

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
OF FLORIDA IN AND FOR THE COUNTY OF MIAMI-DADE

FINAL REPORT
OF THE
MIAMI-DADE COUNTY GRAND JURY

**TRAFFIC CONGESTION IN MIAMI-DADE COUNTY:
THE ROAD NOT YET TAKEN**

SPRING TERM A.D. 2001

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PROLOGUE

The tragic events of September 11, 2001 affected us all in many different ways. We were furious at the monstrous nature of the terrorists who coldly murdered so many innocent people. We were proud of the courage exhibited by so many that without hesitation rushed in to rescue the injured. We were shocked when these heroes lost their lives in their efforts to help. We were frightened for our country, our community and our families as we entered into a war against terrorism that may place so many of our sons and daughters in harm's way. Unique to our experience as members of the grand jury, however, was the need to continue with the investigation of the topic we had selected for our term and of necessity asking ourselves whether, in light of these tragic events, we should even remain on that chosen path. However, it is often said that the purpose of terrorism is to terrorize. We felt strongly that, if we permitted ourselves to be deterred from the completion of our chosen mission for this term, the terrorists' actions of September 11th would have won a small victory. We refuse to give them even that. What better way to showcase to these criminals the inherent strength of our country and of its citizens than to spend the months immediately after September 11th continuing our examination of the future transportation needs of our community and the planning necessary for its provision? What better way to highlight the power of our governmental systems than to continue to conduct our grand jury in a "business as usual" fashion? There is a sign in our grand jury chamber that was a gift from the Fall Term Dade County Grand Jury of 1970. It reads "No society can be strong where the spirit of justice is weak." We offer our actions during our term as proof of the strength of our spirit and as one small example of why no actions by terrorists will ever defeat the people of the United States of America.

TRAFFIC CONGESTION IN MIAMI-DADE COUNTY: THE ROAD NOT YET TAKEN

I. INTRODUCTION

We came to our grand jury service knowing from personal experience that we are experiencing a traffic congestion crisis. All of us have suffered through the delays of commuting in our cars behind long lines of traffic. All of us have experienced the frustrations associated with not being able to get where we want to go quickly. Every workday we are treated to morning and afternoon traffic reports that could easily be pre-recorded, played everyday and still remain accurate. In fact, the experiences and frustrations of our daily commutes are so commonly shared that new words such as “road rage”, “rush hour” and “bumper-to-bumper traffic” have become part of our common vernacular. In our desire to select an issue that would impact the largest number of citizens in our community, we could select no better topic than the examination of the reasons for our increasing traffic congestion and the recommendation of needed solutions.

Now, after more than six months studying this problem, we find ourselves much wiser in many ways. Along the way we have had to jettison a number of preconceived notions we had about the reasons for our traffic congestion. We have also come to understand how limited our options are when it comes to improving the congestion we face from choosing individual automobile use. At the core of our report is the realization that we simply do not have the ability to solve this crisis through the construction of new or expanded roadways. There is no “silver bullet” of unused land upon which to build new expressway lanes to reduce the snarled-up traffic that we have become accustomed to on a daily basis. There are no “magic solutions” to traffic flow and HOV lanes that will enable us to even approach the speed limits placed on our highways or expressways during our normal work hour commute.

Having begun our term determined to seek solutions to traffic congestion from automobiles, we end our term having determined that the only true solution to this problem lies within our ability to provide mass transit as a reasonable alternative to automobile use. We also end our term with a heightened sense of urgency that the time to acquire the funds needed to fashion this solution is fast slipping away. It is therefore our hope that this

report will provide the impetus for our community to demand the solutions and funding we so desperately need.

II. TRAFFIC CONGESTION IN MIAMI-DADE COUNTY

Here in Miami-Dade County the most obvious signs of traffic congestion are the increased commuting times we all experience every day when we travel to and from work. For anyone who has lived in our community for at least 5 years, “rush hour” has expanded to mean 7:00 A.M. to 9:30 A.M. in the morning and 3:30 P.M. to 7:30 P.M. in the evening, five days out of every week. Ominously, every witness and every expert we heard from during our term predicted that, as bad as we may think it is now, with our population projected to increase by one million people by the year 2020, it is going to get much, much worse.

“Miami-Dade is now the most congested metropolitan area of its size in the country and the third most congested in the nation overall...With the exception of Los Angeles, the other major congested areas have extensive mass transit systems that serve residents and visitors alike...In part, the reason for this congestion crisis is simple: construction of new highways has not kept pace with population growth. Over the last twenty years the volume of traffic on our major highways has nearly doubled, from about 6 million vehicle miles of travel per day to nearly 12 million. During this same period, however, we have increased highway lane-miles by only one-third, from 515 miles to about 700 miles...Compared to other major metropolitan areas, our transportation networks are incomplete. We have been taking a band-aid approach to addressing gridlock, adding lanes to existing highways and expanding bus service in certain areas (like the South Dade busway), rather than systematically building the critical infrastructure elements and linkages to keep up with suburban growth...Continued population growth will only make congestion worse; perhaps as many as a million more people will live in Miami-Dade County by the year 2020 and they will be joining us on our already over-crowded highways.”¹

Without solutions in place, the future congestion our community faces will have dire consequences upon our quality of life. The continued increase in automobile use during peak commuting times, without plans in place to accommodate it, will doom our community to perpetual traffic jams. Witnesses have told us that our expected commute time in 2020 will be triple that of today! Decisions of where we work and where we live will be made based upon

¹ Florida International University Metropolitan Center, White Paper #3 – Miami-Dade County’s Transportation Funding Decision: An Assessment of the Proposed One Penny Sales Tax, (Miami: Florida International University, Metropolitan Center, July 14, 1999), Page 1.

difficulty of travel. Emergency vehicles will be unable to respond on a timely basis. The simplest decisions of daily life: where to live, when and where to go to work, to go to the store, to go shopping, to go to dinner, to go to a movie, may end up being decisions based upon traffic patterns and congestion rather than desire. In many ways we will have to give up some basic freedoms we now take for granted. Economically, we stand to lose millions of dollars from our local community as businesses move elsewhere (or chose not to move here) to avoid the financial effect of our local gridlock upon their bottom line. If nothing is done today, our community's future in the year 2020 will stand as a monument to a lack of foresight and planning.

The problem of congestion is certainly not just a local concern. Major metropolitan areas around the country are struggling with many of the same issues we find here in Miami-Dade County:

“ The bad news is that congestion is going to get even worse in the next two decades. And that's likely to be true no matter what policies we adopt. The best we can do is slow down the rate at which congestion increases. Here's why: From 1980 to 1998, we added about 1.2 more cars and trucks to the registered-vehicle population for every person added to the human population. The human population of the United States is going to rise by about 48 million people from 2000 to 2020, so the vehicle population is bound to soar. And drivers are driving each vehicle farther per year, up from 10,315 miles in 1983 to 12,226 in 1995. The most obvious way to reduce peak-hour traffic congestion is to build more roads. That is worthwhile in areas experiencing big population increases. But building more roads or adding lanes will not eliminate a region's peak-hour traffic jams once they have appeared. Improved roads encourage more new development. Also, once a roadway's peak-hour speed has been increased by more lanes, drivers who formerly used other routes, commuted at other times or used other modes in order to avoid peak-hour delays will shift back to driving on the improved road during peak periods. This triple convergence soon loads up the bigger road and produces crawling traffic again.”²

We began our grand jury inquiry with an attempt to understand the reasons for the daily congestion we all experience. As a result, we sought the testimony of experts who could quantify for us the nature and extent of the problems we are facing. It is certainly no secret that our community, like many around our country, developed around the ease and convenience of individual automobile use. As a result, Miami-Dade County today has an expansive network of

² Anthony Downs, “Traffic Trouble Ahead,” Governing, (July 2001), Page 72.

roadways and expressways designed in an attempt to support the use of a car, and not mass transit, for whatever transportation need or purpose is intended. Yet mass transit, if properly designed and implemented, is clearly a far more efficient method of transporting people. Considering the limited time available to us during our term, we realized that we needed to make an initial decision: should we focus our efforts on the need to increase the capacity of our roadways and expressways or instead on mass transit as a means of shifting people from those very same roads?

