

# MEMORANDUM

LUDC  
Agenda Item No. 2(B)

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**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** January 14, 2014

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

**SUBJECT:** Resolution setting policy for  
Miami-Dade County; supporting  
the City of Miami Parklet Pilot  
Program, supporting parklet  
programs that other  
municipalities may develop and  
supporting the development of a  
parklet program for the  
unincorporated area of Miami-  
Dade County

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Juan C. Zapata and Co-Sponsor Vice Chair Lynda Bell.



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R. A. Cuevas, Jr.  
County Attorney

RAC/smm



# MEMORANDUM

(Revised)

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** February 4, 2014

**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 Mayor'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.  
2-4-14

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

RESOLUTION SETTING POLICY FOR MIAMI-DADE COUNTY; SUPPORTING THE CITY OF MIAMI PARKLET PILOT PROGRAM, SUPPORTING PARKLET PROGRAMS THAT OTHER MUNICIPALITIES MAY DEVELOP AND SUPPORTING THE DEVELOPMENT OF A PARKLET PROGRAM FOR THE UNINCORPORATED AREA OF MIAMI-DADE COUNTY; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CREATE AND IMPLEMENT A PROGRAM TO CONSIDER PARKLETS IN MUNICIPALITIES, AND IDENTIFY APPROPRIATE LOCATIONS, AND FACILITATE THE CREATION OF, PARKLETS IN THE UNINCORPORATED AREA OF MIAMI-DADE COUNTY

**WHEREAS**, a parklet is a small public space which functions as an economical and creative solution to extend sidewalks into the area of parking spaces to be used by the general public for amenities or green space; and

**WHEREAS**, cities such as San Francisco, Philadelphia, Oakland and Los Angeles have successfully implemented parklet programs; and

**WHEREAS**, on May 23, 2013, the Miami City Commission adopted Resolution No 13-00559, authorizing the City Manager, with the assistance of the City of Miami Department of Public Works and the Department of Off-Street Parking, to initiate, administer, and evaluate a Parklet Pilot Program within the City of Miami for a one (1) year period to install parklets throughout the City of Miami; and

**WHEREAS**, the City of Miami Parklet Pilot Program is intended to maximize benefits for the economic well-being of the general public; and

**WHEREAS**, this Board supports the promotion and creation of environmentally friendly uses of public space, as is occurring in other cities and metropolitan areas throughout the country; and

**WHEREAS**, this Board would like to direct the County Mayor or County Mayor's designee to create and implement a County Parklet Program,

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

**Section 1.** The foregoing recitals are hereby incorporated into this resolution and the Board finds that the residents of Miami-Dade County could benefit from the creation of a County Parklet Program.

**Section 2.** It is the policy of this Board to support the City of Miami Parklet Pilot Program, as well as parklet programs that other municipalities may develop and a parklet program for the unincorporated area of Miami-Dade County.

**Section 3.** This Board directs the County Mayor or County Mayor's designee to create and implement a County Parklet Program to:

- a. Identify appropriate locations and facilitate the creation of parklets in the unincorporated area of Miami-Dade County; and
- b. Consider parklets pursuant to the City of Miami Parklet Pilot Program, including but not limited to parklet permit applications already received by the City of Miami and transmitted to the County for approval, as well as other parklet programs that may be developed by other municipalities within Miami-Dade County.

Such a County Parklet Program shall address all issues relevant to the creation, approval and implementation of such parklets, including, but not limited to, addressing safety,

indemnification, and liability issues, and in doing so, this Board directs the County Mayor or County Mayor's designee to consult with counterparts in local governments elsewhere in the United States that have successfully implemented parklet programs.

**Section 4.** This Board further directs the County Mayor or County Mayor's designee to provide a report to the Board for committee review on the implementation of the County Parklet Program as set forth in Section 3 above within 60 days of the adoption of this resolution, and to provide an additional report to the Board for committee review every committee cycle thereafter until such County Parklet Program is fully implemented.

The Prime Sponsor of the foregoing resolution is Commissioner Juan C. Zapata and the Co-Sponsor is Vice Chair Lynda Bell. 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:

Rebeca Sosa, Chairwoman

Lynda Bell, Vice Chair

Bruno A. Barreiro

Jose "Pepe" Diaz

Sally A. Heyman

Jean Monestime

Sen. Javier D. Souto

Juan C. Zapata

Esteban L. Bovo, Jr.

Audrey M. Edmonson

Barbara J. Jordan

Dennis C. Moss

Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 4<sup>th</sup> day of February, 2014. 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.

MP

Matthew Papkin