



MEMORANDUM

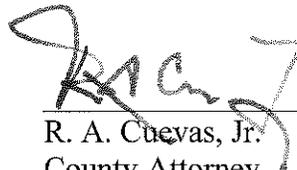
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: October 24, 2011

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

SUBJECT: Resolution establishing County policy to require a Miami-Dade Transit (MDT) Metrobus operator to stop and wait for a disabled individual at or approaching a Metrobus stop unless such person has indicated that he or she is not boarding the bus, to require a Metrobus operator to provide adequate time for a disabled individual to board the Metrobus, to require a Metrobus operator to activate the wheelchair lift if necessary or requested, and directing the mayor to implement rules or procedures to effectuate this policy

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



R. A. Cuevas, Jr.
County Attorney

RAC/cp

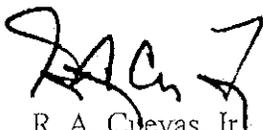


MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: November 15, 2011

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

SUBJECT: Agenda Item No.

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.

Veto _____

11-15-11

Override _____

RESOLUTION NO. _____

RESOLUTION ESTABLISHING COUNTY POLICY TO REQUIRE A MIAMI-DADE TRANSIT (MDT) METROBUS OPERATOR TO STOP AND WAIT FOR A DISABLED INDIVIDUAL AT OR APPROACHING A METROBUS STOP UNLESS SUCH PERSON HAS INDICATED THAT HE OR SHE IS NOT BOARDING THE BUS, TO REQUIRE A METROBUS OPERATOR TO PROVIDE ADEQUATE TIME FOR A DISABLED INDIVIDUAL TO BOARD THE METROBUS, TO REQUIRE A METROBUS OPERATOR TO ACTIVATE THE WHEELCHAIR LIFT IF NECESSARY OR REQUESTED, AND DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO IMPLEMENT RULES OR PROCEDURES TO EFFECTUATE THIS POLICY

WHEREAS, Miami-Dade County is committed to provide transit services to patrons regardless of disability; and

WHEREAS, MDT Metrobus rules and procedures specify that persons with disabilities receive priority boarding to allow those patrons to enter and exit the Metrobus before other patrons waiting to enter or exit; and

WHEREAS, current MDT Metrobus rules and regulations do not specify under what circumstances a driver should wait for a patron with physical disabilities, such as a patron in a wheelchair, to approach the Metrobus even when that patron is not at the Metrobus stop when the bus passes or approaches a Metrobus stop; and

WHEREAS, the County intends to provide maximum convenience and service to all of the riding public including patrons with disabilities,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that it shall be the policy of this Board to require a Miami-Dade Transit (MDT) Metrobus Operator to stop and wait for a disabled individual at or approaching a Metrobus stop unless such person has indicated that he or she is not boarding the bus, to require a Metrobus Operator to provide adequate time for a disabled individual to board the Metrobus, to require a Metrobus Operator to activate the wheelchair lift if necessary or requested, and directing the Mayor or Mayor's designee to implement rules or procedures to effectuate this policy.

The Prime Sponsor of the foregoing resolution is Commissioner Lynda Bell. 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:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice-Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of November, 2011. 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.



Alex S. Bokor