

Date: August 25, 2014

To: Honorable Chairwoman Rebeca Sosa and Members
Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Status Report on the People's Transportation Plan

This report is provided in response to a request made at the December 10, 2013 Finance Committee for information on the People's Transportation Plan (PTP).

Background of the PTP

In November 2002, Miami-Dade County (County) voters approved a one half cent sales tax to fund the PTP, a comprehensive and integrated transportation improvement plan. The original PTP outlines projects to be implemented in stages through the year 2031. The PTP's original intent sought to use Charter County Transportation Surtax (Surtax) to complete, operate, and maintain certain transportation and transit projects set forth in Exhibit 1 to this ordinance (including those projects referenced in the ballot question presented to the electors to approve this levy), subject to any amendments thereto.¹

Some of the original Miami-Dade Transit (MDT) projects included in the PTP were: 1) the expansion of rapid transit; 2) increased hours of operation and Metrobus routes, service and fleet; 3) fare-free admission on the Metromover and fare-free transit for seniors; 4) incorporation of information technology at bus stops and rail stations; and 5) implementation of a bus grid system. Additionally, several public works roadway and neighborhood improvements were also approved, along with an annual pro rata share of Surtax funding to the municipalities for transit and transportation purposes.

More specifically, the original PTP Ordinance i) approved procedures for use, limitations, administration and collection of Surtax proceeds; ii) created the Citizens' Independent Transportation Trust; iii) granted powers over the use and expenditure of Surtax proceeds; and iv) expressed an intent to maintain the then-current level of general fund support for MDT in subsequent years. While the adopted Ordinance specifically allowed for the funding of operations and maintenance for the projects expressed in Exhibit 1, few projects identified a specific cost for said operations and maintenance. In many cases where cost estimates were provided, they were either overly optimistic, insufficient to accommodate the scope of the project, or completely omitted and/or incomplete (i.e., expansion of Golden Passport and fare-free Metromover).

PTP Expenditures using Surtax funding

Since the inception of the PTP, approximately \$1.5 billion in Surtax revenue has been collected and used towards PTP improvements for MDT and Public Works and Waste Management (PWWM) projects; many of which would not have otherwise been realized.

¹ See Exhibit 1 of the PTP Ordinance No. 02-116.

The PTP's signature project, the Orange Line Metrorail extension to the Miami Intermodal Center, opened in July 2012. The 2.4 mile rail extension total budgeted costs were approximately \$506 million, of which \$404.7 million were from PTP proceeds and \$101.3 million were from the Florida Department of Transportation. The PTP has paid for other projects including: 1) Complete Replacement of 29 Metromover vehicles (\$69 million); 2) the Automated Fare Collection System (\$57.4 million); 3) 596 new buses (\$135 million) and the increase annual revenue bus system miles from 26.2 to approximately 29 million. Additionally, it is important to note that PTP dollars have also helped fund significant MDT infrastructure renewal and other programmatic needs. Ongoing MDT projects funded by the PTP include: 1) Replacement of 136 Metrorail vehicles (\$375 million); 2) Lehman Center Test Track/Yard Rehabilitation (\$25.1 million); 3) an up-graded central control system (\$15.9 million); and 4) significant MDT infrastructure renewal and other programmatic needs.

For PWWM, the PTP included funding for various major roadway and neighborhood improvements. To date, the PTP has funded approximately \$166 million in roadway projects and \$96 million in neighborhood improvements. As of March 2014, PWWM has constructed 28.1 miles of new roadways and has completed approximately 1,000 neighborhood improvement projects. This includes: school flashing signals, drainage improvements, Americans with Disabilities Act (ADA) sidewalk accessibility, traffic calming devices, illuminated street signs, street lighting, sidewalk improvements, and roadway resurfacing. In addition, the County's Advanced Traffic Management System (ATMS), which reduces delays and improves traffic mobility by managing the County's 2,850 traffic signals, has received roughly \$32 million from the PTP and is in the final stages of completing the second of three phases of implementation.

The Citizens' Independent Transportation Trust (CITT) 5 Year Implementation plan, provided per Ordinance 02-116, includes information updates on all PTP-funded projects for MDT, PWWM, and the 34 participating municipalities. Additionally, the CITT publishes, as one of its duties per Ordinance No. 02-117, a Quarterly Report to the Board of County Commissioners (Board) of PTP activities and accomplishments providing details of contract approvals and measures.

Golden & Patriot Passport

In Fiscal Year (FY) 2013 there were 20.2 million fare-free boardings attributed to the Golden Passport and Patriot Passport programs. Based on the calculations in the table below, the estimated foregone revenue would be approximately \$32 million. Estimated boardings for FY 2014 are a little lower while the lost revenue per trip increases to reflect the fare increased approved in the FY 2013-14 Budget. Based on the table below, FY 2014 projected foregone revenue would be approximately \$31.5 million.

FY 2013 Actual Boardings	Boardings in (000,000)	Fare	Forgone Revenue
Golden Passport Program—Over 65	8.4	\$1.00	\$ 8,400,000
Golden Passport Program— Under 65	10.2	\$2.00	\$20,400,000
Patriot Passport Program	1.6	\$2.00	\$ 3,200,000
Total	20.2		\$32,000,000

FY 2014 Projected Boardings	Boardings in (000,000)	Fare	Forgone Revenue
Golden Passport Program—Over 65	8.8	\$1.10	\$ 9,680,000
Golden Passport Program— Under 65	8.4	\$2.25	\$18,900,000
Patriot Passport Program	1.3	\$2.25	\$ 2,925,000
Total	18.5		\$31,505,000

In FY 2013, the total annual operating cost for Metrobus and Metrorail was approximately \$380 million and ridership totaled 99 million boardings. Golden Passport & Patriot Passport boardings represented 20.2% of the total boardings. If we allocated 20.2% of the total cost, \$77.2 million in expenses could be attributed to Golden & Patriot Passports as detailed in the table below.

