



Miami-Dade Board of County Commissioners
Office of the Commission Auditor

Transportation and Finance (TAF) Committee Meeting

February 13, 2019
2:00 P.M.
Commission Chambers

Thomas B. Davis, Esq.
Director, Policy and Legislation
Office of the Commission Auditor (OCA)
111 N.W. First Street, Suite 1030
Miami, FL 33128
(305) 375-2524

THIS PAGE INTENTIONALLY LEFT BLANK

TAFC Meeting: February 13, 2019
Research Notes

Item No. 1G1
File No. 190025

Researcher: LE Reviewer: TD

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

ISSUE/REQUESTED ACTION

Whether the Board should amend Section 2-150 of the Code of Miami-Dade County to revise the circumstances under which transit route modifications require public hearing and board approval.

APPLICABLE LEGISLATION/POLICY

Miami-Dade County Code Section 2-150 directs how the County makes modifications to the Miami-Dade transit service, fares, and rate structure.

[https://library.municode.com/fl/miami -
dade county/codes/code of ordinances?nodeId=PTIICOOR_CH2AD_ARTXIXMIDETRAG_S2-150FICHFASERACH](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTXIXMIDETRAG_S2-150FICHFASERACH)

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Daniella Levine Cava, District 8
Department/Requester: None

This item was adopted on first reading during the January 23, 2019 BCC and is scheduled for a public hearing during the TAF meeting on February 13, 2019.

ANALYSIS

This item is requesting Board amendment to Section 2-150 of the County Code to revise the conditions under which transit service route modifications require public hearing and board approval.

This item has no fiscal impact.

Currently, Section 2-150(b) establishes that major transit service changes require a public hearing and Board approval. The proposed changes will require a public hearing and Board approval for the following: 1) any increase in service of 25 percent or more or decrease of 10 percent or more of the number of route miles of a route, 2) a decrease in the interval between peak period transit services on a route of more than 10 minutes, 3) a decrease in the interval between off-peak period transit services on a route of more than 30 minutes.

In order to provide accountability and transparency, the proposed amendments will reflect such measurements and provide the public ample opportunity to express any concerns.

T AFC Meeting: February 13, 2019
Research Notes

The table below shows the original Section 2-150 of the Code of Miami-Dade County and the proposed changes. Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed.

Section 2-150 of the County Code	Proposed changes to Section 2-150 of the County Code
<p>Sec. 2-150. – Fixing and changing fares, service, rates or charges.</p> <p>(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.</p> <p>(b) Approved by County Commission after public hearing. The County 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:</p> <ol style="list-style-type: none"> 1. Any fare, rate or charge for transit service or for service ancillary to transit; 2. Any change in service of twenty-five (25) percent or more of the number of route miles of a route; 3. If, in a fiscal year, the cumulative changes on a route add up to twenty-five (25) percent or more change in the number of route miles of a route; 4. A change in the interval between peak period transit services on a route of more than ten (10) minutes; 5. A change in the interval between off-peak period transit services on a route of more than thirty (30) minutes; or 6. A new transit service is established or an existing service is abolished. <p style="text-align: center;">* * *</p>	<p>Sec. 2-150. – Fixing and changing fares, service, rates or charges.</p> <p>(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.</p> <p>(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:</p> <ol style="list-style-type: none"> 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]]

TAFC Meeting: February 13, 2019
Research Notes

>>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.

