

## **MEMORANDUM**

Agenda Item No. 5 (F)

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

**DATE:** April 8, 2008

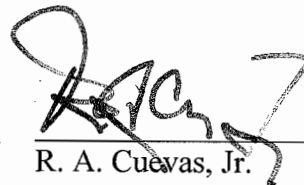
**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution approving  
amendment to the PTP; use  
of Surtax funds for projects  
other than those related to  
the Orange Line

Resolution No. R-320-08

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The accompanying resolution was prepared and placed on the agenda at the request of Vice-Chairwoman Barbara J. Jordan, Commissioner Audrey M. Edmonson, Commissioner Sally A. Heyman, Commissioner Dorrin D. Rolle, and Commissioner Katy Sorenson.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/up

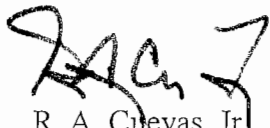


# MEMORANDUM

(Revised)

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

DATE: April 8, 2008

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

SUBJECT: Agenda Item No. 5(F)

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

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 5 (F)  
4-8-08

RESOLUTION NO. R-320-08

RESOLUTION APPROVING AN AMENDMENT TO THE PEOPLE'S TRANSPORTATION PLAN TO ALLOW FOR THE USE OF SURTAX FUNDS FOR PROJECTS OTHER THAN THOSE RELATED TO THE ORANGE LINE ONLY IF EACH FISCAL YEAR AN ANNUAL ALLOCATION IS MADE SPECIFICALLY TO PROJECTS RELATED TO THE ORANGE LINE

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying Resolution of the Citizens' Independent Transportation Trust, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board approves an amendment to the People's Transportation Plan to allow for the use of Surtax funds for projects other than those related to the Orange Line only if each fiscal year an annual allocation is made specifically to projects related to the Orange Line.

The foregoing was sponsored by Vice-Chairwoman Barbara J. Jordan, Commissioner Audrey M. Edmonson, Commissioner Sally A. Heyman, Commissioner Dorrin D. Rolle. and Commissioner Katy Sorenson and was offered by Commissioner **Katy Sorenson**, who moved its adoption. The motion was seconded by Commissioner **Barbara J. Jordan** and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	<b>aye</b>		
Barbara J. Jordan, Vice-Chairwoman	<b>aye</b>		
Jose "Pepe" Diaz	<b>aye</b>	Audrey M. Edmonson	<b>aye</b>
Carlos A. Gimenez	<b>absent</b>	Sally A. Heyman	<b>aye</b>
Joe A. Martinez	<b>nay</b>	Dennis C. Moss	<b>aye</b>
Dorrin D. Rolle	<b>absent</b>	Natacha Seijas	<b>aye</b>
Katy Sorenson	<b>aye</b>	Rebeca Sosa	<b>absent</b>
Sen. Javier D. Souto	<b>nay</b>		

The Chairperson thereupon declared the resolution duly passed and adopted this 8<sup>th</sup> day of April, 2008. 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

**Kay Sullivan**

By: \_\_\_\_\_  
Deputy Clerk



Approved by County Attorney as  
to form and legal sufficiency.

Bruce Libhaber

RESOLUTION NO. 08-012

RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) REQUESTING THAT THE BOARD OF COUNTY COMMISSIONERS (BCC) AMEND THE PEOPLE'S TRANSPORTATION PLAN TO ALLOW FOR THE USE OF SURTAX FUNDS FOR PROJECTS OTHER THAN THOSE RELATED TO THE ORANGE LINE ONLY IF EACH FISCAL YEAR AN ANNUAL ALLOCATION IS MADE SPECIFICALLY TO PROJECTS RELATED TO THE ORANGE LINE (CITT)

**WHEREAS**, on November 5, 2002, the electors of Miami-Dade County voted to levy a ½ percent sales surtax to benefit transit and transportation projects throughout the County; and

**WHEREAS**, the ballot language, as approved by the voters, stated surtax proceeds "will be overseen by the Citizens' Independent Transportation Trust"; and

**WHEREAS**, on July 9, 2002, the BCC adopted Ordinance No. 02-117 which charged the CITT with the responsibility to monitor, oversee, review, audit, and investigate implementation of all transit and transportation projects funded in whole or in part with surtax proceeds; and

**WHEREAS**, the original Exhibit One to Ordinance 02-117 identified that the North Corridor was to receive top priority; and

**WHEREAS**, the East-West Corridor is included in the original Exhibit One and will serve as a major alternative to congestion along State Road 836 and/or S.W. 8<sup>th</sup> Street; and

**WHEREAS**, the MIC-Earlington Heights Connector will bring much needed Metrorail access to Miami International Airport; and

**WHEREAS**, annually requiring the priority allocation of a determined amount to be applied to the MIC-Earlington Heights, North Corridor, and East-West Corridor projects (collectively referred to as the "Orange Line") is the best means to ensure the financial viability of the entire Orange Line; and

~~WHEREAS~~, it is the intention and desire of the Trust that effective October 1, 2008 transit services and maintenance and operations should be funded after ensuring adequate funds have been allocated for the Orange Line and other senior obligations,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITT**, that this Trust recommends that the PTP be amended to provide that effective October 1, 2008 projects to the Orange Line must receive a required annual allocation as a necessary condition for any other surtax funds being allocated to any other projects. The amount of the annual allocation for the Orange Line will be established via recommendation by the CITT and adoption by the Board of County Commissioners.

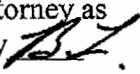
The foregoing resolution was offered by Hon. James A. Reeder, who moved its adoption. The motion was seconded by Jorge E. Cueto, Esq. and upon being put to vote, the vote was as follows:

Miles E. Moss, P.E., Chairperson – Aye  
Hon. Linda Zilber, Vice-Chairperson – Absent

Harold Braynon, Jr. – Absent  
LtCol Antonio Colmenares – Aye  
Peter L. Forrest – Aye  
Hon. Jorge Rodriguez-Chomat – Absent  
Paul J. Schwiep, Esq. – Absent  
Hon. Anna E. Ward, Ph.D. – Absent

Marc A. Buoniconti – Aye  
Jorge E. Cueto, Esq. – Aye  
Hon. James A. Reeder – Aye  
Rodney Sanders – Aye  
Marilyn Smith – Absent

The Chairman thereupon declared the resolution duly passed and adopted this 30<sup>th</sup> day of January 2008.

Approved by the County Attorney as  
to form and legal sufficiency 

By:   
Executive Director