

MEMORANDUM

Agenda Item No. 11(A)(9)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: November 6, 2007

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution relating to
safety at and around
portions of the lake
located west of 12th
Avenue between NW 95th
and 99th Streets

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



R. A. Cuevas, Jr.
County Attorney

RAC/bw



MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: November 6, 2007

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(9)

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)(9)

Veto _____

11-6-07

Override _____

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MANAGER TO INVESTIGATE AND ERECT MECHANISMS TO PROVIDE SAFETY AT AND AROUND THE PORTIONS OF THE LAKE AND ADJACENT PROPERTY OWNED BY MIAMI-DADE COUNTY AND LOCATED WEST OF 12TH AVENUE BETWEEN NW 95TH AND 99TH STREETS

WHEREAS, Miami-Dade County owns certain property that is adjacent to a lake located west of 12th Avenue between NW 95th and 99th Streets; and

WHEREAS, over the years, a number of accidental drowning have occurred; and most recently, on June 26, 2007, a person drowned while swimming in this lake; and

WHEREAS, there is no fence surrounding this lake, nor are there any signs warning persons not to swim, boat or fish in the lake; and

WHEREAS, the open lake is a safety hazard and needs to be fenced in and have signs posted that inform the public that swimming, fishing and boating on the lake is prohibited; and

WHEREAS, Miami-Dade County has an interest in reducing the number of serious accidents or deaths that are caused by people swimming, boating or fishing in this lake; and

WHEREAS, one way to reduce the number of serious accidents or deaths on the lake is for Miami-Dade County to provide safety mechanisms, such as fences and signs, on its property in order to warn persons of the danger posed by the lake, and advise persons of lake safety,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board directs the County Manager to investigate and erect safety mechanisms, including fences and signs, in order

to provide safety at and around the portions of the lake and adjacent property owned by Miami-Dade County and located west of 12th Avenue between NW 95th and 99th Streets.

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:

- | | |
|------------------------------------|--------------------|
| Bruno A. Barreiro, Chairman | |
| Barbara J. Jordan, Vice-Chairwoman | |
| Jose "Pepe" Diaz | Audrey M. Edmonson |
| Carlos A. Gimenez | Sally A. Heyman |
| Joe A. Martinez | Dennis C. Moss |
| 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 November, 2007. 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.

mye

Monica Rizo