



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

**Legislative Analysis**

**Regional Transportation**  
**Committee**

February 07, 2011  
9:30 A.M.  
Commission Chamber

Charles Anderson, CPA  
Commission Auditor  
111 NW First Street, Suite 1030  
Miami, Florida 33128  
305-375-4354

**Miami-Dade County Board of County Commissioners  
Office of the Commission Auditor**

**Legislative Notes  
Regional Transportation Committee  
Meeting Agenda**

**February 07, 2011**

Written analyses and notes for the below listed items are attached for your consideration:

**Item Number(s)**

2A
2H
4B
4C
4D
4E
4F

**MIAMI-DADE COUNTY  
BOARD OF COUNTY COMMISSIONERS  
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

**Agenda Item:** 2(A)  
**File Number:** 110087  
**Committee(s)  
of Reference:** Regional Transportation Committee  
**Date of Analysis:** February 3, 2011  
**Co-Prime Sponsor:** Chairman Joe A. Martinez  
**Co-Prime Sponsor:** Commissioner Bruno A. Barreiro  
**Type of Item:** Ordinance

**Summary**

This ordinance amends the sections of the County Code relating to the Citizens' Independent Transportation Trust (CITT) and the People's Transportation Plan (PTP) allowing Charter County and Regional Transportation System Surtax Funds be expended for *on-demand transportation service within municipalities for low-income seniors and individuals with disabilities*.

Under recently amended Florida Statute 212.055 (2010), surtax funds can now be spent on "on-demand" transit services. The term "on-demand transportation services" as defined in Florida Statutes that transportation provided between flexible points of origin and destination selected by individual users with such service being provided at a time that is agreed upon by the user and the provider of the service and that is not fixed-schedule or fixed route in nature.

Currently twenty percent of surtax proceeds are distributed to *most* municipalities within Miami-Dade County for use on transit and transportation projects, with twenty percent of that amount designated for transit projects. According to CITT staff, Islandia, Doral, Miami Gardens, and Cutler Bay do not receive Surtax proceeds.

**Use of Surtax Proceeds by Municipalities**

On December 15, 2010, the County Attorney provided an analysis as to whether the City of Miami may use its portion of the Charter County and Regional Transportation System Surtax proceeds to fund the operation and maintenance of an on-demand transportation service for low and moderate income senior citizens.

The analysis states that such use of Surtax Proceeds by the City would be a permissible transportation expenditure without the necessity of approval of a Countywide referendum provided that: (1) *the Board of County Commissioners (BCC) amends the enabling ordinance to allow for Surtax Proceeds to be used for on-demand services as now permitted by State statute and (2) such on-demand are available to the public.*

Furthermore, the County Attorney's analysis states if the BCC does amend the Code to allow on-demand transportation projects, any municipality that chooses to use surtax funds for an on-demand transportation project must first amend its Interlocal Agreement with the County to add such use.

### **Background and Relevant Information**

In 2002, Miami-Dade voters approved the levy of a half-penny sales tax to fund the PTP. Along with levying the tax, voters also approved the creation of the CITT to oversee the PTP. The CITT is currently comprised of 15 members of which 13 are appointed by the Board of County Commissioners, one is appointed by the County Mayor, and one is appointed by the Miami-Dade League of Cities.

According to the CITT website, CITT staff "coordinates public outreach efforts to inform the community regarding the improvements that have been implemented using surtax funds." The CITT is fully funded with proceeds from the PTP surtax.

On August 18, 2010, during a CITT meeting, the Taxi Industry objected to the on-demand service.

### **Policy Change and Implication**

The proposed ordinance does not require municipalities to provide this service, and does not provide an implementation process for municipalities to follow.

**The Office of the Commission Auditor conducted a cursory review of the CITT and PTP recent legislation and provides notes in the table below.**

