

# MEMORANDUM

Substitute  
Agenda Item No. 11(A)(9)

**TO:** Honorable Acting Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** December 15, 2020

**FROM:** Geri Bonzon-Keenan  
Successor County Attorney

**SUBJECT:** Resolution directing the County Mayor to coordinate with the Miami-Dade Transportation Planning Organization, in consultation with the Federal Transit Administration and the Florida Department of Transportation, to examine the feasibility of (1) implementing elevated bridges at the intersections along the South Dade Transitway in lieu of signal preemption in order to provide uninterrupted traffic flow within and outside the South Dade Transitway, and (2) adding managed lanes to the South Dade Transitway, while maintaining the dedicated bus lanes, in order to use the proceeds from the managed lanes to fund the future conversion of Bus Rapid Transit to at-grade Metrorail, and to provide status reports

**The substitute differs from the original item in that it replaces all references to toll lanes with the term managed lanes, defines the term managed lanes, directs the County Mayor or County Mayor's designee to coordinate with the Transportation Planning Organization to conduct the feasibility study contemplated by section 1 of the resolution, requires periodic status reports until the feasibility study is complete, and makes conforming changes to the title.**

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



\_\_\_\_\_  
Geri Bonzon-Keenan  
Successor County Attorney


GBK/smm



**MEMORANDUM**  
(Revised)

**TO:** Honorable Acting Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

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Gen Bonzon-Keenan  
Successor 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
- 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 present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Substitute  
Agenda Item No. 11(A)(9)  
12-15-20

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

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO COORDINATE WITH THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION, IN CONSULTATION WITH THE FEDERAL TRANSIT ADMINISTRATION AND THE FLORIDA DEPARTMENT OF TRANSPORTATION, TO EXAMINE THE FEASIBILITY OF (1) IMPLEMENTING ELEVATED BRIDGES AT THE INTERSECTIONS ALONG THE SOUTH DADE TRANSITWAY IN LIEU OF SIGNAL PREEMPTION IN ORDER TO PROVIDE UNINTERRUPTED TRAFFIC FLOW WITHIN AND OUTSIDE THE SOUTH DADE TRANSITWAY, AND (2) ADDING MANAGED LANES TO THE SOUTH DADE TRANSITWAY, WHILE MAINTAINING THE DEDICATED BUS LANES, IN ORDER TO USE THE PROCEEDS FROM THE MANAGED LANES TO FUND THE FUTURE CONVERSION OF BUS RAPID TRANSIT TO AT-GRADE METRORAIL, AND TO PROVIDE STATUS REPORTS

**WHEREAS**, on August 30, 2018, the Miami-Dade Transportation Planning Organization (“TPO”) adopted Resolution #31-18, which selected Bus Rapid Transit (“BRT”) as the locally preferred alternative for the South Dade Transitway Corridor of the Strategic Miami Area Rapid Transit (“SMART”) Plan and further directed the TPO Executive Director to take any and all necessary steps and actions in order to accomplish the conversion of the South Dade Transitway from BRT to at-grade Metrorail upon reaching an average weekday ridership of 35,000 daily trips on the South Dade Transitway; and

**WHEREAS**, on February 10, 2020, the Federal Transit Administration (“FTA”) released its Annual Report on Funding Recommendations, wherein the South Corridor BRT Small Starts project received a rating of “High”; and

**WHEREAS**, on May 29, 2020, the United States Department of Transportation announced that the South Corridor BRT Small Starts project was selected to receive \$99,999,999.00 for a construction grant agreement with the FTA; and

**WHEREAS**, on August 31, 2020, this Board approved Resolution No. R-831-20 retroactively authorizing the County Mayor or County Mayor’s designee to apply for the FTA grant agreement for the South Corridor BRT Small Starts project in order to receive the \$99,999,999.00 in grant funding; and

**WHEREAS**, on August 31, 2020, this Board also adopted Resolution No. R-878-20, directing the County Mayor or County Mayor’s designee to prepare a report explaining the measures that have been taken to ensure the convertibility of the South Dade Transitway Corridor BRT system to at-grade Metrorail; and

**WHEREAS**, on September 3, 2020, this Board adopted Resolution No. R-890-20, approving the award of a design-build services agreement for Contract No. CIP155-DTPW19-DB, Project No. DB19-DTPW-01 entitled “Design-Build Services for the South Corridor (South Dade Transitway) Rapid Transit Project,” to OHL USA, Inc., in the total contract amount of \$368,233,493.42, the scope of which includes implementing signal preemption and crossing gates at 45 intersections along the South Dade Transitway Corridor; and

