

# Mobility Advancement Program

## Independent Transportation Surtax Oversight Board

June 10, 2020

Broward County Administrator, Bertha Henry  
115 South Andrews Avenue, Suite 409  
Fort Lauderdale, FL 33301  
[delivered via email]

Dear Ms. Henry:

On behalf of the Independent Transportation Surtax Oversight Board (Oversight Board), I am writing to advise you, as required under Article V, Section 31 ½-75(i)(1)(d), of the Broward County Code of Ordinances, that the Oversight Board met on May 22<sup>nd</sup> and June 4<sup>th</sup>, 2020, to review 110 capital projects recommended by the MPO valued at \$72,016,815; 12 Public Works projects valued at \$24,500,000; and, 62 municipal rehabilitation and maintenance (R&M) projects valued at \$82,956,334.

Pursuant to Article V, Section 31 ½-75(i)(1)(a), of the Broward County Code of Ordinances, the Oversight Board approved as eligible, pursuant to §212.055(1)(d), F.S., 97 municipal capital projects, 12 County public works projects, and 61 municipal R&M projects. The Oversight Board's motions to approve municipal capital and R&M projects as eligible were subject to the exclusion, during contract negotiations, of any ineligible elements/components, per Section III of the Transportation Surtax Interlocal Agreement among the County, the participating municipalities, and the Broward Metropolitan Planning Organization (BMPO). Projects appearing on Exhibits 1 and 2 without shading in the Comments area were deemed eligible under Section 31 ½-75(i)(1)(a).

Pursuant to Article V, Section 31 ½-75(i)(1)(b), the Oversight Board found 5 projects only partially eligible under §212.055(1)(d), F.S. Ineligible elements were described on the record and communicated to each municipality. A summary of those comments is included in Exhibit 1, highlighted in light green.

Pursuant to Article V, Section 31 ½-75(i)(1)(c), the Oversight Board found 3 projects completely ineligible under §212.055(1)(d), F.S. Prior to the Oversight Board's consideration of those projects, the Surtax General Counsel alerted legal counsel for each municipality regarding project eligibility concerns (Exhibit 1-A); a summary of those concerns is also highlighted in light orange in the Comments section of Exhibit 1.

Ten municipal capital projects were either removed from consideration at the city's request *prior* to the Oversight Board convening (highlighted in light orange on Exhibit 1); or, deferred to a future funding cycle at the city's request *during* the Oversight Board's consideration (highlighted in blue on Exhibit 1).

Alan Hooper, [Chair](#)  
Douglas Coolman, [Vice Chair](#)

Phil Allen  
George Cavros  
Ronald E. Frazier  
Dr. Consuelo Kelley  
Allyson C. Love  
Anthea Pennant  
Shea Smith

Gretchen Cassini, [Oversight Board Coordinator](#)  
Angela J. Wallace, [Transportation Surtax General Counsel](#)

## **Recommendations**

Pursuant to Article V, Section 31 ½-75(i)(1)(a), several Oversight board members would like to provide the following recommendations regarding projects and processes, for the Board of County Commissioner's consideration.

### **Municipal Capital Project Process and Evaluation Recommendations:**

- Establish more stringent standards for funding feasibility studies; planning and feasibility requests should include clear statement of problem, objectives, and scope of work; municipalities should be required to have some financial commitment by requiring a reasonable monetary match for feasibility/planning studies in future funding cycles.
- Encourage electric vehicle infrastructure investment for private vehicles be planned through a regional body (Broward League of Cities was mentioned) and seek funding mechanism to ensure adequate regional coverage (so that a single city is not the primary destination, which could create congestion).
- Surtax investments for bicycle, pedestrian and multi-modal infrastructure should benefit areas where those modes are forms of transportation, not where those investments are primarily for recreation.
- Provide higher scores/ranking for bicycle, pedestrian, and greenway projects when the sponsoring entity clearly describes how the investment will connect across municipal boundaries and benefit regionally.
- Demonstrate that equity has a higher weight in the evaluation criteria; assure investments occur in high-need, high poverty, high unemployment zip codes.
- Incomplete project submittals (lack of demonstrated need, scope, objective, specific geographic boundaries, etc.) should be grounds for rejection of application or automatic deferral to a future cycle; all necessary materials to evaluate a project should be contained in the submittal, not provided after-the-fact.
- Where applicable, Project resiliency (considerations of sea level rise and climate change) should be demonstrated in design materials and be heavily weighted in future funding cycles; 2019 SE Florida Unified Sea Level Rise Map should be the standard used.

### **Municipal Rehabilitation and Maintenance (R&M) Process and Evaluation Recommendations:**

- Look for opportunities to combine R&M project requests with capital projects in the same municipality.
- Municipal alleyways should be carefully reviewed to assure adequate public benefit.
- Applicants with multiple project submittals should be required to demonstrate geographic equity of requests (e.g., a city should not submit multiple projects a single area/eastern section or western section).
- Assure investments occur in high-need, high poverty, high unemployment zip codes.

### **Legal/Advocacy**

- Seek to broaden eligibility under 212.055(1)(d), F.S. to include transportation-related projects that have environmental benefits, including electric charging infrastructure for private vehicles.

Sincerely,



Alan Hooper, Chair

C: Independent Oversight Board