Mode	Fare-Free Boardings	Total Boardings	% Fare-Free	Operating Expense	Fare-Free Allocation
	(1)	(2)	(3)	(4)	(5)
			(1)/(2)		(4)x(3)
Bus	17,119,000	78,500,785	21.8%	\$302,261,718	\$65,915,498
Rail	3,054,000	21,198,687	14.41%	\$78,500,785	\$11,309,257
Total	20,173,000	99,699,472	20.2%	\$380,762,503	\$77,224,755

Metromover

When the PTP was approved, the Metromover fare was \$0.25. Assuming a \$0.25 increase for Metromover would have passed during each fare adjustment between FY 2002 and FY 2014, the fare would be \$1.00 today. Assuming the \$1.00 fare, we can estimate the loss in Metromover revenue to be in the range of \$1.8 million to \$2.7 million today after accounting for elasticity. The operating cost for Metromover was approximately \$22.4 million in FY 2013 with 9.6M boardings.

History of MDT Fare Increases			
FY	One-Way Bus/Rail Fare	Actual Mover Fare	Hypothetical Mover Fare
2002	\$ 1.25	\$0.25	
2005	\$ 1.50	free	\$ 0.50
2009	\$ 2.00	free	\$ 0.75
2014	\$ 2.25	free	\$ 1.00

Reinstatement of a fare for Metromover would require a revision to the PTP ordinance, installation of new fare collection equipment, and maintenance of that equipment. The cost for fare collection equipment for the 22 Metromover stations and installation would range from a \$2.4 million honor-like system to \$9 million for a system comparable to the one used on Metrorail. The cost for collecting, maintaining, and servicing the Metrorail like fare collection system is estimated to be \$475,000 annually.

Conclusion

MDT is the largest transit system in the State and the 15th largest in the nation. Last fiscal year, our transit system recorded its highest ridership numbers ever—110 million system boardings. My administration is constantly looking for ways to improve our transit system and expand mobility while balancing the constraints of the funding realities we have before us. Service alternatives like incremental bus rapid transit (BRT) zones are viable and fundable options. We continue to diligently work with all stakeholders at the local, state and federal levels to implement much-needed service such as the long-anticipated N.W. 27th Avenue Enhanced Service, State Road 836 Enhanced Service, and Baylink (Beach Corridor Transit Connection), all of which were promised corridors of the original PTP.

It is imperative that we provide the residents of this county a world-class public transportation system. That system must be a safe, reliable and efficient service which improves mobility for our residents and visitors and incorporates innovative technologies. As you know, a coordinated transportation infrastructure (air, land and sea) is a critical component to economic development, and we must remain steadfast in our efforts to further develop our County's transit system.

I look forward to working with both the Board and the CITT to set a course for the continued development of an efficient and effective transportation system for this County; utilizing feasible funding alternatives that are fiscally sound.

Attachment

- c: Alina T. Hudak, Deputy Mayor and Interim Director of Public Works and Waste Management
- Ysela Llort, Director, Miami-Dade Transit
- Jennifer Moon, Director, Office of Management and Budget
- Charles Scurr, Executive Director, Office of the Citizens' Independent Transportation Trust

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

MEMORANDUM

Amended
Substitute No. 2
Alternate
Agenda Item No. 4(A)

TO: Hon. Chairperson and Members
Board of County Commissioners

DATE: July 9, 2002

FROM: Robert A. Ginsburg
County Attorney

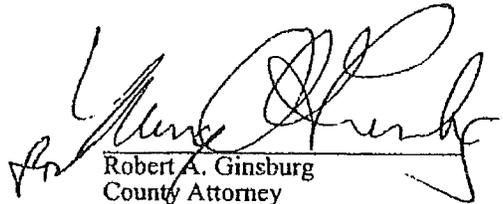
SUBJECT: Ordinance levying one-half of
one percent surtax for transit

O#02-116

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Bruno A. Barreiro.

The prior versions of this item contain an Exhibit 1 listing projects to be funded by the surtax, by categories and cost. The Exhibits attached to these prior versions left open the type, cost and funding mechanisms for projects under the category of "Municipal Improvements."

The attached alternate substitute number 2 has a new Exhibit 1 which details the types of projects, the proposed method for providing funding therefor to the municipalities and the cost thereof under the category "Municipal Improvements." Substitute #2 to 4A Alternate makes no other changes to Exhibit 1.


Robert A. Ginsburg
County Attorney

MEMORANDUM

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: July 9, 2002

SUBJECT: Ordinance levying one half
of one percent surtax for transit

FROM: Steve Shiver
County Manager

The proposed ordinance relating to the imposition of a half-penny sales tax for transportation needs is anticipated to result in \$5.596 billion in additional revenues over a 21 year period, given an average growth rate projected at 5%. During the first year of collections, it is estimated that the County will receive \$150 million. Over the 30 year period, these revenues will permit the County to leverage approximately \$2.5 billion in Federal funds and \$1.25 billion in State funds to construct 88.9 miles of rapid transit and to provide funds for acquisition of additional buses, municipal transit enhancements, road and highway improvements and to partially cover the operating and maintenance costs for the Miami-Dade transit system. Fares are assumed and have been projected to remain at the same rate over the same period. Additionally, because the maintenance of requirements remain constant, it somewhat reduces the budgetary pressure on the general fund.