* * *

T AFC Meeting: February 13, 2019
Research Notes

Item No. 1G2
File No. 190029

Researcher: JFP Reviewer: TD

ORDINANCE RELATING TO ZONING; CREATING SECTIONS 33-122.5 AND 30-423 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; ESTABLISHING OFF-STREET PARKING REQUIREMENTS FOR ELECTRIC VEHICLES; PROVIDING FOR ENFORCEMENT AND PENALTIES FOR MISUSE OF PARKING SPACES DESIGNATED FOR ELECTRIC VEHICLE CHARGING; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CONDUCT A STUDY AND PREPARE A REPORT REGARDING THE APPROPRIATE PERCENTAGE OF REQUIRED OFF-STREET ELECTRIC VEHICLE PARKING SPACES, TAKING INTO CONSIDERATION FACTORS SUCH AS EVOLVING NEED AND DEMAND; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Whether the Board should authorize creation of Sections 33-122.5 and 30-423 of the Code of Miami-Dade County, establishing off-street parking requirements for Electric Vehicles and providing for enforcement and penalties for misuse of parking spaces designated for Electric Vehicle charging. Also, direct the County Mayor to conduct a study and prepare a report regarding the appropriate percentage of required off-street electric vehicle parking spaces.

APPLICABLE LEGISLATION/POLICY

The proposed ordinance relating to zoning creates **Sections 33-122.5 and 30-423 of the Code of Miami-Dade County**, defining the terms and establishing off-street parking requirements for electric vehicles.

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Daniella Levine Cava, District 8

Department/Requester: None

This item was adopted on first reading and set for public hearing before the Transportation and Finance Committee on Wednesday, February 13, 2019 at 2:00 p.m. at the January 23, 2019 Board meeting.

ANALYSIS

The proposed ordinance creates Sections 33-122.5 and 30-423 of the Code of Miami-Dade County to address the growing use of Electric Vehicles and the associated need to accommodate Electric Vehicles with appropriate charging stations. The new provisions of the Code establish off-street parking requirements for Electric Vehicles and provide for enforcement and penalties for misuse of parking spaces designated for Electric Vehicle charging. The proposed ordinance also directs the County Mayor to conduct a study and prepare a report regarding the appropriate percentage of required off-street electric vehicle parking spaces to be provided to the Board by January 1, 2021.

While the certain benefits of Electric Vehicles are clear—improved air quality, reduction of carbon emissions, quieter and more livable streets, and decreased dependency on fossil fuels—greater use of Electric Vehicles is met with the perceived challenge of insufficient charging support infrastructure in local communities. This item seeks to begin to remedy this problem.

The proposed ordinance stipulates the requisite number of parking spaces for Electric Vehicles with two sets of criteria, one to be used prior to January 1, 2022 and one after that date, given that most automakers in the industry have announced that they will be switching to mostly Electric Vehicle production lines in 2022. The trajectory of this ordinance is in line with research suggesting more than 90 per cent of all passenger vehicles in the U.S., Canada, Europe and other wealthy countries could be electric by 2040.

TAFC Meeting: February 13, 2019
Research Notes

The following is the proposed language for newly created Section 33-122.5 of the County Code.

Sec. 33-122.5. Electric Vehicle Supply Equipment Requirements.

Parking spaces specifically designed for charging of Electric Vehicles shall be required in accordance with the following provisions for all new uses other than single-family, duplex, or townhouse, and properties with a current CU and occupancy for a church or religious use.

(1) *Definitions.*

- (a) *Electric Vehicle or EV* shall mean any vehicle that operates either partially or exclusively on electrical energy from an off-board source that is stored on-board for motive purpose.
- (b) *Electric Vehicle Supply Equipment or EVSE* shall mean a unit of fueling infrastructure that supplies electric energy for the recharging of electric vehicles and plug-in hybrids.
- (c) *EVSE Space* shall mean a parking space equipped with, at a minimum, Level 2 EVSE that is capable of charging electric vehicles.
- (d) *EVSE-Ready Space* shall mean a parking space with full circuitry installed in accordance with the Florida Building Code and ready for the charger to be connected.

(2) *Required Number of EVSE Spaces and EVSE-Ready Spaces.*

The number of required EVSE Spaces or EVSE-Ready Spaces shall be determined based on the total number of off-street parking spaces, as shown in the table below. EVSE Spaces shall count toward off-street parking requirements; however, in no event shall providing such spaces reduce the number of parking spaces for the physically disabled below the quantity required by the Florida Building Code.

