



SENATOR JAVIER SOUTO
COMMISSIONER

The Honorable Charlie Crist
400 South Monroe Street
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Tallahassee, Florida 32399-0001

Board of County Commissioners
MIAMI-DADE COUNTY - FLORIDA

DISTRICT 10
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RCA
Agenda Item No. 1(D)1
November 7, 2008

October 31, 2008

Dear Governor Crist,

The Palmetto (S.R. 826) expansion project for the area between the Bird Road exit and the Miller Road exit has been in the Transportation Improvement Program for many years. The last time that Florida Department of Transportation briefed the members of the Metropolitan Planning Organization for Miami-Dade County or the Board of County Commissioner for Miami Dade County, or me as the elected local official for the Community of Westchester was almost two years ago, at which time it did not contain the current impacts on Bird Road, Tropical Park and the Community of Westchester.

However, after placing the project up for bids, FDOT received one bid which changed the scope of the original project to save the Department money by shifting the impact from the Palmetto Expressway itself as the original project did to Bird Road (SW 40 Street) by widening this local road to 8 lanes in front of Tropical Park in the Community of Westchester. The Florida Department of Transportation awarded a contract and scheduled the commencement date on November 3rd, and did not inform the community directly impacted by the project and had no intention of notifying the County Commissioner and sole municipal elected representative for the area, along with the Miami-Dade County Mayor, until I learned three weeks prior to the commencement of the actual construction, through County staff that the landscaped median and landscaped frontage of Tropical Park was being eliminated in order to widen Bird Road from 6 to 8 lanes, which was not part of the original plans. These significant changes to FDOT's previous plans had not been included in any previous plan brought before the Metropolitan Planning Organization for Miami Dade County or the Miami Dade County Commission and the State never bothered to reach out to the impacted community of Westchester or to my office to explain their intentions.

This is not the first time the Florida Department of Transportation has moved forward with projects in Westchester, without briefing the elected County Commissioner or making sure that the project was explained to the impacted residential and business community. When FDOT completed the Palmetto widening at the Tamiami exit, it spent \$1.2 million in public funds to construct two massive towers with bowls on top that are visible from the Palmetto in Unincorporated Miami Dade County at the North entrance to the Community of Westchester. The towers, which are out of scale with the single family one story homes in Westchester, where these towers were built, say: "Welcome - City of Miami," when in fact the entire area West of the Palmetto is Unincorporated Miami Dade County. Although these two massive structures are in my district, no one bothered to contact my office or seek input from the adjacent residential community. However, my office has had to field angry calls from tax payers ever since these monument to government waste were placed in my district.

Bird Road is a roadway already severely impacted by the FDOT widening of Bird Road from four to six lanes between the Palmetto and the Turnpike during the mid-1990s, which wiped out almost all green space and tree canopy leaving a barren corridor of asphalt and concrete with no mitigation for these impacts on Westchester. Despite a decade of my requesting on behalf of the community that FDOT and the State mitigate for their impact on Westchester to accommodate Countywide traffic flow through our community, little has been done. Lacking State support to improve Bird Road, I earmarked \$50,000 in County funds for a Charrette for the Bird Road Corridor impacted by the FDOT expansion between the Palmetto Expressway and the Florida Turnpike and asked all the significant business interests, property owners, residents and stake holders to participate in an exercise to help improve the most important corridor in Westchester and study how to repair the damage done by the State. The Miami Dade Planning Department and the Bird Road Charrette Task Force have held meetings for almost a year. There have been day long and weekend long workshops with the residents and the general public to take advantage of full public participation in creating a vision and a blue print for the Bird Road corridor. Now the Florida Department of Transportation, is trying once again to push through another project with total disregard to the impacted community of Westchester and all the time and money invested by Miami-Dade County and the members of the Bird Road Charrette Task Force in order to try to find a solution to the Department's previous impacts on the community.