<b>Ordinance/ Resolution</b>	<b>Date</b>	<b>Description</b>
<b>Ord. 02-116</b>	7/9/2002	Ordinance establishing the ½ percent Charter County Transit System Surtax.
<b>Ord. 02-117</b>	7/9/2002	Ordinance creating the Citizens' Independent Transportation Trust.
<b>R-966-03</b>	9/9/2003	Deletes a street widening project described as N.W. 170 Street which would have widened this street from two lanes to four lanes.
<b>R-965-03</b>	9/9/2003	Incorporates bus service improvements into the People's Transportation Plan (PTP).
<b>R-1154-03</b>	10/9/2003	Approves additional miscellaneous capital improvement projects.
<b>R-64-04</b>	1/20/2004	Approves the amendment to the PTP Bus Service Plan to reflect the Dec. 7, 2003 line-up.
<b>R-87-04</b>	1/20/2004	Approves a 2-year plan for the Public Works Department's PTP plan for FY 2003-04 and 2004-05.
<b>R-421-04</b>	4/13/2004	Discontinues the Overnight Metrorail and Metromover service.
<b>R-422-04</b>	4/13/2004	Amends the PTP to revert to a five-year bus service improvement plan.
<b>R-507-04</b>	4/27/2004	Amends the Neighborhood Improvement section of the PTP to include roadway signage, lighting, pavement markings, and traffic calming devices.
<b>R-729-04</b>	6/8/2004	Modifies the transit fare schedule to allow county residents to use the transit system without paying a fare if they (a) are honorary discharged veterans, and (b) their household income does not exceed the standard threshold applied to determine eligibility for low-income, senior citizens.
<b>R-730-04</b>	6/8/2004	Amends the PTP to create the Patriot Passport demonstration program.
<b>R-846-04</b>	7/13/2004	Approves a loan in aggregate principal amount not to exceed \$100,000,000 from Sunshine State Governmental Financing Commission
<b>R-1240-04</b>	10/19/2004	Amends the PTP to allow for the procurement of 12 new Metromover vehicles and the retrofit and modification of the remaining 17 vehicles.
<b>R-1391-04</b>	11/30/2004	Adjusts the Public Works Department's 20year plan and removing School Flashing Signals from the District Commission's yearly allocation and reassigning it within the Countywide Neighborhood Improvements Section.
<b>R-1365-04</b>	11/30/2004	Amends the PTP to include Paratransit/Special Transportation Services (STS) as an eligible project for the Surtax in an amount not to exceed \$55.4 million.
<b>Ord. 05-148</b>	7/7/2005	Provides for a loan of Surtax funds (a line of credit) to the Transit Department at a 3% interest rate to fund services existing as of Nov. 5, 2002, contingent on certain conditions.
<b>R-252-06</b>	3/7/2006	Provides for the issuance of \$200,000,000 aggregate principal amount of Miami-Dade

<b>Ordinance/ Resolution</b>	<b>Date</b>	<b>Description</b>
		County, Florida Transit System Sales Surtax Revenue Bonds, Series 2006 (the "Series 2006 Bonds") for the purpose of paying costs of certain Transportation and Transit Projects (the "Series 2006 Project").
<b>R-531-06</b>	5/9/2006	Modifies the scope for the NW 74 Street Project to six new lanes from the Homestead Extension of the Florida Turnpike (HEFT) to the Palmetto Expressway (SR 826) and deletes the NW 97 Avenue Project from NW 25 Street to NW 41 Street.
<b>R-246-07</b>	3/6/2007	Modifies the scope for the PTP project along South Bayshore Drive, from McFarlane Road to Aviation Avenue, and change the limits of the project to Darwin Street to Mercy Way.
<b>R-308-07</b>	3/6/2007	Includes a public education campaign including Miami-Dade County Public Schools promoting short-term solutions to alleviate traffic congestion in an amount not to exceed \$350,000.
<b>R-34-08</b>	1/10/2008	Amends the Board-requested Major Roadway and Neighborhood Improvement Projects list in Exhibit 1 of the People's Transportation Plan to delete the SW 87 Avenue, from SW 216 Street to SW 168 Street Project and add the Old Cutler Road, from SW 97 Avenue to SW 87 Avenue and Caribbean Boulevard, from Coral Sea Road to SW 87 Avenue Projects.
<b>R-320-08</b>	4/8/2008	Amends the PTP to allow for the use of Surtax funds for projects other than those related to the Orange Line only if each fiscal year an annual allocation is made specifically to projects related to the Orange Line.
<b>R-319-08</b>	4/8/2008	Provides for the issuance of not to exceed \$300,000,000 aggregate principal amount of Miami-Dade County, Florida Transit System Sales Surtax Revenue Bonds, Series 2008 (the "Series 2008 Bonds"), as the second Series of Bonds under the provisions of the Master Ordinance, for the purpose of paying costs of certain Transportation and Transit Projects (the "Series 2008 Project") and refunding the R-846-04 Sunshine State Governmental Financing Commission Loan of which \$82,915,000 was outstanding.
<b>R-486-08</b>	5/6/2008	Amends the PTP Miscellaneous Capital Improvements Projects List to include the purchase of 17 new Metromover replacement vehicles.
<b>R-488-08</b>	5/6/2008	Amends the PTP regarding the purchase of new Metrorail vehicles to include the procurement of 136 new Metrorail Vehicles, in lieu of their Rehabilitation (funding for the mid-life rehabilitation of the Metrorail and Metromover vehicles was approved by R-831-02 on 7/23/2002), in an amount not to exceed \$401,451,000.
<b>R-222-09</b>	3/3/2009	Amends Exhibit 1 to the People's Transportation Plan. Surtax funds may be utilized for any costs related to capital and/or the operations and maintenance of the transit system. The transit projects listed in Exhibit 1 are illustrative examples but not exclusive uses for surtax funds. Said projects and prior amendments to Exhibit 1, with the exception of the Reinvestment Schedule identified in CITT Resolution No. 05-025, are subject to modification by the approval of the annual budget ordinance(s). Dedicates at least 10 percent of the County's annual share of surtax funds, excluding existing and future debt service, for capital expansion of the transit system.
<b>R-424-09</b>	4/21/09	Approved the expenditure of Charter County Transit System Sales Surtax funds, not to exceed \$3,000 and payable through the Office of the Citizens' Independent Transportation Trust departmental budget, to permit CITT member Marilyn Smith to attend the Bus Rapid Transit Conference, nationally recognized as the largest most comprehensive learning experience on the topic of bus transportation and related technologies.
<b>Ord. 10-53</b>	9/21/10	Requires the establishment of a five year implementation plan; establishing procedures for modifications to the five year implementation plan; providing that the trust submit a recommendation to the BCC prior to BCC awarding of certain contracts.