MEMORANDUM

TO: Honorable Chairperson and Members
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DATE: July 9, 2002

FROM: 
Robert A. Ginsburg
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SUBJECT: Agenda Item No. 4(A)

Please note any items checked.

- "4-Day Rule" (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 private business sector impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- "Sunset" provision required
- Legislative findings necessary

Approved
Veto
Override



Mayor

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7-9-02

ORDINANCE NO. 02-116

ORDINANCE LEVYING AND IMPOSING A ONE HALF OF ONE PERCENT CHARTER COUNTY TRANSIT SYSTEM SURTAX AUTHORIZED BY SECTION 212.055(1), FLORIDA STATUTES (2001) ON ALL TRANSACTIONS OCCURRING IN MIAMI-DADE COUNTY OTHERWISE SUBJECT TO THE STATE TAX IMPOSED ON SALES, USE, RENTALS, ADMISSIONS AND OTHER TRANSACTIONS BY CHAPTER 212, FLORIDA STATUTES (2001); PROVIDING EXCEPTIONS; PROVIDING LIMITATIONS AND PROCEDURES FOR ADMINISTRATION AND COLLECTION; PROVIDING FOR USE OF SURTAX PROCEEDS; GRANTING CITIZENS' INDEPENDENT TRANSPORTATION TRUST CERTAIN POWERS OVER THE USE AND EXPENDITURE OF SURTAX PROCEEDS; EXPRESSING INTENT TO MAINTAIN CURRENT LEVEL OF GENERAL FUND SUPPORT FOR MDTA IN SUBSEQUENT FISCAL YEARS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE; AND REQUIRING THE CLERK OF THIS BOARD TO MAIL CERTIFIED COPIES HEREOF TO BOTH THE FLORIDA DEPARTMENT OF STATE AND THE FLORIDA DEPARTMENT OF REVENUE WITHIN TEN DAYS AFTER ENACTMENT

WHEREAS, this Board wishes to levy and impose a one half of one percent Charter County Transit System Surtax if approved by the electorate of Miami-Dade County, Florida (the "County") at a duly called election pursuant to authority granted by Section 212.055(1), Florida Statutes (2001), and to apply the proceeds of the surtax as provided herein,

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

Section 1. Code Amendment. Chapter 29 of the Code of Miami-Dade County, Florida, is hereby amended by adding the following new Article XVI:

**ARTICLE XVI. ONE HALF OF ONE PERCENT
CHARTER COUNTY TRANSIT SYSTEM SALES
SURTAX AUTHORIZED BY SECTION 212.055(1)
FLORIDA STATUTES (2001).**

Sec. 29.121. Sales surtax levied.

There is hereby levied and imposed a one half of one percent discretionary sales surtax authorized by Section 212.055(1), Florida Statutes (2001) on all transactions occurring in Miami-Dade County which transactions are subject to the state tax imposed on sales, use, rentals, admissions and other transactions by Chapter 212, Florida Statutes (2001).

Sec. 29.122. Surtax rate, limitations.

The surtax rate shall be one half of one percent on the amount of taxable sales and taxable purchases representing such transactions. The limitations, conditions and provisions contained in Section 212.054, Florida Statutes (2001) as the same may be amended and supplemented from time to time are hereby incorporated herein.

Sec. 29-122.1. Exemption from Sales Surtax.

All exemptions applicable to the discretionary sales surtax contained in Chapter 212, Florida Statutes are hereby incorporated herein as the same may be amended and supplemented from time to time including, but not limited to, the following:

1. The sales amount above \$5,000 on any item of tangible personal property shall not be subject to the surtax. However, charges for prepaid calling arrangements, as defined in Sec.212.05(1)(e)1.a. Fla. Stats., shall be subject to the surtax. For

purposes of administering the \$5,000 limitation of an item of tangible personal property, if two or more taxable items of tangible personal property are sold to the same purchaser at the same time and, under generally accepted business practice or industry standards or usage, are normally sold in bulk or are items that, when assembled, comprise a working unit or part of a working unit, such items must be considered a single item for purposes of the \$5,000 limitation when supported by a charge ticket, sale slip, invoice, or other tangible evidence of a single sale or rental.

2. The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the sales surtax imposed by this ordinance.

(1) EXEMPTIONS; GENERAL
GROCERIES.—

(a) Food products for human consumption are exempt from the sales surtax imposed by this ordinance.

(b) For the purpose of this ordinance, as used in this subsection, the term "food products" means edible commodities, whether processed, cooked, raw, canned, or in any other form, which are generally regarded as food. This includes, but is not limited to, all of the following:

1. Cereals and cereal products, baked goods, oleomargarine, meat and meat products, fish and seafood products, frozen foods and dinners, poultry,

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eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices, salt, sugar and sugar products, milk and dairy products, and products intended to be mixed with milk.

2. Natural fruit or vegetable juices or their concentrates or reconstituted natural concentrated fruit or vegetable juices, whether frozen or unfrozen, dehydrated, powdered, granulated, sweetened or unsweetened, seasoned with salt or spice, or unseasoned; coffee, coffee substitutes, or cocoa; and tea, unless it is sold in a liquid form.

3. Bakery products sold by bakeries, pastry shops, or like establishments that do not have eating facilities.

(c) The exemption provided by this subsection does not apply:

1. When the food products are sold as meals for consumption on or off the premises of the dealer.

2. When the food products are furnished, prepared, or served for consumption at tables, chairs, or counters or from trays, glasses, dishes, or other tableware, whether provided

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by the dealer or by a person with whom the dealer contracts to furnish, prepare, or serve food products to others.