Once we began to ask questions of the witnesses and experts that appeared before us, our choice became inescapably clear. Virtually everyone we heard from testified that in their opinion, enough roadways or expressways could never be built that would sufficiently reduce the congestion caused by individual automobile use. Needed expansion of the number of lanes on our existing expressways is not practicable since the vast majority of them are already at the engineering maximum. Nor, apparently, do we have the ability to acquire sufficient additional rights of way to build the many new expressways that would be needed. Even if we somehow could acquire the land needed, the immense cost of construction would be economically impossible to support without a massive increase in local taxes, tolls or both. Lastly, even if we could build the massive expansion of our expressways and roadways needed, we doubt many of us would still want to live in the concrete canyons our city would become. This testimony convinced us that, if we wanted to use our limited time to the best advantage to our community, we should focus on the methods and planning needed to provide a mass transit system that would offer a viable alternative to individual automobile use.

We quickly learned that historically our community's planning for mass transit has been mostly comprised of one part science and two parts local politics. Countering every engineering or architectural plan is the necessity of gaining neighborhood acceptance or approval. Therefore, politics, and the "NIMBY"³ phenomenon, are especially evident when mass transit planning is being discussed. The reasons are easy to understand. Far more voters drive cars than ride mass transit. Therefore, any system designed to support the use of individual automobiles stands a much better chance of winning political support. Just as understandable is the fact that, if voters were to be asked today to choose between mass transit and individual automobile use, cars would

probably win over trains and buses by a landslide. The problem of course is, putting aside politics for the moment, all of the experts in the transportation arena testified that more roads are simply not a viable solution to alleviating congestion. Thus this politically correct answer is, in reality, totally wrong. Nevertheless, we were not surprised when we found that the approval of current planning and funding for our future transportation needs has centered mostly around expansion of existing roadways and expressways and not on the development of mass transit.

We want to make it clear that we are not suggesting the planned improvements to our roadways and expressways are not necessary or desirable. Any effort that would help ease traffic flow and remove bottlenecks in our current roadway/expressway system is certainly welcome. Better synchronization of traffic lights and the use of alternative traffic lanes (upon which the direction of traffic can be changed to add lanes during peak traffic usage) are all ideas that have been used in other communities to assist in improving the flow of traffic. We think these types of creative ideas have a definite place among our local efforts as well. However, our examination of this issue during our term has led us to believe these improvements will only treat the symptoms of the problem and not provide the cure so necessary to our community's future. We feel that the only viable way to reduce our roadway congestion, and accommodate our future economic growth, is by building an alternative that would move people off of the roads and on to more efficient mass transit systems. Therefore, despite the politics of our current situation, the "cure" will lie in the development and provision of a mass transit system that provides a reasonable alternative to individual automobile use. Unfortunately, our current mass transit system, composed of too few trains, buses, stations and routes, is simply not capable of meeting our future transportation needs. Our Metrorail system pales in comparison, for example, to a modern rail system like the Metropolitan Atlanta Rapid Transportation Authority (MARTA). MARTA has 238 vehicles operating over 45 miles of track to our 136 vehicles and 21 miles of track. Our Metrorail trains stop at 21 stations compared to their 38 stations. Metrorail has 7,859 parking spaces compared with MARTA's 24,443. In addition, many of their bus routes are designed specifically to support MARTA trains and schedules throughout their system while only a few areas of ours (mostly Dadeland through the South Miami-Dade Busway) provide such support.

³ NIMBY stands for "Not In My Backyard."

Atlanta's bus system has vehicles similar in number to ours, however, they operate them over 154 routes compared to only 88 for our Metrobus system, thus providing better overall coverage with shorter routes. They also have many more parking spaces than we do (2,839 to our 691) and therefore provide far better support of the park-and-ride usage of their bus system. MARTA exemplifies what we *could* have accomplished; especially in light of the fact that it was built within a timeframe closely mirroring that of Metrorail.⁴

“Not only have we failed to invest in the necessary highway projects to keep pace with population growth, but we have also failed to create other means of getting around our far-flung metropolis. Metrorail, which might have provided a viable alternative means of travel, is too limited in scope to serve the needs of more than a fraction of the population. Compared to the extensive public transit systems of major cities like New York, Chicago, London, Paris, Madrid, Toronto, Tokyo and Washington, DC, Metrorail's twenty-one miles of track constitute only the beginnings of an effective rail transportation option. Our bus fleet – which is the most cost-effective means of providing transportation for our over-abundance of low-wage workers – has suffered a similar fate. We still have only 634 buses to carry a rapidly growing population, a number of whom are poor, elderly and handicapped citizens often dependent on public transportation for mobility, even though a larger bus fleet has been a perennial promise since the 1970's.”⁵

During our term, Metrorail was often cited as an example of a failed attempt to make mass transit work in our community. For instance, there was unanimous agreement among witnesses, and our grand jury, that a Metrorail system that does not go *at least* to the Miami International Airport is a system that is fatally flawed. In truth, it was always planned to have that connection⁶ and probably would have it now had it not fallen victim to decisions made by politics instead of sound engineering. While there have been recent efforts that have increased its usage as a commuter line from the Dadeland area to downtown Miami and back, as far as our community is concerned it is still very much a system that takes us from no place we are to no

⁴ Atlanta voters approved MARTA in 1971. Dade County voters approved Metrorail in 1972.

⁵ Florida International University Metropolitan Center, White Paper #3 – Miami-Dade County's Transportation Funding Decision: An Assessment of the Proposed One Penny Sales Tax, (Miami: Florida International University, Metropolitan Center, July 14, 1999), Page 2.

⁶ The original plan approved by voters in 1972 was supposed to provide for a 54-mile rapid-transit system with 54 stations, via an overhead transit-way for rubber-tired, automated electric cars, with double the present MTA bus service and mini-bus routes at some terminals. The Metrorail route was to have traveled as far south as Homestead, as far north as the county line and included links to Miami Beach and from the downtown area to the Miami International Airport. It should be an important lesson to our elected officials that, even though this vote occurred almost 30 years ago, the failure to complete this rail and bus system is still cited as a reason not to trust local government with increased tax revenues.

place we want to be. For anyone that lives too far west, east, south or north of Dadeland, it has proven simply useless as a mass transit system. Even more importantly, the promised expansion of the bus system that could provide access to Metrorail for areas of our community not located in close proximity to one of its stations (and which was an integral part of the program sold to the public when Metrorail was approved) never materialized. As a result, for the vast majority of citizens, using Metrorail is so inconvenient, even those who would like to use it simply can't justify it as an alternative to a car for their daily commute. To a lesser extent the same holds true for our bus system as well. The shortage of buses and routes dooms the current system to, at best, a limited use for most citizens in their daily commutes. At worst, it is simply another large vehicle adding to the ever-increasing congestion on our roads. In fact, of the 21 members of our grand jury, not a single one of us uses any portion of Miami-Dade's mass transit system to travel to and from work! We wondered, however, do we not use it because our perception is that it would be inconvenient or because, in reality, it truly is?

