

MEMORANDUM

Agenda Item No. 11(A)(4)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: December 15, 2009

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution related to state
funding for the South Florida
Regional Transportation
Authority/Tri-Rail and a
possible upcoming special
session of the Florida
Legislature

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM

(Revised)

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Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

Agenda Item No. 11(A)(4)

Veto _____

12-15-09

Override _____

RESOLUTION NO. _____

RESOLUTION RELATED TO STATE FUNDING FOR THE
SOUTH FLORIDA REGIONAL TRANSPORTATION
AUTHORITY/TRI-RAIL AND A POSSIBLE UPCOMING
SPECIAL SESSION OF THE FLORIDA LEGISLATURE

WHEREAS, on November 4, 2009, this Board approved Resolution No. 1294-09, which urged the Legislature to provide a dedicated funding source for the South Florida Regional Transportation Authority/Tri-Rail through a new \$2 rental car surcharge or other new dedicated funding; and

WHEREAS, it now appears likely that the Legislature will be called into a special session perhaps as early as Thursday, December 3, 2009 to consider Tri-Rail funding as part of a broader discussion related to high-speed rail in Florida and commuter rail in Central Florida; and

WHEREAS, federal transportation officials have indicated that Florida could better position itself to receive federal stimulus funds for high-speed rail if Florida made a stronger commitment to funding commuter rail, including Tri-Rail; and

WHEREAS, at the present time, a new dedicated funding source for Tri-Rail as set forth in this Board's resolution from November 4, 2009 does not appear likely; and

WHEREAS, current discussions for a funding source for Tri-Rail are focused on gas tax revenues and projections that are now coming in higher than anticipated; and

WHEREAS, state estimates of gas tax revenue are \$56.9 million more than had been expected for the current state fiscal year, \$78.1 million more than expected for the state fiscal year that starts July 1, 2010, and \$80.2 million more than expected for state fiscal year 2011-12; and

WHEREAS, while these gas tax revenue estimates are higher than recently projected estimates, they are still lower than had been projected in the past; and

WHEREAS, from the March 2007 estimates to the November 2009 estimates, gas tax revenue projections declined more than a billion dollars over the horizon of the five-year Florida Department of Transportation work program; and

WHEREAS, using part of the higher than currently anticipated gas tax revenue for Tri-Rail would not divert such funds from other transportation projects currently funded, but using part of this recently unanticipated gas tax revenues for Tri-Rail would divert these revenues from otherwise being used for road and other transportation projects in Miami-Dade, Broward and Palm Beach Counties; and

WHEREAS, there also has been some discussion about imposing additional funding mandates on counties related to Tri-Rail funding,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. _____ [Supports/Opposes] using part of the higher-than-anticipated projected gas tax revenues to fund Tri-Rail.

Section 2. Opposes any effort to cost shift additional funding obligations to Miami-Dade, Broward and Palm Beach Counties to fund Tri-Rail.

Section 3. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade County State Legislative Delegation, the Mayor and Members of the Broward County Board of County Commissioners, the Chair and Members of the Palm Beach County Board of County Commissioners and the Chair and Governing Board of the South Florida Regional Transportation Authority.

Section 4. Directs the County's state lobbying team to advocate the positions set forth in Sections 1 and 2 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2010 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman	
Jose "Pepe" Diaz, Vice-Chairman	
Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of December, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Jess M. McCarty

