

# MEMORANDUM

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Agenda Item No. 2C

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

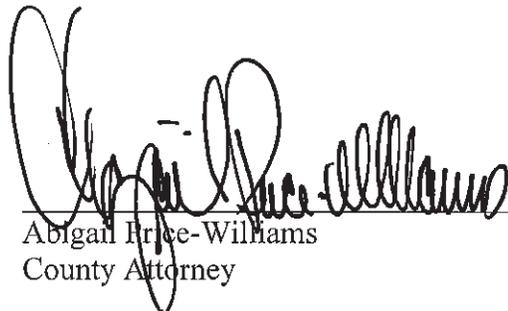
**DATE:** April 13, 2016

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution directing the  
County Mayor to present a  
recommendation to the Board  
of County Commissioners as  
to whether the Board should  
authorize a municipality to  
close any road under its  
jurisdiction; and requiring any  
recommendation to include a  
traffic study and a memorandum  
explaining the basis for the  
recommendation

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.



Abigail Price-Williams  
County Attorney

APW/smm

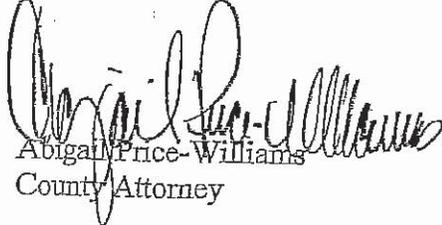


# MEMORANDUM

(Revised)

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

DATE: May 17, 2016

FROM:   
Abigail Price-Williams  
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
- Statement of social equity 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

Agenda Item No.

Veto \_\_\_\_\_

Override \_\_\_\_\_

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

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PRESENT A RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS AS TO WHETHER THE BOARD SHOULD AUTHORIZE A MUNICIPALITY TO CLOSE ANY ROAD UNDER ITS JURISDICTION; AND REQUIRING ANY RECOMMENDATION TO INCLUDE A TRAFFIC STUDY AND A MEMORANDUM EXPLAINING THE BASIS FOR THE RECOMMENDATION

**WHEREAS**, Article XIII, Section 2-95-1 of the Code of Miami-Dade County, Florida vests the appropriate County department, in accordance with policies developed by this Board, to maintain, implement and enforce a master plan for the control and regulation of traffic in both unincorporated and incorporated Miami-Dade County; and

**WHEREAS**, the development and use of municipal roads are part of this comprehensive master plan regulating traffic flow; and

**WHEREAS**, the County department is tasked with jurisdiction over "all matters of traffic engineering within the territorial areas of Miami-Dade County, subject only to the jurisdiction of the state road department in respect to state highways"; and

**WHEREAS**, this jurisdiction over traffic engineering and traffic flow countywide includes the County's ability to review and approve or disapprove a municipality's plan to close a road under that municipality's jurisdiction; and

**WHEREAS**, the current successor department to the "Traffic and Transportation Department" that exercises such jurisdiction pursuant to the Code is the Department of Transportation and Public Works ("Department"); and

**WHEREAS**, the Department is authorized, consistent with Board policy, to review a planned road closure under the jurisdiction of a municipality and issue an approval or rejection of such planned closure; and

**WHEREAS**, this Board wishes, as a matter of policy, to take a more active role in examining the effect of these proposed road closures and therefore adopts a policy by which the recommendation of the Department or successor department is brought to this Board for review and approval before being issued to the municipality seeking to close such a road; and

**WHEREAS**, this Board further adopts a policy that such recommendation must include a traffic study as well as a memorandum prepared by staff, with expertise in the area, as to the traffic impact of such proposed closure,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board directs the County Mayor or County Mayor's designee to present a recommendation to the Board of County Commissioners as to whether the Board should authorize a municipality to close any road under its jurisdiction and requiring any recommendation to include a traffic study and memorandum explaining the basis for the recommendation.

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:

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 17<sup>th</sup> day of May, 2016. 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.



Alex S. Bokor