

## **How AFT Appropriates Funds in their 30 year \$16 Billion Tax Hike Charter Amendment**

54% of the total \$16 Billion is in a "General" purpose category that can be used for **road or transit** purposes but 85% of the funding in this category must be funded according to how AFT mandated "their" appropriations:

Section 11.07. Uses of General Purpose Portion. For any Agency that the Clerk reasonably estimates will receive five percent (5%) or more of the Surtax Proceeds in a given calendar year, such Agency's share of the General Purpose Portion shall be expended by the Agencies for the planning, development, construction, operation, and maintenance of roads, bridges, sidewalks, intersections, and **public transportation** [transit] (which, for purposes of this Section, may include any technological innovations such as autonomous vehicles and related infrastructure), to the extent permitted by F.S. § 212.055(1), and include expenditures in the following categories:

- (1) Maintenance and Vulnerability Reduction. At least twenty percent (20%) of the General Purpose Portion shall be expended on projects that: (i) improve, repair and maintain **existing** streets, roads, and bridges, including fixing potholes, or (ii) reduce congestion and transportation vulnerabilities.
- (2) Congestion Reduction. At least twenty-six (26%) of the General Purpose Portion shall be expended to relieve rush hour bottlenecks and improve the flow of traffic on **existing** roads and streets and through intersections. Expenditures in the category described in this Section 11.07(2) may include projects that improve intersection capacity through the use of technology, the construction of new intersections, the redevelopment of **existing** intersections, and may include related infrastructure such as roundabouts and turn lanes. Projects described in the foregoing sentence do not constitute New Automobile Lane Capacity, as defined in Section 11.07(8) below\*\*.
- (3) Transportation Safety Improvements. At least twenty-seven (27%) of the General Purpose Portion shall be expended to promote transportation safety improvements on **existing** streets, roads and bridges.
- (4) Transportation Network Improvements. At least twelve (12%) of the General Purpose Portion shall be expended on bicycle or pedestrian

infrastructure and related improvements that make walking and biking safer, to the extent the foregoing is or is planned to become a part of the transportation network within any Agency's jurisdiction, and to the extent permitted by F.S. § 212.055(1).

- (5) Remaining Funds. Any remaining portions of the General Purpose Portion shall be expended on **any** project to improve transportation in the applicable Agency's jurisdiction to the extent permitted by F.S §212.055(1) and this Article.
- **\*\* (8) Limits on New Automobile Lane Capacity.** Agencies are **prohibited** from expending any funds from the categories mandated by Section 11.07(1), (2) and (3) above on New Automobile Lane Capacity. For purposes of this Section 11.07(8), "New Automobile Lane Capacity" means projects that consist of (i) adding additional lanes for automobile traffic to existing roads or streets that are not related to intersection capacity improvement, or (ii) constructing new roads or streets

Below are AFT's specific mandated appropriations:

- Maintenance on existing roads - 20%
- Congestion Reduction AFT redefined as intersection improvements on existing roads - 26%
- Safety Improvements on existing roads - 27%
- Bike paths and sidewalks (which could overlap with safety improvements on existing roads or could be brand new sidewalk/bike paths infrastructure) - 12%

The simple math is  $20 + 26 + 27 + 12 = 85$ . 85% of the General Purpose funds have mandated appropriations that specifically prohibit funding for new road capacity.

We must also note that no funds in Section 4 that funds sidewalks and bike paths can be reallocated. AFT specifically prohibits reallocating any of sidewalk/bike path funds and that appropriation is locked in for 30 years.

That leaves 15% remaining of General Purpose funding. AFT's last funding category in General Purpose is called "Remaining".

"Remaining" category allows the remaining 15% to be spent on ANY transportation project including public transportation [transit] as AFT initially stated at the beginning of Section 11.07

- (5) Remaining Funds. Any remaining portions of the General Purpose Portion shall be expended on any project to improve transportation...

AFT mandates 45%, about \$7-8 Billion of the total \$16 Billion tax proceeds, go to HART:

- **Transit Restricted Portion.** Forty-five percent (45%) of the Surtax Proceeds (the "Transit Restricted Portion") shall be distributed to HART...

AFT specifically restricted their mandated transit funding to transit. While AFT allows General purpose funds to fund transit projects, transit restricted funds can never fund any road projects.

In the transit restricting portion, AFT also mandates their appropriations: AFT appropriates 45% the tax proceeds to HART (about \$3.4 Billion) be spent on bus services and 35% of the tax proceeds to HART (over \$2.6 Billion) be spent on fixed guideway transit services, that of course includes costly rail.

More simple math:

$$45 + 35 = 80$$

There is 20% remaining in the transit restricted funding. Therefore, AFT has a "Remaining" funding category in their transit restricted funding that clearly states " Any remaining portions of the Transit Restricted Portion shall be spent on **any project to improve public transportation.**

In other words, any remaining funds in the transit restricted funding must be spent on transit projects and cannot be spent on any road projects.