Total Number of Required Off-Street Parking Spaces	Required Off-Street EVSE-Ready Spaces (Prior to January 1, 2022)*	Required Off-Street EVSE-Ready Spaces (On or after January 1, 2022)*
Up to 9 spaces	1	1
10 or more	10 percent of the required parking spaces, but in no event less than 1 EVSE-Ready Space.	20 percent of the required parking spaces, but in no event less than 1 EVSE-Ready Space

*In the event of a fraction, the number shall be rounded up.

(3) *Fees.* The EVSE operator may charge a fee for electric vehicle charging.

- (4) *Signage and Markings.* All electric vehicle parking spaces shall be prominently designated with a permanent aboveground sign which shall conform to Figure 1 below entitled "Electric Vehicle Charging Station Sign." The bottom of the sign must be at least 5 feet above grade when attached to a building, or 7 feet above grade for a detached sign. The property owner or operator may establish the hours during which vehicles may be charged and the length of charging time permitted per vehicle, provided such information is depicted on the sign in the manner shown in the figure below.

T AFC Meeting: February 13, 2019
Research Notes

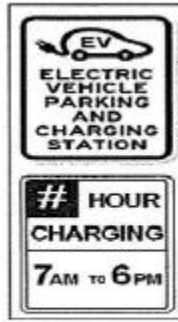


Figure 1. *Electric Vehicle Charging Station Sign*

The following is the proposed language for newly created Section 30-423 of the County Code.

Sec. 30-423. Penalty for misuse of parking spaces designated for electric vehicle charging.

- (1) The definitions set forth in section 33-122.5 shall apply to this section.
- (2) No person shall stop, stand, or park a vehicle within any parking space designated for charging of electric vehicles where charging equipment has been installed, or otherwise block access to such parking space, unless that vehicle is connected to electric vehicle supply equipment, as defined in section 33-122.5, provided, however, that this restriction shall not apply to any person who makes use of an EVSE Space that is specifically assigned to, or wholly owned by, that person.
- (3) Whenever a law enforcement or parking enforcement officer finds a vehicle in violation of this section, the officer shall:
 - (a) Have the vehicle relocated to any lawful parking space or facility, whether by the owner, operator, or other person responsible for the vehicle, or by involuntary means such as towing. Whenever a vehicle is relocated, any cost of such relocation shall be charged to the owner, operator, or other person responsible for the vehicle, and may be made a lien against the vehicle if not paid in the time permitted; or
 - (b) Charge the person in violation with a noncriminal traffic infraction.
- (4) Whenever evidence shall be presented in any court of the fact that any vehicle was found to be parked in violation of this section, it shall be prima facie evidence that the vehicle was parked and left in the space by the person, firm, or corporation in whose name the vehicle is registered and licensed according to the records of the Florida Department of Highway Safety and Motor Vehicles.
- (5) Violators of this section shall be punished by the maximum fine for a non-moving violation pursuant to chapter 318, Florida Statutes.

ADDITIONAL INFORMATION

Electric Cars May Rule the World's Roads by 2040

<https://news.nationalgeographic.com/2017/09/electric-cars-replace-gasoline-engines-2040/>

**TAFC Meeting: February 13, 2019
Research Notes**

Item No. 3A

File No. 190116

Researcher: MF Reviewer: TD

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AN INTERLOCAL AGREEMENT WITH MIAMI SHORES VILLAGE TO ALLOW VILLAGE-WIDE RESIDENTIAL SPEED REDUCTION TO 25 MPH AND TO PERFORM THE INSTALLATION OF SPEED LIMIT SIGNS

ISSUE/REQUESTED ACTION

Whether the Board should authorize the County Mayor to execute an Interlocal Agreement with Miami Shores Village allowing village-wide residential speed reduction to 25 miles per hour and install speed limit signs.