3. When the food products are ordinarily sold for immediate consumption on the seller's premises or near a location at which parking facilities are provided primarily for the use of patrons in consuming the products purchased at the location, even though such products are sold on a "take out" or "to go" order and are actually packaged or wrapped and taken from the premises of the dealer.

4. To sandwiches sold ready for immediate consumption on or off the seller's premises.

5. When the food products are sold ready for immediate consumption within a place, the entrance to which is subject to an admission charge.

6. When the food products are sold as hot prepared food products.

7. To soft drinks, which include, but are not limited to, any nonalcoholic beverage, any preparation or beverage commonly referred

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to as a "soft drink," or any noncarbonated drink made from milk derivatives or tea, when sold in cans or similar containers.

8. To ice cream, frozen yogurt, and similar frozen dairy or nondairy products in cones, small cups, or pints, popsicles, frozen fruit bars, or other novelty items, whether or not sold separately.

9. To food prepared, whether on or off the premises, and sold for immediate consumption. This does not apply to food prepared off the premises and sold in the original sealed container, or the slicing of products into smaller portions.

10. When the food products are sold through a vending machine, pushcart, motor vehicle, or any other form of vehicle.

11. To candy and any similar product regarded as candy or confection, based on its normal use, as indicated on the label or advertising thereof.

12. To bakery products sold by bakeries, pastry shops, or like establishments that have eating facilities, except when sold for

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consumption off the seller's premises.

13. When food products are served, prepared, or sold in or by restaurants, lunch counters, cafeterias, hotels, taverns, or other like places of business.

(d) As used in this subsection (1), the term:

1. "For consumption off the seller's premises" means that the food or drink is intended by the customer to be consumed at a place away from the dealer's premises.

2. "For consumption on the seller's premises" means that the food or drink sold may be immediately consumed on the premises where the dealer conducts his or her business. In determining whether an item of food is sold for immediate consumption, there shall be considered the customary consumption practices prevailing at the selling facility.

3. "Premises" shall be construed broadly, and means, but is not limited to, the lobby, aisle, or auditorium of a theater; the seating, aisle, or parking area of an arena, rink, or stadium; or the parking area of a drive-

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in or outdoor theater. The premises of a caterer with respect to catered meals or beverages shall be the place where such meals or beverages are served.

4. "Hot prepared food products" means those products, items, or components which have been prepared for sale in a heated condition and which are sold at any temperature that is higher than the air temperature of the room or place where they are sold. "Hot prepared food products," for the purposes of this subsection, includes a combination of hot and cold food items or components where a single price has been established for the combination and the food products are sold in such combination, such as a hot meal, a hot specialty dish or serving, or a hot sandwich or hot pizza, including cold components or side items.

- (e) 1. Food or drinks not exempt under paragraphs (a), (b), (c), and (d) shall be exempt, notwithstanding those paragraphs, when purchased with food coupons or Special Supplemental Food Program for Women, Infants, and Children vouchers issued under authority of federal law.

2. This paragraph (e) is effective only while federal law prohibits a state's participation in the federal food coupon program or Special Supplemental Food Program for Women, Infants, and Children if there is an official determination that state or local sales taxes are collected within that state on purchases of food or drinks with such coupons.

3. This paragraph (e) shall not apply to any food or drinks on which federal law shall permit sales taxes without penalty, such as termination of the state's participation.

(2) EXEMPTIONS MEDICAL

(a) There shall be exempt from the sales surtax imposed by this ordinance any medical products and supplies or medicine dispensed according to an individual prescription or prescriptions written by a prescriber authorized by law to prescribe medicinal drugs; hypodermic needles; hypodermic syringes; chemical compounds and test kits used for the diagnosis or treatment of human disease, illness, or injury; and common household remedies recommended and generally sold for internal and external use in the cure, mitigation, treatment, or prevention of illness or disease in human beings, but not

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including cosmetics or toilet articles, notwithstanding the presence of medicinal ingredients therein, according to a list prescribed and approved by the Department of Health, which list shall be certified to the Department of Revenue from time to time and included in the rules promulgated by the Department of Revenue. There shall also be exempt from the sales surtax imposed by this ordinance artificial eyes and limbs; orthopedic shoes; prescription eyeglasses and items incidental thereto or which become a part thereof; dentures; hearing aids; crutches; prosthetic and orthopedic appliances; and funerals. In addition, any items intended for one-time use which transfer essential optical characteristics to contact lenses shall be exempt from the sales surtax imposed by this ordinance, however, this exemption shall apply only after \$100,000 of the sales surtax imposed by this ordinance on such items has been paid in any calendar year by a taxpayer who claims the exemption in such year. Funeral directors shall pay tax on all tangible personal property used by them in their business.

(b) For the purposes of this subsection (2):

1. "Prosthetic and orthopedic appliances" means any apparatus, instrument, device, or equipment used to replace or substitute for any missing part of the body, to alleviate the malfunction of

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any part of the body, or to assist any disabled person in leading a normal life by facilitating such person's mobility. Such apparatus, instrument, device, or equipment shall be exempted according to an individual prescription or prescriptions written by a physician licensed under chapter 458, chapter 459, chapter 460, chapter 461, or chapter 466, Florida Statutes, or according to a list prescribed and approved by the Department of Health, which list shall be certified to the Department of Revenue from time to time and included in the rules promulgated by the Department of Revenue.

