

AUDIT AND MANAGEMENT SERVICES DEPARTMENT OVERTOWN TRANSIT VILLAGE

701 NW 1ST COURT – SUITE 8-175 MIAMI, FLORIDA 33136

TELEPHONE: 786-469-5900

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October 16, 2019

Mr. Thomas J. Benton Village Manager Miami Shores Village 10050 N.E. 2nd Avenue Miami Shores, FL 33138

Re: Final Audit Report – Charter County Transportation System Surtax Review – Miami Shores Village

Dear Mr. Benton:

Attached is the above-referenced Audit Report, together with the Village's Response. We appreciate the courtesies and assistance extended to our staff during the audit process. Please contact G. Nancy McKee, Assistant Director, at (786) 469-5900, should you have any questions.

Sincerely,

Cathy Jackson

Cathy Jackson

Director

CJ:bm

Attachment

c: Javier A. Betancourt, Executive Director, OCITT Holly Hugdahl, Finance Director, Miami Shores Village

Memorandum MIAMI-DADE

Date:

October 16, 2019

To:

Javier A. Betancourt, Executive Director

Office of the Citizens' Independent Transportation Trust (OCITT)

From:

Cathy Jackson, Director

Audit and Management Services Department (AMS)

Subject:

Final Audit Report - Charter County Transportation System Surtax Review -

Miami Shores Village

PURPOSE AND SCOPE

We performed a review of Miami Shores Village's (Village) use of Charter County Transportation System Surtax (Surtax) Proceeds remitted by Miami-Dade County (County) for the three years ended September 30, 2018. The primary objective was to ensure that Surtax Proceeds were used in compliance with the *Interlocal Agreement for Distribution, Use and Reporting of Charter County Transit System Surtax Proceeds Levied by Miami-Dade County (Interlocal Agreement)* executed on June 5, 2007. Additionally, we assessed resolution of prior audit findings referenced in our December 20, 2016 Audit Report (Exhibit I).

BACKGROUND

County Ordinance No. 02-116, enacted on July 9, 2002, imposed a one-half of one percent Surtax on eligible sales transactions for use on Transportation-related projects. However, at least 20% of the Proceeds received by the County must be distributed to municipalities incorporated as of November 5, 2002, on a pro-rata basis using population statistics (Schedule IV). The Surtax Program is administered by the Citizens' Independent Transportation Trust (CITT), a group comprised of 15 members appointed by the Board of County Commissioners, County Mayor, and Miami-Dade League of Cities.

Pursuant to the *Interlocal Agreement*, the Village must annually continue the same level of General Fund support for Transportation projects appropriated in its Fiscal Year (FY) 2002 Budget (Maintenance of Effort), which totaled \$240,963 (Table I). Surtax Proceeds may be used to develop, construct, equip, maintain, operate, or expand County-wide bus systems, fixed guideway rapid transit systems, roads, and bridges, as well as secure such bonds or pay debt service. Further, the Village must apply at least 20% of the Proceeds to Transit-related projects, such as circulator buses, bus shelters, bus pullout bays, or other related infrastructure. *CITT Resolution No. 09-055*, adopted July 30, 2009, allows for the rollover of unspent Surtax funds for up to five years, provided a Five-Year Transportation Plan demonstrates how the funds will be used. Additionally, *CITT Resolution No. 15-027*, adopted May 20, 2015, allows for carryover credits in the event amounts expended are in excess of annual Surtax allocations.

Final Audit Report – Charter County Transportation System Surtax Review – Miami Shores Village Page 2

SUMMARY RESULTS

For the three years ended September 30, 2018, the Village received \$1.3 million in Surtax Proceeds and claimed Transit and Transportation-related expenditures totaling \$2.1 million (Table I). After adjusting claimed expenditures for the Maintenance of Effort (MOE) and ineligible expenditures, the Village had unspent Transit and Transportation Proceeds of \$60,513 and \$451,887, respectively. OCITT should require the Village to submit a new Five-Year Transportation Plan to show how unspent funds will be used.

