provision of Temporary Protected Services is instead a \$1,000,000 allocation to the Catholic Legal Services of the Archdiocese of Miami, Inc. for the provision of immigration services; and 4) the \$250,000 allocation to the Center for Haitian Studies, Inc. to provide primary and specialty medical care to uninsured patients, is instead a \$500,000 allocation to the Center for Haitian Studies, Inc. to provide primary and specialty medical care to uninsured patients; (iv) approve an allocation in the amount of \$650,000.00 from unallocated funds in the Infrastructure

Project Programs of the Miami-Dade Rescue Plan to the City of Sweetwater to be used for the purchase of public safety equipment; (v) approve an additional allocation in the amount of \$25,000.00 to Latinos United in Action Center, Inc., a Florida not-for-profit corporation, for afterschool programs for children to be funded from the future budget shortfalls reserve in the Miami Rescue Plan; and (vi) approve a reduction of \$3.1 million to the funds allocated to the Mortgage Relief Program that is part of the HOMES Plan to instead use the \$3.1 million to provide an additional \$100.00 to each eligible household in the County's Save our Seniors Relief Fund Program; (g) that with respect to the Development Inflation Adjustment Fund of the HOMES Plan, the eligibility criteria may be modified by resolution or motion of the Board; and (h) a requirement that the County Mayor or Mayor's designee provide quarterly reports to the Board, without committee review, at each of the next regularly scheduled Board meetings immediately following January 1, 2023, April 1, 2023, July 1, 2023 and October 1, 2023 to, at a minimum, provide the following information for each of the HOMES Plan programs: (i) number of applicants; (ii) analysis or review undertaken of eligibility requirements and criteria for each of the program and components thereof; (iii) vetting process undertaken for selection and eligibility of applicants; (iv) number of awardees/recipients (whether individuals, developers, landlords, property owners) in total and disaggregated by each commission district; (v) how much provided to each of the awardees/recipients and for what purpose including the specific expense for which the monies were used; (vi) amount spent per each of the components of the programs; (vii) reporting of all compliance oversight undertaken by staff or third parties for each of the programs and reporting of all instances of non-compliance by awardees/recipients with the requirements of each of the programs; (viii) data to evidence the effectiveness of the various programs; and (ix) for the WHIP program, in addition to the above, the number of additional units added to the inventory of housing units. Notwithstanding subsection 2(d) herein, all monies that were received from developers as payment in lieu of constructing, acquiring, or rehabilitating workforce housing in accordance with

section 17-145 of the County Code, will be used for the construction, rehabilitation, and acquisition of workforce housing units.

Section 3. The Countywide General Fund 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 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 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 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 to community-based organizations, other governmental agencies, non-profit organizations, cultural organizations or for cultural events, Anti-Gun Violence and Prosperity Initiatives Trust Fund, Miami-Dade Rescue Plan District Designated Fund, and Mom and Pop Program participants 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.

Section 9. 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, Commission office funds, Enhanced County and District Program 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 10. Section 1-4.3 of the Code is hereby amended to read as follows: ¹

Sec. 1-4.3. Reorganization of County Administrative Departments.

(f) The powers, functions and responsibilities of the Office of Americans with Disabilities Act Coordination and the Departments of General Services Administration (except for those powers, functions and responsibilities that set forth, define or otherwise affect infill housing), ~~[[Procurement Management,]]~~ >>and<< Capital Improvement (except for those powers, functions and responsibilities that set forth, define or otherwise affect bond programs)~~[[, and Human Resources]]~~ provided in Legislative Enactments are hereby transferred to the Department of Internal Services. All references in Legislative Enactments relating to the Office of Americans with Disabilities Act Coordination and the Departments of General Services Administration (except for those references that set forth, define or otherwise affect infill housing), ~~[[Procurement Management,]]~~ >>and<< Capital Improvement (except for those references which set forth, define or otherwise affect bond programs)~~[[, and Human Resources]]~~ shall be deemed to be references to the Department of Internal Services. All delegations of Commission authority, power and responsibility to the Directors of the Office of Americans with Disabilities Act Coordination and the Departments of General Services Administration (except for those delegations which set forth, define or otherwise affect infill housing), ~~[[Procurement~~

¹ Words stricken through and/or ~~[[double bracketed]]~~ reflect those provisions that shall be deleted from the County Code and words underlined and/or >>double arrowed<< shall be added to the County Code. Remaining provisions are now in effect and remain unchanged.

~~Management,]] >>and<< Capital Improvement (except for those delegations which set forth, define or otherwise relate to bond programs)[[, and Human Resources]] shall be deemed to be a delegation to the Director of the Department of Internal Services or, at the County Mayor's discretion, to the County Mayor's designee. >>The powers, functions and responsibilities of Procurement Management shall be deemed to be a delegation to the Director of the Strategic Procurement Department or, at the County Mayor's discretion, to the County Mayor's designee.<< [[~~Notwithstanding the foregoing, the Director of the Department of Internal Services shall hold the powers and responsibilities of the personnel director as set forth in Section 5.05 of the Miami-Dade County Home Rule Charter.~~]]~~

Section 11. Section 17-132.1 of the Code is hereby amended to read as follows:

Sec. 17-132.1. - Revolving loan fund.

