

# MEMORANDUM

Agenda Item No. 11(A)(10)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** March 3, 2015

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

**SUBJECT:** Resolution directing the County Mayor to, identify funding sources for and begin implementation of a plan to construct a physical barrier separating bicycle and pedestrian traffic from vehicular traffic along the Rickenbacker Causeway, if funding sources appropriated in Fiscal Year 2014-15 County budget are identified as available; further directing the County Mayor to submit a progress report to this Board

**This item was amended at the February 11, 2015 Metropolitan Services Committee to remove the fourth "whereas" clause on the first page of the resolution concerning construction on the Rickenbacker Causeway and extend the time period in which the Mayor or Mayor's designee must begin implementation of the plan to as soon as feasible, following the identification of funding sources.**

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Xavier L. Suarez.

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

RAC/Imp



**MEMORANDUM**  
(Revised)

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County Attorney

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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 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. 11(A)(10)  
3-3-15

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

RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO, WITHIN 45 DAYS OF THE EFFECTIVE DATE OF THIS RESOLUTION, IDENTIFY FUNDING SOURCES FOR, AND THEREAFTER BEGIN IMPLEMENTATION AS SOON AS FEASIBLE OF, A PLAN TO CONSTRUCT A PHYSICAL BARRIER SEPARATING BICYCLE AND PEDESTRIAN TRAFFIC FROM VEHICULAR TRAFFIC ALONG THE RICKENBACKER CAUSEWAY, IF FUNDING SOURCES APPROPRIATED IN FISCAL YEAR 2014-15 COUNTY BUDGET ARE IDENTIFIED AS AVAILABLE TO FUND EXPENDITURES ANTICIPATED TO BE INCURRED IN FISCAL YEAR 2014-15 TO IMPLEMENT SUCH PLAN; FURTHER DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO SUBMIT A PROGRESS REPORT TO THIS BOARD AND TO CONSIDER AN INCREASE IN TOLLS ON THE RICKENBACKER CAUSEWAY AS A POTENTIAL FUNDING SOURCE FOR IMPLEMENTATION OF THE PLAN

**WHEREAS**, this Board is committed to enhancing the quality of life of Miami-Dade County residents and visitors through the promotion of healthy activities such as bicycling, jogging and walking; and

**WHEREAS**, the Rickenbacker Causeway is one of the most scenic and well-established routes in Miami-Dade County, attracting motorists, bicyclists and pedestrians; and

**WHEREAS**, the Rickenbacker Causeway has a history of tragic accidents involving collisions between motor vehicles and bicyclists; and

~~[[**WHEREAS**, recent construction on the Rickenbacker Causeway has constricted traffic and forced vehicles to drive in even closer proximity to bicyclists and pedestrians; and]]<sup>1</sup>~~

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<sup>1</sup> Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed are deleted, words underscored and/or >> double arrowed<< are added.

**WHEREAS**, on March 4, 2014, this Board adopted Resolution No. R-236-14, directing the Mayor to prepare a report outlining the feasibility of implementing safety measures for bicyclists and pedestrians along the Rickenbacker Causeway, among other locations; and

**WHEREAS**, on November 5, 2014, this Board adopted Resolution No. R-995-14, directing the Mayor to develop a plan for implementation of a "Complete Streets" program to provide safe access to transportation corridors, roadways and public rights-of-way for many types of travelers in the County, including bicyclists and pedestrians; and

**WHEREAS**, given the demonstrated safety concerns, it is imperative that this Board and this County implement prudent safety measures without delay; and

**WHEREAS**, this Board desires to ensure that the safest possible environment is provided to bicyclists and pedestrians using the Rickenbacker Causeway while still ensuring orderly traffic flow and necessary construction,

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

**Section 1.** Directs the County Mayor or Mayor's designee to, within 45 days of the effective date of this resolution, identify funding sources for >>and thereafter begin implementation as soon as feasible of,<< ~~[[and begin implementation of]]~~ a plan to construct a physical barrier separating bicycle and pedestrian traffic from vehicular traffic along the Rickenbacker Causeway, if funding sources appropriated in the Fiscal Year 2014-15 County budget are identified as available to fund expenditures anticipated to be incurred in this fiscal year to implement the plan.

**Section 2.** Further directs the County Mayor or Mayor's designee to submit a progress report to this Board within 30 days of the effective date of this resolution and to place

the completed report on an agenda of the Board pursuant to Ordinance No. 14-65. The report shall, at a minimum, describe the recommended plan to construct a physical barrier separating bicycle and pedestrian traffic from vehicular traffic along the Rickenbacker Causeway and detail the anticipated cost to fully implement the plan, a schedule for completion of all improvements, and the funding sources identified by the County Mayor or the Mayor's designee to fund implementation of the plan, including revenues appropriated in the County's fiscal year 2014-15 budget that are available to fund expenditures anticipated to be incurred in this fiscal year to implement the plan. The County Mayor or the Mayor's designee shall consider an increase in tolls on the Rickenbacker Causeway as a potential funding source for implementation of the plan.

The Prime Sponsor of the foregoing resolution is Commissioner Xavier L. Suarez. 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:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 3<sup>rd</sup> day of March, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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