

# Memorandum



**Date:** April 5, 2016

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

**From:** Carlos A. Gimenez  
Mayor 

**Subject:** Resolution Approving Terms of and Authorizing the County Mayor, County Mayor's Designee, or the Miami-Dade County Department of Transportation and Public Works Director to Execute and File Three Grant Applications with the United States Department of Transportation's Federal Transit Administration for up to \$87,500,000.00 in Fiscal Year 2016 Section 5307 Urbanized Area Formula, Section 5337 State of Good Repair Formula, and Section 5339 Bus and Bus Facilities Formula Program Funding

Agenda Item No. 8(N)(5)

## **RECOMMENDATION**

It is recommended that the Board of County Commissioners (Board) approve the terms of and authorize the County Mayor, County Mayor's Designee, or the Miami-Dade County (County) Department of Transportation and Public Works (DTPW) Director to execute and file three (3) grant applications on behalf of the County with the United States Department of Transportation's (USDOT) Federal Transit Administration (FTA) for up to \$87,500,000.00 in Fiscal Year (FY) 2016 Section 5307 Urbanized Area Formula program, Section 5337 State of Good Repair Formula program, and Section 5339 Bus and Bus Facilities Formula program funding. The total estimated amount includes up to \$56,500,000.00 in Section 5307; \$25,000,000.00 in Section 5337; and \$6,000,000.00 in Section 5339 formula programs funding. It is further recommended that the Board authorize these grant applications pursuant to the agreements, as well as the receipt and expenditure of funds as specified in the agreements.

A public hearing is required in accordance with Federal regulations.

## **SCOPE**

These funds will provide support for multiple bus and rail projects, vanpool, and paratransit services and planning activities; therefore, the impact of these grants is countywide.

## **FISCAL IMPACT/FUNDING SOURCE**

This item represents a positive fiscal impact to the County since it provides funding to DTPW with the required local match up to \$21,875,000.00, which is being provided in full by the Florida Department of Transportation through the use of State Transportation Development Credits as a "soft match" for these grants.

Under Public Law 114-94, the Fixing America's Surface Transportation ACT (FAST Act), authorization is continued for State Transportation departments to make the use of transportation development credits on selected federally assisted public transit capital projects available to public transit agencies. By using the credits to substitute for the required non-Federal share on a new Federal-Aid Project, the Federal share can effectively be increased to 100 percent.

## **TRACK RECORD/MONITOR**

The County has entered into numerous funding agreements with FTA over the course of 27 years. These grants are overseen by Ed Carson, Grant Manager of DTPW's Financial Services Division.

## **BACKGROUND**

On December 4, 2015, President Obama signed into law the FAST Act, which provides long-term funding for the 21<sup>st</sup> century transportation system. There were no changes to the current FTA formula grant programs, which include the Section 5307 Urbanized Area Formula, Section 5337 State of Good Repair, and Section 5339 Bus and Bus Facilities.

The FTA annually publishes the funds appropriated by law for these formula grant programs. The Miami Urbanized Metropolitan Area expects to receive approximately \$171,050,000.00 in Federal FY 2016 formula funds to be divided among the Miami Urbanized Metropolitan Area, Miami-Dade, Broward, and Palm Beach counties, as well as the South Florida Regional Transportation Authority (SFRTA). The amount of funding each agency receives is based upon the apportioned funds, information from the National Transit Database (NTD), and the appropriate formula established by the FTA. The agency directors within the Urbanized Metropolitan Area mutually agree on the split amount for the 5307, 5337, and 5339 formula grant programs, and then the SFRTA distributes written notification of the final apportionment to each agency.

#### *Section 5307 Urbanized Area Formula*

The Section 5307 Formula program makes Federal funding available to urbanized areas for public transportation capital, planning, job access, and reverse commute projects, as well as the use of certain expenditures by vanpool operators and operating assistance in areas with populations greater than 200,000 operating a maximum of 100 buses in fixed-route service during peak hours (rail fixed guideway excluded). For urbanized areas with populations of 200,000 and more, the formula is based on a combination of bus revenue vehicle miles, bus passenger miles, fixed guideway revenue miles, and fixed guideway route miles, as well as population, population density, and number of low-income individuals. The proposed projects expected to be funded up to \$56,500,000.00 under the FY 2016 Section 5307 program for DTPW include:

- Capitalization of bus preventative maintenance;
- Associated transportation improvement project (use of 1 percent program allocation required by FTA);
- Public transportation security project (use of 1 percent program allocation required by FTA);
- Capital planning (general development/comprehensive planning and short-range transportation planning);
- Paratransit (Special Transportation Services) using capital cost of contracting;
- DTPW South Florida Vanpool Program Services using capital cost of contracting;
- Metrorail/Metromover train control and cable replacement equipment; and
- Load ratings and structural assessment (guideways, pedestrian bridges and parking garages).

#### *Section 5337 State of Good Repair Formula*

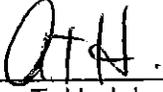
Projects funded under the Section 5337 State of Good Repair Formula program are limited to replacement and rehabilitation of existing fixed guideway systems, or capital projects required to maintain public transportation systems in a state of good repair. Funds are apportioned to urbanized areas with fixed guideway systems in operation for at least seven (7) years and a new modified formula. The proposed DTPW projects expected to be funded up to \$25,000,000.00 under the FY 2016 Section 5337 program includes capitalization of rail preventative maintenance.