~~[[All general fund revenues, as defined herein as 50 percent of the unallocated carryover funds in the countywide general fund budget which are in excess of the adopted budget, up to \$10,000,000.00, shall be allocated to the Affordable Housing Trust Fund, subject to appropriation each year, and shall be placed into the Trust on an annual basis and shall be used for]]~~
>>There shall be within the Affordable Housing Trust Fund<< a revolving loan fund ("Revolving Loan Fund") to be operated as set forth in this section and Section 17-132 of the Code. ~~[[The general fund revenues, all repayments of general fund revenues,]]~~ >>Any funds deposited in the Revolving Loan Fund<< and all interest paid on loans made from the Revolving Loan Fund shall be deposited into a separate interest-bearing account. All funds deposited into the account shall be used solely for the purposes of making eligible loans to developers and for administration of the Revolving Loan Fund, including payment of the outside administrator. The Revolving Loan Fund shall operate as follows:

Section 12. Section 2-1799 of the Code is hereby amended to read as follows:

Sec. 2-1799. – Reserve funds.

(f) *Disposition of unallocated carryover funding in the countywide general fund and unincorporated municipal*

service area general fund budgets. Unallocated carryover funding in the countywide general fund and unincorporated municipal service area general fund budgets shall be allocated as follows:

1. Fifty percent (50%) >>of the unallocated carryover funds in the countywide general fund budget which are in excess of the adopted budget, up to \$10,000,000.00, subject to appropriation each year,<< shall be allocated ~~[[in accordance with Section 17-132.1 of the Code]]~~ >>to the Public Housing and Community Development Department or successor department to be used for public housing, affordable housing and workforce housing capital projects<<.

Section 13. 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 14. 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 15. It is the intention of the Board and it is hereby ordained that the provisions of sections 10, 11, and 12 of this ordinance shall become and be made a part of the Code and the balance of this ordinance shall be excluded from the Code.

Section 16. The 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 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: September 20, 2022

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

COUNTYWIDE GENERAL FUND REVENUE

Net*
2022-23
Budget

TAXES

General Property Tax (Tax Roll: \$377,897,396,044)	\$1,658,663,000
Local Option Gas Tax	41,606,000
Ninth Cent Gas Tax	<u>10,504,000</u>
Subtotal	<u>\$1,710,773,000</u>

OCCUPATIONAL LICENSES

Business Taxes	<u>\$2,194,000</u>
Subtotal	<u>\$2,194,000</u>

INTERGOVERNMENTAL REVENUES

State Sales Tax	\$107,446,000
State Revenue Sharing	87,945,000
Gasoline and Motor Fuels Tax	12,969,000
Alcoholic Beverage Licenses	1,072,000
Secondary Roads	500,000
Race Track Revenue	510,000
State Insurance Agent License Fee	<u>729,000</u>
Subtotal	<u>\$211,171,000</u>

CHARGES FOR SERVICES

Sheriff and Police Fees	\$1,218,000
Other	<u>253,000</u>
Subtotal	<u>\$1,471,000</u>

INTEREST INCOME

Interest	<u>\$711,000</u>
Subtotal	<u>\$711,000</u>

COUNTYWIDE GENERAL FUND REVENUE (cont'd)

	Net* 2022-23 <u>Budget</u>
 <u>OTHER</u>	
Administrative Reimbursements	\$55,241,000
Miscellaneous	<u>7,132,000</u>
Subtotal	<u>\$62,373,000</u>
 <u>TRANSFERS</u>	
Transfers	<u>\$4,870,000</u>
Subtotal	<u>\$4,870,000</u>
 <u>CASH CARRYOVER</u>	
Cash Carryover	<u>\$101,562,000</u>
Subtotal	<u>\$101,562,000</u>
Total	<u>\$2,095,125,000</u>

*** All anticipated receipts have been adjusted as necessary in accordance with Chapter 129.01(2)(b) of the Florida Statutes.**

COUNTYWIDE GENERAL FUND EXPENDITURES

	2022-23 Budget
Office of the Mayor	6,571,000
Board of County Commissioners (BCC)	24,727,000
County Attorney	20,293,000
Clerk of Court	8,146,000
Corrections and Rehabilitation	290,973,000
Judicial Administration	40,517,000
Juvenile Services	15,778,000
Legal Aid	3,509,000
Medical Examiner	16,173,000
Miami-Dade Fire Rescue	39,585,000
Office of the Emergency Management	7,124,000
Miami-Dade Police	299,307,000
Independent Civilian Panel	1,000,000
Non-departmental - Public Safety	12,120,000
General Government Improvement Fund - Public Safety	1,180,000
Transportation and Public Works	258,578,000
Non-departmental - Transportation and Mobility	31,797,000
Cultural Affairs	13,344,000
Park, Recreation and Open Spaces	60,808,000
Non-departmental - Recreation and Culture	5,149,000
Animal Services	22,513,000
Solid Waste Management	12,603,000
Non-departmental - Neighborhood and Infrastructure	32,133,000
Community Action and Human Services	46,511,000
Public Housing and Community Development	998,000
Public Health Trust	263,533,000
Non-departmental - Health and Society	84,846,000
General Government Improvement Fund – Health and Society	530,000
Miami-Dade Economic Advocacy Trust	1,821,000
Regulatory and Economic Resources	7,561,000
Non-departmental - Economic Development	99,359,000
Audit and Management Services	3,184,000
Commission on Ethics and Public Trust	2,686,000
Communications	11,261,000
Elections	36,743,000
Human Resources	10,659,000
Information Technology Department	2,082,000

Inspector General	1,141,000
Internal Services Department	55,861,000
Management and Budget	8,087,000
Property Appraisal	48,291,000
Non-departmental - General Government	173,940,000
General Government Improvement Fund – General Government	12,103,000
Total	<u>2,095,125,000</u>

****Schedule incorporates first and second change memorandums, and amendments read into the record.***