Therefore, to determine just how useful our current mass transit system is we decided to perform an experiment. Each member of our grand jury who was currently employed outside the home was asked to assume they would have to travel to and from work without the use of a car. They were then asked to determine (using any portion of our mass transit system) the route and method they would have to use to go from home to work and back. Once this route was planned, they were then to determine the time it would take them to commute using mass transit and then compare the difference between the time it takes them currently by car. Finally, everyone was given the local information number for the Miami-Dade Transit system to call for help, if needed, in developing the most efficient route for them to take. The results were astounding. The majority of jurors needed almost double the amount of time to commute to work by mass transit than by car! One juror's commute went from 25 minutes by car to 1 hour and 40 minutes by bus. In another instance, a juror could not use mass transit at all since the bus she would need to take to get to work at the airport did not start running until after the time she needed to be at work. In a third instance, a juror was told by the Miami-Dade Transit information system that, after taking a bus ride to the nearest bus stop, the best way to get from that bus stop to her job would be to take a taxi since it was so far away!

Even when there was a method of mass transit that they might use, jurors discovered many other obstacles that stood in their way. Virtually none of the jurors found a bus stop that they considered convenient to either their home or their office. Even worse, some jurors found that the bus they would need to catch only ran once every half hour. Putting aside for the moment the additional time needed to accommodate the bus schedule, the consequences of missing a bus (or of a bus being late) would obviously add a substantial amount of time to the commute. It also became very clear that using our current mass transit system would necessitate a substantial amount of walking; either to get to the bus stop to catch the bus or to get from the bus stop to work. In this regard, individual physical limitations, or even just the humidity and frequent rainstorms inherent in our tropical climate, would certainly become a strong factor in deciding whether or not to utilize mass transit. This would be true even if there was no time difference involved in mass transit use. With a substantial time penalty for those choosing it over a car, it should not be surprising that our experiment, while successful in highlighting the difficulties facing anyone seeking to use our current system, was a complete failure if its goal was to convince us to get out of our cars and use mass transit for our daily commute. As a result of our experiences not a single grand juror, including those among us who had used the mass transit systems when we lived in other cities, would choose our current mass transit system as a substitute for our car.

This experience certainly heightens the extraordinary difficulty we face in developing solutions to traffic congestion through mass transit. Getting people to leave their cars and use buses or trains for their daily commute would require a true paradigm shift from our current commuter mindset. In fact, every witness who appeared before us this term, while agreeing with the need to change people's minds, addressed the ability of our society to accomplish this paradigm shift with pessimism that bordered on despair. Not surprisingly, according to a study done by the Miami-Dade County Metropolitan Planning Organization (MPO) in 1995, private vehicle use was the overwhelming choice of Miami-Dade residents in their daily commute:

Table 1: Mode Choice for All Personal Trips in Miami-Dade County (1995)

<u>Mode</u>	<u>Percentage</u>
Private Vehicle	92.3 percent
Public Transit	2.7 percent
Bicycle	.6 percent
Walk	4.7 percent
School Bus	0.4 percent
Others	1.4 percent

Certainly, citizens in our community will not willingly give up the comfort and convenience of their automobiles in exchange for our current piecemeal, half-finished mass transit system. However, with an inability both geographically and financially to build or expand our roadways sufficiently to accommodate future (or even current) personal automobile usage, we are faced with a need to provide a mass transit system designed to accomplish exactly that. The provision of such a huge system would take an infusion of funds far greater than our local tax base could support. Sufficient funding therefore could only be found if it was made available to us by the federal government.

Witnesses have told us that, unlike in the 1970's when the federal government was far more lenient in the manner by which it awarded funds for transportation needs to local governments, today communities must engage in fierce competition with other communities for the same limited amount of federal funds. As a part of this competition, the federal government not only analyzes the transportation plan but also the amount of "matching dollars" the local community is willing to invest in the plan. The intent is to award funds to the communities who offer the greatest local stake in the project. Thus, while in the past an acceptable match was essentially twenty cents of local money to one dollar of federal funds, to be competitive today would require a "local match" of at least 50 percent. Therefore, to address congestion in our community through mass transit, we require federal dollars; and, to get federal dollars we need to have a dedicated source of funding that provides a sufficiently large "local match." However, when we sought the funding sources available for this purpose, we were amazed to learn that our community stands virtually alone among similar large urban areas as being the only one without any dedicated source of funding from which to fashion a solution! In fact, the last attempt to seek voter approval of funds dedicated to transportation funding was the ill-fated penny sales tax

proposal that went down to a huge defeat in the summer of 1999. While later in our report we will detail our observations of the many errors that were made in the manner by which this new sales tax campaign was presented to us for our approval, the fact remains that no follow-up to this attempt is currently planned. In other words, having been burned at the polls once, the political courage is currently lacking to try to convince our community of this need once again. Even worse, this funding was intended to provide the local match for the federal funds needed to provide an improved mass transit system for our community. This fact alone highlights the need for our elected officials and our community leaders to once more bring a plan for dedicated funding back to our community for approval. But, as we will address in the following section of our report, they must do so in a totally different fashion than was done in 1999 if success is to be assured.

III. THE ABORTIVE ATTEMPT IN 1999 TO OBTAIN A DEDICATED SOURCE OF FUNDING FOR MASS TRANSIT IN MIAMI-DADE COUNTY

Recognizing the need for a dedicated source of funding for mass transit, we decided to take a close look at the well-intentioned effort in 1999 designed to accomplish exactly that. In a special election held in the summer of 1999, voter approval was sought for a one-penny increase in our local sales tax as the means to provide the “local match” for an application for federal funds. Although few among us knew it at the time, the proposed funding was intended to fund the mass transit portion of an already existing plan for our transportation needs in the year 2020. To truly understand and frame the issues that led up to this special election, a synopsis of the planning process leading up to this “2020 Plan” is necessary.

As required by Federal Law and activated by Florida Statutes, every community that is to be the recipient of federal transportation funds must first create a planning organization whose mission will be to determine the appropriate transportation needs of that community and develop a plan to address those needs. In Miami-Dade County this organization is called the Metropolitan Planning Organization (MPO). The MPO operates by interlocal agreement between Miami-Dade County and the Florida Department of Transportation and is required by state and federal law to maintain a transportation plan for the urbanized area that forecasts transportation needs over at least a twenty-year horizon.

In furtherance of this mission, the MPO staff developed a plan to address the projected transportation needs of our community in twenty years entitled the 2020 Long Range Transportation Plan (2020 Plan). Mixed within this plan were a number of improvements and new connectors to existing highways/expressways, the purchase of new buses, the expansion of Metrorail and a number of other changes thought necessary to accommodate our future transportation needs. The cost for the entire plan was projected as \$15.7 billion. However, only the highway/expressway portions of the plan actually had any funding in place. Since there was an almost total lack of funding for the mass transit portion of this plan, the federal government requirement of financial feasibility mandated that only that portion of the plan addressing roadway improvement (which was funded by existing federal and state dollars) could be approved. Our community was thus faced with a transportation plan for our future that was only half-full. Obviously, a method to obtain the more than \$7 billion dollars needed for the mass transit portion of the 2020 Plan was needed. Just as obviously, as we have stated previously, obtaining this huge amount of funding solely from local tax dollars would be impossible. Funding of this size could only be accomplished with the help of the federal government.