Table I Surtax Statistics

Surtax Sta								
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Description	1	2016		2017		2018		All Years
Maintenance of Effort	\$	240,963	\$	240,963	\$	240,963	\$	722,889
Revenue (Schedule I):					_		_	
Surtax Proceeds	\$	418,876	\$	421,378	\$	442,755	\$	1,283,009
Interest Income		822		1,154		2,562		4,538
*	\$	419,698	\$	422,532	\$	445,317	\$	1,287,547
Claimed Expenditures (Schedule III):					-			
Transit	\$	97,946	\$	56,916	\$	53,423	\$	208,285
Transportation		641,943		592,954		658,310		1,893,207
	\$	739,889	\$	649,870	\$	711,733	\$	2,101,492
Unspent Amounts (Carryforward Credit) (Schedule II):					_			
Transit	\$	(1,975)	\$	25,385	\$	60,513		
Transportation		486,055		486,673		451,887		
	\$	484,080	\$	512,058	\$	512,400		
Key Account Balances as of September 30th:					_			
Transportation Surtax Special Revenue Fund (Schedule I):								
Cash and Cash Equivalents	\$	313,370	\$	399,229	\$	469,888		
Accounts Receivable	\$	138,485	\$	141,113	\$	147,321		
Fund Balance	\$ 4	445,764	\$	528,833	\$	605,866		

These and other findings, along with the Village's Responses (Attachment I) are presented in the remainder of this Report. The corrective actions planned by the Village are satisfactory, and thus the audit has been closed. Thank you for the courtesies and assistance extended to our staff during the audit process. Please contact G. Nancy McKee, Assistant Director, at (786) 469-5900, if you have any questions.

Final Audit Report – Charter County Transportation System Surtax Review – Miami Shores Village Page 3

FINDINGS AND RECOMMENDATIONS

Maintenance of Effort

Pursuant to the *Interlocal Agreement*, the Village must annually certify that it is providing the same level of General Fund support (\$240,963) for Transportation projects appropriated in its Fiscal Year (FY) 2002 Budget, or MOE. Village Officials insist the MOE is \$0, citing that FY 2002 budgeted Transportation expenditures were offset by a transfer from the Local Option Gas Tax (LOGT) Transportation Fund. As stated in prior Audit Reports, we reaffirm the MOE is as appropriated in the Village's FY 2002 Budget, pursuant to *County Ordinance No. 02-116*.

Recommendation

OCITT should require the Village to certify the correct MOE within 30 days.

Village's Response

The Village is currently working with the OCITT to resolve the issue of the original Maintenance of Effort as determined by the FY 2002 Budget.

Use of Transit Surtax Proceeds

At least 20% of Surtax Proceeds, or \$256,602 must be used for Transit-related projects, for which the Village claimed \$208,285 for its *Shores Shuttle* bus operations (Schedule III). In July 2016, the Village discontinued its weekend service to Aventura Mall and further reduced its two weekday routes to a single route in FY 2017. As a result, ridership decreased, and the Village had \$60,513 of unspent Transit Proceeds as of September 30, 2018 (Schedule II).

Table II Monthly Shores Shuttle Ridership

TITOTACIAL	Ditores Diti	title ittidel	
Month	2016	2017	2018
October	2,484	1,185	820
November	1,555	1,177	742
December	1,636	957	709
January	1,826	921	878
February	1,468	965	1,014
March	1,710	1,068	945
April	1,985	876	1,033
May	1,760	1,222	1,177
June	990	313	357
July	454	214	201
August	751	440	530
September	1,414	541	<u>957</u>
	18,033	9,879	9,363

Source: Village Monthly Ridership Reports

Final Audit Report – Charter County Transportation System Surtax Review – Miami Shores Village Page 4

Recommendation

The Village should submit a revised Five-Year Transportation Plan showing how the unspent funds will be used.

Village's Response

The Village submits an annual transportation plan to the OCITT as part of the annual reporting requirements. This plan includes the use of any available surplus.

