



MEMORANDUM

Agenda Item No. 11(A)(2)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** November 15, 2011

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

**SUBJECT:** Resolution establishing County policy to ensure that Miami-Dade Transit trains all Metrobus Operators twice a year regarding transportation services for individuals with a disability and to require that Metrobus Operators stop at Metrobus stops when passengers are waiting at such stops, open the front door, state the route and destination of the Metrobus if the automatic announcement system is not operational, provide adequate time for individuals with a disability to board and activate the wheelchair lift automatically or manually if necessary or requested

Resolution No. R-1005-11

**This substitute item differs from the original version in that it provides specific ADA-compliant policies and procedures that a Metrobus operator is required to perform in order to assist patrons with disabilities. Additionally, this substitute item directs Miami-Dade Transit to ensure that training on such policies is provided at least twice yearly.**

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Lynda Bell, and Co-Sponsors Vice Chairwoman Audrey M. Edmonson and Commissioner Sally A. Heyman.

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

RAC/up



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** November 15, 2011

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

**SUBJECT:** Agenda Item No. 11(A)(2)

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
- Ordinance creating a new board requires detailed County Manager'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. 11(A)(2)  
11-15-11

RESOLUTION NO. R-1005-11

RESOLUTION ESTABLISHING COUNTY POLICY TO ENSURE THAT MIAMI-DADE TRANSIT (MDT) TRAINS ALL METROBUS OPERATORS TWICE A YEAR REGARDING TRANSPORTATION SERVICES FOR INDIVIDUALS WITH A DISABILITY AND TO REQUIRE THAT METROBUS OPERATORS STOP AT METROBUS STOPS WHEN PASSENGERS ARE WAITING AT SUCH STOPS, OPEN THE FRONT DOOR, STATE THE ROUTE AND DESTINATION OF THE METROBUS IF THE AUTOMATIC ANNOUNCEMENT SYSTEM IS NOT OPERATIONAL, PROVIDE ADEQUATE TIME FOR INDIVIDUALS WITH A DISABILITY TO BOARD, AND ACTIVATE THE WHEELCHAIR LIFT AUTOMATICALLY OR MANUALLY IF NECESSARY OR REQUESTED AND DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO IMPLEMENT RULES OR PROCEDURES TO EFFECTUATE THIS POLICY

**WHEREAS**, Miami-Dade County is committed >>to provide maximum convenience and service to all of the riding public<<<sup>1</sup> ~~[[to provide transit services]]~~ regardless of disability; and

**WHEREAS**, MDT Metrobus rules and procedures specify that >>individuals with a disability<< ~~[[persons with disabilities]]~~ receive priority boarding to allow those patrons to enter and exit the Metrobus before other patrons waiting to enter or exit; and

>>**WHEREAS**, MDT Metrobus Operators already receive training, including "Bus Line Up Classes" regarding transportation service for individuals with a disability under the Americans with Disabilities Act (ADA) and the Metrobus Operation Rules and Procedure Manual, Section III Customer Procedures and Section IX Customers with a Disability; and<<

<sup>1</sup> The differences between the substitute and the original item are indicated as follows: words stricken through and/or ~~[[double bracketed]]~~ shall be deleted, words underscored and/or >>double arrowed<< constitute the amendment proposed.

~~WHEREAS, [[current MDT Metrobus rules and regulations do not specify under what circumstances a driver should wait for a patron with physical disabilities, such as a patron in a wheelchair, to approach the Metrobus even when that patron is not at the Metrobus stop when the bus passes or approaches a Metrobus stop;]]~~ >>these requirements are designed to assure that Metrobus Operators are trained at least twice a year on all relevant rules and policies pertaining to patrons with disabilities,<<

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA,** that it shall be the policy of this Board to >>ensure that<< ~~[[require a]]~~ Miami-Dade Transit (MDT) >>trains all<< Metrobus Operator>>s twice a year regarding Transportation Services for individuals with a disability and to require that Metrobus Operators<< ~~[[to]]~~ stop >>at Metrobus stops when passengers are waiting at such stops, open the front door, state the route and destination of the Metrobus if the Automatic Announcement System is not operational, provide adequate time for individuals with disabilities to board, and<< ~~[[and wait for a disabled individual at or approaching a Metrobus stop unless such person has indicated that he or she is not boarding the bus, to require a Metrobus Operator to provide adequate time for a disabled individual to board the Metrobus, to require a Metrobus Operator to]]~~ activate the wheelchair lift >>automatically or manually<< if necessary or requested, and directing the Mayor or Mayor's designee to implement rules or procedures to effectuate this policy.

The Prime Sponsor of the foregoing resolution is Commissioner Lynda Bell, and the Co-Sponsors are Vice Chairwoman Audrey M. Edmonson and Commissioner Sally A. Heyman. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

	Joe A. Martinez, Chairman	aye	
	Audrey M. Edmonson, Vice-Chairwoman	absent	
Bruno A. Barreiro	aye	Lynda Bell	aye
Esteban L. Bovo, Jr.	aye	Jose "Pepe" Diaz	aye
Sally A. Heyman	aye	Barbara J. Jordan	aye
Jean Monestime	aye	Dennis C. Moss	aye
Rebeca Sosa	aye	Sen. Javier D. Souto	absent
Xavier L. Suarez	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 15<sup>th</sup> day of November, 2011. 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: **Christopher Agrippa**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

Alex S. Bokor