Fortunately, a vehicle to obtain the federal funding needed was available in the form of the Transportation Equity Act for the 21st Century (TEA 21). With this act the United States Congress authorized \$42 billion be made available for the states for transit and at least \$175 billion for highways. To compete for these funds, however, a local community must bring to the table a dedicated source of funds sufficient to cover at least 20 percent of the cost of the project. Communities seeking funds under this act would have to compete with other communities both in the nature and quality of the plan and in the amount of local matching dollars they were willing to pledge to help fund the project. While a 20 percent local match would qualify an application, in reality, witnesses have told us that a local match would need to be in at least the 50 percent range to be truly competitive. Obviously, the greater the local match the greater the chance of winning the competition for federal funding. Thus was born the need to find such a dedicated source of local matching funds through the penny sales tax increase in the special election on July 29, 1999.⁷

⁷ It was projected that this tax would result in an additional \$240 million of tax revenue every year.

Many of us on the grand jury remember that election. A number of us voted in favor of its passage and a (greater) number did not. A few of us were so disgusted with the campaign rhetoric surrounding this issue that we made the choice not to vote at all. However, all of us clearly remember the animated public debate over whether it was a tax necessary to fund our future transportation needs or just another boondoggle for local government to mismanage. The vast majority of us also clearly remember not knowing why this additional money was needed, exactly where it was going to be spent, exactly how government was going to be held accountable for it and exactly what was going to be accomplished should it be approved. To those of us who either voted against it or chose not to vote, an important factor was the appearance that a large portion of this new tax money was not going to be used for transportation improvements at all.⁸ This extremely important factor was also used to great advantage by the opponents of the plan who labeled it a “Christmas Tree” or “Piñata” that provided special favors for special interests with our tax dollars. Finally, if approved, this new tax would last forever unless repealed by the county commission. If there were even a scintilla of doubt about the manner in which this money would be used, this fact alone could justify a negative vote. Even those grand jurors who voted in favor of this proposal remember many of our friends and family expressing their reasons for voting against it because of similar concerns.

There is no question that a healthy mistrust of government, whether based upon recent events of mismanagement and corruption or based upon a history of promises broken (such as the 54 miles that was originally planned for our Metrorail system instead of its current 21 miles of track), was at the root of our community’s failure to approve this proposal. But, having now had the opportunity to examine these issues in great detail through our grand jury service, we also know that there was a complete failure on the part of our local government to properly educate our community about this proposal as well. Instead of seeking our input as to what we wanted, this proposal instead sought to tell us what we should want. What would its impact be on our

⁸ \$ 103 million annually of these new tax dollars were apparently going to be used to replace a general revenue fund subsidy that was already being used for Metrorail, Metrobus and Metromover. The money this would free up was to be used for non-transportation needs such as arts and cultural projects, college scholarships, child-care and after-school programs, beach maintenance and restoration, tourism promotion, and many more of similar nature. We are certainly not suggesting that these are not worthy and important uses for public dollars! But in a campaign for increased taxes this strategy, while intending to broaden the base of voter support, actually had the exact opposite effect.

daily commute? What was going to be purchased with the money? How long would it take to build? How convenient, and how expensive, would it be to use? None of us were ever surveyed or asked. None of these questions were adequately answered (or even asked) before the proposal was placed on the ballot for us to consider. Nor, in our opinion, were they adequately addressed or explained during the campaign itself. Even the Miami-Dade County Board of County Commissioners (who had voted to place it on the ballot in the first place) was divided in its support, with some members actively working to support its passage and others doing exactly the opposite. Against this firestorm of publicity and debate, and the highly technical nature of the transportation plan itself, exactly how were the voters going to determine which side spoke the truth? As a result, the issues surrounding this penny tax increase campaign ended up being, not so much about the need to fund a necessary transportation plan, but rather about whether or not we trusted our local government to spend this money wisely. No wonder it failed by such a large margin!⁹

Sadly, the need it was intended to address still remains. The legacy of the failed 1999 penny sales tax campaign is a 2020 Plan with no funding and no hope for our community's much needed mass transit improvements. Worse, the magnitude of its defeat has had a chilling effect upon the desire of many local politicians to champion this issue. Few elected officials seem anxious to place their name or office behind an effort to revisit this issue at the polls. However, in our opinion, the message of the 1999 election was not "we don't want it" but rather "we don't understand what you are offering us and we don't trust you."

We recognize that currently confidence in government is extremely low. We also recognize the current political reality that tests every new initiative against the mantra of "no new taxes." Nevertheless, our experience during our term has convinced us of the nature of this crisis and the need for a dedicated source of funding. We feel that a properly educated community, presented with a mass transit plan that it had a part in developing and which made good fiscal and practical sense, would approve a dedicated funding source for its implementation. Unless there is someone with the courage and conviction to lead an effort to find a dedicated source of funds in this manner and solely for mass transit, "half-empty" will continue to be the status of

⁹ The actual results were: YES 75,251 (32.50%)
NO 156,276 (67.50%)

our community's plan for its future transportation needs. The real question is: who will step forward to champion that effort?

IV. THE 2020 LONG RANGE TRANSPORTATION PLAN

Having examined the various factors that led up to our current status, we decided to examine the 2020 Plan itself. If we were going to recommend that our community vote for passage of a method to fully fund it, we wanted to first assure ourselves that it was a plan worth doing. This turned out to be an unexpectedly difficult task. Like most citizens, we are certainly not experts in the various disciplines and professions that are involved in the transportation planning process. As a result, many times during our term we found ourselves struggling with the terminology of the plan itself. We were continually learning new and extremely technical concepts in an effort to fully understand the testimony of the various witnesses and experts who appeared before us, sometimes more than once, in an effort to explain and justify their work. We certainly appreciate their patience. However, this whole process highlighted for us the incredible difficulty facing any attempt to educate our community about these issues and the 2020 Plan. Even after spending more than six months studying this plan we must confess that we are still debating its merit among ourselves. Considering its complexity, we certainly would not feel comfortable substituting our judgment for the true experts who developed it. In fact, many of the witnesses who have appeared before us this term confessed that, as to portions outside their particular areas of expertise, they have trouble understanding it as well! Nevertheless, many experts have told us that this plan has been developed with sound and practical engineering and represents our best chance at providing for our future transportation needs. We do not claim to have the expertise to dispute this testimony. As result, out of necessity, our findings and observations will be based upon the many issues surrounding the funding and implementation of the mass transit portion of the plan rather than the engineering underlying the plan itself.

