

AUDIT AND MANAGEMENT SERVICES DEPARTMENT OVERTOWN TRANSIT VILLAGE

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

TELEPHONE: 786-469-5900

FAX: 786-469-5933

September 11, 2023

Mr. Genaro "Chip" Iglesias City Manager City of South Miami 6130 Sunset Drive South Miami, FL 33143

Re: Final Audit Report - Charter County Transportation System Surtax Review -

City of South Miami

Dear Mr. Iglesias:

Enclosed is the above-captioned Final Audit Report that was previously discussed with your staff. We appreciate the courtesies and assistance provided to our staff during the audit process. Please contact Duane Mathis, Deputy Director, at (786) 469-5900, if you have any questions or require further information.

Sincerely,

Ofelia Tamayo

Director

OT:bm

Attachment

c: Javier A. Betancourt, Executive Director, OCITT Alfredo Riverol, Chief Financial Officer, City of South Miami

Memorandum COUNTY

Date:

September 11, 2023

To:

Javier A. Betancourt, Executive Director

Office of the Citizens' Independent Transportation Trust

From:

Ofelia Tamayo, Director

Audit and Management Services Department

Subject:

Final Audit Report – Charter County Transportation System Surtax Review –

City of South Miami

PURPOSE AND SCOPE

We performed a review of the City of South Miami's (City) use of Charter County Transportation System Surtax (Surtax) Proceeds remitted by Miami-Dade County (County) for the two years ended September 30, 2021. The primary objective was to ensure 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 July 10, 2007. Additionally, we assessed the resolution of prior audit findings referenced in our audit report dated January 5, 2021 (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 Surtax 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 III). 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 City 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 \$115,668 (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 City must apply at least 20% of the Surtax 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 the municipality's Five-Year Transportation Plan (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 exceed annual Surtax allocations. See Schedule I for summary financial information.

SUMMARY RESULTS

For the two years ended September 30, 2021, the City received \$1 million in Surtax Proceeds and claimed Transit and Transportation-related expenditures totaling \$1.1 million (Table I). Claimed expenditures were primarily for on-demand service, traffic calming, road improvements, bike lanes, and circulator operations, as detailed in Tables III and IV. After adjusting claimed expenditures for the Maintenance of Effort (MOE), the City had \$294,531 in unspent Transit-related Surtax Proceeds and \$213,742 in Transportation-related Surtax Proceeds as of September 30, 2021 (Schedule II).

Table I Surtax Statistics

Surtax Statistics	Year Ended S		
Description	2020	2021	All Years
Maintenance of Effort	\$ 115,668	\$ 115,668	\$ 231,336
Revenues (Schedule I):			
Surtax Proceeds	\$ 475,283	\$ 572,261	\$ 1,047,544
Interest Income	10,648	11,456	22,104
	\$ 485,931	\$ 583,717	\$ 1,069,648
Claimed Expenditures:			
Transit (Table III)	\$ 89,293	\$ 150,000	\$ 239,293
Transportation (Table IV)	443,327	408,304	851,631
	\$ 532,620	\$ 558,304	\$ 1,090,924
Unspent Surtax Proceeds as of September 30 (Schedule II):			
Transit-Related	\$ 332,517	\$ 294,531	
Transportation-Related	\$ 34,675	\$ 213,742	
Key Account Balances as of September 30 (Schedule I):			
Peoples Transportation Tax Funds:		100	
Cash and Cash Equivalents	\$ 1,243,968	\$ 1,359,907	
Fund Balance	\$ 1,323,419	\$ 1,488,416	

These and other findings are detailed in the remainder of this Report, along with the City's Responses, which are incorporated herein. We now consider this audit closed. We appreciate the courtesies and assistance extended to our staff by City personnel during the audit process. Please contact Duane Mathis, Deputy Director, at (786) 469-5900, if you have any questions.

FINDINGS AND RECOMMENDATIONS

Use of Surtax Proceeds

The City operated its *SoMi Shuttle* circulator on Tuesdays through Saturdays. The *SoMi Shuttle* began operations in August 2017 and was discontinued in January 2020 due to low ridership

(Table II). In November 2020, the City signed an agreement with BeeFree, LLC. (Vendor) to provide *FreeBee* On-Demand service. The Vendor operates two electric vehicles that provide combined service from Monday through Friday from 7am – 11pm and Saturday from 11am – 11pm. The City has been working with the Miami-Dade Department of Transportation and Public Works (DTPW) to finalize the required *Interlocal Agreement* for On-Demand Service, which is pending approval as of the date of this report.

