MEMORANDUM Agenda Item No. 11(A)(39)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: September 1, 2011

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

SUBJECT: Resolution urging the Governor, the Florida Legislature and the Florida Department of Transportation to revisit and reconsider the planned construction of bicycle lanes along S.W. 57 Avenue/Red Road between S.W. 8 Street and S.W. 40 Street

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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/cp

MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

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County Attorney

SUBJECT: Agenda Item No. 11(A)(39)

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**

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Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(39)
9-1-11

RESOLUTION NO. _____

RESOLUTION URGING THE GOVERNOR, THE FLORIDA LEGISLATURE AND THE FLORIDA DEPARTMENT OF TRANSPORTATION TO REVISIT AND RECONSIDER THE PLANNED CONSTRUCTION OF BICYCLE LANES ALONG S.W. 57 AVENUE/RED ROAD BETWEEN S.W. 8 STREET AND S.W. 40 STREET

WHEREAS, the Florida Department of Transportation (FDOT) State Transportation Improvement Program includes several road resurfacing and road improvement projects for S.W. 57 Avenue/Red Road, including:

1. S.W. 57 Avenue/Red Road from State Road 972/S.W. 24 Street and State Road 90/S.W. 8 Street, Project No. 4227231;

2. S.W. 57 Avenue/Red Road from State Road 976/ S.W. 40 Street and State Road 972/S.W. 24 Street, Project No. 4227232; and

WHEREAS, these projects include repaving S.W. 57 Avenue/Red Road, constructing sidewalks and installing drainage, lighting, new traffic signals, curbs and gutters; and

WHEREAS, these projects also include adding bicycle lanes on both sides of S.W. 57 Avenue/Red Road, but only along certain segments of the road; and

WHEREAS, bicycle lanes will only be constructed where state-owned property is available for such bicycle lanes, and as such there will not be continuous bicycle lanes along S.W. 57 Avenue/Red Road; and

WHEREAS, the lack of continuous bicycle lanes along S.W. 57 Avenue/Red Road presents significant life safety concerns as cyclists would be required to merge into and out of vehicular traffic where the bicycle lanes begin and end; and

WHEREAS, residents and business-owners whose properties are adjacent to S.W. 57 Avenue/Red Road have voiced concerns at public meetings pertaining to the potential safety of cyclists if these non-continuous bicycle lanes routes are developed; and

WHEREAS, S.W. 57 Avenue/Red Road also serves as the western border of the planned City of Coral Gables; and

WHEREAS, in 1989, the Florida Legislature, pursuant Chapter 89-383, Laws of Florida, designated S.W. 57 Avenue/Red Road as a state historic highway and prohibited the use of public funds to alter the dimensions or location of S.W. 57 Avenue/Red Road, the median strip thereof, the land adjacent thereto or any part of the original composition of the Coral Gables entranceway, including the towers, walls and lampposts; and

WHEREAS, in 2006. the Florida Legislature amended Chapter 89-383 to allow alterations, modifications or improvements to S.W. 57 Avenue/Red Road and the adjacent right-of-way for the purpose of enhancing life safety for vehicular or pedestrian use so long as the number of traffic lanes was not altered, Chapter 2007-196, Laws of Florida; and

WHEREAS, the planned bicycle lanes will cut directly through this state historic road and, in addition to presenting life safety concerns, may alter the historic nature of S.W. 57 Avenue/Red Road,

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

Section 1. Urges the Governor, the Florida Legislature and the Florida Department of Transportation to revisit and reconsider the planned construction of bicycle lanes currently slated for development along S.W. 57 Avenue/Red Road between S.W. 8 Street and S.W. 40 Street

with a particular eye toward life safety concerns related to non-continuous, segmented bicycle paths.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Florida Senate President, Florida House Speaker, the Chair and Members of the Miami-Dade State Legislative Delegation and the Secretary of the Florida Department of Transportation.

Section 3. Directs the County's state lobbyists to advocate for the action set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2011 and 2012 State Legislative Packages.

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:

Joe A. Martinez, Chairman
Audrey M. Edmonson, Vice Chairwoman

Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of September, 2011. 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