Using the broad analysis provided to us by the MPO, the un-funded mass transit portion of the 2020 Plan amounts to over \$7 billion. We wanted to know what traffic congestion in our community would be like if we failed to raise this money in contrast to the implementation of the

entire plan. We therefore asked the MPO to provide us with a comparison between the congestion our community would face in the year 2020 if the plan were fully implemented (termed the “2020 Needs Plan”) and if only the currently funded “Minimum Revenue” plan were put in place.¹⁰ To perform this comparison the MPO utilized a “volume-to-capacity” measurement. This, we are told, measures what laypeople would term “gridlock” by translating the status of current usage into a percentage of total capacity.¹¹ For instance, witnesses have told us the current volume-to-capacity for our entire roadway system is .77 meaning that we are at 77 percent of total capacity (which would be represented as a measurement of 1.00). The following are the results of that comparison:

Table 2: Comparison of Alternatives: Highway Capacity and Usage – 2020 Miami-Dade LRTP¹² Model

	<u>Today</u>	<u>2020 Minimum Revenue Plan</u>	<u>2020 Needs Plan</u>	<u>Difference</u>
Entire system:	0.77	1.00	.98	- 0.02
Major regional corridors:				
I-95	0.88	0.99	.99	0.00
US 1	0.96	1.15	1.09	- 0.06
SR 826	1.08	1.12	1.10	- 0.01
SR 836/I-395	1.04	1.23	1.24	0.01

In other words, if we only succeeded in implementing the currently funded “Minimum Revenue Plan” our entire system would be at 100 percent of capacity (i.e. gridlock). Some portions of it would be slightly less congested (I-95 and US 1) and others will apparently be slightly worse (most other main expressways). What amazed us was that, even with the full

¹⁰ When the 2020 Plan was developed it was intended to be a plan to address all of our transportation needs in the year 2020. It therefore contained a “wish list” of improvements and new projects that addressed both roadway and mass transit needs. However, it is a mandatory requirement of the federal government that a plan be “feasible” for it to be approved. Without a dedicated funding source to provide the local match necessary to apply for federal funding under TEA21, the entire mass transit of the 2020 Plan was deemed unfeasible since there would be no source of money for its construction or operation. As a result we now have two different plans for the purpose of our analysis: the “Minimum Revenue Plan” which contains mostly roadway and expressway improvements and projects and has funding for many of its elements and the “Needs Plan” which contains everything in the original 2020 Plan (i.e. the “Minimum Needs Plan” plus the currently un-funded mass transit portion).

¹¹ We have been properly informed that the term “gridlock” means having absolutely no movement while a 1.00 volume-to-capacity measurement means there is some movement but it is occurring very, very slowly. Nevertheless, we have chosen to use the term in this fashion because, in the context of traffic congestion, we could find no practical difference.

¹² LRTP stands for “Long Range Transportation Plan”.

implementation of the 2020 “Needs Plan”, our congestion would get only marginally better. Why, we wondered, would the expenditure of an additional \$7.2 billion result in an improvement of a mere 2 percent in our overall system? Were all of these experts who had told us that this plan was based upon sound engineering and was the best and most viable plan for our future transportation needs simply wrong? Of all of the information we struggled to understand about the 2020 Plan during our term, it was this analysis that troubled us the most. The obvious question in our minds (and certainly in the mind of any voter): why would we want to spend such a huge sum of additional tax dollars if we could only obtain such a miniscule benefit? After posing this question to a number of different witnesses, the answer, we found, was deceptively simple. By asking a highly technical question we had received a highly technical answer. We had asked for an analysis of the effects of a fully implemented 2020 Plan on congestion in our community. Congestion, in this context, meant automobiles. Thus, this was actually a comparison of the effect the full implementation of the mass transit portion of the 2020 Plan would have upon **our roadways alone**. In other words, if we built the mass transit portion of the 2020 Plan, assuming current usage of mass transit, we would only realize an improvement of 2 percent in the congestion we would face using our cars. This study did not compare the far less “congestion” faced by a commuter that chose instead to use mass transit.

In addition, this small improvement in congestion on our roadways is based upon an assumption that only the same small portion of our community (2.7 percent) would ever leave their cars and use this mass transit system. It did not, and we are told that it could not, measure the effect of the possibility that, faced with almost total gridlock, many more of us would switch from our cars to a viable mass transportation system as the method for our daily commute. Clearly, increased usage of mass transit would shift commuters from our roadways to more “efficient” means of transportation. This would mean fewer individual cars on our roads and thus a lessening of congestion and gridlock. Obviously, the greater the incentive to move to mass transit and the more people that make this shift the lower the volume-to-capacity ratio would become. The lower the ratio becomes, the greater the benefits we would receive for our expenditure of \$7.2 billion dollars.

In fact, this comparison essentially proves the single fact that most witnesses have told us during our term: we could never build enough roadways, or expand existing ones, to sufficiently

accommodate the transportation needs of our growing metropolis. As one witness aptly described it to us, “trying to solve congestion by building new roads is equivalent to curing obesity by loosening our belts.” Regardless of our efforts, if we continue to experience growth, we will have far more congestion and gridlock conditions in the year 2020 than we have today. We therefore believe the value of building a viable mass transit system lies within its ability to provide us with a reasonable alternative to individual automobile use. With it, in the year 2020, by *choosing* to use a mass transit system, we can avoid spending three times the amount of time commuting to work than we do today. We can *choose* to use mass transit and thus have more time available for other needs: for our families, for our jobs, for our leisure. For each one of us that chooses this alternative rather than driving, congestion on the roadways will be reduced. Without it, in the year 2020, when we find ourselves in traffic gridlock, there will quite literally be no other road we can take to escape.

V. **RECOMMENDATIONS FOR DESIGNING AND FUNDING OUR MASS TRANSIT SYSTEM**

If the solution needed to address congestion in our community is the construction of a mass transit system that more people will utilize, it is clear to us that our current system will definitely not suffice. Our community needs and deserves a mass transit system that will provide a viable, reasonable and cost effective alternative to the use of individual automobiles for daily commuting. Perhaps the full implementation of the 2020 Plan will provide this or perhaps not. Perhaps the expansion of Metrorail is the answer, or a light rail system or expanded bus service, or express bus service, or an expansion of the use of dedicated bus lanes or even a combination of all of these ideas. Without substantial technical analysis that is beyond our abilities as grand jurors, we cannot ourselves determine what the correct plan should be. However, without money no plan is possible. Having reached the conclusion that mass transit holds the answer; our community must find the dedicated funding source needed in order to seek federal money to fund its mass transit needs.

Unfortunately, it may already be too late. The next cycle of federal funds that we could compete for is scheduled to be determined in the year 2003. If we are to have any hope whatsoever of competing for these funds we must have a dedicated source of funding no later

than the end of 2002.¹³ In fact, it was this realization early in our term that was the main reason behind us selecting this topic for our grand jury to investigate over another that was also extremely important to our community. If this funding can be found through the creative use of existing tax revenues, then those methods must be found by the end of next year. If sufficient funding can only be found through a proposal to increase taxes, then that proposal must appear on the ballot no later than the next general election in 2002. Time is clearly of the essence! Yet, as we detailed earlier, there is currently no concerted effort anywhere within our community to seek public approval for a solution to this dilemma. This situation must change and change rapidly. There is substantial work that needs to be done.

