

MEMORANDUM

Agenda Item No. 7(A)

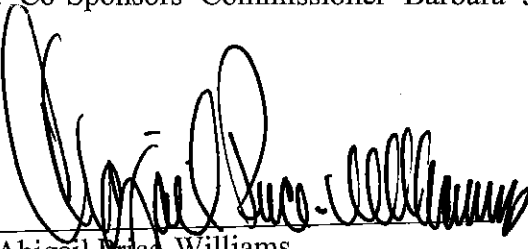
TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: (Second Reading 6-4-19)
January 23, 2019

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Ordinance relating to public
transit; amending section
2-150 of the Code; revising
circumstances under which
transit route modifications
require public hearing and
Board approval

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava, and Co-Sponsors Commissioner Barbara J. Jordan and Commissioner Dennis C. Moss.



Abigail Price-Williams
County Attorney

APW/smm

Memorandum



Date: June 4, 2019

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez". The signature is written in a cursive, flowing style.

Subject: Fiscal Impact Statement for Ordinance Relating to Public Transit

The implementation of this ordinance will not have a fiscal impact to Miami-Dade County as it will not result in additional staffing needs or future operational costs.

A handwritten signature in black ink, appearing to read "Alina T. Hudak". The signature is written in a cursive, flowing style.

Alina T. Hudak
Deputy Mayor

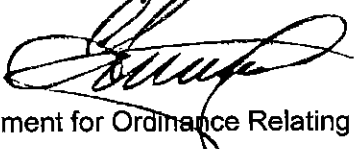
FIS02219 190025

Memorandum



Date: June 4, 2019

To: Honorable Chainwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez 
Mayor

Subject: Social Equity Statement for Ordinance Relating Transit Route Modifications

The proposed ordinance amends Section 2-150 of the Code of Miami-Dade County by revising circumstances under which transit route modifications require public hearing and Board approval.

The change to the thresholds for major service adjustments, as it reads today, will be limiting the Department of Transportation and Public Works (DTPW) when attempting to make necessary route modifications in a timely manner. In the event of traffic congestion and modifications to the right-of-way, changes to routes that fall within the parameters of the proposed lower threshold occur.

With approval of the proposed Ordinance, the semi-annual bus service changes may be delayed. The resultant time delay may result in the community waiting longer for service improvements and department-led efficiencies.



Alina T. Hudak
Deputy Mayor



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: June 4, 2019

FROM: Angail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 7(A)

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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) 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. 7(A)
6-4-19

ORDINANCE NO. _____

ORDINANCE RELATING TO PUBLIC TRANSIT; AMENDING SECTION 2-150 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING CIRCUMSTANCES UNDER WHICH TRANSIT ROUTE MODIFICATIONS REQUIRE PUBLIC HEARING AND BOARD APPROVAL; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, section 2-150 of the Code of Miami-Dade County, Florida (the “Code”), sets forth how the County makes changes or modifications to Miami-Dade transit service, fares, and rate structure; and

WHEREAS, major service changes, as provided for in section 2-150(b) of the Code, require a public hearing and Board approval; and

WHEREAS, it is in the best interest of the County to ensure that certain route modifications are instituted after the public is provided ample opportunity to express any possible concerns to this Board,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 2-150 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

Sec. 2-150. - Fixing and changing fares, service, rates or charges.

- (a) Except as provided in Section 2-150(c), the County Commission shall have the authority to make service changes and fix all fares, rates or charges for the use of the transit system, provided however, that those fares, rates or charges in force on the effective date of this article shall continue in full force and effect until changed or modified by the County Commission.
- (b) Approved by County Commission after public hearing. The County ~~>>Mayor<<~~ ~~[[Manager]]~~ may recommend the following changes or modifications to service, fares, rates or charges, which changes may be adopted by resolution of the Board of County Commissioners after a public hearing:
1. Any fare, rate or charge for transit service or for service ancillary to transit;
 2. Any ~~[[change]]~~ ~~>>increase<<~~ in service of twenty-five (25) percent or more of the number of route miles of a route ~~>>or decrease in service of 10 percent or more of the number of route miles of a route<<~~;
 3. If, in a fiscal year, the cumulative ~~[[changes]]~~ ~~>>increases<<~~ on a route add up to twenty-five (25) percent or more change in the number of route miles of a route ~~>>or if in a fiscal year, the cumulative reductions on a route add up to 10 percent or more change in the route miles of a route<<~~;
 4. ~~[[A-change]]~~ ~~>>An increase<<~~ in the interval between peak period transit services on a route of more than ~~[[ten-(10)]]~~ ~~>>5<<~~ minutes;
 5. ~~[[A-change]]~~ ~~>>An increase<<~~ in the interval between off-peak period transit services on a route of more than ~~[[thirty-(30)]]~~ ~~>>15<<~~ minutes; ~~[[or]]~~
 - ~~>>6.~~ A decrease in the interval between peak period transit services on a route of more than 10 minutes;

7. A decrease in the interval between off-peak period transit services on a route of more than 30 minutes; or

~~[[6.]]~~ >> 8. << A new transit service is established or an existing service is abolished.

* * *

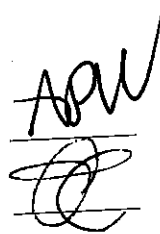
Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:

Annery Pulgar Alfonso

Prime Sponsor: Commissioner Daniella Levine Cava
Co-Sponsors: Commissioner Barbara J. Jordan
Commissioner Dennis C. Moss