Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(J)(1)(E)
04-24-07

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

RESOLUTION NO. R-409-07

RESOLUTION AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF $1,193,782 FOR THE DEVELOPMENT OF THE NW 7TH AVENUE TRANSIT HUB; AND AUTHORIZING THE EXECUTION OF THE GRANT APPLICATION; THE UTILIZATION OF FLORIDA STATE TOLL REVENUE CREDITS AS MATCHING FUNDS, AND THE RECEIPT AND EXPENDITURE OF FUNDS PURSUANT TO THE GRANT AGREEMENT

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

WHEREAS, it is required by the United States Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1994, that the applicant give an assurance that it will comply with the Title VI of the Civil Rights Act of 1964, and the U.S. Department of Transportation requirement thereunder,

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

Section 1. That this Board approves the filing of a grant application between Miami-Dade County and the U.S. Department of Transportation for $1,193,782 in Fiscal Year 2006 funds for the development of the NW 7th Avenue Transit Hub and to utilize the State Toll Revenue Credits totaling $298,446 from the State of Florida as a "soft match".

Section 2. That the County staff is authorized to furnish such additional information as the U.S. Department of Transportation and the Florida Department of Transportation may require in connection with the grant application for the project.

Section 3. That the County Mayor, or his designee, is authorized to set forth and execute disadvantaged business enterprises policies in connection with the projects should such funds become available.

MEMORANDUM
(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: April 24, 2007

FROM: Murray A. Greenberg County Attorney

SUBJECT: Agenda Item No. 8(J)(1)(E)

Please note any items checked.

_____ **"4-Day Rule" ("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**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Section 4. That this Board further authorizes the County Mayor, his designee, or the Miami-Dade Transit Director to execute such contracts and agreements as are approved by the County Attorney's Office, to receive and expend funds in accordance with such aforementioned contracts and agreements, and to file and execute any additional agreements, revisions, or amendments as required to carry out the projects for and on behalf of Miami-Dade County, Florida.

The foregoing resolution was offered by Commissioner Carlos A. Gimenez, who moved its adoption. The motion was seconded by Commissioner Dennis C. Moss and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman aye
Barbara J. Jordan, Vice-Chairwoman aye

Jose "Pepe" Diaz	aye	Audrey M. Edmonson	absent
Carlos A. Gimenez	aye	Sally A. Heyman	absent
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorrin D. Rolle	aye	Natacha Seijas	absent
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 24th day of April, 2007. 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: KAY SULLIVAN
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Bruce Libhaber

Memorandum

MIAMI-DADE COUNTY

Date: April 24, 2007

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

Agenda Item No. 8(J)(1)(E)

From: George M. Burgess
County Manager

Subject: Resolution Authorizing the Filing and Execution of a Grant Application with the United States Department of Transportation (USDOT) for the Development of the NW 7th Avenue Transit Hub in the Amount of $1,193,782

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) authorize the filing of a grant application on behalf of Miami-Dade County with the United States Department of Transportation (USDOT) for the development of the NW 7th Avenue Transit Hub. A total of $1,193,782 in Fiscal Year 2006 Federal Funds is available for this project. Federal funds will be matched with State Toll Revenue Credits (TRC) in the amount of $298,446 provided by the Florida Department of Transportation (FDOT) as a "soft match". It is further recommended the Board authorize the execution of this grant agreement pursuant to the application, and the receipt and expenditure of funds as specified in the agreement.

There will be no fiscal impact to the County. A public hearing is required in accordance with the Federal Transit Administration (FTA) regulations.

SCOPE

Due to the number of bus routes scheduled to serve the planned hub, the impact of this facility will be countywide. The NW 7th Avenue Transit Hub is located in Commission Districts 2 and 3.