2. "Cosmetics" means articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body for cleaning, beautifying, promoting attractiveness, or altering the appearance and also means articles intended for use as a compound of any such articles, including, but not limited to, cold creams, suntan lotions, makeup, and body lotions.

3. "Toilet articles" means any article advertised or held out for sale for grooming purposes and those

articles that are customarily used for grooming purposes, regardless of the name by which they may be known, including, but not limited to, soap, toothpaste, hair spray, shaving products, colognes, perfumes, shampoo, deodorant, and mouthwash.

4. "Prescription" includes any order for drugs or medicinal supplies written or transmitted by any means of communication by a duly licensed practitioner authorized by the laws of the state to prescribe such drugs or medicinal supplies and intended to be dispensed by a pharmacist. The term also includes an orally transmitted order by the lawfully designated agent of such practitioner. The term also includes an order written or transmitted by a practitioner licensed to practice in a jurisdiction other than this state, but only if the pharmacist called upon to dispense such order determines, in the exercise of his or her professional judgment, that the order is valid and necessary for the treatment of a chronic or recurrent illness. The term also includes a pharmacist's order for a product selected from the formulary created pursuant to Sec. 465.186 Fla.Stats. A prescription may

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be retained in written form,
or the pharmacist may cause
it to be recorded in a data
processing system, provided
that such order can be
produced in printed form
upon lawful request.

(c) Chlorine shall not be exempt
from the tax imposed by this
ordinance when used for the
treatment of water in swimming
pools.

(d) Lithotripters are exempt.

(e) Human organs are exempt.

(f) Sales of drugs to or by
physicians, dentists, veterinarians,
and hospitals in connection with
medical treatment are exempt.

(g) Medical products and
supplies used in the cure, mitigation,
alleviation, prevention, or treatment
of injury, disease, or incapacity
which are temporarily or
permanently incorporated into a
patient or client by a practitioner of
the healing arts licensed in the state
are exempt.

(h) The purchase by a
veterinarian of commonly
recognized substances possessing
curative or remedial properties which
are ordered and dispensed as
treatment for a diagnosed health
disorder by or on the prescription of
a duly licensed veterinarian, and
which are applied to or consumed by
animals for alleviation of pain or the

cure or prevention of sickness, disease, or suffering are exempt. Also exempt are the purchase by a veterinarian of antiseptics, absorbent cotton, gauze for bandages, lotions, vitamins, and worm remedies.

(i) X-ray opaques, also known as opaque drugs and radiopaque, such as the various opaque dyes and barium sulphate, when used in connection with medical X rays for treatment of bodies of humans and animals, are exempt.

(j) Parts, special attachments, special lettering, and other like items that are added to or attached to tangible personal property so that a handicapped person can use them are exempt when such items are purchased by a person pursuant to an individual prescription.

(k) This subsection (2) shall be strictly construed and enforced.

Sec. 29-123. Administration, collection and enforcement.

The Florida Department of Revenue shall administer, collect and enforce the surtax levied hereunder pursuant to the procedures specified in Sec. 212.054(4) Fla.Stats. (2001) as the same may be amended or renumbered from time to time.

Sec. 29-124. Special fund created; uses of surtax proceeds; and role of Citizens' Independent Transportation Trust.

The surtax proceeds collected by the State and distributed hereunder shall be deposited in a special fund

set aside from other County funds in the custody of the Finance Director of the County. Moneys in the special fund shall be expended for the transportation and transit projects (including operation and maintenance thereof) set forth in Exhibit 1 to this ordinance (including those projects referenced in the ballot question presented to the electors to approve this levy), subject to any amendments thereto made in accordance with the MPO process or made in accordance with the procedures specified in subsection (d) of this Section.

Expenditure of surtax proceeds shall be subject to the following limitations:

- (a) Surtax proceeds shall be applied to expand the Golden Passport Program to all persons (regardless of income level who are over the age of 65 or are drawing Social Security benefits, and to provide fare-free public transportation service on Metromover, including extensions.
- (b) Surtax proceeds may only be expended for the transportation and transit purposes specified in §212.055(1)(d)1-3 Fla.Stats.(2001).
- (c) The County shall not expend more than 5% of the County's share of surtax proceeds on administrative costs, exclusive of project management and oversight for projects funded by the surtax.
- (d) The County Commission shall not delete or materially change any County project contained in the list attached as Exhibit 1 to this ordinance nor add any project to the list except in accordance with the procedures set forth in this subsection (d). A proposed deletion, material change or addition of a County project shall be initially reviewed by the Citizens' Independent Transportation Trust ("Trust"), which shall forward a recommendation thereon to the County Commission. The County Commission may either accept or reject the Trust's recommendation. If the County Commission rejects

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the recommendation, the matter shall be referred back to the Trust for its reconsideration and issuance of a reconsidered recommendation to the County Commission. The County Commission may approve, change or reject the Trust's reconsidered recommendation. A two-thirds vote of the Commission membership shall be required to take action other than as contained in the reconsidered recommendation of the Trust. The foregoing notwithstanding, the list of County projects contained in Exhibit I may be changed as a result of the MPO process as mandated by federal and state law.

(e) No surtax proceeds may be used to pay the costs of a contract awarded by action of the County Commission until such action has become final (either by expiration of ten days after such action without veto by the Mayor, or by Commission override of a veto) and either: i) the Trust has approved same; or, ii) in response to the Trust's disapproval, the County Commission re-affirms its award by two-thirds (2/3) vote of the Commission's membership. The bid documents for all County contracts funded in whole or in part with surtax proceeds shall provide that no award shall be effective and no contractual relationship shall arise with the County unless and until approved by the Trust or re-affirmed by the County Commission as provided in this subsection.

