

# MEMORANDUM

Agenda Item No. 11(A)(22)

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**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** October 6, 2009

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

**SUBJECT:** Resolution urging the Florida  
Legislature, Governor Charlie  
Crist and the FDOT to  
reallocate revenue generated  
from the 95 Express project  
in Miami-Dade County towards  
implementing the FDOT  
District Six work program

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Carlos A. Gimenez.



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R. A. Cuevas, Jr.  
County Attorney

RAC/up



# MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

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Please note any items checked.

- "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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(22)  
10-6-09

RESOLUTION NO. \_\_\_\_\_

RESOLUTION URGING THE FLORIDA LEGISLATURE, GOVERNOR CHARLIE CRIST AND THE FLORIDA DEPARTMENT OF TRANSPORTATION TO REALLOCATE REVENUE GENERATED FROM THE 95 EXPRESS PROJECT IN MIAMI-DADE COUNTY TO DISTRICT SIX TO BE USED TOWARD IMPLEMENTING THE FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT SIX WORK PROGRAM IN MIAMI-DADE COUNTY

**WHEREAS**, “95 Express” is the Florida Department of Transportation (“FDOT”) District Six’s congestion management program for I-95 in Miami-Dade County; and

**WHEREAS**, 95 Express northbound lanes are currently open along a seven mile stretch running generally from Downtown Miami to the Golden Glades Interchange; and

**WHEREAS**, 95 Express southbound lanes are scheduled to open in the coming months; and

**WHEREAS**, it is reported that the 95 Express northbound lanes serviced approximately 624,000 vehicle trips in May 2009; and

**WHEREAS**, it is also reported that tolls on the northbound express lanes bring in approximately \$400,000 a month; and

**WHEREAS**, it is estimated that the total revenue from the express lanes since December 5, 2008 to the end of May 2009 was approximately \$2.34 million; and

**WHEREAS**, the 95 Express program’s revenue pays for capital costs and the operations and maintenance of the express lanes; and

**WHEREAS**, any revenue collected beyond those used for capital costs and operations and maintenance of the 95 Express lanes in Miami-Dade County should remain in Miami-Dade County towards implementing the FDOT District Six work program; and

**WHEREAS**, such revenues should be in addition to the FDOT allocation for District Six and not supplant such funds,

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

Section 1. Urges the Florida Legislature, Governor Charlie Crist and the Florida Department of Transportation to reallocate revenue collected beyond capital costs and the cost of operations and maintenance of the 95 Express in Miami-Dade County to FDOT District Six to be used, in addition to any District Six allocation, towards implementing the FDOT District Six work program in Miami-Dade County.

Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to Governor Charlie Crist, Senate President, House Speaker, the Chair and Members of the Miami-Dade State Legislative Delegation, and the District Six Secretary for FDOT.

Section 3. Directs the County's state lobbyists to advocate for the issue identified in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2010 state legislative package.

The Prime Sponsor of the foregoing resolution is Commissioner Carlos A. Gimenez. It was 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:

Dennis C. Moss, Chairman

Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro

Carlos A. Gimenez

Barbara J. Jordan

Dorin D. Rolle

Katy Sorenson

Sen. Javier D. Souto

Audrey M. Edmonson

Sally A. Heyman

Joe A. Martinez

Natacha Seijas

Rebeca Sosa


The Chairperson thereupon declared the resolution duly passed and adopted this 6<sup>th</sup> day of October, 2009. 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.



Martin W. Sybblis