**Attachment:**

CITT-Transportation TAX Distribution to Municipalities FY 2010 and 2011 First Quarter figures as provided in FAMIS.

**MIAMI-DADE COUNTY  
BOARD OF COUNTY COMMISSIONERS  
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

**Agenda Item:** 2(H), 4(B), 4(C), and 4(D)

**File Number:** 110069, 102791, 110066, and 110082

**Committee(s)  
of Reference:** Regional Transportation Committee

**Date of Analysis:** February 3, 2011

RTC Agenda No.	2(H) 110069	4(B) 102791	4(C) 110066	4(D) 110082
<b>Transit Corridor</b>	I-95 Dade-Broward <sup>1</sup> Bus Rapid Transit (BRT)	Dade-Monroe	South Miami-Dade	Flagler Max
<b>Proposed Resolution</b>	<i>Grant funding from FY 2009 Congestion Mitigation Air Quality for operation assistance for the I-95 Dade-Broward Express Bus Service</i>	<i>Authorizes the execution of a Joint Participation Agreement with FDOT to provide funding from its Commuter Assistance Program</i>	<i>Authorizes the execution of a Supplemental Joint Participation Agreement to provide additional State funding</i>	<i>Authorizes the execution of a Supplemental Joint Participation Agreement to provide additional State funding</i>
<b>Funding</b>	\$1,764,985 from the U.S. Dept. of Transportation. This is the expected funding from the FTA to operate the route for a total of \$2.2 million. (See R-677-09)	\$250,000 from FDOT and a local match by MDT of \$250,000 from its operating budget.	\$467,500 from FDOT; no local match is required.	\$467,500 from FDOT; no local match is required.
<b>Service per day</b>	FY 2009 Broward County Transit (BCT) – 24 trips per day  FY 2009 MDT Service (No service in 2009)  FY 2010, MDT-80 trips per day, BCT – 30 trips per day	Service is provided seven days a week between 5:15 am to 1:20 am.	Weekday 645 trips  Saturday 281 trips  Sunday 157 trips  All these trips are one-way trips.	Provides weekday services with limited stops.
<b>Bus Trips and Route Information</b>	According to MDT staff, the BRT routes from MDC into Broward originate from Downtown Miami to Sheridan Street (40 trips) and to Broward Blvd (40 trips).	17 trips operate between the Super Wal-Mart in Florida and Mile Marker 98 in Key Largo; all but one of these trips serves Tavernier; 13 trips are extended to serve Islamorada; and six trips are further extended to provide service all the way to Marathon.	Coral Reef MAX (Route 252) Saga Bay MAX (Route 287) Busway Local (Route 31) Route 1 Busway MAX (Route 38)	The Flagler Max Route stops between the western portion of MDC, primarily along West Flagler Street and Downtown Miami.
<b>Boardings</b>	According to MDT staff: FY 2010, 134,341 boardings FY 2011, (Oct thru Dec 2010) – 55,465 boardings FY 2011 Projected – 220,000 boardings	This route averages 26,000 boardings.	These routes currently average approximately 12,000 weekday boardings.	The current average weekday boarding is 3,200.
<b>Fare Rates</b>	According to MDT staff: FY 2010-11 MDT fares 1 way - \$2.35, roundtrip - \$4.70	Miami-Dade Transit Fares Schedule Effective December 13, 2009 \$2.35	Miami-Dade Transit Fares Schedule Effective December 13, 2009 \$2.00	Miami-Dade Transit Fares Schedule Effective December 13, 2009 \$2.00

<sup>1</sup> According to MDT staff, there are 16 60ft. diesel electric hybrid buses, used on the routes, which were paid for by FDOT and FTA.