(f) Twenty percent of surtax proceeds shall be distributed annually to those cities existing as of November 5, 2002 that meet the following conditions:

(i) That continue to provide the same level of general fund support for transportation that is in their FY 2001-2002 budget in subsequent Fiscal Years. Any surtax proceeds received shall be applied to supplement, not replace a city's general fund support for transportation;

(ii) That apply 20% of any surtax proceeds received to transit uses in the nature of circulator buses, bus shelters, bus pullout bays or other transit-related infrastructure. Any city that cannot apply the 20% portion of surtax proceeds it receives as provided in the preceding sentence, may contract with the County for the County to apply such proceeds on a County project that enhances traffic mobility within that city and immediately adjacent areas. If the city cannot expend such proceeds in accordance with either of the preceding sentences, then such proceeds shall carry over and be added to the overall portion of surtax proceeds to be distributed to the cities in the ensuing year and shall be utilized solely for the transit uses enumerated in this subsection (ii); and

(iii) Surtax proceeds distributed amongst the existing cities shall be distributed on a pro rata basis based on the ratio such city's population bears to the total population in all such cities (as adjusted annually in accordance with the Estimates of Population prepared by the Bureau of Economic and Business Research of the University of Florida) annually to those cities that continue to meet the foregoing conditions. For purposes of the foregoing, whenever an annexation occurs in an existing city, the number of persons residing in such annexed area at the time it is annexed shall be excluded from all calculations. Increases in population in areas annexed over and above the population in such area at the time of annexation which occur after annexation shall be included in subsequent years' calculations.

(g) Newly incorporated municipalities shall have the right to negotiate with the County for a pro rata share of the sales surtax, taking into consideration the neighborhood and municipal projects identified in Exhibit 1, as amended, within the boundaries of the new municipalities. The preceding sentence shall not affect the twenty (20%) percent share provided herein for municipalities existing on November 5, 2002.

Section 2. Severability. 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. Ordinance Part of Code. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance 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. Effective Date. The provisions of 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, and the sales surtax authorized herein shall take effect on January 1, 2003, provided that the question of whether the County shall levy a one-half of one percent sales surtax pursuant to Section 212.055(1), Florida Statutes (2001) is approved by a majority vote of the electorate who vote on this proposal in the election to be held on November 5, 2002. The sales surtax authorized herein shall remain in effect until this ordinance is repealed.

Section 5. Maintenance of Effort. It is the intention of the Board of County Commissioners that the amount of general fund support for MDTA in fiscal year ending September 30, 2003 and each subsequent fiscal year shall be no less than \$111,800,000 which is the budgeted amount of general fund support for MDTA in fiscal year ending September 30, 2002.

Section 6. State Filings. This Clerk of the Board shall forthwith mail certified copies of this ordinance to both the Florida Department of State and the Florida Department of Revenue within ten (10) days after enactment hereof.

Section 7. Amendments. This Ordinance may only be amended or repealed by a two-thirds vote of the Board. Any amendment or repeal of this Ordinance shall further require a minimum of six (6) weeks between first and second reading.

Section 8. This ordinance does not contain a sunset provision.

PASSED AND ADOPTED: JUL 09 2002

Approved by County Attorney as
to form and legal sufficiency RAG

Prepared by: RAC

R. A. Cuevas, Jr.

Sponsored by Commissioner Bruno A. Barreiro

EXHIBIT 1

PEOPLE'S TRANSPORTATION PLAN

YEAR 2003-2008: BUS SERVICE IMPROVEMENTS (Capital Cost: \$90 million)

- Increases bus fleet from 700 to 1335.
- Increases current service miles from 27 million miles to 44 million miles.
- Increases operating hours from 1.9 million hours to 3.3 million hours.
- Utilizes minibuses on all new bus routes and in neighborhood/municipal circulator shuttle service.
- Adds mid-day, Saturday and Sunday services within 30-days of approval of a dedicated funding source using existing buses.
- Provides 15-minutes or better bus service during rush hour; 30-minutes or better during other periods; 24-hour service in certain major corridors.
- Replaces buses on a systematic basis to reduce operating cost and increase reliability.
- Constructs bus pull-out bays on major streets to expedite traffic flow.
- Implements grid system for bus service (north-south and east-west) on major streets and avenues with circulator service feeding main line bus service and rapid transit lines.
- Expands the bus shelter program throughout the County.
- Enhances and expands transit bus stop signage countywide; incorporate information technology at bus stop and rail stations.
- Expands Transit's public information program through enhanced marketing and advertising.
- Expands on successful municipal circulator program.

YEAR 2003-2031: RAPID TRANSIT IMPROVEMENTS

Construction of up to 88.9-miles of countywide rapid transit lines. (Capital Cost: \$7 billion)