Table II Ridership

Attacionis												
Fiscal Year Ended September 30,												
	2020 2021											
	SoMi	FreeBee	SoMi	FreeBee								
Description	Shuttle	On-Demand	Shuttle	On-Demand								
1st Quarter Oct-Dec	2,706	-	-	937								
2nd Quarter Jan-Mar	116	-		4,220								
3rd Quarter Apr-June		-	-	6,432								
4th Quarter July-Sept	-			6,591								
Total Ridership	2,822			18,180								

Source: City of South Miami Monthly Ridership Records

As stated previously, the City was required to spend 20% of its Surtax Proceeds, or \$209,509, on Transit-related activities. After applying Transit-related costs, the City had \$294,531 remaining in unspent Transit-related funds (Schedule II). *CITT Resolution No. 09-055* permits the carryforward of unspent funds for up to five years, provided the City outlines the planned use of funds in its Plan, which the City provided for Fiscal Year 2022.

Table III
Claimed Transit Expenditures

Claimed Transit Expenditures											
	Yea	r Ended S									
Description		2020		2021		Total					
Peoples Transportation Tax Fund:											
FreeBee On-Demand Service	\$	-	\$	150,000	\$	150,000					
SoMi Shuttle Bus Service		88,483		-		88,483					
Shuttle Bus Tracking Software	1	810		-		810					
Total Transit-Related Expenditures, as Claimed (Table I)		89,293		150,000		239,293					
Audit and Management Services Department (AMS) Adjustment				-							
On-Demand Service - Reclass from Transportation Expenditures	_			2,438		2,438					
Total Eligible Transit-Related Expenditures (Schedule II)	<u>\$</u>	89,293	<u>\$</u>	152,438	<u>\$</u>	241,731					

Source: City of South Miami General Ledgers, Vendor Invoices, and other supporting documentation

The City also claimed \$851,631 in Transportation-related expenditures, primarily for street lighting, traffic calming, road improvements, bike lanes, and sidewalks (Table IV).

Table IV
Claimed Transportation Expenditures

Road Repair and Repaving 154,977 - 15 Bike Lanes 3,560 100,037 16	55,838 54,977 03,597
Peoples Transportation Tax Fund: Traffic Calming \$ 97,477 \$ 68,361 \$ 16 Road Repair and Repaving 154,977 - 15 Bike Lanes 3,560 100,037 16	55,838 54,977
Traffic Calming \$ 97,477 \$ 68,361 \$ 16 Road Repair and Repaving 154,977 - 1: Bike Lanes 3,560 100,037 10	54,977
Road Repair and Repaving 154,977 - 158 Bike Lanes 3,560 100,037 100 Color of the	54,977
Bike Lanes 3,560 100,037 10	
3,500	3,597
Sidewalks 41,996 59,991 10	
	1,987
Road Project Consulting (Stantec) 2,444 20,093	22,537
Citywide Street Sign Replacement 10,192 7,830	8,022
Landscape Improvement - 9,970	9,970
On-Demand Service	2,438
310,646 268,720 5	79,366
General Fund - Streets and Landscaping Division:	
Street Lighting Expenses 108,917 110,971 2	9,888
Administrative Expenses (Limited to 5% of Revenues) 23,764 28,613	2,377
<u> 132,681</u> <u> 139,584</u> <u> 2</u>	2,265
Total Transportation-Related Expenditures, Claimed (Table I) \$\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	1,631
AMS Adjustments	
On-Demand Service - Reclass to Transit Expenditures - (2,438)	(2,438)
Handicap Sign (Ineligible)	(330)
	(2,768)
Total Eligible Transportation-Related Expenditures (Schedule II) \$\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	8,863

Source: City of South Miami General Ledgers, Vendor Invoices, and other supporting documentation

After adjusting current claimed expenditures for the MOE and adjustments recommended by AMS, the City has \$213,472 remaining unspent in Transportation-related funds as of September 30, 2021 (Schedule II). The City outlined the planned use of these funds in its Plan, as required.

Recommendation

The Office of the Citizens' Independent Transportation Trust (OCITT) should work with the City and DTPW to ensure timely execution of the *Interlocal Agreement* allowing the use of Surtax Proceeds for On-Demand Services.

City's Response

The City has signed the Interlocal Agreement for on-demand services and the County is in receipt of the document. However, the County has not yet approved/adopted a resolution approving the interlocal. It is the City's understanding that the Interlocal Agreement will be presented to the Board of County Commissioners in October and the City expects to have the executed Interlocal Agreement shortly thereafter.