As the County Commissioner for the impacted community, if I had not brought an emergency legislative item to the October 23rd meeting of the Metropolitan Planning Organization to put the brakes on the Bird Road segment, all the vegetation would have been removed and the project would have already commenced on Bird Road on November 3rd, with total disregard for the Community.

There is a serious safety issue that has not been addressed by FDOT with the proposed widening of Bird Road into a major 8 lane highway in front of Tropical Park, between the Palmetto and SW 82 Avenue. Currently it takes over 40 seconds on a brisk walk to cross the existing 6 lanes of road in front of Tropical Park and probably over a minute for the elderly, the disabled and for a mother pushing a baby stroller. I know, because I have timed the crossing. If the width of Bird Road is expanded to 8 lanes, it will be wider than most highways in the State of Florida and create a safety situation for pedestrian crossings at Bird Road. If the Florida Department of Transportation proceeds with this widening, they need to provide a pedestrian bridge for crossing an eight lane highway between Tropical Park, a regional facility with stadiums, equestrian centers and activities that routinely draw crowds in excess of 50,000 people to the commercial shopping centers on the north side of Tropical Park, which are often used as overflow parking and where a lot of the residential parks users reside. A study has to be conducted to determine how long the traffic lights have to be held in red from East to West in order to permit safe pedestrian crossings for the elderly and disabled on an eight lane highway without creating a pedestrian killing zone in front of this Regional Park, and whether this increase in delay in the length of red light would negate any significant improvement on traffic congestion by adding two additional lanes to a local road or if the actual reduction in the time for traffic movements may not be justified in light of the impact on the Community of Westchester and the impact on the safety for the residents of this community.

A study has to be completed by the Miami-Dade County Parks Department to determine the impact of this road widening project on Tropical Park, on the Cultural Center that will front Bird Road that was just approved by 105,000 voters in Miami Dade County, and on the safe egress and ingress to Tropical Park by the park users and the children who use the park and will be using the Cultural Center and after school programs.

I respectfully request your intervention in placing this project on hold until all these issues can be properly addressed with the impacted community and the issues that I have raised can be resolved. It

would be disastrous to Westchester and Tropical Park and poor public policy to force this project through without a thorough analysis of all the issues and ample public involvement in the process. As you know, I served in the House of Representatives and the Florida Senate through 1992. In those days the Florida Department of Transportation had a reputation as an agency for little regard for the Legislature, for local government or the communities that they impacted with their massive projects. I sincerely hope we have moved beyond those dark days of this agency.

I am very concerned about the lives of individuals who will try to access our most important Regional Park coming on foot or on bicycles or wheelchairs from the north side of the street. I believe we will be getting ourselves into a very serious legal situation if this proposed project is completed the way FDOT is planning.

Sincerely,



Senator Javier D. Souto
County Commissioner District 10

cc: Senator Alex J. Villalobos
Senator Alex Diaz de la Portilla
Senator Rudy Garcia
Senator Larcenia Bullard
Senator Frederica S. Wilson
Senator Gwen Margolis
Senator Nan Rich
Speaker Marco Rubio
Representative Juan Carlos Planas
Representative Juan C. Zapata
Representative Anitere Flores
Representative David Rivera
Representative Carlos Lopez-Cantera
Representative Julio Robaina
Representative Marcelo Llorente
Representative Rene Garcia
Representative Eduardo Gonzalez
Representative Dan Gelber
Representative Yolly Roberson
Representative Dorothy Bendross-Mindingall
Representative Ronald Brise
Representative Wilbert T. Holloway
Representative Edward Bullard
Representative Luis R. Garcia
Representative Ron Saunders
Florida Transportation Secretary Stephanie Kopelousos



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Gus Pego, P.E.
District Six Secretary
Florida Department of Transportation
1000 NW 111th Avenue
Miami, Florida 33172

October 31 2008

Dear Secretary Pego,

As you have learned from my discussion at the Miami Dade County Metropolitan Planning Organization (MPO) meeting of October 23, 2008, I am very concerned with the impact of the reconstruction of Bird Road (SW 40th Street) between the Palmetto Expressway and SW 82 Avenue in front of our regional park, Tropical Park.

