

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(22)
09-04-07

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

RESOLUTION NO. R-1007-07

RESOLUTION COMMENDING THE GOVERNOR, MEMBERS OF THE FLORIDA LEGISLATURE, THE FLORIDA DEPARTMENT OF TRANSPORTATION, AND THE MIAMI-DADE EXPRESSWAY AUTHORITY FOR PROVIDING FOR THE INSTALLATION OF GUARDRAILS ALONG BODIES OF WATER AND IN ROADWAY MEDIANS IN MIAMI-DADE COUNTY, FLORIDA

WHEREAS, on April 20, 2001, the Board of County Commissioners adopted Resolution No. 380-01 sponsored by Commissioner Dorrin D. Rolle directing the County Manager to conduct a feasibility study for the placement of barriers along roadways adjacent to canals, lakes and other bodies of water owned and maintained by the County for the purposes of preventing vehicles from accidentally entering the water; and

WHEREAS, on July of 2001, former County Manager Steve Shiver, responded to Commissioner Rolle's resolution explaining that the Public Works Department had determined that there was over \$12 million in guardrails needed Countywide to safely protect our motorist from our vulnerable waterways and proposed a ten-year program with an annual funding allocation of \$864,000.00; and

WHEREAS, in 2001 following the "No Name Storm" that caused canals like the Tamiami Canal and the Snapper Creek Canal to overflow onto the streets, Sen. Javier D. Souto earmarked funding for installing guardrails to protect motorists traveling near the Snapper Creek Canal; and

WHEREAS, in 2004, Commissioner Souto designated guardrails as a top priority in Commission District 10 and began working with the Public Works Department earmarking District 10 QNIP and PTP funding totaling over \$800,000.00 to date to install guardrails to protect every road in Commission District 10 that abutted a canal, pond or lake and was vulnerable to an accidental motorist drowning; and

WHEREAS, on May 11, 2004, the Board of County Commissioners adopted Resolution No. 647-04 sponsored by Commissioner Dennis C. Moss urging the Florida Department of Transportation to place guardrails along state roads in Miami-Dade County abutting or adjacent to canals and other waterways and further directing the County Manager to determine the feasibility of placing guardrails and/or other protective devices along County roads abutting or adjacent to canals or other waterways; and

WHEREAS, on May 3, 2005, the Board of County Commissioners adopted Resolution No. 509-05 sponsored by the Public Works Department under Director Esther Calas to approve a contract award of \$1,000,000.00 through the People's Transportation Program as part of a program approved by the Board of County Commissioners to install guardrails throughout Miami-Dade County; and

WHEREAS, on December 6, 2005, the Board of County Commissioners adopted Resolution No. 1365-05 sponsored by Sen. Javier D. Souto and again on December 19, 2006, the Board of County Commissioners adopted Resolution No. 1453-06 urging the Florida Legislature, the Department of Transportation, Florida's Turnpike Authority, the South Florida Water Management District and other pertinent state departments to install guardrails on highways and roads running parallel to canals throughout the State of Florida, particularly along heavily traveled routes in Miami-Dade County to prevent accidental drownings and in medians on

expressways in most areas to prevent head on collisions and further directing our lobbying team to advocate for the passage of legislation to implement this as part of our legislative priorities; and

WHEREAS, on May 8, 2006, the Board of County Commissioners adopted Resolution No. 692-06 sponsored by the Public Works Department under Director Esther Calas to approve a contract award of \$906,000.00 through the People's Transportation Program as part of a program approved by the Board of County Commissioners to install guardrails throughout Miami-Dade County; and

WHEREAS, in the 2006 Session of the Florida Legislature , State Representative Yolly Robertson and State Senator Larcenia Bullard sponsored legislation which was adopted by the Florida House of Representatives and by the Florida Senate as HB 959, initiating a pilot program in Miami-Dade County to provide guardrails along canals and medians; and

WHEREAS, on June 22, 2006, Governor Jeb Bush vetoed this bill because it had become a train bill and other objectionable legislation had been attached to the bill, but committed to move forward with the intent of the guardrail legislation and install guardrails along bodies of waters and in medians on highways throughout South Florida; and

WHEREAS, the Florida Turnpike Authority has begun a project of installing guardrails and bollards with cable systems throughout the Florida Turnpike along the shoulders abutting canals to prevent motorists falling into these canals and in the medians to prevent head-on collisions; and

WHEREAS, the Florida Turnpike Authority has commenced the project of canal barriers from the southern most point in South Dade and they are moving north through the State; and

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WHEREAS, the Miami-Dade County Expressway Authority has also been installing guardrails throughout the system as part of their expansion projects,

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

Section 1. Commends Governor Charlie Crist, State Representative Yolly Robertson, State Senator Larcenia Bullard, the Florida Legislature, the Florida Department of Transportation, Florida's Turnpike Enterprise, and the Miami-Dade Expressway Authority for their commitment to install guardrails on highways and roads running parallel to canals and other waterways, particularly along heavily-traveled routes and in expressway medians to protect the motoring public from accidental drowning accidents and from head on collisions.

Section 2. Directs the Clerk of the Board to transmit copies of this resolution to the Governor, the Senate President, the House Speaker, the Chair and members of the Miami-Dade State Legislative Delegation, the Secretary of the Florida Department of Transportation, the executive director of Florida's Turnpike Enterprise, and the Miami-Dade Expressway Authority.

The foregoing resolution was sponsored by Sen. Javier D. Souto and offered by Commissioner Jose "Pepe" Diaz, who moved its adoption. The motion was seconded by Commissioner Joe A. Martinez and upon being put to a vote, the vote was as follows:

	Bruno A. Barreiro, Chairman	aye	
	Barbara J. Jordan, Vice-Chairwoman	aye	
Jose "Pepe" Diaz	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	absent
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of September, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **KAY SULLIVAN**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "T. Goldstein", written over a horizontal line.

Thomas Goldstein



MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: September 4, 2007

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

SUBJECT: Agenda Item No. 11(A)(22)

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

MEMORANDUM

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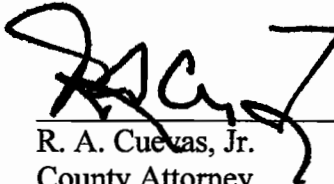
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: September 4, 2007

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

SUBJECT: Resolution relating to the
installation of guardrails along
bodies of water and in roadway
medians in Miami-Dade County

The accompanying resolution was prepared and placed on the agenda at the request of Senator Javier D. Souto.



R. A. Cuevas, Jr.
County Attorney

RAC/jls