

MEMORANDUM

Agenda Item No. 11(A)(17)

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

DATE: September 4, 2012

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

SUBJECT: Resolution urging the Florida Department of Transportation to work cooperatively with local governments when installing bicycle lanes on state roads; urging the Florida Legislature to amend applicable statutes to require such cooperation and provide greater flexibility to the Florida Department of Transportation related to bicycle lanes

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



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(Revised)

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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

Agenda Item No.11(A)(17)

Veto _____

9-4-12

Override _____

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA DEPARTMENT OF TRANSPORTATION TO WORK COOPERATIVELY WITH LOCAL GOVERNMENTS WHEN INSTALLING BICYCLE LANES ON STATE ROADS; URGING THE FLORIDA LEGISLATURE TO AMEND APPLICABLE STATUTES TO REQUIRE SUCH COOPERATION AND PROVIDE GREATER FLEXIBILITY TO THE FLORIDA DEPARTMENT OF TRANSPORTATION RELATED TO BICYCLE LANES

WHEREAS, bicycles not only provide a good source of fitness and recreation, but also can serve as a viable means of transportation that saves money, does not use nonrenewable fuel and does not pollute the environment; and

WHEREAS, in 2001, the Miami-Dade Metropolitan Planning Organization prepared a Bicycle Facilities Plan for 2025 to meet the needs of the increasing number of people in Miami-Dade who use bicycles; and

WHEREAS, as the cost of gasoline rises, the number of people using bicycles and other alternative means of transportation is expected to continue to increase; and

WHEREAS, section 335.065, Florida Statutes, provides that bicycles lanes shall be given full consideration in the planning and development of state roads by the Florida Department of Transportation (FDOT); and

WHEREAS, when FDOT undertakes a resurfacing project on a state road, FDOT generally installs bicycle lanes along the state road if there is room to accommodate such bicycle lanes; and

WHEREAS, in installing bicycle lanes as part of a resurfacing project, however, FDOT may not adequately consider whether a state road is suitable for bicycle lanes, because of a high speed limit on the road, for example, or whether there are better nearby alternatives for bicycle lanes; and

WHEREAS, FDOT has installed, or is in the process of planning or installing bicycle lanes along a number of state roads in Miami-Dade County that may not be particularly suitable for bicycle lanes, such as:

1. S.W. 57 Avenue/Red Road between S.W. 8 Street and S.W. 40 Street, where the bicycle lanes can only be constructed along certain segments of the road and there are many storefront businesses with parking that requires vehicles to back out onto Red Road;
2. S.W. 8 Street/Tamiami Trail between S.W. 152 Avenue and S.W. 177 Avenue, where vehicles travel at a high rate of speed, with a speed limit between 45 and 55 mph;
3. Alton Road in the City of Miami Beach, where there is curbside parking, limited space and considerable traffic; and
4. The MacArthur Causeway, where the speed limit is 50 mph; and

WHEREAS, in some cases, such bicycle lanes are not used very much because of the dangers associated with them; and

WHEREAS, simply constructing bicycle lanes along state roads that are being resurfaced without sufficient consideration for safety or use, is not the most effective use of public funds; and

WHEREAS, FDOT should take a more creative approach to the installation of bicycle lanes by considering, for example, alternate routes for bicycle lanes that run parallel to state roads as well as protected bicycle lanes that have barriers between vehicle traffic and bicycle lanes; and

WHEREAS, FDOT also should take a more comprehensive approach to the installation of bicycle lanes and work cooperatively with local governments related to bicycle lanes, with the goal of creating a viable and safe network of bicycle lanes for transportation throughout Miami-Dade County,

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

Section 1. Urges the Florida Department of Transportation to work cooperatively with local governments related to bicycle lanes on state roads.

Section 2. Urges the Florida Legislature to amend applicable statutes to require such cooperation and provide greater flexibility to the Florida Department of Transportation related to the installation of bicycle lanes.

Section 3. 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 4. Directs the County's state lobbyists to advocate for the passage of the legislation and action set forth in Sections 1 and 2 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2013 State Legislative Package when it is presented to the Board.

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

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of September, 2012. 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