When the Palmetto (S.R. 826) expansion project for the area between the Bird Road exit and the Miller Road exit came before the MPO for approval over the years, it did not contain the current impacts on Bird Road, Tropical Park and the Community of Westchester. The last time that Florida Department of Transportation briefed me on the project, which was almost two years ago, the impact to Bird Road was minimal and was immediately adjacent to the Palmetto Expressway itself.

Contrary to what your staff put on the record of the MPO, your Department first met with my staff on September 29th, followed by two meetings on October 16th and October 21, all these meetings occurring after FDOT had issued a contract for construction of the Bird Road on and off ramp, which had significant impacts on Bird Road and Tropical Park, which was scheduled to commence construction on November 3, 2008 or only a handful of weeks from these initial meetings. These significant changes to FDOT's previous plans had not been included in any previous plan brought before the MPO or Miami Dade County. The State never bothered to reach out to me or my community to share with us their intentions. If my Senior Assistant Bernardo Escobar had not heard about the project from our own County staff and requested a meeting with FDOT, we probably would never have learned about FDOT's changes to the original plans until the project was under construction or completed. This is not the first time FDOT has moved forward with projects in my district, without briefing me or making sure that my community was alright with the project. As you recall, when FDOT completed the Palmetto widening at the Tamiami exit, it constructed two massive towers with bowls on top that are visible from the Palmetto inside my district in Unincorporated Miami Dade County. The towers, which are out of scale with the single family one story homes in Westchester, where these towers were built, say: "Welcome - City of Miami," when in fact the entire area West of the Palmetto is Unincorporated Miami Dade County and the North entrance to the Community of Westchester. As a matter of fact, East of the Palmetto is only half City of Miami, since the southern half of Tamiami Trail continues to be Unincorporated Miami Dade County as well. If FDOT were to have constructed these towers or the latest project impacting Bird Road in the Cities of Miami, Miami Beach, Hialeah, Coral Gables, Homestead, Fort Lauderdale, etc., I am sure that you would have briefed City staff and asked for their comments on these projects, yet you impact my Community of Westchester, which is Unincorporated and you don't bother to reach out to me or my residents which continue

to ask me "Senator Souto, what are those two ugly towers on 8 Street and why would the County waste so much money on those things." In fact, I am told be a very reliable source that they cost \$1.2 million and they were built by the State without input from the elected official of the impacted community or input from the residents who live in the community where they were installed.

As you know, in my absence, Bernardo met with your Staff and the project Engineer for the first time on October 16th and later met with you on October 21st. The first and only meeting with the Community to discuss these changes was held on October 22, which was held in another Commission District. A direct mailer was sent to residents residing East of the Palmetto and a mile South of Bird Road. However, the residents in my district who reside in the immediate area of the project between Bird Road and Miller Road and between Tropical Park and SW 97th Avenue, did not receive an invitation to the meeting. We could have also held the meeting in Tropical Park itself, since it is a regional public facility and is immediately adjacent to the impacted area.

