

**MEMORANDUM**

**HPSI**

**Agenda Item No. 2(A)**

---

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

**DATE:** September 16, 2010

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

**SUBJECT:** Resolution directing the Mayor or Designee to study the feasibility of negotiating with municipalities in Miami-Dade County to create a single, uniform countywide program for red light cameras with revenues generated in municipalities to be provided to such municipalities

---

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

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/jls



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners      **DATE:** October 5, 2010

**FROM:** R. A. Cuevas, Jr. County Attorney       **SUBJECT:** Agenda Item No.

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.  
10-5-10

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

RESOLUTION DIRECTING THE MAYOR OR DESIGNEE TO STUDY THE FEASIBILITY OF NEGOTIATING WITH MUNICIPALITIES IN MIAMI-DADE COUNTY TO CREATE A SINGLE, UNIFORM COUNTYWIDE PROGRAM FOR RED LIGHT CAMERAS WITH REVENUES GENERATED IN MUNICIPALITIES TO BE PROVIDED TO SUCH MUNICIPALITIES

**WHEREAS**, during the 2010 state legislative session, the Florida Legislature passed two bills that authorized the use of cameras for red light enforcement under specified circumstances, HB 325, also known as the Mark Wandall Traffic Safety Act, and HB 5501; and

**WHEREAS**, on July 8, 2010, this Board adopted Resolution No. 759-10, which implemented the Mark Wandall Traffic Safety Act, authorized the installation of red light cameras at high crash, high volume intersections in Miami-Dade County and directed the Mayor or Designee to initiate a red light camera program in Miami-Dade County; and

**WHEREAS**, HB 325 and HB 5501 authorize counties to install red light cameras at traffic signals on county roads, authorize municipalities to install cameras at signals on municipal roads and authorize the Florida Department of Highway Safety & Motor Vehicles to install cameras at signals on state roads; and

**WHEREAS**, HB 325 and HB 5501 also authorize counties to install red light cameras within the unincorporated areas of counties and authorize municipalities to install or authorize the installation of red light cameras within the incorporated area of municipalities; and

3

**WHEREAS**, for county roads located within municipalities, HB 325 and HB 5501 provide that a county may authorize installation of red light cameras by interlocal agreement; and

**WHEREAS**, without a uniform countywide program, there could be 37 different red light camera programs in Miami-Dade County, with the state, county and the 35 municipalities all having their own red light camera programs; and

**WHEREAS**, 37 different red light camera programs in Miami-Dade County likely would lead to confusion among motorists; and

**WHEREAS**, a single, uniform countywide program for red light cameras with revenues generated in municipalities to be provided to such municipalities would best serve the interest of public safety related to red light cameras,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board directs the Mayor or Designee to:

**Section 1.** Study the feasibility of negotiating with the municipalities in Miami-Dade County to enter into interlocal agreements to create a single, uniform countywide program for red light cameras with revenues generated in municipalities to be provided to such municipalities.

**Section 2.** Provide a report within 90 days of the effective date of this resolution on the feasibility of such negotiations with municipalities, including recommendations on how to handle state and county roads through municipalities, as well as state and county roads that form the boundary between two municipalities or that form the boundary between a municipality and an unincorporated area.

The Prime Sponsor of the foregoing resolution is Commissioner Bruno A. Barreiro. 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 5<sup>th</sup> day of October, 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. 

Jess M. McCarty