Reporting Requirements

The City submitted the required compliance reports. The expenditures reported in Quarterly Reports did not always agree with amounts claimed as Surtax-related expenditures. For FY 2021, there was a variance of \$156,522 (Table V). This was comprised primarily of Transportation-related costs of \$87,077 which was previously reported in Q4 FY 2020 and \$66,446 reported in Q2 FY 2021, which was not paid from Surtax Proceeds.

Table V
Quarterly Reports Expenditures

	Year Ended September 3							
Description	2020	2021						
Quarterly Report - Transit ¹								
Q1	\$ 68,642	\$ 15,544						
Q2	-	46,632						
Q3	,	46,631						
Q4		41,193						
Total	68,642	150,000						
Quarterly Report - Transportation ²								
Q1	·-	153,303						
Q2	5,567	90,874						
Q3	154,883	93,258						
Q4	198,639	87,807						
	359,089	425,242						
Total Expenditures Reported	427,731	575,242						
Total per General Ledgers	399,939	418,720						
Variance	\$ 27,792	\$ 156,522						
Percentage Variance	79⁄	6 37%						

Source: OCITT Reports

Recommendation

The City's Finance Department should review the Quarterly Reports for accuracy and completeness prior to filing with OCITT.

City's Response

The Finance department will be reviewing the Quarterly reports provided by Public Works for accuracy and completeness prior to filing with OCITT and ensure that all reports are submitted in a timely manner.

OT:bm

Attachments

¹ SoMi Shuttle was discontinued January 2020 and FreeBee started December 2020, hence no expenditures reported Q2, Q3, and Q4 of FY 2020.

² Amount for Q1 FY 2020 was reported in Q2 FY 2020.

c: Juan Fernandez-Barquin, Clerk of the Court and Comptroller Geri Bonzon-Keenan, County Attorney Carladenise Edwards, Chief Administrative Officer Jimmy Morales, Chief Operations Officer David L. Clodfelter, Director, Office of Management and Budget Genaro "Chip" Iglesias, City Manager, City of South Miami Eulois Cleckley, Director, Department of Transportation and Public Works

Charter County Transportation System Surtax Review - City of South Miami Peoples Transportation Tax Funds ¹

Estate to the state of the			Bal	lance Sheet	s										
					1	As of Sept	emb	er 30,							
	2020							2021							
Description	Transportation Transit			Total	Transportation		Transit			Total					
Assets: Cash and Cash Equivalents Receivables Due from Other Funds	\$	977,504 60,526 37,016	\$	266,464 - 5,764	\$	1,243,968 60,526 42,780	\$	1,110,422 89,606 174,211	\$	249,485 - -	\$	1,359,907 89,606 174,211			
Total Assets	\$	1,075,046	\$	272,228	\$	1,347,274	\$	1,374,239	\$	249,485	\$	1,623,724			
Liabilities and Fund Balance Liabilities: Accounts Payable Due to Other Funds	\$	23,855	\$, <u>.</u>	\$	23,855	\$	8,051 114,452 122,503	\$	12,805	\$	20,856 114,452 135,308			
Fund Balance:		23,033				23,033		122,303		12,003		155,500			
Restricted for Transportation Projects		1,051,191	_	272,228	_	1,323,419	_	1,251,736		236,680		1,488,416			
Total Liabilities and Fund Balances	\$	1,075,046	\$	272,228	\$	1,347,274	\$	1,374,239	\$	249,485	\$	1,623,724			
Statemen	ts of F	Revenues, E.	vne.	nditures an	d C	hanges in F	und	Ralance							
			p-c			ar Ended S	- Const.								
				2020			2021								
Description	Tran	sportation		Transit		Total	Tra	nsportation		Transit		Total			
Revenues:				7.						1000					
Intergovernmental ² Interest	\$	380,226 10,648 390,874	\$ 	95,057 - 95,057	\$	475,283 10,648 485,931	\$	457,809 11,456 469,265	\$	114,452	\$	572,261 11,456 583,717			
Expenditures:															
Public Works - Transit (Table III) Public Works - Transportation (Table IV)		310,646 310,646	_	89,293 - 89,293	_	89,293 310,646 399,939	_	268,720 268,720		150,000		150,000 268,720 418,720			
Net Change in Fund Balance		80,228		5,764		85,992		200,545		(35,548)		164,997			
Fund Balance, Beginning of Year		970,963		266,464	_	1,237,427		1,051,191		272,228		1,323,419			
Fund Balance, End of Year	\$	1,051,191	\$	272,228	\$	1,323,419	\$	1,251,736	\$	236,680	\$	1,488,416			

Source: City of South Miami Annual Comprehensive Financial Reports

¹ The Funds' official names are Peoples Transportation Tax and Peoples Transportation Tax, Direct Transit, which are referred to herein as Transportation and Transit, respectively.

