MEMORANDUM

Agenda Item No. 11(A)(29)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	**DATE:**	April 21, 2015
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution supporting the MDX Advantage Program and the new Multi-Axle Frequency Discount component of that program; and urging the Miami-Dade Expressway Authority ("MDX") to further refine and expand its MDX Advantage Program, keeping in mind the burdens upon low and middle income residents, the elderly, and students

The accompanying resolution was prepared and placed on the agenda at the request of Co-Prime Sponsors Commissioner Rebeca Sosa and Vice Chairman Esteban L. Bovo, Jr.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: April 21, 2015

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

SUBJECT: Agenda Item No. 11(A)(29)

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 Mayor'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
Veto _____
Override _____

Agenda Item No. 11(A)(29)
4-21-15

RESOLUTION NO. _____

RESOLUTION SUPPORTING THE MDX ADVANTAGE PROGRAM AND THE NEW MULTI-AXLE FREQUENCY DISCOUNT COMPONENT OF THAT PROGRAM; AND URGING THE MIAMI-DADE EXPRESSWAY AUTHORITY ("MDX") TO FURTHER REFINE AND EXPAND ITS MDX ADVANTAGE PROGRAM, KEEPING IN MIND THE BURDENS UPON LOW AND MIDDLE INCOME RESIDENTS, THE ELDERLY, AND STUDENTS

WHEREAS, the Miami-Dade Expressway Authority ("MDX") was created by this Board in 1994 pursuant to state law to serve as an innovative transportation agency dedicated to the enhancement of mobility in Miami-Dade County (the "County"), and to establish local control and retain within the County the toll revenues generated for infrastructure improvements and maintenance of five expressways within the MDX system; and

WHEREAS, MDX has been tasked with re-investing the funds generated from tolls and user fees in order to maintain, operate, and enhance its expressway system; and

WHEREAS, MDX has recently implemented additional tolls on roadways such as State Road 112-Airport Expressway and State Road 836-Dolphin Expressway, adding tolling where there previously was none; and

WHEREAS, while toll revenue collected by MDX is essential for the maintenance and improvement of the transportation infrastructure in the County, rising toll rates may lead to higher commercial transportation costs and may negatively impact everyday commuters in South Florida, especially low and middle income residents, the elderly, and students; and

WHEREAS, MDX recently adopted MDX Resolution No. 15-15 pledging that toll rates currently in effect shall remain in place without further toll rate increase, except that rates may

continue to be increased: (1) pursuant to the Consumer Price Index ("CPI") beginning in 2019; (2) to cover system maintenance and projects necessary for public safety; (3) to fund projects adding center lanes or lane miles to the MDX system, subject to an expression of support from the County or local municipality where the project is located; or (4) as required under MDX's trust indenture or its debt management policy senior coverage requirement of 1.50; and

WHEREAS, while MDX's pledge is a positive step, it does not go far enough in ensuring that toll rates will not continue to rise and negatively impact everyday commuters in South Florida; and

WHEREAS, while MDX is urged to take a hard look at the issue of toll increases and the impacts associated therewith, MDX should be commended for implementing new programs, such as MDX Advantage, that are intended to help offset some of the burdens of rising tolls; and

WHEREAS, MDX Advantage is a free program that offers a variety of benefits to SunPass® customers who commute and travel upon: State Road 112-Airport Expressway; State Road 836-Dolphin Expressway; State Road 874-Don Shula Expressway; State Road 878-Snapper Creek Expressway; and State Road 924-Gratigny Parkway (collectively, the "MDX expressways"); and

WHEREAS, MDX recently introduced a new component of its MDX Advantage program, the Multi-Axle Frequency Discount, which caps tolls at the three-axle rate for commercial trucks and other multi-axle vehicles using SunPass®, thereby leading to lower tolls for commercial trucks and providing an incentive for the thousands of commercial vehicles traveling to and from PortMiami each day to continue using MDX expressways and obtain quicker and more efficient access to the port; and

WHEREAS, MDX Advantage also now provides the opportunity for frequent everyday commuters and users of the MDX expressways to earn cash rebates on tolls and a free discount card for use at participating retailers in the County, including Domino's Pizza, Dunkin' Donuts, and Jiffy Lube; and

WHEREAS, to receive such benefits, MDX Advantage currently requires customers to sign up, at no cost, for one of three levels of membership: Silver; Gold; or Platinum; and

WHEREAS, the Silver level provides members with a free SunPass® Mini Sticker transponder, along with MDX's quarterly e-newsletter; and

WHEREAS, the Gold level provides members with a free discount card, for use at various participating retailers, along with MDX's quarterly e-newsletter; and

WHEREAS, the Platinum level offers members the opportunity to earn up to $30.00 in rebates on tolls each quarter, as well as a free discount card and MDX's quarterly e-newsletter; and

WHEREAS, to be eligible for the cash rebates offered at the Platinum level, commuters must spend at least $50.00 on tolls during a 90-day period and must also use the MDX expressways at least 66 days during that 90-day period, and even then the maximum rebate is just $30.00 per quarter; and

WHEREAS, while the MDX Advantage program and the Multi-Axle Frequency Discount are positive and commendable steps to help ameliorate the burdens and costs associated with rising tolls, MDX Advantage also should be further refined and expanded to offer even greater benefits, keeping in mind the burdens upon low and middle income residents, the elderly, and students; and

WHEREAS, for example, MDX could consider providing some form of cash rebates on tolls even for those who do not spend $50.00 on tolls in a given 90-day period and who do not use the MDX expressways at least 66 of 90 days in that period; and

WHEREAS, for example, MDX could consider providing cash rebates on a percentage basis, rather than by dollar amount, so that the rebate amount rises and falls proportionate to each commuter's usage of MDX expressways; and

WHEREAS, for example, MDX could consider implementing a low-income commuter program, which would provide greater toll rebates and discounts to residents of lower income brackets who are disproportionately impacted by rising toll rates; and

WHEREAS, for example, MDX could consider providing discount cards that offer additional opportunities for discounts on fuel, auto repairs, tire purchases, auto-club memberships, and similar expenses more directly related to the costs borne by commuters,

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

Section 1. Approves and incorporates the foregoing recitals in this Resolution.

Section 2. Supports the MDX Advantage program and the new Multi-Axle Frequency Discount component of that program, and urges the Miami-Dade Expressway Authority ("MDX") to further refine and expand its MDX Advantage program, keeping in mind the burdens upon low and middle income residents, the elderly, and students.

Section 3. Directs the Clerk of the Board to transmit certified copies of this resolution to the Chair, Members, and Executive Director of the Miami-Dade Expressway Authority.

The Co-Prime Sponsors of the foregoing resolution are Commissioner Rebeca Sosa and Vice Chairman Esteban L. Bovo, Jr. 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:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of April, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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.

James Eddie Kirtley