**WHEREAS**, the report required by Resolution No. R-878-20, stated that the requirements for the South Corridor BRT project were established to ensure that the final design provided by OHL USA does not preclude the future conversion of the stations from BRT to at-grade Metrorail; and

**WHEREAS**, while it is expected that the implementation of signal preemption along the South Dade Transitway will result in the improvement of travel time within the corridor, signal preemption may interrupt the regular signal operation at the intersections and may cause extra traffic delay to the general traffic lanes which already experience significant traffic congestion; and

**WHEREAS**, it is in the best interest of the County to explore alternative enhancements to the South Dade Transitway, such as elevated bridges at the intersections in lieu of signal preemption, which would provide the uninterrupted flow of traffic within and outside of the South Dade Transitway; and

**WHEREAS**, elevated bridges at the intersections along the South Dade Transitway may also make the future conversion of BRT to at-grade Metrorail more feasible; and

**WHEREAS**, the new County administration should also examine the feasibility of incorporating ~~[[toH]]~~<sup>1</sup> >>managed<< lanes within the South Dade Transitway; and

>>WHEREAS, managed lanes are type of highway lanes that are operated with a management strategy, such as lane use restrictions or variable tolling, to optimize traffic flow, vehicle throughput, or both; and<<

**WHEREAS**, ~~[[toH]]~~ >>managed<< lanes within the South Dade Transitway may also reduce the significant traffic congestion experienced in south Miami-Dade along and around the South Dade Transitway; and

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<sup>1</sup> The differences between the substitute and the original item are indicated as follows: Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted, words underscored and/or >>double arrowed<< are added.

**WHEREAS**, the ~~[[toll]]~~ >>managed<< lanes could also provide a dedicated funding source for, and increase the financial feasibility of, the future conversion of BRT to at-grade Metrorail,

**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 County Mayor's designee >>to coordinate with the TPO<<, in consultation with the FTA and the Florida Department of Transportation, to examine the feasibility of (1) implementing elevated bridges at the intersections along the South Dade Transitway in lieu of signal preemption in order to provide uninterrupted traffic flow within and outside of the South Dade Transitway, and (2) to the extent legally permissible, adding ~~[[toll]]~~ >>managed<< lanes to the South Dade Transitway, while maintaining the dedicated bus lanes, in order to use the proceeds from the ~~[[toll]]~~ >>managed<< lanes to fund the future conversion of BRT to at-grade Metrorail. The feasibility study should, at a minimum, include (1) the determination of the costs of implementing the elevated bridges and the ~~[[tolls]]~~ >>managed<< lanes, and the availability of federal and state funding for said projects; (2) whether it would be more feasible to elevate the South Dade Transitway at its cross intersections or instead to elevate the cross streets at the intersections with the South Dade Transitway; (3) the determination of what infrastructure would be needed in order to add ~~[[toll]]~~ >>managed<< lanes while maintaining the dedicated bus lanes, such as whether additional right-of-way is necessary and available in order to increase capacity; (4) the examination of what changes need to be made and the financial implications of same to the existing design-build contract for the South Corridor BRT project; and (5) the determination, in consultation with the County Attorney's Office, of whether the County

has the legal authority to implement the ~~[[toH]]~~ >>managed<< lanes, including whether state legislative authority is necessary. Additionally, any recommendations resulting from the feasibility study should not negatively impact the eligibility to receive and expend the \$99,999,999.00 in grant funding from the FTA for the South Corridor BRT Small Starts project, as well as any state grant funding for this project.

**Section 2.** Directs the County Mayor or County Mayor’s designee to ~~[[place a report regarding the actions referenced in section 1 above within 60 days of the effective date of this resolution on an agenda of the Board in accordance with Ordinance No. 14-65.]]~~ >>prepare and place on an agenda of the Board in accordance with Ordinance No. 14-65 status reports regarding the actions referenced in section 1 above every 45 days until such time that the feasibility study referenced in section 1 above is complete.<<

The Prime Sponsor of the foregoing resolution is Commissioner Raquel A. Regalado. 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:

Rebeca Sosa, Acting Chairwoman	
Jose “Pepe” Diaz	Sen. René García
Oliver G. Gilbert, III	Keon Hardemon
Sally A. Heyman	Danielle Cohen Higgins
Eileen Higgins	Joe A. Martinez
Kionne L. McGhee	Jean Monestime
Raquel A. Regalado	Sen. Javier D. Souto

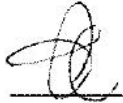
The Chairperson thereupon declared this resolution duly passed and adopted this 15<sup>th</sup> day of December, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon 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.



Annery Pulgar Alfonso  
Bruce Libhaber