Our community leaders, and elected officials, have at their disposal a number of different ways to obtain the funding needed to provide the local match. For instance, witnesses have told us that it may not be necessary to seek a full penny tax increase to provide the funding needed. So long as it is all utilized for transportation, and depending upon the proposal, a smaller ½ penny tax increase (or even a ¼ penny increase) may suffice. Additionally, the current property tax millage associated with payment of the debt service for the many “Decade of Progress” bonds our community approved in the 1970’s will become available as a source of revenue as those bonds are retired over the next few years. By keeping the exact same millage in place once the bonds themselves are retired, the revenue stream would continue to be obtained. It could therefore be used to leverage the issuance of additional bonds to raise funds that could be utilized for our local match with no increase in taxes at all.¹⁴ There is also the chance that we could acquire flexibility from the Federal government to use funds dedicated to roadways and expressway improvements for mass transit instead. For instance, if (hypothetically) we could show that constructing a light rail system with those same federal funds would provide a far more efficient reduction in congestion on a particular expressway than the project they were specifically earmarked for, we might win approval to use those funds for a mass transit project

¹³ Witnesses have told us that many other communities have already submitted their plans and have already acquired their local match dollars. There is insufficient federal money to fund all of these new projects. In addition, many of the projects that we would be competing against are projects that had already been approved and received funding in past cycles and are now seeking additional funding to help complete what they have already begun. Clearly, we face an uphill battle to acquire the funds we need.

¹⁴ While the net effect of this would mean that we would pay no more in taxes than before we do recognize that this would mean we would not receive the reduction in taxes that would have occurred if the millage were simply retired along with the bonds. Nevertheless, there would truthfully be no increase in taxes.

instead. Lastly, the current toll revenues from the operation of expressways that fall under the jurisdiction of the Miami-Dade County Expressway Authority might be used to subsidize mass transit if a direct correlation (similar to the above scenario) could be found.

Regardless of the final decision as to the source (or sources) of the local matching funds, voter approval will almost certainly need to be obtained. Quite frankly it is in this arena that the most work will need to be quickly done. Voters will approve a viable solution so long as they understand what they are voting for and what the true alternatives are that they will face if they choose to vote no. They will be willing to approve putting more money in the hands of local government if they have a specific understanding of what that money will be spent for and there is a feasible mechanism to ensure it will, in fact, be used in that way.¹⁵ Voter approval will be difficult but, if gone about in the proper fashion, it is certainly not impossible to obtain. However, it is of paramount importance that this be a mass transit plan the people, not the government, want for there to be any chance of success.

Through appropriate educational efforts, our community must be made to realize that the only true solution for alleviating congestion in our future lies in the correct implementation of a mass transit system. To win our approval, this mass transit system must be designed and implemented in an intelligent and non-political fashion. It must provide a viable, reasonable and cost effective alternative to the use of individual automobiles for daily commuting and it must be developed through regular and direct interaction with the community. In addition, the acquisition of a dedicated source of matching funds should be staggered so that the public can hold the government accountable for the way past money was spent as a precursor to approval for future funds that are sought. All funding should be acquired as a part of an overall plan with each stage of that plan clearly explained and well known *before* any proposal for funding is placed before the community for voter approval. Under no circumstances should any portion of this funding be used for anything other than transportation. Great care should be taken to separate, in both perception and reality, this funding from any special interests. A very public and truly

¹⁵ While we are all quick to recollect the many failed attempts to obtain voter approval for increased taxes we should also remember that some well designed proposals, such as the Safe Neighborhood Parks Bond Issue, did in fact pass. The methods used to educate the public about that proposal, as well as the use of a Citizen's Oversight Committee to exercise control over the distribution of the public's funds, provides an excellent example for us to follow when seeking funds for our transportation needs.

enforceable method of accountability for government actions and spending must be a cornerstone of the plan itself. Despite the time constraints, we believe a concerted and united effort on the part of our local leaders and elected officials can accomplish much of what we have outlined above. We certainly urge them to make the best usage of the time remaining to acquire the greatest amount of matching local dollars and therefore the greatest amount of federal funds from which to implement a viable mass transit system for our community.

However, we also recognize that the limited time remaining might necessitate an alternate and less ambitious plan. Accordingly, as a beginning point for discussion, we recommend consideration of using the current cycle for TEA 21 funding as a vehicle to take a first step toward a viable mass transit system. As a result, funding could be sought solely to create a support system designed to improve the convenience (and therefore the usage) of our existing mass transit system. We already have (a limited) Metrorail and Metromover built and in place. We should develop the arterial support system needed to increase the viability of its use throughout our community. We should also extend Metrorail to the Miami International Airport. In other words, use this funding cycle to (finally) give our community what it was promised almost 30 years ago! If accomplished properly, this could be the means to enhance trust in local government and showcase proof of specific governmental promises being actually fulfilled. This newly found trust could then be leveraged when voters are asked to approve additional funding to build upon its implementation.

For instance, in the short-term, the purchasing of a substantial number of new buses to support the conversion of our existing Metrorail System to a more broadly available alternative to automobile commuting can be accomplished rather quickly. The expanded bus service should be targeted to provide access to and from our existing Metrorail system and those destinations that have been determined by statistical survey to be the most likely areas where ridership can be increased. For instance, major population centers could be matched with major employment centers and routes designed to accommodate them. Since additional buses can be purchased in relatively short order, this system can be up and running in a minimum amount of time. This portion of the plan would thus satisfy the need for the immediacy of benefits that is so important to the reinforcement of the public's trust that their money is being properly spent. For the longer term, the expansion of the Metrorail System to the Miami International Airport would provide far

greater viability to that system and would almost certainly result in a substantial increase in those who would choose to use it.¹⁶ Unlike the purchase of additional buses, the time to build this expansion would obviously take a number of years. It is therefore important that the increased buses and routes be developed to maximize the usage of this expansion of Metrorail once it finally comes on-line.

Finally, a portion of this funding should be used to implement a multi-year program designed to determine the next steps needed to fully provide for the mass transit needs of our community. This funding should have as its main purpose the development and implementation of a public information campaign designed to ensure the inclusion of the public in the entire planning process. Our review of this issue has convinced us that no plan will ever be successful in accomplishing the paradigm shift needed for people to give up their cars and use mass transit if the system is not designed to offer *some* advantage over the use of individual automobiles. Whether that advantage needs to be in cost, time or convenience (or all three) to have a chance of success is a determination that needs to be made by surveying our community *before* a request for the tax dollars needed to fund the entire system is ever placed on the ballot for a vote. Our 2020 Plan was developed using scientific methods of analysis and projections. We need to apply an equally scientific method to analyze what our community truly wants its transportation plan to accomplish as well.¹⁷

VI. THE NEED FOR NON-POLITICAL OVERSIGHT OF OUR TRANSPORTATION PLANNING AND IMPLEMENTATION

Our examination of this topic during our term highlighted the problems we face trying to plan for the future transportation needs of a large community such as ours without a single entity or organization charged with the responsibility for developing and implementing an overall plan.

¹⁶ While there would certainly be a benefit to our tourist industry, there would also be a great benefit to everyone who either works at the airport or has a reason to use it.

¹⁷ We can offer some additional guidance to our community by referring them to the methods used by the Miami-Dade County Expressway Authority to obtain public approval of the increase in tolls from twenty-five cents to its current seventy-five cents. We were very impressed with the creative methods used to inform the public about all of the issues surrounding the toll increase. Using a stepwise progression of increased tolls coupled with showcasing what commuters were getting for their money by finishing some of the projects before requesting the final increase is exactly the process that should be followed with the voting public. Their use of public media outlets such as WLRN and radio stations as a cost effective means of “getting the message out” deserves praise as well. We would also refer our community to the similar methods used successfully by the City of Portland.