Bernardo expressed concerns about the widening of the road and the impact on Westchester and also the impact on the aesthetics, tree canopy and landscaping of Bird Road, a roadway already severely impacted by the FDOT widening of Bird Road from four to six lanes between the Palmetto and the Turnpike during the mid-1990s, which wiped out almost all green space and tree canopy leaving a barren corridor of asphalt and concrete with no mitigation for these impacts on Westchester. Bernardo was told that there was no budget in this over \$200 million project for the Bird Road exit of the Palmetto for landscape or aesthetics, even though the project was changed to widen Bird Road unlike previous plans as a cost savings measure to save \$60 million. Once again there is no money to mitigate the impact of an FDOT project on Westchester, yet there is money to build two columns that the residents of Westchester never asked for on SW 8th Street for \$1.2 million and there is money for landscape and aesthetics along I-95, for fancy sidewalks, street lights and landscaping on SW 8th Street and on Biscayne Boulevard as well. Despite almost a decade of my asking FDOT and the State to mitigate for their impact on Westchester to accommodate Countywide traffic flow through our community, little has been done. This is why last year I funded a Charrette for the Bird Road Corridor between the Palmetto Expressway and the Florida Turnpike and asked all the significant business interest, residents and stake holders to participate in an exercise to help improve the most important corridor in Westchester and repair the damage done by the State. The Miami Dade Planning Department and the Bird Road Task Force have held meetings for almost a year. There have been day long and weekend long workshops with the residents and the general public to take advantage of full public participation in creating a vision and a blue print for the Bird Road corridor. Now here comes FDOT, once more pushing this project through without regards to all the time and money invested to try to find a solution to the State previous impacts. Once again, if I did not put the brakes on the Bird Road segment at the MPO meeting, the all the vegetation would have been removed and the project would have already commenced on Bird Road on November 3rd. Even after we had expressed our objections, the Department proceeded to root prune the trees on October 16th on the same day that your staff and the project engineer was meeting with my Office.

Putting aside the project's aesthetic and environmental impact on Bird Road, there is a serious safety issue that has not been addressed by FDOT with the proposed widening of Bird Road into a major 8 lane highway in front of Tropical Park, between the Palmetto and SW 82 Avenue. Currently it takes over 40 seconds on a brisk walk to cross the existing 6 lanes of road in front of Tropical Park and probably over a minute for the elderly, the disabled and for a mother pushing a baby stroller. If the width of Bird Road is expanded to 8 lanes, it will be wider than most highways in the State of Florida and create a safety situation for pedestrian crossings at Bird Road. I would like to know how long the traffic lights have to be held in red from East to West in order to permit safe pedestrian crossings for the elderly and disabled on an 8 lane highway? I would also like to know

how this increase in delay in the length of red light compares to any alleviation of the current traffic on Bird Road, because if you widen Bird Road to 8 lanes to accommodate more traffic capacity creating a pedestrian killing zone in front of a Regional Park, but then have to increase the length of the red light to permit safe crossings, then the actual reduction in the time for traffic movements may not be justified in light of the expense and impact on the Community of Westchester and the impact on the safety for the residents of this community. I am going to request that our Public Works Department Engineers examine whether FDOT needs to provide a pedestrian bridge for crossings if this dangerous project is to move forward as well. Remember, human beings and safety come first and traffic alleviation comes second.

Westchester is the bell weather community for Miami Dade County elections and even State-wide elections. History holds that how Westchester goes, so goes Miami Dade County on a Countywide issue or candidate or State wide issue or candidate. The West Dade Regional Library is the heaviest early voting site in the County on most if not all elections. It is a very important middle class conservative community in South Florida, which should not be ignored by FDOT. I am certain it is very important to the four State Representatives and the Senator that represent it, as well as to Governor Crist. We ask that we be treated with the same respect and dignity that you treat other important communities in this State.

Sincerely,



Senator Javier D. Souto
County Commissioner District 10

cc: Senator Alex J. Villalobos
Senator Alex Diaz de la Portilla
Senator Rudy Garcia
Senator Larcenia Bullard
Senator Frederica S. Wilson
Senator Gwen Margolis
Senator Nan Rich
Speaker Marco Rubio
Representative Juan Carlos Planas
Representative Juan C. Zapata
Representative Anitere Flores
Representative David Rivera
Representative Carlos Lopez-Cantera
Representative Julio Robaina
Representative Marcelo Llorente
Representative Rene Garcia
Representative Eduardo Gonzalez
Representative Dan Gelber
Representative Yolly Roberson
Representative Dorothy Bendross-Mindingall
Representative Ronald Brise
Representative Wilbert T. Holloway
Representative Edward Bullard
Representative Luis R. Garcia
Representative Ron Saunders
Florida Transportation Secretary Stephanie Kopelousos