

MEMORANDUM

Agenda Item No. 14(A)(3)

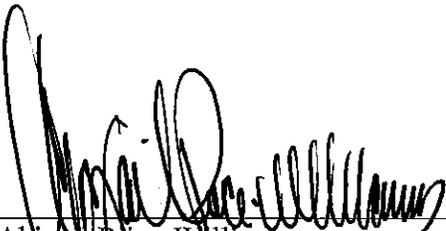
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 15, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution authorizing the County Mayor to suspend tolls for the Venetian Causeway imposed pursuant to Implementing Order 4-56 during construction to the extent the suspension of tolls can be accomplished within the approved Fiscal Year 2016-17 budget without a reduction in services, provided that tolls are reinstated during any temporary reopening and upon conclusion of construction

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.



Abigail Price-Williams
County Attorney

APW/cp



MEMORANDUM
(Revised)

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and Members, Board of County Commissioners

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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
- 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. 14(A)(3)
11-15-16

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO SUSPEND TOLLS FOR THE VENETIAN CAUSEWAY IMPOSED PURSUANT TO IMPLEMENTING ORDER 4-56 DURING CONSTRUCTION TO THE EXTENT THE SUSPENSION OF TOLLS CAN BE ACCOMPLISHED WITHIN THE APPROVED FISCAL YEAR 2016-17 BUDGET WITHOUT A REDUCTION IN SERVICES, PROVIDED THAT TOLLS ARE REINSTATED DURING ANY TEMPORARY REOPENING AND UPON CONCLUSION OF CONSTRUCTION

WHEREAS, this Board, through the adoption of Implementing Order 4-56 has established tolls for travel on the Venetian Causeway, which tolls are collected on Biscayne Island, the westernmost of the Venetian Islands; and

WHEREAS, Implementing Order 4-56 designates the Director of the Miami-Dade County Parks, Recreation and Open Spaces Department (the "PROS Director") as the person responsible for the collection of tolls on and operation of the Venetian Causeway; and

WHEREAS, although this Board has delegated to the PROS Director the authority to collect tolls on and otherwise operate the Venetian Causeway, Implementing Order 4-56 does not authorize the PROS Director to suspend the collection of tolls on the Venetian Causeway, even during periods of major construction that prevent travel along the Venetian Causeway from endpoint to endpoint; and

WHEREAS, major construction has been scheduled on the Venetian Causeway, during which time the east drawbridge, which is located between Rivo Alto Island and Belle Isle, will remain in an "open" position, making it impossible to travel along the Venetian Causeway from endpoint to endpoint (the "Construction Period"); and

WHEREAS, County staff anticipates that construction will last between approximately November 14, 2016, and December 29, 2016; and

WHEREAS, during this time, vehicles entering the causeway from its entrance on Northeast 15th Street in the City of Miami will be unable to travel through the causeway to Dade Boulevard in the City of Miami Beach, and vice versa; and

WHEREAS, in anticipation of legislation authorizing the suspension of tolls on the Venetian Causeway during the Construction Period, County staff has evaluated the fiscal impact associated with temporarily suspending tolls during the Construction Period and determined that the fiscal impact would be minimal, such that the approved budget for Fiscal Year 2016-17 could absorb the fiscal impact without a reduction of services; and

WHEREAS, as a result of the diminished usability of the Venetian Causeway, this Board desires to direct the County Mayor or Designee to suspend the collection of tolls along the Venetian Causeway during the Construction Period to the extent that such suspension of the collection of tolls can be accomplished within the approved Fiscal Year 2016-17 budget without a reduction of services, provided that the County Mayor or Designee:

- (i) reinstates the collection of tolls during any temporary periods during which the Venetian Causeway is fully open for travel, such as the planned temporary reopening for Art Basel from November 30, 2016, through December 4, 2016; and
- (ii) reinstates tolls upon the conclusion of construction activities preventing travel from endpoint to endpoint of the Venetian Causeway,

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 as true and correct.

Section 2. The County Mayor or Designee is authorized to suspend the collection of tolls along the Venetian Causeway imposed pursuant to Implementing Order 4-56 during the Construction Period to the extent that such suspension of the collection of tolls can be accomplished within the approved Fiscal Year 2016-17 budget without the reduction of services, and provided that (i) tolls are reinstated during any temporary reopening permitting the use of the Venetian Causeway from endpoint to endpoint and (ii) upon conclusion of the Construction Period.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. 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 15th day of November, 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.

MAG

Miguel A. Gonzalez