Use of Transportation Surtax Proceeds

The remaining 80% share of Surtax Proceeds, (\$1.03 million) was used mainly to pay for Villagewide street lighting, street signs, sidewalk improvements, and personnel costs. However, \$51,810 was disallowed for irrigation pump utilities and landscaping. After adjusting claimed expenditures for the MOE and ineligible costs, the Village had unspent Transportation Proceeds of \$451,887 (Schedule II).

Recommendation

The Village should exercise greater diligence in assuring that only eligible expenditures are paid with Surtax Proceeds. Additionally, a revised Five-Year Transportation Plan should be submitted, detailing how the rollover funds will be utilized.

Village's Response

The FY 19-20 Five-Year Plan will be submitted to OCITT with revenues that reflect an increase in Surtax Proceeds. Of the \$512,400 of unspent Surtax Proceeds as of September 30, 2018, approximately \$336,000 was used in FY 2019 to purchase a street sweeper and for road resurfacing. The remaining balance is budgeted as matching funds for an FDOT multi-mobility grant in FY 2020.

CJ:bm

Attachments

c: Honorable Harvey A. Ruvin, Clerk of the Courts
Abigail Price-Williams, County Attorney
Edward Marquez, Deputy Mayor
Jennifer Moon, Deputy Mayor/Director, Office of Management and Budget
Thomas J. Benton, Village Manager, Miami Shores Village

Charter County Transportation System Surtax Review - Miami Shores Village Transportation Surtax Special Revenue Fund

Balance Shee	to		Live British
Datance Since	A PRODUCTION OF THE PARTY OF TH	s of September	30,
Description	2016	2017	2018
Assets:			
Cash and Cash Equivalents	\$ 313,370	\$ 399,229	\$ 469,888
Accounts Receivable (Surtax)	138,485	141,113	147,321
Total Assets	\$ 451,855	\$ 540,342	\$ 617,209
Liabilities and Fund Balance:			
Accounts Payable and Accrued Liabilities	\$ 6,091	\$ 11,509	\$ 11,343
Restricted Fund Balance	445,764	528,833	605,866
Total Liabilities and Fund Balance	\$ 451,855	\$ 540,342	\$ 617,209
Statements of Revenues, Expenditures, a	nd Changes in	Fund Balance	and the Cartier
		ear Ended Sept	ember 30,
Description	2016	2017	2018
Revenues:			
Intergovernmental Revenues (Surtax) ¹	\$ 418,876	\$ 421,378	\$ 442,755
Interest Income	822	1,154	2,562
Total Revenues	419,698	422,532	445,317
Expenditures:			
Public Works	253,577	218,572	199,109
Capital Outlay	206,373	120,891	169,175
Total Expenditures	459,950	339,463	368,284
Net Change in Fund Balance	(40,252)	83,069	77,033
Fund Balance, Beginning	486,016	445,764	528,833
Fund Balance, Ending	\$ 445,764	\$ 528,833	\$ 605,866

Source: Miami Shores Village General Ledgers and Audited Financial Statements

These Financial Statements are not complete without the accompanying Auditors' Reports and Notes.

¹ Amounts differ from Schedule IV due to timing differences.

Charter County Transportation System Surtax Review - Miami Shores Village Surtax Proceeds Usage Analysis

