

MEMORANDUM

Agenda Item No. 11(A)(26)

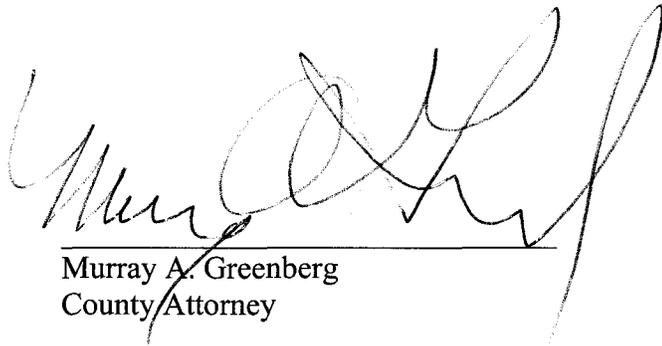
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: June 6, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution directing County
Manager to report to the
Regional Transportation
Committee with regard to
bus passenger benches being
in compliance with distance
requirements as specified in
Section 21-158

The accompanying resolution was prepared and placed on the agenda at the request of
Commissioner Dorrin D. Rolle.



Murray A. Greenberg
County Attorney

MAG/bw



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

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County Attorney

SUBJECT: Agenda Item No. 11(A)(26)

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor

Agenda Item No. 11(A)(26)

Veto _____

6-6-06

Override _____

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MANAGER TO ASCERTAIN AND REPORT TO THE REGIONAL TRANSPORTATION COMMITTEE WHETHER THE BUS PASSENGER BENCHES IN UNINCORPORATED MIAMI-DADE COUNTY ARE IN COMPLIANCE WITH THE DISTANCE REQUIREMENTS AS SPECIFIED IN SECTION 21-158 OF THE CODE OF MIAMI-DADE COUNTY; AND FURTHER DIRECTING THE COUNTY MANAGER TO ESTABLISH AN ENFORCEMENT MECHANISM TO ENSURE COMPLIANCE WITH THE CODE

WHEREAS, vehicles running off the road and striking patrons at Miami-Dade Transit bus stops continues to be an ongoing problem; and

WHEREAS, ensuring that bus passenger benches are placed or maintained at least five feet from the outer edge of the pavement of any road, except at approved locations where sidewalks and curbs exist, may contribute to the safety of Miami-Dade Transit patrons; and

WHEREAS, Miami-Dade County is in the midst of spending millions of dollars in improvements to its infrastructure and transportation systems; and

WHEREAS, the safety of the public at large must be of utmost concern,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board directs the County Manager to ascertain and report to the Regional Transportation Committee whether the bus passenger benches in unincorporated Miami-Dade County meet the distance requirements as specified in Section 21-158 of the Code of Miami-Dade County.

Section 2. This Board directs the County Manager to establish an enforcement mechanism to ensure compliance with the Code.

The foregoing resolution was sponsored by Commissioner Dorrin D. Rolle and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Dennis C. Moss, Vice-Chairman	
Bruno A. Barreiro	Jose "Pepe" Diaz
Audrey M. Edmonson	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of June, 2006. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Bruce Libhaber