In response to questions from the Office of the Commission Auditor pertaining to how much has been expended on outreach activities and marketing materials, since the inception of the Dade-Monroe route service, MDT provided the information below:

<b>Outreach and Marketing Activities</b>	<b>Description</b>	<b>Costs</b>
Dade-Monroe Express Route Guides	386,000 total in 14 printings since 2000	\$37,000
Rider Alerts announcing the service and changes	Produced in-house 2000, 2002, 2006, 2007	Cost not included.
Initial signage for bus stop decals where the route goes in Florida City	Produced 2,000 signage for bus stop decals	\$180
Flyers informing riders of new fareboxes and EASY Cards	2,500 printed in November 2010	\$2,056
Posters informing riders of new fareboxes and EASY Card	Nine posters produced in-house November 2010	\$315
Fare media board for American Coach to distribute to drivers	Delivered electronically November 2010	\$ 70
New signage with destinations and fareboxes	186 vinyl decals produced 2011	\$1,200

**Prepared by:** Michael Amador-Gil

**MIAMI-DADE COUNTY  
BOARD OF COUNTY COMMISSIONERS  
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

**Agenda Item:** 4(E)  
**File Number:** 110163  
**Committee(s)  
of Reference:** Regional Transportation Committee  
**Date of Analysis:** February 3, 2011  
**District:** 7  
**Type of Item:** Resolution

**Summary**

This resolution approves the Maintenance Memorandum of Agreement between the Florida Department of Transportation (FDOT) and Miami-Dade County for the M-Path Bike Path Pedestrian Path extension between Datran Drive and S.W. 67th Avenue/Ludlam Road.

**Fiscal Impact**

Although the memo states there is no fiscal impact to the County for construction, there is a fiscal impact for maintenance and operation of \$8,000 for the proposed extension (for this portion only). However, according to MDT staff, the cost to maintain the entire bike path is approximately \$1 million.

**Background and Relevant Information**

On July 2007, a Metrorail Master Plan was prepared by Kimley-Horn and Associates and EBS Engineering, Inc. along with staff from the Miami-Dade Metropolitan Planning Organization (MPO). The Metrorail Master Plan addressed operational issues and problem areas within a comprehensive development program for the path as a whole. The M-Path meanders within Miami-Dade Transit right-of-way under the elevated Metrorail guideways from S.W. 67 Avenue in South Miami to the Miami River in downtown Miami. The purpose of the M-Path provides a course of travel for pedestrians and bicyclists and generally runs contiguous to U.S.-1.<sup>1</sup>

- **The Master Plan provided a total project cost estimate of \$2,500,000 for long-term improvements and \$700,000 in short-term improvements. The short-term improvements include: resurfacing of critical areas; advance warning signs; directional signals; pavement markings; construct missing links; realignments; emergency call boxes; and encroachment prevention measures.**

Furthermore, the M-Path was identified as a significant component of the regional greenways and trail network by the MPO Bicycle and Pedestrian Program.

<sup>1</sup> See Metropolitan Planning Organization Studies, Metrorail M-Path Master Plan, July 2007



**Additional Information**

In response to questions pertaining to developers seeking easements over the proposed extension from the Office of the Commission Auditor, MDT provided the information below:

Two (2) developers are seeking easement or use of right-of-way along the M-Path and especially within *this M-Path Projects limits*. They are:

- South Miami Hospital Force Main Project—The hospital proposed a new building which requires the installation of a new DIP 8" Force Main within a portion of the Metrorail Right-of-Way corridor crossing at approximately S.W. 67<sup>th</sup> Avenue and continuing north within the Metrorail Right-of-Way corridor. An easement will be required for the Force Main which will eventually be turned over to MDWASD. They are also looking to add a new 12" DIP Water Main to be located extending south from S.W. 62 Ave and within the Metrorail Right-of-Way corridor. This too will be within an easement for MDWASD. *The Engineer has been advised that the M-Path project is within this vicinity and that they need to work with FDOT.*
- An Unsolicited Proposal to develop a Car Wash was submitted in February 2009; however the proposer has not followed through to date.