#### *Section 5339 Bus and Bus Facilities Formula*

The Section 5339 Bus and Bus Facilities Formula program provides funding to replace, rehabilitate, and purchase buses and related equipment, and to construct bus-related facilities and use of certain expenditures by vanpool operators. The formula is based upon population, vehicle revenue miles, and passenger miles. The proposed DTPW projects expected to be funded up to \$6,000,000.00 under the FY 2016 Section 5339 program include:

- DTPW South Florida Vanpool Services using capital cost of contracting;
- Forty-foot buses (purchase or lease electric buses);
- Service truck replacement; and
- MV-1 lift equipped supervisor vehicles (designed for wheelchair access)

The combined formula grants funding (\$87,500,000.00) reflects an estimated amount that the County will receive from the FY 2016 appropriation. Upon approval by the Board, DTPW, as an eligible designated recipient of federal funding, will submit separate grant applications to the FTA for each formula program.



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Alina T. Hudak  
Deputy Mayor

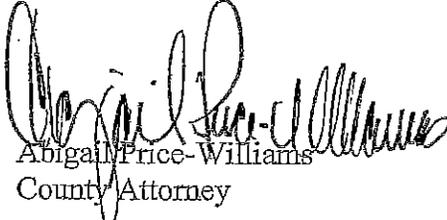


# MEMORANDUM

(Revised)

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

**DATE:** April 5, 2016

**FROM:**   
Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 8(N)(5)

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
- Statement of social equity 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. 8(N)(5)  
4-5-16

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING TERMS OF AND AUTHORIZING THE COUNTY MAYOR, COUNTY MAYOR'S DESIGNEE OR MIAMI-DADE COUNTY DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS DIRECTOR TO EXECUTE AND FILE THREE GRANT APPLICATIONS WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL TRANSIT ADMINISTRATION FOR UP TO \$87,500,000.00 OF FISCAL YEAR 2016 SECTION 5307 URBANIZED AREA FORMULA, SECTION 5337 STATE OF GOOD REPAIR FORMULA AND SECTION 5339 BUS AND BUS FACILITIES FORMULA PROGRAM FUNDING AND AUTHORIZING RECEIPT AND EXPENDITURE OF FUNDS PURSUANT TO SUCH APPLICATIONS AND AGREEMENTS AND OF ANY ADDITIONAL FUNDS AS SPECIFIED IN THE AGREEMENTS SHOULD THEY BECOME AVAILABLE

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

**WHEREAS**, a public hearing has been conducted on Miami-Dade County's Section 5307 Urbanized Area Formula, Section 5337 State of Good Repair Formula and Section 5339 Bus and Bus Facilities Formula grant program applications as described in the County Mayor's accompanying memorandum,

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

Section 1. This Board authorizes the County Mayor, County Mayor's Designee, or Miami-Dade County Department of Transportation and Public Works Director to execute and file three grant applications and agreements with the United States Department of Transportation Federal Transit Administration for up to \$87,500,000.00 of Fiscal Year 2016 Section 5307

Urbanized Area Formula, Section 5337 State of Good Repair Formula, and Section 5339 Bus and Bus Facilities Formula program funding and provide all necessary supporting documentation.

Section 2. This Board authorizes receipt and expenditure of funds received pursuant to such applications and agreements and further authorizes receipt and expenditure of any additional funds should they become available.

The foregoing resolution 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                      |                      |

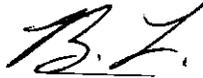
The Chairperson thereupon declared the resolution duly passed and adopted this 5<sup>th</sup> day of April, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an 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.



Bruce Libhaber



Memorandum



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

From: Charles Scurr, Executive Director

Date: March 17, 2016

Re: **CITT AGENDA ITEM 5B:**

RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS (BCC) APPROVE TERMS OF AND AUTHORIZE THE COUNTY MAYOR, COUNTY MAYOR'S DESIGNEE OR MIAMI-DADE COUNTY DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS DIRECTOR TO EXECUTE AND FILE THREE GRANT APPLICATIONS WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL TRANSIT ADMINISTRATION FOR UP TO **\$87,500,000.00** OF FISCAL YEAR 2016 SECTION 5307 URBANIZED AREA FORMULA, SECTION 5337 STATE OF GOOD REPAIR FORMULA AND SECTION 5339 BUS AND BUS FACILITIES FORMULA PROGRAM FUNDING AND AUTHORIZING RECEIPT AND EXPENDITURE OF FUNDS PURSUANT TO SUCH APPLICATIONS AND AGREEMENTS AND OF ANY ADDITIONAL FUNDS AS SPECIFIED IN THE AGREEMENTS SHOULD THEY BECOME AVAILABLE (DTPW – BCC Legislative File No. 160392)

On March 17, 2016, the CITT voted (8-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 16-009. The vote was as follows:

Paul J. Schwiep, Esq., Chairperson – Absent  
Hon. Anna E. Ward, Ph.D., 1st Vice Chairperson – Aye  
Glenn J. Downing, CFP®, 2nd Vice Chairperson – Aye

Oscar Braynon – Aye  
Peter L. Forrest – Aye  
Prakash Kumar – Aye  
Alicia Menardy, Esq. – Absent  
Hon. James A. Reeder – Aye  
Hon. Linda Zilber – Absent

Joseph Curbelo – Absent  
Alfred J. Holzman – Aye  
Jonathan Martinez – Absent  
Miles E. Moss, P.E. – Absent  
Marilyn Smith – Aye

cc: Alina Hudak, Deputy Mayor  
Bruce Libhaber, Assistant County Attorney