

MEMORANDUM

TMSC
Agenda Item No. 2E

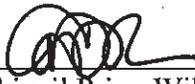
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: October 13, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution establishing County policy that any legally-transferable revenue from the general fund realized in Fiscal Year 2016-2017 exceeding the rolled-back rate from Fiscal Year 2015-2016 be transferred to the People's Transportation Plan to be used for projects listed in the People's Transportation Plan's Exhibit 1 and/or the Five Year Implementation Plan to be overseen by the Citizens' Independent Transportation Trust; directing the County Mayor to include implementation of said policy in the Mayor's Proposed Budget for Fiscal Year 2016-2017

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Xavier L. Suarez.



Abigail Price-Williams
County Attorney 

APW/lmp



MEMORANDUM

(Revised)

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

DATE: November 1, 2016

FROM: Abigail Price-Williams
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
- _____ 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

Agenda Item No.

Veto _____

Override _____

RESOLUTION NO. _____

RESOLUTION ESTABLISHING COUNTY POLICY THAT ANY LEGALLY-TRANSFERABLE REVENUE FROM THE GENERAL FUND REALIZED IN FISCAL YEAR 2016-2017 EXCEEDING THE ROLLED-BACK RATE FROM FISCAL YEAR 2015-2016 BE TRANSFERRED TO THE PEOPLE'S TRANSPORTATION PLAN TO BE USED FOR PROJECTS LISTED IN THE PEOPLE'S TRANSPORTATION PLAN'S EXHIBIT 1 AND/OR THE FIVE YEAR IMPLEMENTATION PLAN TO BE OVERSEEN BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO INCLUDE IMPLEMENTATION OF SAID POLICY IN THE MAYOR'S PROPOSED BUDGET FOR FISCAL YEAR 2016-2017

WHEREAS, on July 7, 2005, this Board adopted Ordinance No. 05-148, amending the People's Transportation Plan (PTP) to include the use of up to \$21.5 million annually commencing in Fiscal Year 2004-2005 in Charter County Transit System Surtax funds overseen by the Citizens' Independent Transportation Trust (CITT) for the costs of providing transit services in existence as of November 5, 2002, for Fiscal Years 2001-2002, 2002-2003, and 2003-2004; and

WHEREAS, Ordinance No. 05-148 also amended the PTP to include the use of Surtax funds, not to exceed \$150 million, for transit services in existence as of November 5, 2002 for Fiscal Year 2004-2005 and subsequent fiscal years through the expiration of Fiscal Year 2011-2012; and

WHEREAS, additionally, Ordinance No. 05-148 amended the PTP to restore the general fund support to Miami-Dade Transit, also referred to as the maintenance of effort (MOE), to the pre-surtax level of \$123.171 million for Fiscal Year 2004-2005, to annually increase the MOE by 3.5 percent, and approved the Reinvestment Schedule in order to repay the amount of Surtax funds received from the CITT; and

WHEREAS, on March 3, 2009, this Board adopted Resolution No. R-222-09, amending Exhibit 1 to the PTP by creating a capital expansion reserve fund and allowing for greater flexibility in the use of Charter County Transit Surtax funds for the operation and maintenance of the transit system; and

WHEREAS, the PTP is a long term program incorporating major roadway and transit improvements primarily funded through the levy of a ½ percent sales surtax and administered by the CITT; and

WHEREAS, property values in Miami-Dade County continue to rise and it is expected that there will be an increase in County revenue in Fiscal Year 2016-2017; and

WHEREAS, there is an on-going need to fund and implement new transit services for the benefit of the citizens of Miami-Dade County,

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

Section 1. This Board establishes as a County policy that any legally-transferable revenue from the general fund realized in Fiscal Year 2016-2017 exceeding the rolled-back rate from Fiscal Year 2015-2016 be transferred to the People's Transportation Plan to be used for projects listed in the People's Transportation Plan's Exhibit 1 and/or the Five Year Implementation Plan to be overseen by the Citizens' Independent Transportation Trust.

Section 2. This Board directs the County Mayor or County Mayor's designee to include implementation of said policy in the Mayor's Proposed Budget for Fiscal Year 2016-2017 submitted to this Board for approval.

The Prime Sponsor of the foregoing resolution is Commissioner Xavier L. Suarez. 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 1st day of November, 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.



Annery Pulgar Alfonso