FISCAL IMPACT/FUNDING SOURCE

No County funds are required as part of this grant application request. Federal funds will be matched with State TRC's in the amount of $298,446 provided by the FDOT as a "soft match". Section 1111 of the Transportation Equity Act for the 21st Century (TEA-21) made permanent earlier statutory provisions that permit a state to count as credit for a project's local share certain expenditures that a state makes with toll revenues. Where applicable, MDT requests toll revenue credits from FDOT, and once an amount is approved, the toll revenue credit is incorporated within the Federal grant application to serve as the local match.

The Federal funds to be used through this application represent only a portion of the overall project cost. At this time, total programmed funding for this project is $16.5 million consisting of $9.817 million Federal; $3.359 million State and $3.359 million local funding. The Federal funding of $9.817 million is authorized in several grant fund earmarks over the period 2002 through 2009. Included in this amount is $1,942,653 in Fiscal Year 2004 and 2005 funds approved by the Board on June 6, 2006, for the initial start up of the project and the $1,193,782 included in this item. All future Federal funds allocated for this project, including the Fiscal Year 2007 appropriation, will be incorporated into the FTA grant.

State and local matching funds are being provided through a separate funding mechanism. A multi-year (2006 through 2010) FDOT Joint Participation Agreement for $3,358,195, which would be used to support all eligible transit-related elements of this project, was approved by the Board on May 9, 2006. That state grant requires an equivalent local match of $3.359 million. Local dollars have not been specifically identified at this time for the match to the State funds, but will be allocated from either future year Local Option Gas Tax (LOGT), or potentially, future year Charter County Transit System Surtax funds. Additional Federal funding for this project may be programmed as needed in later years.

TRACK RECORD/MONITOR

MDT has entered into numerous funding agreements with USDOT over the course of more than twenty-five (25) years. The project manger for this grant application is Doug Greist, Manager, MDTA Budget and Management Services.

BACKGROUND

In FY 2002, Miami-Dade Transit (MDT) made application under the Transportation and Community and System Preservation (TCSP) Program to receive Federal funding in order to acquire right-of-way and design and construct a passenger activity center in the Liberty City/Model City area of Miami, Florida. The project was initiated to meet the goals identified in the City of Miami's Transportation Corridor Study for State Road 7 (NW 7th Avenue), which was funded and completed through a separate TCSP grant. The intended function and purposes of this project are to: enhance transit passenger mobility in the area and corridor; increase business opportunities in the area; reduce traffic congestion; and contribute to improved air quality. This project, known as the NW 7th Avenue Transit Hub, is now identified in the 2006 and 2007 Transportation Improvement Program (TIP).

The Miami-Dade Empowerment Trust (MDET) presented MDT with a proposal to participate as a non-profit joint development third-party to develop a mixed-used project at the site compatible with the conceptual design achieved through the public input process. This design includes a mixture of market rate apartments, senior apartments, retail space and commercial office spaces as well as a parking garage that would serve both transit customers and users on the onsite development improvements.

On December 6, 2005, the Board approved, through Resolution No. R-1339-05, a Memorandum of Understanding (MOU) between the MDET and MDT. The MOU authorizes MDT and MDET to enter into negotiations for a Joint Development Agreement to develop a passenger activity center at the southeast corner of NW 7th Avenue and NW 62nd Street.

The latest proposed project critical path occurs over a three-year period of time and contemplates land acquisition, final planning and land use approvals to be completed by the end of 2008, with design activity occurring simultaneously. Construction would immediately follow with a projected completion date expected in 2010, two years after final land acquisition. Project occupancy would occur following construction completion.

Federal, State and local funds will support appraisals and land acquisition, planning, design and construction of the direct transit-use portion of the site, as well as all or most of the parking garage construction. The MDET and their development partner will obtain and provide all necessary funding for construction of the retail, commercial office and residential facilities described above on the site. The creation of the NW 7th Avenue Transit Hub and joint development on the site will provide significant tangible and intangible benefits to MDT, the City of Miami and most importantly, the transit customer and the local Liberty City/Model City area community.

Assistant County Manager