MEMORANDUM

Agenda Item No. 11(A)(25)

TO:	Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners	**DATE:**	January 21, 2010
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution urging the Florida Legislature to pass the "Shaye Patrick Martin Safety Act", HB 475 or similar legislation providing for transitional speed limits before and after school zones during specified times and vehicle speed cameras to detect speeders in school zones

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

MEMORANDUM

(Revised)

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

DATE: January 21, 2010

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

SUBJECT: Agenda Item No. 11(A)(25)

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)(25)
1-21-10

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS THE "SHAYE PATRICK MARTIN SAFETY ACT", HB 475 OR SIMILAR LEGISLATION PROVIDING FOR TRANSITIONAL SPEED LIMITS BEFORE AND AFTER SCHOOL ZONES DURING SPECIFIED TIMES AND VEHICLE SPEED CAMERAS TO DETECT SPEEDERS IN SCHOOL ZONES

WHEREAS, in May, 2006, eight year old Shaye Patrick Martin was hit and killed by a speeding driver as he walked to Eugenia B. Thomas Elementary School in Doral; and

WHEREAS, the accident that killed Shaye Patrick Martin occurred approximately 10 feet before the posted school zone began; and

WHEREAS, Miami Lakes Middle School's Project Citizen Class was approached by Shaye's father Sean Martin regarding the problem of speeding cars on the approach to posted school zones; and

WHEREAS, Project Citizen conducted surveys of drivers and police officers and concluded that imposing transitional speed limits before and after existing school speed zones would improve safety, possibly avoid future accidents; and

WHEREAS, Representative Eduardo "Eddy" Gonzalez (R – Hialeah Gardens) has filed HB 475, the "Shaye Patrick Martin Safety Act", for consideration by the Florida Legislature during the 2010 regular session; and

WHEREAS, HB 475 provides for transitional speed zones for a distance of 50 yards before and after existing school zones that are five miles per hour higher than the slower posted speed limit in the school zone during specified times; and

WHEREAS, HB 475 also requires each school speed zone to be equipped with vehicle speed cameras to record images of the driver and license plate of any motor vehicle exceeding a speed limit within a school zone; and

WHEREAS, the Miami-Dade County Public Schools and the Town of Miami Lakes have both included support for the "Shaye Patrick Martin Safety Act" in their state legislative packages for the 2010 session; and

WHEREAS, the Miami-Dade Board of County Commissioners would like to join the Miami-Dade County Public Schools and the Town of Miami Lakes in supporting passage of the "Shaye Patrick Martin Safety Act",

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

Section 1. Supports passage of the "Shaye Patrick Martin Safety Act" by the Florida Legislature.

Section 2. Urges the Florida Legislature to pass HB 475 or similar legislation providing for transitional speed limits before and after school zones during specified times and vehicle speed cameras to detect speeders in school zones.

Section 3. Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade State Legislative Delegation.

Section 4. Directs the County's state lobbyists to advocate for the issues identified in Sections 1 and 2 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 Rebeca Sosa. 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	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of January, 2010. 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. JMM

Jess M. McCarty