

MEMORANDUM

Agenda Item No. 11(A)(1)

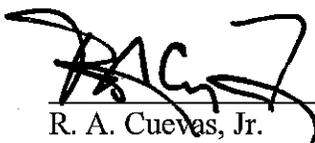
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: September 1, 2015

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

SUBJECT: Resolution requiring that work affecting arterial County roadways be performed during non-peak rush hour traffic periods; providing exceptions to requirement; and encouraging other government agencies and municipalities in Miami-Dade County to adopt similar measures to address traffic congestion

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chairman Esteban L. Bovo, Jr.



R. A. Cuevas, Jr.
County Attorney

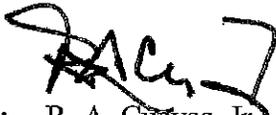
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MEMORANDUM
(Revised)

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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 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)(1)
9-1-15

RESOLUTION NO. _____

RESOLUTION REQUIRING THAT WORK AFFECTING ARTERIAL COUNTY ROADWAYS BE PERFORMED DURING NON-PEAK RUSH HOUR TRAFFIC PERIODS; PROVIDING EXCEPTIONS TO REQUIREMENT; AND ENCOURAGING OTHER GOVERNMENT AGENCIES AND MUNICIPALITIES IN MIAMI-DADE COUNTY TO ADOPT SIMILAR MEASURES TO ADDRESS TRAFFIC CONGESTION

WHEREAS, Miami-Dade County consistently ranks in the top 10 in traffic congestion in the United States; and

WHEREAS, according to a national traffic study Miami-Dade's congestion level last year was 27 percent, meaning the average trip takes about 27 percent longer than it would if there were no traffic; and

WHEREAS, traffic congestion is even worse during peak rush hour periods; and

WHEREAS, traffic congestion has a negative impact on the quality of life for Miami-Dade County residents and visitors; and

WHEREAS, this Board wishes to ease traffic congestion on County arterial roadways especially during peak rush hours,

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

Section 1. For the purpose of easing traffic congestion and subject to the exceptions set forth in Section 2 below, this Board directs that work affecting County arterial roadways, as defined in Section 33E-5 of the Code of Miami-Dade County, Florida, shall not be performed during the peak rush hour traffic periods between 7 A.M. and 9 A.M. and between 4 P.M. and 7 P.M. For the purposes of this resolution, work affecting County arterial roadways shall mean:

(a) any construction or maintenance related work on the actual County arterial roadways including, but not limited to, repair, demolition, milling, surfacing or excavation work; or (b) any County maintenance work such as landscaping or construction activities at or near County arterial roadways or rights-of-way that will require the use and occupation of arterial roadways to perform the work. Subject to the exceptions set forth in Section 2 below, the Board directs that the County or County Mayor's designee include provisions that reflect the requirements of this resolution in all contracts involving work affecting County arterial roadways entered into after the effective date of this resolution.

Section 2. The requirements of this resolution shall not apply to any projects which were advertised for competition or under contract as of the effective date of this resolution. The requirements of this resolution shall not apply to work relating to Miami-Dade County's sanitary sewer system required under the Consent Decree, Case: No. 1:12-cv-24400-FAM. The requirements of this resolution shall not apply to arterial roadway work that the County Engineer deems to be emergency work or otherwise necessary work to address dangerous and unsafe conditions, or with respect to work which is necessary to restore an arterial roadway to service by traffic.

Section 3. The Board encourages other federal, state and local government agencies performing road work within the boundaries of Miami-Dade County to adopt requirements similar to those in this resolution to ease traffic congestion and directs the Clerk of the Board to transmit a certified copy of this resolution to the United States Department of Transportation, the Florida Department of Transportation, the Miami-Dade Expressway Authority and to the Mayor, Manager or other Chief Administrative Officer of each of the cities and municipalities within Miami-Dade County.

The Prime Sponsor of the foregoing resolution is Vice Chairman Esteban L. Bovo, Jr. 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 1st day of September, 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.



Eduardo W. Gonzalez