Before our grand jury service most of us were unaware of how many government agencies have responsibility for the different roads, expressways and mass transit systems we depend upon here in Miami-Dade County.

For instance, State Roads 112, 836, 874, 878 and 924 (Gratigny) all fall under the oversight of the Miami-Dade County Expressway Authority. Interstate 95, the Palmetto Expressway (State Road 826), US 1, Kendall Drive, Krome Avenue and US 27 all fall under the oversight of the Florida Department of Transportation. Individual surface roads fall under either the Miami-Dade County Public Works Department or one of the many individual cities or municipalities within Miami-Dade County. Our Metrobus, Metrorail and Metromover systems all fall under the authority of the Miami-Dade County Transit Department. Regionally, there is also a Tri-Rail system that was authorized by the Florida Legislature in 1989 and is operated between Palm Beach, Broward and Miami-Dade Counties by the Tri-County Commuter Rail Authority as an alternative to commuter travel on I-95. Every one of these various agencies have their own perspectives on the needs of the community and, while they do communicate their planning with each other in a number of ways, each operates independently of each other. Planning for these roadways, expressways and mass transit systems, and obtaining funding for them, is a complex mixture of local, state and federal governments as well as different governmental funding streams. Clearly, some non-political entity (or “Czar”) for transportation is needed to tie all of these competing interests together in a homogenous fashion.

Therefore, early in our term, we focused upon the MPO as the entity that we felt should be taking the lead in solving the bifurcation of purpose that resulted from so many “cooks” in our transportation kitchen. Currently, the membership of the MPO Board is composed of the 13 Miami-Dade County Commissioners, the mayors of Miami Beach, Coral Gables, North Miami and Hialeah, a commissioner from the City of Miami, and representatives from the Miami-Dade County Expressway Authority, the Miami-Dade County School Board and the Florida Department of Transportation. It seemed to us that this board, containing such a cross-section of local leadership, should have the political clout and vision to enable it to act as a “czar” over designing and implementing the solutions needed for our transportation problems. Unfortunately, we did not find this to be the case. Far from providing the leadership and vision

we sought, we were instead treated to witness after witness, including current members of the MPO board, who detailed for us their frustrations with the MPO. Instead of being a place where elected leaders took off their particular political hats and worked to devise a transportation system devoid of special districting issues, it is used instead to further individual political agendas. We were greatly disappointed to discover that the Metropolitan Planning Organization was not a true planning organization at all but rather a political organization in disguise. Considering this fact, it was not surprising to us that not a single witness claimed that the mission of the MPO was to act as an overall “czar” for transportation in our community.

We want to make it clear that we are not intending to criticize the individual staff members of the MPO who appeared before us to give us the information we sought. In fact, we are genuinely grateful to them for their honesty in describing their efforts and the vast limitations that hinder them in their attempts to do a thorough job. There was also a certain difficulty on our part in obtaining from them layperson answers to our highly technical questions. We believe that the representatives of the MPO that appeared before us were genuinely trying to provide us with the information we requested. However, in our opinion, the current MPO board is far too politically motivated and structured for it to effectively serve as the unifying entity needed to oversee and implement our future transportation needs. Without substantial alterations in its composition, the MPO cannot presently provide the vision and leadership we sought for our community’s transportation needs.

We strongly feel that our community has suffered to a certain extent by the current bifurcation of authority over transportation and would benefit greatly if a single entity existed that could assume responsibility and control. However, we are frankly unsure exactly what structure would provide the best solution. Of necessity to the creation of a transportation “czar” are the issues surrounding how this person (or board) would be selected and to whom they would be accountable. Should they be elected or appointed? If appointed, to whom would they be accountable and what checks and balances could be placed upon them? Certainly either scenario would bring its own brand of politics into the mix. Perhaps the creation of a separate Transportation Authority into which the current Miami-Dade Transit Authority, the Miami-Dade Expressway Authority and other municipal and county functions relating to transportation would be placed could suffice. Perhaps the Expressway Authority itself could be expanded to assume

these other agencies and duties. Within the Miami-Dade County Manager's Office the position of Transportation Manager has been created in recognition of the need to manage and coordinate the county's many transportation related agencies. We are also aware of a current effort to create a South Florida Regional Transportation Authority that would recognize the need to plan for the singular commuting area that, in reality, Miami-Dade County, Broward County and Palm Beach County have become to a great extent. All of these concepts have their own special benefits and, unfortunately, their own special concerns.

It is of paramount importance that our transportation planning and implementation be separated from individual politics. It is an unfortunate side effect of our current district system of elections that, while achieving greatly desirable effects on the increased diversity of our elected officials, it too often lends itself to a political vision that is similarly limited only to that particular district. Designing a transportation plan for our entire community requires a vision that is similarly community-wide. The creation of an effective means of mandating this vision must be placed at the forefront of any public debate concerning our future transportation needs.

IX. CONCLUSION

Our investigation of this topic has convinced us that our community stands today at a transportation crossroad. Will we simply accept a future filled with traffic congestion and gridlock or will we (finally) undertake the efforts needed to implement solutions despite the length of time it will take for them to have an effect? Do we individually and as a community have the vision and courage to act now to control our future or will we simply let it fester to become someone else's problem when the future becomes today? With an extremely short timeframe in which to apply for federal funding and with no concerted effort to acquire these funds currently underway, our community leaders and elected officials must act immediately. The very viability of Miami-Dade County, both economically and personally, may depend upon the choices we will make in the coming year. We must find the courage and vision needed to solve our future traffic congestion crisis through the planning and implementation that is needed today.

ADDITIONAL RECOMMENDATIONS

We recommend that the Mayor of Miami-Dade County, the Miami-Dade County Board of County Commissioners and the Board of the Miami-Dade County Metropolitan Planning Organization create a joint working committee whose sole purpose should be the development of a proposal that can be placed on the ballot in the next general election of 2002 to acquire a dedicated funding source for mass transit in our community. This committee must include community leaders and must exclude special interests. Further, the proposal that is developed should be consistent with the recommendations and observations we have made previously in our report with the clear understanding that the plan be solely for mass transit, detail specifically what money will be raised and how it will be spent, and provide for citizen based oversight of fund dispersal.

We further recommend that the Mayor of Miami-Dade County, the Miami-Dade County Board of County Commissioners and the Board of the Miami-Dade County Metropolitan Planning Organization jointly create a second working committee whose sole purpose should be the creation and implementation of a campaign to educate our community about the need for a viable mass transit system as well as the specific details of the proposal itself. In this regard we urge this committee to consider the following implementation ideas:

Instead of seeking public attendance at government informational meetings consider ways to bring the informational meetings to the public. For instance, we have a number of extremely large employers or employment locations in our community such as Jackson Memorial Hospital, the Miami-Dade County Public School System and the Miami International Airport. Conducting a public meeting to discuss and educate our community about mass transit needs and plans at one of these large employers during lunch time (or over closed circuit interactive television) would provide a much better way to ensure attendance, especially if the employer were to advertise the meeting and urge its employees to attend.

Develop a creative usage of existing public television and radio outlets, similar to that used by the Miami-Dade County Expressway Authority in their toll increase campaign.

Ensure that the local media is well informed and kept current regarding the proposal that will be placed on the ballot and the reasons why this funding is so important.