² Amounts differ from Schedule III due to timing differences.

Charter County Transportation System Surtax Review - City of South Miami Surtax Proceeds Usage Analysis

		Year Ended S				
Description		2020		2021		All Years
Revenues:						
Surtax Proceeds ¹	\$	475,283	\$	572,261	\$	1,047,544
Interest Income (Schedule I)		10,648		11,456		22,104
Total Revenues	\$	485,931	\$	583,717	\$	1,069,648
Surtax Uses:					1.*	
Eligible Transit Expenditures (Table III)	\$	89,293	\$	152,438	\$	241,731
				27		
Eligible Transportation Expenditures (Table IV)	\$	442,997	\$	405,866	\$	848,863
Less Maintenance of Effort (Table I)	_	(115,668)	_	(115,668)	_	(231,336)
Expenditures Available for Surtax Use	\$	327,329	\$	290,198	\$	617,527
AMS Analysis:						
Transit-Related Expenditures:		-				
Expenditures Available for Surtax Use	\$	89,293	\$	152,438	\$	241,731
Less 20% Minimum Amount ²		(95,057)	_	(114,452)	-	(209,509)
(Increase) Decrease in Rollover Amounts	\$	(5,764)	\$	37,986	\$	32,222
Analysis of Unspent Rollover:						
Beginning Balance ³	\$	326,753	\$	332,517	\$	326,753
Increase (Decrease) in Unspent Amounts		5,764		(37,986)		(32,222)
Remaining Unspent Amount	\$	332,517	\$	294,531	\$	294,531
Transportation-Related Expenditures:				2		,
Expenditures Available for Surtax Use	\$	327,329	\$	290,198	\$	617,527
Less Remaining 80% Amount ²	۳	(380,226)	Ф	(457,809)	Ф	(838,035)
Less Interest Income		(10,648)		(11,456)		(22,104)
Increase (Decrease) in Rollover Amounts	\$	(63,545)	\$	(179,067)	\$	(242,612)
Analysis of Carryforward Credit:				, , , , , , , , ,		(=:=,-1=)
Beginning Balance ³	\$	(28,870)	\$	34,675	\$	(28,870)
Increase (Decrease) in Unspent Amounts	"	63,545	Ψ	179,067	Ψ	242,612
Remaining Unspent Amount	\$	34,675	\$	213,742	\$	213,742

¹ The amounts vary from Schedule III due to timing variances.

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 prior Audit Report dated January 5, 2021.

Charter County Transportation System Surtax Review Summary of Payments to Municipalities