According to MDT staff, FDOT presented the M-Path Project to the Bicycle and Pedestrian Advisory Committee and it was approved on 1/25/11.

Additionally, MDT staff expects high usage due to the proximity to the Dadeland North Metrorail Station.

**Prepared by:** Michael Amador-Gil

**MIAMI-DADE COUNTY  
BOARD OF COUNTY COMMISSIONERS  
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

**Agenda Item:** 4(F)  
**File Number:** 110201  
**Committee(s) of Reference:** Regional Transportation Committee  
**Date of Analysis:** February 4, 2011  
**Type of Item:** Grant Application (Federal)

**Summary**

With the approval of this item the County Mayor or his designee, or the Director of Miami-Dade Transit will have the authority to apply for and expend grant funds from the Job Access and Reverse Commute program. These grant funds, which require a local contribution, will support the implementation of new and the expansion of existing Metrobus routes.

**Background and Relevant Legislation**

The Job Access and Reverse Commute (JARC) program funds transportation projects designed to help low-income individuals access to employment and related activities where existing transit is either unavailable, inappropriate, or insufficient. The JARC program also funds reverse commute transit services available to the general public. A reverse commute is a round trip, regularly taken, from a metropolitan area to a suburban one in the morning, and returning in the evening.

Miami-Dade County Transit annually applies for and receives JARC grant funding to underwrite the continuation or expansion of existing transit bus routes. The routes identified to be impacted by this current grant application include:

Route	Major Job Sites Serviced by this Route
Rt. 7	Bayfront Park, Miami-Dade College (Wolfson Campus), American Airlines Arena, Downtown Miami, the Metropolitan Hospital and the Magic City Casino along N.W. 7 <sup>th</sup> Street, the Mall of Americas, and Miami International Mall.  Future use includes the new Marlins Stadium, Miami

	International Airport (MIA) and the Miami Intermodal Center (MIC).
Rt. 71	Dolphin Mall, Miami International Mall Florida International University (University Park Campus), Concord Shopping Center and Miami Dade College (Kendall Campus).  Future use includes the Palmetto Metrorail Station in Medley.
Rt. 87	Dadeland Mall and Mall of the Americas.  Future use includes the Medley Industrial area in Medley.
Rt. 132 (Tri-Rail Doral Shuttle)	Various businesses (hotels, restaurants, banks), MIA-related business along N.W. 36 <sup>th</sup> Street, the Atrium Shopping Center and the Doral Executive Center.
Rt. 136	The Falls Shopping Center, the Gloria M. Floyd Elementary School, the Kendall-Tamiami Executive Airport, the Immigration and Naturalization Office and Coconut Grove.
Rt. 150 Airport Flyer (Airport to South Beach Express)	Express bus service provided between MIA, Tri-Rail, Metrorail, and South Beach.  Future use is from Lincoln Road to South Pointe on Miami Beach, and the MIC.
Rt. S.W. 8 <sup>th</sup> Street Enhanced Bus/SR 836 Express	This new route will provide service from west Miami-Dade to the MIC, including Florida International University (University Park Campus). Direct access will be provided to the Metrorail, Tri-Rail, and MIA from the MIC.
Rt. North Corridor Enhanced Bus Service	Martin Luther King Metrorail Station, Brownsville Station, Miami Dade College North Campus, SunLife Stadium, and Calder Race Track.

### **Policy Change and Implication**

Application and execution of this grant are actions consistent with the County's current policy regarding federal grants.

### **Budgetary Impact**

This item represents a \$4,015,142 in federal grant funds. A local match of \$4,015,142 will be provided through Miami-Dade Transit (MDT) operating budget.

### **Questions**

***Although the current and future on-going annual operating costs of the routes funded by this grant are budgeted within the 29.2 million revenue miles as stated in the memorandum, has the local match***

***of \$4,015,142 been allocated in the adopted budget for FY 2010-11, since this item is ratifying FY 2008 and FY 2009 grants?***

*According to MDT, the funds are programmed to reimburse the Bus Division in FY 2010-2011.*

***Why is the County ratifying this item now instead of during FY 2008 and 2009?***

*According to MDT, the South Florida Regional Transportation Authority (SFRTA) is the designated recipient for the funds for the urbanized area (UZA). Last February they sent out a competition for 2008 and 2009 funding. MDT was selected to be the recipient of the award; subsequently, we applied and were awarded on August 9, 2010. In general, these funds lapse three years after they are awarded.*

***Will FY 2010 also need ratification?***

*The 2010 funds will open for competition sometime this month, February 2011.*

**Prepared By:** Jason T. Smith and Elizabeth N. Owens