

Approved _____ Mayor
Veto _____
Override _____

Agenda Item E

ORDINANCE NO. 22-114

ORDINANCE APPROVING AND ADOPTING THE UNINCORPORATED MUNICIPAL SERVICE AREA 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; RECOGNIZING AND CONTINUING THE UNINCORPORATED MUNICIPAL SERVICE AREA; 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, 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; PROVIDING SEVERABILITY, 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 2021-22 Miami-Dade County Unincorporated Municipal Service Area 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) 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; and (v) 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; (d) 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 (e) 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.

Section 3. The Unincorporated Municipal Service Area 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 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 Unincorporated Municipal Service Area is hereby recognized and continued. All funds budgeted for this area are provided by general taxes and other revenue related to this area.

Section 9. 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 10. 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, or Commission office

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

Section 12. 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 13. It is the intention of the Board and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code.

Section 14. 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 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.

**UNINCORPORATED MUNICIPAL SERVICE AREA
GENERAL FUND REVENUE**

**NET*
2022-23
BUDGET**

TAXES

General Property Tax (Tax Roll: \$101,823,792,808)	\$184,663,000
Utility Tax	104,525,000
Communications Services Tax	<u>24,355,000</u>
Subtotal	<u>\$313,543,000</u>

OCCUPATIONAL LICENSES

Business Taxes	<u>\$4,075,000</u>
Subtotal	<u>\$4,075,000</u>

INTERGOVERNMENTAL REVENUES

State Sales Tax	\$126,133,000
State Revenue Sharing	48,210,000
Alcoholic Beverage Licenses	<u>179,000</u>
Subtotal	<u>\$174,522,000</u>

CHARGES FOR SERVICES

Sheriff and Police Fees	<u>\$2,165,000</u>
Subtotal	<u>\$2,165,000</u>

INTEREST INCOME

Interest	<u>\$237,000</u>
Subtotal	<u>\$237,000</u>

**UNINCORPORATED MUNICIPAL SERVICE AREA
GENERAL FUND REVENUE (cont'd)**

	NET* 2022-23 <u>BUDGET</u>
 <u>OTHER</u>	
Administrative Reimbursements	\$14,684,000
Miscellaneous	<u>448,000</u>
Subtotal	<u>\$15,132,000</u>
 <u>TRANSFERS</u>	
Transfers	<u>\$280,000</u>
Subtotal	<u>\$280,000</u>
 <u>CASH CARRYOVER</u>	
Cash Carryover	<u>\$44,596,000</u>
Subtotal	<u>\$44,596,000</u>
Total	<u>\$554,550,000</u>

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

**UNINCORPORATED MUNICIPAL SERVICE AREA
EXPENDITURES**

	2022-23 <u>Budget</u>
Office of the Mayor	\$1,747,000
Board of County Commissioners (BCC)	6,568,000
County Attorney	5,394,000
Miami-Dade Police	412,157,000
General Government Improvement Fund – Public Safety	500,000
Transportation and Public Works	11,314,000
Parks, Recreation and Open Spaces	56,985,000
Regulatory and Economic Resources	316,000
Non-departmental - Economic Development	3,554,000
General Government Improvement Fund – General Government	150,000
Audit and Management Services	847,000
Communications	2,993,000
Human Resources	2,833,000
Internal Services Department	14,849,000
Management and Budget	1,118,000
Non-departmental - General Government	31,888,000
General Government Improvement Fund – General Government	1,337,000
 Total	 <u>\$554,550,000</u>

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