	Fiscal Year Ended September 30,												M	
Municipality	2003 to 2015	2016	ALC: Y	2017		2018		2019		2020	199	2021		All Years
City of Miami 1	\$ 163,251,890	\$ 16,889,133	\$	16,523,990	\$	18,187,632	\$	19,212,362	\$	17,998,849	\$	22,285,992	\$	274,349,848
City of Hialeah	94,519,774	9,243,159		9,346,775		9,873,020		10,107,558		8,933,032		10,881,914		152,905,232
City of Miami Beach	37,554,491	3,670,335		3,678,499		3,925,123	l	3,963,754		3,458,999		4,266,480		60,517,681
City of Miami Gardens ²	22,375,665	4,336,722		4,409,954		4,737,286		4,846,211		4,248,977		5,187,794		50,142,609
City of North Miami	24,592,952	2,454,241		2,473,804		2,665,998		2,700,412		2,348,890		2,955,552		40,191,849
City of Homestead	20,867,813	2,669,792	1	2,788,854		2,969,698	1	3,152,022		2,762,015		3,460,648		38,670,842
City of Coral Gables	18,755,177	1,955,854		1,981,236		2,091,593		2,132,315		1,893,283		2,298,517		31,107,975
City of North Miami Beach	17,154,830	1,733,203		1,746,039		1,882,765		1,945,188		1,705,603		2,164,880		28,332,508
City of Doral ²	9,003,402	2,120,606		2,232,433		2,508,437		2,747,033		2,551,901		3,196,639		24,360,451
City of Aventura	12,992,928	1,494,036		1,502,980		1,590,870		1,613,705		1,413,111		1,726,374		22,334,004
Town of Cutler Bay 2	8,525,502	1,721,858		1,769,140		1,899,220		1,935,984		1,696,665		2,061,382		19,609,751
Town of Miami Lakes 1	11,086,213	1,209,319		1,211,635		1,288,227		1,309,407		1,163,617		1,430,953		18,699,371
Village of Palmetto Bay	10,074,295	952,951		956,304		1,013,542		1,033,365		902,837		1,104,932		16,038,226
City of Hialeah Gardens	8,635,855	904,713		922,372		986,599		1,007,122		882,753		1,072,793		14,412,207
City of Sunny Isles Beach	7,759,606	869,990		866,019		933,221		951,809		841,547		1,055,544		13,277,736
Village of Pinecrest	7,840,962	737,876		738,316		777,521		790,584		691,410		840,243		12,416,912
City of Miami Springs	5,682,283	562,418		565,087		601,223	l	608,639		530,692		646,273		9,196,615
City of Sweetwater 1	5,070,356	273,778		133,332		466,662		166,116		1,850,267		1,013,554		8,974,065
City of Opa-locka 1	6,329,004	90,323		195,000		210,000		165,000		1,112,782		469,710		8,571,819
City of South Miami	4,767,184	546,219	١.	547,720		546,151		541,343		473,555		588,532		8,010,704
Village of Key Biscayne	4,809,375	502,197		508,734		540,692		550,288		481,895		586,580		7,979,761
City of Florida City	4,132,139	498,385		504,443		542,769	1	557,265		488,960		601,470		7,325,431
Miami Shores Village	4,308,419	419,557		420,697		443,831	l	447,113		391,399		490,481		6,921,497
North Bay Village	2,808,576	314,789		328,007		378,523		384,140		335,832	æ	411,904		4,961,771
City of West Miami	2,445,250	241,053		241,373		279,166		307,465		291,897		355,342		4,161,546
Town of Surfside	2,314,098	229,428		228,739		234,500	1	248,902		221,896		273,043		3,750,606
Town of Bay Harbor Islands	2,209,631	231,953		222,682	e.	234,375	l	249,414		220,923		274,132		3,643,110
Bal Harbour Village	1,262,745	114,472		111,421		114,881	1	125,178		109,190		132,732		1,970,619
Village of Biscayne Park 1	1,342,176	125,900		126,220		135,905		135,965		10,084		-		1,876,250
Village of Virginia Gardens	973,380	96,229		96,903		102,910		103,132		90,977		110,807		1,574,338
Village of El Portal 1,3	1,012,447	6,467		174,873		90,094		89,175	, '	77,404		79,627		1,530,087
Town of Medley	429,285	34,442		33,529		35,277		35,617		31,486		38,448		638,084
Town of Golden Beach 1	365,820	36,766		37,221		39,423		39,386		34,961		42,988		596,565
Indian Creek Village	3,604			-			_		_				_	3,604
	\$ 525,257,127	\$ 57,288,164	\$	57,624,331	\$	62,327,134	\$	64,202,969	\$	60,247,689	\$	72,106,260	\$	899,053,674

Source: Office of the Citizens' Independent Transportation Trust (OCITT) and County General Ledgers

Amounts are net of withholdings and/or recapture of \$76,553 from the Town of Miami Lakes, \$766,362 from the City of Sweetwater, \$21,058 from the Town of Golden Beach, \$2.2 million from the City of Opa-locka, \$3.3 million from the City of Miami, \$255,236 from the Village of Biscayne Park, and \$17,970 from the Village of El Portal due to specific instances of noncompliance.

² Pursuant to the respective Interlocal and/or Settlement Agreements, these Municipalities, which were incorporated after November 2002, are receiving a share of the County's Surtax Proceeds consistent with the other Municipal distributions.

³ Amount in FY 2016 is net of \$84,069 withheld due to instances of noncompliance, which was returned in FY 2017 by OCITT.

Charter County Transportation System Surtax – City of South Miami (City) Status of Prior Audit Findings ¹

Finding Use of Surtax Proceeds	Recommendation	Auditee Response	Current Status				
After applying SoMi Shuttle costs, the City had \$326,753 of unspent Transit-related funds as of September 30, 2019.	Within 30 days, the City should submit a revised Five-Year Transportation Plan to OCITT showing how its unspent Transit-related funds will be used.	As recommended, the City will be submitting a revised Five-Year Transportation Plan within 30 days to OCITT specifying how the unspent Transit-related funds will be used.	The City had \$294,531 in unspent				
Reporting Requirements							
The City submitted the required compliance reports, albeit some were late. Further, expenditures reported in Quarterly Reports did not always agree with amounts claimed as Surtax-related expenditures.	The City should endeavor to submit timely and accurate reports.	Unfortunately, due to personnel turnover, the reports which have always been filed correctly and timely, were filed late. The City remains committed to submitting timely and accurate reports.	Unresolved (See page 5 of the Audit Report).				

¹ For the full text, see the January 5, 2021 Audit Report.