		Fiscal Y	ear	Ended Sep	teml	ber 30,		
Description		2016		2017		2018		All Years
Sources of Funds (Schedule I):								
Surtax Proceeds ¹	\$	418,876	\$	421,378	\$	442,755	\$	1,283,009
Interest Income	_	822	_	1,154	_	2,562	_	4,538
	\$	419,698	\$	422,532	\$	445,317	\$	1,287,547
Surtax Uses (Schedule III):								
Eligible Transit Expenditures	\$	97,946	\$	56,916	\$	53,423	\$	208,285
Eligible Transportation Expenditures	\$	630,281	\$	578,601	\$	632,515	\$	1,841,397
Less MOE		(240,963)		(240,963)		(240,963)		(722,889)
Expenditures Available For Surtax Use	\$	389,318	\$	337,638	\$	391,552	\$	1,118,508
AMS Analysis:						-		
Transit-Related Expenditures:								
Expenditures Available for Surtax Use	\$	97,946	\$	56,916	\$	53,423	\$	208,285
Less 20% Minimum ²	_	(83,775)		(84,276)		(88,551)		(256,602)
(Increase) Decrease In Unspent Amounts	\$	14,171	\$	(27,360)	\$	(35,128)	\$	(48,317)
Analysis of Unspent Rollover:							_	
Beginning Balance ³	\$	12,196	\$	(1,975)	\$	25,385	\$	12,196
Increase (Decrease) In Unspent Amounts		(14,171)		27,360		35,128		48,317
Remaining Unspent Amount	\$	(1,975)	\$	25,385	\$	60,513	\$	60,513
Transportation-Related Expenditures:								
Expenditures Available for Surtax Use	\$	389,318	\$	337,638	\$	391,552	\$	1,118,508
Less Remaining 80% Amount ²		(335,101)		(337,102)		(354,204)		(1,026,407)
Less Interest Income		(822)		(1,154)		(2,562)		(4,538)
(Increase) Decrease In Unspent Amounts	\$	53,395	\$	(618)	\$	34,786	\$	87,563
Analysis of Unspent Rollover:								
Beginning Balance ³	\$	539,450	\$	486,055	\$	486,673	\$	539,450
Increase (Decrease) In Unspent Amounts		(53,395)		618		(34,786)		(87,563)
Remaining Unspent Amount	\$	486,055	\$	486,673	\$	451,887	\$	451,887
Amounts differ from Schedule TV due to timing differences					-			

¹ Amounts differ from Schedule IV due to timing differences.

² At least 20% of the Surtax Proceeds must be used on Transit-related projects, such as circulator buses, and the remaining funds (80%) are earmarked for eligible Transportation projects.

³ Per the December 20, 2016 Audit Report

Charter County Transportation System Surtax Review - Miami Shores Village

Claimed Expenditures, As Adjusted Fiscal Year Ended September 30, Description 2016 2017 2018 All Years Transit Expenditures Transportation Surtax Special Revenue Fund: Bus Shuttle Services 97,946 56,916 53,423 208,285 Transportation Expenditures Transportation Surtax Special Revenue Fund: Street Name and Traffic Signs (\$780 Ineligible) 111,955 87,216 85,755 284,926 Personnel Costs and Related Charges 86,869 87,224 95,245 269,338 Sidewalk Repairs and Improvements 48,088 33,675 39,084 120,847 Professional Services - Traffic Studies 43,575 42,845 6,500 92,920 Street Resurfacing 46,330 44,336 90,666 Fleet Maintenance and Automobile Insurance 24,947 31,587 30,410 86,944 Operating Supplies and Other (\$7,395 Ineligible) 240 13,529 13,769 362,004 282,547 314,859 959,410 General Fund - Street Maintenance Division: Street Lighting and Irrigation Pump Utilities (\$43,635 Ineligible) 209,108 224,954 228,282 662,344 Street Personnel Payroll and Related Charges 1 53,868 65,643 85,706 205,217 Fleet Maintenance & Automobile Insurance ¹ 16,963 19,810 29,463 66,236 279,939 310,407 343,451 933,797 Total Transportation Expenditures, As Claimed 641,943 592,954 658,310 1,893,207 Less AMS Adjustments for Ineligible Amounts: Irrigation Pump Utilities and Other (11,662)(13,573)(18,400)(43,635)Landscaping Expenditures (7,395)(7,395)Dog Owners Warning Signs (780)(780)Total Adjustments (11,662)(14,353)(25,795)(51,810)630,281 578,601 Total Eligible Expenditures, As Adjusted 632,515 1,841,397

Source: General Ledger, Vendor Invoices, and Capital Asset Listings

¹ Amount calculated using the percentage of time spent by employees on street maintenance, as estimated by the Public Works Director.