We also recommend that the Mayor of Miami-Dade County, the Miami-Dade County Board of County Commissioners, the Miami-Dade County Metropolitan Planning Organization, the Miami-Dade County Expressway Authority and the Miami-Dade County Legislative Delegation jointly determine an appropriate system, or the creation of a specific agency or entity, that would permit non-political planning, implementation and oversight of our transportation needs. We also recommend that the concept of a Regional Transportation Authority that joins Miami-Dade County, Broward County and Palm Beach County under one transportation system be specifically explored. The overarching mission should be to design and implement a transportation system that makes Miami-Dade County, and if possible all of Southeast Florida, the model for others to follow.

Finally, we recommend that the Miami-Dade County Expressway Authority, the Miami-Dade County Metropolitan Planning Organization and the Miami-Dade County Congressional Delegation work together to seek ways to provide more flexibility for the usage of existing federal transportation funding consistent with our observations in this report. We also urge our Congressional Delegation to use its best efforts to support the ballot proposal referred to above as well as the approval of our application for federal transportation funding once the local match dollars are assured.

INDICTMENT**NAME OF DEFENDANT
RETURNED****CHARGE**

JEREMIAH G. POSTEMICE	Murder First Degree Murder First Degree / Attempt Burglary / with Assault or Battery Robbery / Armed / Firearm or Deadly Weapon Kidnapping / with a Weapon Arson 2 nd Degree Grand Theft 3 rd Degree / Vehicle	True Bill
LEONARDO DAVID VARGAS	Murder First Degree Child Abuse / Aggravated / Great Bodily Harm / Torture Child Abuse / Aggravated / Great Bodily Harm / Torture Child Abuse / Aggravated / Great Bodily Harm / Torture Child Abuse / Aggravated / Great Bodily Harm / Torture Child Abuse / Aggravated / Great Bodily Harm / Torture Child Abuse / No Great Bodily Harm	True Bill
BERNARD JEAN JOSEPH	Murder First Degree Robbery / Armed / Firearm Assault / Aggravated / with a Firearm	True Bill
JEFFREY JACKSON	Murder First Degree Robbery / Armed / Deadly Weapon False Report of Commission of a Crime	True Bill
KORIE TRAVARO WASHINGTON	Murder First Degree Robbery / Armed / Firearm Firearm / use, Display While Committing a Felony Firearm / Possession by Felon	True Bill
MATTHEW CHARLES GUARINO "A" and DAVID ELUS MURRAY "B"	Murder First Degree	True Bill
LEVI JESSIE MEDINA (A) and MODESTO GUZMAN (B)	Murder First Degree (A) Criminal Mischief / \$1,000 or more (A&B) Tampering with Physical Evidence (A&B) Firearm/Use, Display while Committing a Felony (A) Accessory after the Fact (B)	True Bill
SILVIO JAVIER MITSOULIS	Murder First Degree Burglary / with Assault or Battery Stalking / Aggravated	True Bill

CHARLES E. STALLWORTH (A) and WILLIE HILL (B)	Murder First Degree Murder First Degree / Attempt Murder First Degree / Attempt Firearm / Use, Display While Committing a Felony (A only) 06/20/01	True Bill
JAMES MURRAY	Murder First Degree Robbery / Armed / Firearm	True Bill

INDICTMENT

<u>NAME OF DEFENDANT RETURNED</u>	<u>CHARGE</u>	
DELROY GEORGE MORRISON (B), DANIEL PATRICK AIKEN (C) and ROLAND DAVID AIKEN (D)	First Degree Murder First Degree Murder Armed Burglary	True Bill
ALEXANDER BEDFORD	Murder First Degree	True Bill
NEGUS MAKONNEN DELHALL Bill	Murder First Degree Weapon/Use, Display While Committing a Felony	True
ELDRICK PEREZ-GONZALEZ	Murder First Degree	True Bill
ANTHONY LOPEZ, also known as ANTHONY MONZON, (A) and JACOB ZAYAS (B)	Murder First Degree (A&B) Arson Second Degree (A&B)	True Bill
GREGORY CHATFIELD	Murder First Degree Child Abuse / Aggravated / Great Bodily Harm/Torture Resisting Officer Without Violence to his Person Child Abuse / No Great Bodily Harm Child Abuse / No Great Bodily Harm	True Bill
BOBBY LEE WOODY	First Degree Murder Firearm / Possession by Felon	True Bill
JOHN R. DEXTRA	Murder First Degree	True Bill
GASSNO BERNARD OWENS	Murder First Degree	True Bill

WALTER LEE WRIGHT	Murder First Degree Robbery / Armed / Firearm Burglary / Armed Robbery / Carjacking / Armed / Attempt	True Bill
ALEXIS QUEVEDO	Murder First Degree Burglary of an Occupied Dwelling / Attempt	True Bill
MILTON NOBLE, also known as "JIT"	Murder First Degree / Attempt Firearm / Concealed Weapon / Possession By a Violent Career Criminal True Bill	Murder First Degree
TEDDY JOHNSON, also known as TAURUS JOHNSON (A) and HAYWARD JAMES BOULER (B)	Murder First Degree Robbery / Armed / Attempt Firearm / Weapon / Possession by Convicted Felon Firearm / Weapon / Possession by Convicted Felon Firearm / Use, Display While Committing a Felony	True
Bill		

INDICTMENT

**NAME OF DEFENDANT
RETURNED**

CHARGE

IVAN ZACHERY HERISE	Murder First Degree Concealed Firearm / Carrying	True Bill
COREY JERMAINE STILL	Murder First Degree Robbery / Armed / Firearm Firearm / Possession by Felon	True Bill
ERIC BERMUDEZ	Murder First Degree Robbery / Armed / Attempt Burglary / Armed Concealed Weapon / Carrying	True Bill
JAMAR ANTWAN HILL	Murder First Degree Murder First Degree	True Bill
SEDRICK JOHNSON, also known as SADRAC TOUSSAINT,		

ADRAIN M. LYNN and
MESCHAC TOUSSAINT

First Degree Murder
First Degree Murder / Attempt
First Degree Murder / Attempt
Robbery / Armed / Attempt
Burglary / With Assault or Battery / Armed

True Bill

ACKNOWLEDGMENTS

The concept of serving on a Grand Jury was foreign to most of us six months ago. After we were selected and the process began, we came to realize how important it was to have a diverse group of citizens representative of our community serving together as part of our judicial system. It has been a great experience to be a group composed of different backgrounds, but quickly coming together with the common goal of addressing the issues at hand.

This process and our accomplishments as jurors could not have been possible without the tireless efforts of the Chief Assistant State Attorney, Chet J. Zerlin, whose dedication, knowledge and professionalism made our service a truly rewarding experience. Thank you, Mr. Zerlin for your guidance and patience during these past months. We would also like to thank Rose Anne Dare, Administrative Assistant, for her hard work in maintaining efficiency in the operations of the grand jury; and we would also thank Neo Gil, Bailiff, who was always attentive and made our days enjoyable.

We are especially thankful of Honorable Judge Judith L. Kreeger and State Attorney Katherine Fernandez Rundle for their professionalism, dedication and continued commitment to the Miami-Dade County community and judicial system which makes up part of this great country we live in. It has been an honor to serve under their leadership.

We would also like to acknowledge and thank the many witnesses who gave freely of their time and expertise during our term.

Respectfully submitted,

John C. Broman, Foreperson
Miami-Dade County Grand Jury
Spring Term 2001

ATTEST:

Carmen Rojas
Clerk

Date: _____