

## **MEMORANDUM**

Amended  
Agenda Item No. 7(D)

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**TO:** Honorable Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners

**DATE:** April 2, 2024

**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Ordinance relating to transit fares and services; amending section 2-150 of the Code; modifying maximum duration of administratively approved transit service or transit fare changes; making technical and conforming changes

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### **Ordinance No. 24-33**

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The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Chairman Oliver G. Gilbert, III, and Co-Sponsors Commissioner Juan Carlos Bermudez, Commissioner Kevin Marino Cabrera and Senator René García.

  
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Geri Bonzon-Keenan  
County Attorney

GBK/smm

# Memorandum



**Date:** April 2, 2024

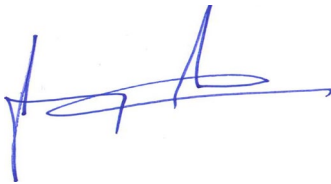
**To:** Honorable Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners

**From:** Daniella Levine Cava  
Mayor 

**Subject:** Fiscal Impact Statement for Ordinance Relating to Transit Fares and Services; Amending Section 2-150 of the Code of Miami-Dade County, Florida; Modifying Maximum Duration of Administratively Approved Transit Service or Transit Fare Changes

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The proposed ordinance which modifies the duration of administratively approved transit fare changes from 180 to 45 days will not have a fiscal impact.

A handwritten signature in blue ink, appearing to read "Jimmy Morales", with a horizontal line underneath.

Jimmy Morales  
Chief Operations Officer

# Memorandum



**Date:** April 2, 2024

**To:** Honorable Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners

**From:** Daniella Levine Cava  
Mayor 

**Subject:** Social Equity Statement for Ordinance Relating to Transit Fares and Services; Amending Section 2-150 of the Code of Miami-Dade County; Modifying Maximum Duration of Administratively Approved Transit Service or Transit Fare Changes

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The proposed ordinance modifies the duration of administratively approved transit fare changes from 180 to 45 days. Any extension beyond 45 days is subject to approval from the Board of County Commissioners (BCC). The scope of the ordinance includes free promotional fares as well as adjustments made in response to an emergency. This amendment will provide greater transparency and accountability as extending any administratively approved fare adjustment would require BCC approval. It is the understanding of the Administration that this amendment would not impact the existing administrative approval authority for all routine bus and rail service changes (i.e., lineups) per County Code, which occur three times a year per the Transit Workers Union (TWU) contract.



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Jimmy Morales  
Chief Operations Officer



## MEMORANDUM

(Revised)

**TO:** Honorable Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners

**DATE:** April 2, 2024

**FROM:**   
Gen Bonzon-Keenan  
County Attorney

**SUBJECT:** Amended  
Agenda Item No. 7(D)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Amended  
Agenda Item No. 7(D)  
4-2-24

ORDINANCE NO.      24-33

ORDINANCE RELATING TO TRANSIT FARES AND SERVICES; AMENDING SECTION 2-150 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; MODIFYING MAXIMUM DURATION OF ADMINISTRATIVELY APPROVED TRANSIT SERVICE OR TRANSIT FARE CHANGES; MAKING TECHNICAL AND CONFORMING CHANGES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**WHEREAS**, adjustments to transit service and fares impact the residents of Miami-Dade County; and

**WHEREAS**, the Board of County Commissioners (“Board”) has delegated certain authority to the County Mayor or County Mayor’s designee to adjust transit service, routes, and fare schedules; and

**WHEREAS**, the Federal Transit Administration requires a public hearing for fare structure adjustments exceeding 180 days; and

**WHEREAS**, any adjustments made to reduce, suspend, and/or waive transit fares have a fiscal impact to Miami-Dade County when the action is not contemplated during the adoption of the County budget; and

**WHEREAS**, the Board wishes to promote public awareness of potential administrative adjustments made to transit fares or services,

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

**Section 1.** Section 2-150 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:<sup>1</sup>

**Sec. 2-150. Fixing and changing fares, service, rates or charges.**

- (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. >>Any fare adjustments approved administratively by the County Mayor or his or her designee pursuant to Section 2-150(c)(1) or (3) or Section 2-150(d) may not be extended or renewed absent approval by the Board of County Commissioners.<<
- (b) Approved by County Commission after public hearing. The County ~~[[Manager]]~~ >>Mayor<< 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:
  - 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;

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<sup>1</sup> Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

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.

(c) Approved by County ~~[[Manager]]~~ >>Mayor<<. >>Subject to the County Mayor or County Mayor's designee providing a report describing any planned transit fare or service changes adjustments to the Board 30 days prior to the commencement of such adjustments, the<< ~~[The]~~ following transit fare or service changes may be approved administratively by the County ~~[[Manager]]~~>>Mayor<<, or his or her designee, and shall not require a public hearing:

1. Institution of reduced or free promotional fares for up to ~~[[one hundred and eighty (180)]]~~ >>forty-five (45)<< days;
2. Service changes which are seasonal in nature;
3. During an emergency for a period up to ~~[[one hundred eighty (180)]]~~ >>forty-five (45)<< days;
4. When the designation of a route (i.e., route name, number or letter) is changed;
5. Institution of experimental service changes or demonstration routes/service changes for the duration of the experiment or demonstration;
6. Any scheduling or service change which does not require a public hearing as described in Section 2-150(b).

>>The report pertaining to any fare or service adjustments required pursuant to section 2-150(c) of the Code shall be placed on an agenda of this Board without committee review pursuant to rule 5.06(j) of the Board's Rules of Procedure.<< The Agency shall provide public notice of such passenger fare and service changes in such a manner as to inform the public thereof.

(d) The County ~~[[Manager]]~~ >>Mayor<< or his >>or her<< designee is delegated the authority to change service or modify or waive fares, rates or charges for special events not to exceed sixty (60) days. These short-term program changes, modifications or waivers will be exempt from public hearing requirements.

**Section 2.** 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.** It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, 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.** 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.

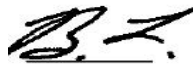
PASSED AND ADOPTED:

April 2, 2024

Approved by County Attorney as  
to form and legal sufficiency:



Prepared by:



Bruce Libhaber  
Dale P. Clarke

Prime Sponsor: Chairman Oliver G. Gilbert, III  
Co-Sponsors: Commissioner Juan Carlos Bermudez  
Commissioner Kevin Marino Cabrera  
Senator René García