APPLICABLE LEGISLATION/POLICY

Miami-Dade County Code, Section 2-8.3, states that "[w]henver a competitive process is utilized for selection of a contractor, vendor, consultant, tenant or concessionaire, the County Manager shall review the responses to the solicitation and recommend to the County Commission award or other appropriate action."

http://miamidade.fl.elaws.us/code/coord_ptiii_ch2_arti_sec2-8.3

Miami-Dade County Code, Section 2-95 established the Miami-Dade County Traffic and Transportation Department and empowers it to perform the following functions:

(b) *Traffic-control devices*. The planning, installation, operation and maintenance of all traffic control devices, including but not limited to, traffic signals, signs, markings and street name signs on all public streets.

(d) *Traffic engineering*. The Department shall have exclusive jurisdiction in respect to all matters of traffic engineering within the territorial areas of Miami-Dade County, subject only to the jurisdiction of the state road department in respect to state highways.

http://miamidade.fl.elaws.us/code/coord_ptiii_ch2_artxiii_sec2-95.1

Miami-Dade County Code, Section 2-96.1, provides that "[f]rom and after September 16, 1960, all traffic engineering services shall be performed by the Traffic and Transportation Department, and such department shall have exclusive jurisdiction over all traffic control devices in both the incorporated and unincorporated areas of the County, and shall have exclusive jurisdiction to exercise the powers, duties and functions set forth herein."

http://miamidade.fl.elaws.us/code/coord_ptiii_ch2_artxiii_sec2-96.1

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Transportation and Public Works

The proposed resolution has no procedural history.

ANALYSIS

The proposed resolution requests the Board to authorize the County Mayor to execute an Interlocal Agreement with Miami Shores Village to allow village-wide residential speed reduction to 25 miles per hour and to perform the installation of speed limit signs.

According to Sections 2-95 and 2-96.1 of the Miami-Dade County Code, the County government has exclusive jurisdiction over all traffic control devices and all traffic engineering services in both the incorporated and unincorporated areas of the County.

Miami Shores Village wishes to assume installation and maintenance responsibilities of certain traffic engineering functions pertaining to its local municipal streets and has requested that the County allow it to install and maintain 25 mph speed limit signs on local residential streets.

TAFC Meeting: February 13, 2019
Research Notes

Miami Shores Village has Transportation Engineers available to plan, design, and perform construction inspection of Transportation Projects within its Capital Improvements Programs. A copy of any design plan depicting the location of the new speed limit signs must be submitted to the Department of Transportation and Public Works.

According to the Fiscal Impact Statement, the proposed resolution will have no a fiscal impact to the County, as Miami Shores Village will be responsible for all installation and maintenance costs.

ADDITIONAL INFORMATION

An article in Forbes Magazine dated August 31, 2018, and entitled “Lowering Speed Limits, Even a Little, Means Less Speeds and Safer Streets”, states that drivers are less likely to go fast when city speed limits are lowered. It may seem counter-intuitive, but new research has found that drivers in Boston slowed down when speed limits were lowered as little as 5 mph. Those are the results of new research by the Insurance Institute for Highway Safety, a non-profit financed by the insurance industry.

<https://www.forbes.com/sites/tanyamohn/2018/08/31/lowering-speed-limits-even-a-little-means-less-speeding-and-safer-streets/#548d75ec25e0>

TAFC Meeting: February 13, 2019
Research Notes

Item No. 3B
File No. 190134

Researcher: IL Reviewer: TD

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF MIAMI AND MIAMI-DADE COUNTY TO ALLOW THE CITY OF MIAMI TO INSTALL 25 MPH SPEED LIMIT SIGNS WITHIN ITS MUNICIPAL BOUNDARIES

ISSUE/REQUESTED ACTION

Whether the Board should authorize the Interlocal Agreement between the City of Miami and Miami-Dade County to allow the City of Miami to install 25 miles per hour (MPH) speed limit signs within its municipal boundaries requested by the Department of Transportation and Public Works (DTPW).

