MEMORANDUM

Agenda Item No. 5(F)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	**DATE:**	May 17, 2016
FROM:	Abigail Price-Williams County Attorney	**SUBJECT:**	Resolution authorizing the construction of intersection improvements on Old Cutler Road at S.W. 184 Street

The accompanying resolution was prepared by the Transportation and Public Works Department and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava.

Abigail Price-Williams
County Attorney

APW/lmp

Memorandum

MIAMI-DADE COUNTY

Date: May 17, 2016

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

From: Carlos A. Gimenez
Mayor

Subject: Resolution Authorizing Construction of Intersection Improvements on Old Cutler Road at SW 184 Street

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RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the attached Resolution authorizing the construction of intersection improvements on Old Cutler Road at SW 184 Street. The proposed improvements will not detract from the historical features of the road and, in an effort to assure safe travel, will enhance traffic operations for area residents and other users at the intersection.

SCOPE

The property is located in Commissioner Daniella Levine Cava's District 8.

FISCAL IMPACT

Palmer Trinity School will proffer the design and construction to complete the required improvements and Miami-Dade County (County) will not be responsible for any costs in connection with same. Therefore, there is no fiscal impact associated with this authorization.

TRACK RECORD/MONITOR

The project will be assigned to Ricardo Gavilan, Project Manager of the Department of Transportation and Public Works' (DTPW) Traffic and Engineering Division, who will oversee the review of design approvals. Bassam Moubayed, CFM, Chief of the Construction Division, will monitor the construction phase of this improvement for DTPW.

BACKGROUND

Section 9-2 of the Miami-Dade County Code (Code) prohibits the widening or expansion of Old Cutler Road from its presently paved right-of-way provided that the Board can permit the limited expansion of Old Cutler Road and its intersections for the purpose of assuring safe travel. Prior to the Board authorizing same, the Code provides that a public hearing must occur with reasonable notice by publication. The Village of Palmetto Bay (Village) has conducted several zoning public hearings regarding the proposed expansion of Palmer Trinity Private School. Based upon recommendations from Palmer Trinity's traffic engineer, and the Village's traffic consultant, as well as comments from area residents, the Village incorporated into its zoning resolutions several conditions requiring roadway improvements to enhance traffic safety.

On August 29, 2012 by Resolution No. 2012-64 and again on September 22, 2014 by Resolution Number 2014-67, the Village, after public hearing, approved the expansion of Palmer Trinity and included as a condition the following traffic mitigation:

"The applicant shall be responsible for implementing the following mitigation initiatives, as delineated in the David Plummer & Associates Report (Applicant's traffic expert), dated April 22, 2010:

a) *Old Cutler Road/ SW 184 Street – Add a Southbound right turn lane; signal phasing adjustments"*

Additionally, DTPW (formerly the Public Works and Waste Management Department) required Palmer Trinity School to comply with the traffic mitigation improvements stated in Village Resolution No. 2012-64 as per a conditional traffic approval provided to the school on June 5, 2014.

In light of the forgoing, and for the purpose of ensuring save travel, it is in the best interest of the County to authorize the proposed intersection improvements to Old Cutler Road.

Alina T. Hudak
Deputy Mayor

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. 5(F)

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
Veto _____
Override _____

Agenda Item No. 5(F)
5-17-16

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE CONSTRUCTION OF INTERSECTION IMPROVEMENTS ON OLD CUTLER ROAD AT SW 184 STREET

WHEREAS, Section 9-2 of the Code of Miami-Dade County prohibits the widening or expansion of Old Cutler Road from its presently paved right-of-way except for the purpose of assuring safe travel; and

WHEREAS, Section 9-2 of the Code permits the Board of County Commissioners to permit the limited expansion of intersections on said Old Cutler Road for purposes of assuring safe travel on Old Cutler Road, after public hearing, with reasonable notice by newspaper publication; and

WHEREAS, safe travel along Old Cutler Road will require the construction of a southbound right turn lane at the intersection of Old Cutler Road with SW 184 Street; and

WHEREAS, the Board of County Commissioners has conducted a public hearing as required by Section 9-2 of the Code, and desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

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

Section 1. The foregoing recitals are incorporated herein and are approved.

Section 2. This Board finds that the expansion of Old Cutler Road as set forth in the accompanying memorandum, is necessary in an effort to assure safe travel along Old Cutler Road.

The foregoing resolution 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 17th 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.

Debra Herman