Charter County Transportation System Surtax Review Summary of Payments to Municipalities

			ummary of Payr						
Municipality	2003 to 2012	2013	2014	Year Ended Septe	2016	2017	1 2010		
City of Miami 1	\$ 116,849,16						2018		All Years
City of Hialeah	68,960,37		, ,		, ,		, , , , , , , , , , , , , , , , , , , ,		214,852,645
City of Miami Beach	27,484,78	, , , , , , , , , , , , , , , , , , , ,			, ,		, , , , , , , , , , , , , , , , , , , ,	- 1	122,982,728
City of Miami Gardens 2	10,352,93	, ,		, , , , , ,		1	, ,	- 1	48,828,448
City of North Miami	17,943,98			, , ,			1 ' '	- 1	35,859,627
City of Homestead	13,789,73		_,_,_,,,,		, , , , , , , , , , , , , , , , , , , ,		1	1	32,186,995
City of Coral Gables	13,391,23		1,781,041	1,897,394	,		1	- 1	29,296,157
City of North Miami Beach	12,435,16	, , ,		1,659,574	, ,		1		24,783,860
City of Aventura	8,891,58	, , , ,	1,385,071	1,436,028	, ,				22,516,837
City of Doral 2	3,642,653	, ,	1,767,800	1,925,900	1 ' '		1,590,870	-	17,580,814
Town of Miami Lakes 1	7,766,182	1 ' '	1,095,293	1,172,205			2,508,437	1	15,864,878
Town of Cutler Bay 2	3,886,873		1,541,361	1,643,660		, ,	1,288,227	1	14,795,394
Village of Palmetto Bay	7,423,535		879,379	930,008	, , , ,		1,899,220	1	13,915,720
City of Hialeah Gardens	6,178,662	,	816,410	859,975	, , , , , ,		1,013,542		12,997,092
City of Sunny Isles Beach	5,376,896	,	795,768	834,090	/		986,599		11,449,539
Village of Pinecrest 3	5,225,789	,	686,122	723,235	1		933,221	1	10,428,836
City of Miami Springs	4,113,990		522,095	550,052		,	777,521		10,094,675
City of Opa-locka 5	4,640,264		580,600	556,122			601,223		7,411,011
City of South Miami	3,280,419		504,946	538,750	90,323		210,000		6,824,327
Village of Key Biscayne	3,415,345		461,282	489,679	546,219	1	546,151		6,407,274
City of Sweetwater 1	4,077,699		326,534	275,281	502,197	,	540,692		6,360,998
City of Florida City	2,794,031		440,752	477,906	273,778		466,662		5,944,128
Miami Shores Village	3,145,976		384,663	408,970	498,385	504,443	542,769		5,677,736
North Bay Village	1,965,557		279,848	299,797	419,557	420,697	443,831		5,592,504
City of West Miami	1,770,807		224,057	235,786	314,789	328,007	378,523		3,829,895
Town of Surfside	1,666,675	206,033	214,832	226,558	241,053	241,373	279,166		3,206,842
Town of Bay Harbor Islands	1,566,561	201,912	214,053	220,338	229,428	228,739	234,500		3,006,765
Village of Biscayne Park	994,312	110,094	115,264	122,506	231,953	222,682	234,375		2,898,641
Bal Harbour Village	948,405	89,667	110,690	113,983	125,900	126,220	135,905		1,730,201
Village of El Portal 4	751,852	83,900	87,815	88,880	114,472	111,421	114,881		1,603,519
Village of Virginia Gardens	704,328	85,654	89,044	94,354	6,467 96,229	174,873	90,094		1,283,881
Town of Medley	333,660	29,889	31,913	33,823		96,903	102,910		1,269,422
Town of Golden Beach 1	262,985	33,042	34,366	35,427	34,442	33,529	35,277		532,533
Indian Creek Village	3,604	- 35,042	34,300	33,427	36,766	37,221	39,423		479,230
	\$ 366,036,017	\$ 50,643,530	\$ 52,721,784	\$ 55,855,796	\$ 57,288,164	\$ 57,624,331	\$ 62,327,134	\$	3,604 702,496,756
Source: Office of the Cities of I	1 . m			, , , , , ,	= -,===,101	- 57,021,551	<u> </u>	Φ	102,430,736

Source: Office of the Citizens' Independent Transportation Trust (OCITT) and the County's Financial Accounting Management Information System

Amounts are net of withholdings of \$76,553 from the Town of Miami Lakes, \$1.6 million from the City of Sweetwater, \$21,058 from the Town of Golden Beach, and \$2.5 million from the City of Miami, due to specific instances of noncompliance.