APPLICABLE LEGISLATION/POLICY

Section 2-8.3 of the Code of Miami-Dade County Requires the County Mayor to review responses to solicitations and to recommend the appropriate action to the County Commission. The recommendation shall be in writing, filed with the Clerk of the Board, and mailed to all participants no later than 10 days prior to any Commission meeting in which such recommendation is scheduled to be presented. The Board may waive the requirements of this section by a 2/3 vote of the County Commission.

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.3MARE

Section 2-9 of the Code of Miami-Dade County (Contracts with Municipalities or Governmental Units for Services) authorizes the County Mayor to enter into contracts on behalf of this County with municipalities and other governmental units for joint performance with the County or performance by any municipality or other governmental unit in behalf of the County or any function or service which the County is authorized or directed to perform under Section 11, Article VIII of the Florida Constitution, the Home Rule Charter, or any ordinance adopted by the Board.

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-9COMUGOUNSEUTMA

Section 2-10 of the Code of Miami-Dade County (Same-Ratification of Board; duration; filing) all contracts authorized by Section 2-9 shall be entered into subject to ratification by the County Commission and no such contract shall extend for a period longer than one (1) year without the express authorization of the Commission. All such contracts shall be filed with the Clerk of the Commission and the clerk of the other governmental unit involved and shall be open to public inspection.

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10SAATBODUFI

Resolution No. R-17-0345, adopted by the City of Miami on July 13, 2017, directing the City to negotiate and execute an Interlocal agreement, in a form acceptable to the City attorney, with Miami-Dade County based upon a traffic and speed reduction study conducted by Kimley-Horn and Associates, Inc. ("study") in order to effectuate the reduction of speed limits to twenty (20) or twenty-five (25) miles per hour on a neighborhood specific basis.

http://miamifl.iqm2.com/Citizens/Detail_LegiFile.aspx?ID=2670&highlightTerms=R-17-0345

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Department of Transportation and Public Works

There is no procedural history for this item at this time.

T AFC Meeting: February 13, 2019
Research Notes

ANALYSIS

The proposed resolution requests authorization of an Interlocal Agreement between the City of Miami and Miami-Dade County to allow the City of Miami to install 25 miles per hour (MPH) speed limit signs within its municipal boundaries requested by the Department of Transportation and Public Works (DTPW).

There is no fiscal impact to the County. The City of Miami will bear the responsibility of installing and maintaining the 25 mile per hour speed limit signs. The areas impacted by the City's request are: Commission District 3 represented by Commissioner Audrey M. Edmonson, and Commission District 5, represented by Commissioner Eileen Higgins.

The Interlocal agreement intends a modification of the speed limit and that is why it is being presented to the Board for approval.

The table below illustrates the number of signs as well as the neighborhoods impacted.

Table 1: Number of Speed Limit Signs per Neighborhood			
Neighborhood	Number of Signs	Neighborhood	Number of Signs
Little River	87	Flagami	113
Shorecrest	37	West Flagler	299
Belle Meade	15	Little Havana	117
Bayside ⁽¹⁾	5	Riverside	60
Morningside	5	Shenandoah	125
Little Haiti	147	Brickell ⁽¹⁾	55
Liberty City	248	Silver Bluff	100
Lummus Park	12	Coconut Grove	119
Design District	4	Grapeland Heights	124
Allapattah	154	Coral Gate	59
Wynwood	52	Natoma Manors	23
Edgewater	46	The Roads	82
Civic Center	29	Buena Vista	90
Overtown	73	Spring Garden	10
Venetian Islands ⁽¹⁾	14		
Sub-Total			2,304
Contingency (15%)			346
Total			2,650

Note: ⁽¹⁾Neighborhood speed reduced to 20 mph