

MEMORANDUM

Agenda Item No. 11(A)(22)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: October 6, 2009

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

SUBJECT: Resolution urging the Florida
Legislature, Governor Charlie
Crist and the FDOT to
reallocate revenue generated
from the 95 Express project
in Miami-Dade County towards
implementing the FDOT
District Six work program

Resolution No. R-1186-09

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



R. A. Cuevas, Jr.
County Attorney

RAC/up



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
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
- Ordinance creating a new board requires detailed County Manager'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. 11(A)(22)
10-6-09

RESOLUTION NO. R-1186-09

RESOLUTION URGING THE FLORIDA LEGISLATURE, GOVERNOR CHARLIE CRIST AND THE FLORIDA DEPARTMENT OF TRANSPORTATION TO REALLOCATE REVENUE GENERATED FROM THE 95 EXPRESS PROJECT IN MIAMI-DADE COUNTY TO DISTRICT SIX TO BE USED TOWARD IMPLEMENTING THE FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT SIX WORK PROGRAM IN MIAMI-DADE COUNTY

WHEREAS, “95 Express” is the Florida Department of Transportation (“FDOT”) District Six’s congestion management program for I-95 in Miami-Dade County; and

WHEREAS, 95 Express northbound lanes are currently open along a seven mile stretch running generally from Downtown Miami to the Golden Glades Interchange; and

WHEREAS, 95 Express southbound lanes are scheduled to open in the coming months; and

WHEREAS, it is reported that the 95 Express northbound lanes serviced approximately 624,000 vehicle trips in May 2009; and

WHEREAS, it is also reported that tolls on the northbound express lanes bring in approximately \$400,000 a month; and

WHEREAS, it is estimated that the total revenue from the express lanes since December 5, 2008 to the end of May 2009 was approximately \$2.34 million; and

WHEREAS, the 95 Express program’s revenue pays for capital costs and the operations and maintenance of the express lanes; and

WHEREAS, any revenue collected beyond those used for capital costs and operations and maintenance of the 95 Express lanes in Miami-Dade County should remain in Miami-Dade County towards implementing the FDOT District Six work program; and

WHEREAS, such revenues should be in addition to the FDOT allocation for District Six and not supplant such funds,

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

Section 1. Urges the Florida Legislature, Governor Charlie Crist and the Florida Department of Transportation to reallocate revenue collected beyond capital costs and the cost of operations and maintenance of the 95 Express in Miami-Dade County to FDOT District Six to be used, in addition to any District Six allocation, towards implementing the FDOT District Six work program in Miami-Dade County.

Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to Governor Charlie Crist, Senate President, House Speaker, the Chair and Members of the Miami-Dade State Legislative Delegation, and the District Six Secretary for FDOT.

Section 3. Directs the County's state lobbyists to advocate for the issue identified in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2010 state legislative package.

The Prime Sponsor of the foregoing resolution is Commissioner Carlos A. Gimenez. It was offered by Commissioner Jose "Pepe" Diaz, who moved its adoption. The motion was seconded by Commissioner Sally A. Heyman and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of October, 2009. 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: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "M.S.", written over a horizontal line.

Martin W. Syblis