- **Technology and Corridor Improvements:** Two corridors, totaling 26.7 miles of rapid transit, have completed the planning phase and are ready to enter into final design and construction -- the North Corridor and East-West Corridor.
- The **North Corridor** is a 9.5-mile heavy rail alternative, running from the Dr. Martin Luther King, Jr. Metrorail Station, along NW 27th Avenue to NW 215th Street (Miami-Dade/Broward County line); with proposed stations at Northside Shopping Center, MDCC-North Campus, City of Opa-locka, Palmetto Expressway, Carol City Shopping Center, Pro-Player Stadium and the Florida Turnpike. The North Corridor (part of the original Rapid Transit Plan) will receive top priority to go into the final design and construction phase. (\$555 million)
- The **East-West Corridor** consists of two segments, one from the Florida Turnpike east to the Palmetto Expressway (SR 826) and from the Palmetto, through Miami International Airport, downtown Miami, and to the Port of Miami, 6-miles and 11.2 miles respectively. These sites have been identified as potential station locations: Florida Turnpike, NW 107th Avenue, NW 97th Avenue, NW 87th Avenue, Milam Dairy Road, Blue Lagoon area, Miami Intermodal Center, NW 27th Avenue, Orange Bowl, Government Center (downtown Miami), and the Port of Miami. (\$2,789 million)

EXHIBIT 1

PEOPLE'S TRANSPORTATION PLAN

- **The remaining 62.2-miles of rapid transit lines need to complete federal, state and local planning processes to determine feasibility, technology, and corridor alignment. These corridors include, but are not limited to, the following:**
 - **Earlington Heights/Airport Connector:** A 3.1 mile extension from the Earlington Heights Metrorail Station to the Miami Intermodal Center, located on the east side of Miami International Airport. (\$207 million)
 - **Baylink:** A 5.1-mile corridor between downtown Miami and South Miami Beach. (\$510 million)
 - **Kendall Corridor:** A 15-mile corridor with both east-west and north-south segments. (\$877 million)
 - **Northeast Corridor:** A 13.6-mile corridor from downtown Miami, through Little Haiti, to NE 215th Street, generally along the Biscayne Blvd./US 1 Corridor and Florida East Coast railroad right-of-way. (\$795 million)
 - **Rail Extension to Florida City:** A 21-mile rail extension along US1 consisting of two segments, one from Dadeland South Metrorail Station to Cutler Ridge; a second segment from Cutler Ridge to Florida City. (\$946 million)
 - **Douglas Road Extension:** A 4.5-mile corridor from the Douglas Road Metrorail Station to the Miami Intermodal Center. (\$280 million)

YEAR 2003-2013: MAJOR HIGHWAY AND ROAD IMPROVEMENTS (Total Cost: \$309 million)

Includes the following countywide improvements:

- Supplements funding to upgrade the County's traffic signalization system.
- Constructs major ingress/egress improvements in Downtown Miami, from SW 8 Street to SW 1 Avenue.
- Funds the Preliminary Engineering and Design study of I-395.
- Accelerates approved safety enhancements and lane improvements for Krome Avenue.
- Completes construction of NW 87 Avenue between NW 154 Street and Miami Gardens Drive (NW 183 Street).
- Creates viable reverse flow lanes on major thoroughfares.
- Funds grade separation of intersections where appropriate countywide.
- Supplements funding to widen NW 62 Avenue, from NW 105 Street to NW 138 Street.

EXHIBIT 1 PEOPLE'S TRANSPORTATION PLAN

YEAR 2003-2013: NEIGHBORHOOD IMPROVEMENTS (Total Cost: \$167 million)

Neighborhood improvements include modification of intersections; resurfacing of local and arterial roads; installation/repairs of guardrails; installation of school flashing signals and enhancement of greenways and bikeways. Such improvements also include replacement/repair of sidewalks, repair/installation of drainage and landscape beautification (including community image enhancements) related to the development, construction, operation or maintenance of roads and bridges in the county or to the expansion, operation or maintenance of bus and fixed guideway systems.

- Accelerates program to provide ADA accessibility to bus stops throughout the County.

MUNICIPAL IMPROVEMENTS (Cities to receive a pro rata share (determined by population) of 20% total surtax revenues on an annual basis (currently estimated at \$62.6 million [one-percent] or \$31.3 million [one-half percent])

Cities will preserve the level of transportation funding currently in their FY 2001-2002 budgets (i.e. their maintenance of effort dollars). Maintenance of effort excludes special bond issues for infrastructure improvements.

The cities will dedicate 20% of their surtax funds to transit purposes. This would include circulators, bus shelters, bus pull out bays or other transit-related infrastructure. If such utilization is inappropriate, the County will be afforded the opportunity to undertake such projects with those funds or the funds will revert to the municipal pool for re-distribution.

NOTE: This Exhibit 1 includes those projects listed on the attached 3 pages entitled "Board Requested Major Roadway and Neighborhood Improvement Projects for Inclusion in the People's Transportation Plan."

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**BOARD REQUESTED MAJOR ROADWAY AND NEIGHBORHOOD IMPROVEMENT
PROJECTS FOR INCLUSION IN THE PEOPLE'S TRANSPORTATION PLAN**