The state of the County's Surfax Proceeds consistent with the other Municipal distributions.

In FY 2009, \$551,589 was returned by the Village of Pinecrest for their unspent Transit portion of funding as of September 30, 2007. In FY 2013, OCITT returned the monies to the Village.

Amount in FY 2016 is net of \$84,069 withheld due to instances of noncompliance, which was returned in FY 2017 by OCITT.
 A total of \$1.7 million is being withheld from the City of Opa-locka, due to instances of noncompliance.

Charter County Transportation System Surtax Review – Miami Shores Village Status of Prior Audit Findings ¹

	Status of Prior Audit Findings 1	udit Findings ¹	
Finding	Recommendation	Anditee Resnonse	
General Fund Support		ostrodsov oomer	Current Status
Miami Shores Village's (Village) Fiscal Year (FY) 2002 Maintenance of Effort (MOE) is \$240,963, based upon its FY 2002 Budget. The Village claimed its MOE was \$0.	The Village should certify the corrected MOE of \$240,963 within 30 days.	Budgeted expenditures were offset by a transfer from the Local Option Gas Tax Transportation Fund. MOE certification should be suspended until OCITT has addressed this issue, which has been raised by other municipalities.	Unresolved The Village continued to certify \$0 as its MOE. See Page 3 of the Audit Report.
ds Usage An			
The Village claimed Transit and Transportation-related expenditures totaling \$4.8 million. After adjusting for ineligible expenditures and using the adjusted MOE, the Village was unable to expend \$539,450 of Transportation Proceeds.	The Village should submit a Five-Year Transportation Plan to demonstrate how the \$539,450 in unspent Surtax funds will be used.	The Village submitted the annual Transportation Plan to OCITT. The Plan includes the use of any available surplus.	Unresolved The Village had \$512,400 of unspent Surtax Proceeds as of September 30, 2018. See Pages 3 to 4 of the Audit Report.
Reporting Requirements			
All required reports were submitted, however, certain reports were submitted late. Further, expenditures reported in Quarterly Reports did not always agree with the Village's General Ledgers.	The Village should submit timely and accurate reports.	The Village will continue to make every effort to submit timely reports. Quarterly reports will not always agree to the General Ledger due to timing differences.	Resolved
Signage			
The Interlocal Agreement requires posting of conspicuous signage for all projects funded with Surtax Proceeds. We found no signage on the Village's Buses.	The Village must be more diligent in assuring that all compliance requirements are consistently met.	The Village has received signage from OCITT and will continue to make every effort to meet all compliance requirements.	Resolved
¹ See the Audit Report dated December 20, 2016 for the full text.	ie full text.		



Miami Shores Village

Tom Benton Village Manager

10050 N.E. SECOND AVENUE
MIAMI SHORES, FLORIDA 33138-2382
TELEPHONE: (305) 795-2207
FAX: (305) 756-8972

October 15, 2019

Cathy Jackson, Director Miami-Dade County Audit & Management Services Overtown Transit Village 701 NW 1st Court, Suite 8-175 Miami, FL 33136

Re: Audit Responses

Dear Cathy,

Please find the audit responses to the audit findings for the FY2016-2018 CITT audit.

- 1) **General Fund Support** The Village is currently working with the OCITT to resolve the issue of the original maintenance of efforts as determined by the FY2002 budget.
- 2) Use of Surtax Proceeds The Village submits an annual transportation plan to the OCITT as part of the annual reporting requirements. This plan includes the use of any available surplus. The FY19-20 five-year plan will be submitted to OCITT with revenues that reflect an increase in surtax proceeds. Of the \$512,400 of unspent Surtax Proceeds as of September 30, 2018, approximately \$336 thousand was used in FY2019 to purchase a street sweeper and for road resurfacing. The remaining balance is budgeted as matching funds for an FDOT multi-mobility grant in FY2020.

Sincerely,

Tom Benton Village Manager

TJB:eak

Mgr-2772