DIST	PROJECT NAME/LOCATION	LIMITS	DESCRIPTION
1	ROADS WITH POOR TO FAIR PAVEMENT CONDITIONS	SECTIONS 5-52-41, 8-52-41, 9-52-41, 14-52-41, 16-52-41 AND 18-52-41	RESURFACING AND REMARKING
	NW 22 AVENUE	NW 135 STREET TO STATE ROAD 9	RESURFACING AND REMARKING
	NW 37 AVENUE	NW 79 STREET TO NORTH RIVER DRIVE	WIDENING FROM 2 TO 5 LANES
2	NW 22 AVENUE	NW 135 TO 62 STREETS	RESURFACING AND REMARKING
	NW 62 STREET	NW 37 AVENUE TO I-95	RESURFACING AND TRAFFIC OPERATIONAL IMPROVEMENTS
	NE 2 AVENUE	NE 91 TO 20 STREETS	STREET AND TRAFFIC OPERATIONAL IMPROVEMENTS
4	MIAMI GARDENS DRIVE CONNECTOR	US 1 TO LEHMAN CAUSEWAY	NEW 4-LANE ROAD
6	SW 62 AVENUE	SW 24 TO NW 7 STREETS	STREET IMPROVEMENTS
	NW 7 STREET	NW 72 TO 37 AVENUES	RESURFACING AND TRAFFIC OPERATIONAL IMPROVEMENTS
	SW 72 AVENUE	SW 40 TO 20 STREETS	STREET AND TRAFFIC OPERATIONAL IMPROVEMENTS
	NW 82 AVENUE/ NW 8 STREET	NW 7 TO I0 STREET/ NW 87 TO 79 AVENUE	ROADWAY RECONSTRUCTION
7	SW 97 AVENUE	SW 72 TO 56 STREETS	WIDEN TO 3 LANES
	SW 62 AVENUE	SW 70 TO 64 STREETS	NARROW FROM 5 TO 2 LANES
	SOUTH BAYSHORE DRIVE	MC FARLANE TO AVIATION	RESURFACING AND MEDIAN IMPROVEMENTS
	SW 27 AVENUE	US 1 TO BAYSHORE DRIVE	WIDEN FROM 2 TO 3 LANES
	GRAND AVENUE	SW 37 TO 32 STREETS	NARROW FROM 4 TO 2 LANES
	ROADS WITH FAIR TO POOR PAVEMENT CONDITIONS	SECTIONS 27-54-40, 28-54-40 AND 29-54-40	RESURFACING
	SOUTH MIAMI AVENUE	SW 25 TO 15 ROADS	TRAFFIC CALMING MEASURES, CURBS AND SIDEWALKS

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**BOARD REQUESTED MAJOR ROADWAY AND NEIGHBORHOOD IMPROVEMENT
PROJECTS FOR INCLUSION IN THE PEOPLE'S TRANSPORTATION PLAN**

DIST	PROJECT NAME/LOCATION	LIMITS	DESCRIPTION
8	SW 87 AVENUE	SW 216 TO 168 STREETS	WIDEN FROM 2 TO 4 LANES
	SW 312 STREET	SW 187 TO 177 AVENUES	WIDEN TO 5 LANES
	SW 137 AVENUE	US 1 TO 184 STREET	WIDEN TO 4 LANES/NEW 4 LANES
	SW 137 AVENUE	HEFT TO US 1	WIDEN FROM 2 TO 4 LANES
	SW 120 STREET	SW 137 TO 117 AVENUES	WIDEN FROM 4 TO 6 LANES
9	SW 136 STREET	SW 157 AVENUE TO FLORIDA TURNPIKE (SR 874)	WIDENING FROM 2 TO 4 LANES
	SW 157 AVENUE	SW 184 TO 152 STREETS	NEW 4-LANE ROAD
	SW 160 STREET	SW 147 TO 137 AVENUES	NEW 4-LANE ROAD
	SW 180 STREET	SW 147 TO 137 AVENUES	CURBS AND GUTTERS, TRAFFIC OPERATIONAL IMPROVEMENTS
	SW 216 STREET	FLORIDA'S TURNPIKE TO SW 127 AVENUE	CURBS AND GUTTERS, TRAFFIC OPERATIONAL IMPROVEMENTS
	SW 176 STREET	US 1 TO SW 107 AVENUE	CURBS AND GUTTERS, TRAFFIC OPERATIONAL IMPROVEMENTS
	SW 264 STREET	US 1 TO SW 137 AVENUE	CURBS AND GUTTERS, TRAFFIC OPERATIONAL IMPROVEMENTS
10	SW 127 AVENUE	SW 120 TO 88 STREETS	WIDEN TO 4 LANES WITH MEDIAN, SWALES AND FRONTAGE ROAD
	SW 97 AVENUE	SW 56 TO 40 STREETS	WIDEN TO 3 LANES
	NEW ACCESS TO COUNTRY WALK	LAND ACQUISITION AND EXTENSION OF SW 143 TERRACE FROM RAILROAD TRACKS TO SW 136 STREET	NEW 2-LANE ROAD
11	SW 157 AVENUE	SW 152 TO 112 STREET	NEW 4-LANE ROAD

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**BOARD REQUESTED MAJOR ROADWAY AND NEIGHBORHOOD IMPROVEMENT
PROJECTS FOR INCLUSION IN THE PEOPLE'S TRANSPORTATION PLAN**

DIST	PROJECT NAME/LOCATION	LIMITS	DESCRIPTION
12	NW 138 STREET BRIDGE	BRIDGE OVER MIAMI RIVER CANAL AT NW 138 STREET	BRIDGE CONSTRUCTION
	NW 74 STREET NW 97 AVENUE	HEFT TO NW 82 AVENUE NW 41 TO 25 STREETS	NEW 4-LANE ROAD WIDEN FROM 2 TO 4 LANES
13	NW 62 AVENUE (W 8 AVENUE)	NW 138 TO 105 STREETS	WIDEN FROM 2 TO 3 LANES
	NW 170 STREET	NW 87 TO 77 AVENUES	WIDEN FROM 2 TO 4 LANES

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STATE OF FLORIDA)
) SS:
COUNTY OF MIAMI-DADE)

I, HARVEY RUVIN, Clerk of the Circuit and County Courts, in and for Miami-Dade County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said county, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Ordinance 02-116 , adopted by the said Board of County Commissioners at its meeting held on July 9, 2002 , as appears of record.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 19th day of October , A.D., 2011.



SEAL

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida

By: _____

Deputy Clerk