



MEMORANDUM

Agenda Item No. 11(A)(5)

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

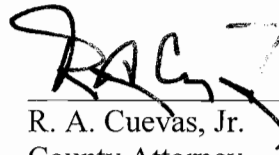
DATE: March 2, 2010

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

SUBJECT: Resolution directing the County Mayor or Mayor's designee to conduct an analysis of the current expenditure of toll revenue generated at the Rickenbacker Causeway

Resolution No. R-255-10

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Carlos A. Gimenez and Co-Sponsors Vice-Chairman Jose "Pepe" Diaz, Commissioner Sally A. Heyman, Commissioner Rebeca Sosa and Senator Javier D. Souto.



R. A. Cuevas, Jr.
County Attorney

RAC/cp



MEMORANDUM

(Revised)

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

DATE: March 2, 2010

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

SUBJECT: Agenda Item No. 11(A) (5)

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

Agenda Item No. 11(A)(5)

Veto _____

3-2-10

Override _____

RESOLUTION NO. R-255-10

RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO CONDUCT AN ANALYSIS OF THE CURRENT EXPENDITURE OF TOLL REVENUE GENERATED AT THE RICKENBACKER CAUSEWAY AND TO DEVELOP A WORK PLAN WITHIN 90 DAYS ALLOCATING 25 CENTS OF EVERY TOLL COLLECTED TO PROJECTS PROMOTING PEDESTRIAN AND BICYCLIST SAFETY ALONG THE RICKENBACKER CAUSEWAY TO BE SUBMITTED TO THE BOARD FOR ITS APPROVAL

WHEREAS, the Rickenbacker Causeway is a nationally recognized scenic roadway connecting the city of Miami, Florida, to the barrier islands of Virginia Key and Key Biscayne across Biscayne Bay; and

WHEREAS, the Rickenbacker Causeway is heavily used by automobile, pedestrian, and bicycle traffic; and

WHEREAS, the Board wishes to promote safe walking, jogging, and bicycling along County roadways, including the Rickenbacker Causeway; and

WHEREAS, state law requires that tolls collected at the Rickenbacker Causeway first be used to pay the annual cost of the operation, maintenance, and improvement of the toll project, with any remaining revenue being used for the construction, maintenance, or improvement of County roadways; and

WHEREAS, the tolls collected at the Rickenbacker Causeway are currently used for the operation and maintenance of the toll operation, for debt service related to capital improvements on the Causeway, and for the improvement and maintenance of the Causeway, in accordance with state law; and

WHEREAS, directing the use of 25 cents of every toll collected to projects along the Rickenbacker Causeway to enhance pedestrian and bicyclist safety is in accordance with state law; and

WHEREAS, in order to implement such use of the toll revenue, it is necessary to analyze the current allocation of the toll revenue, and to devise a work plan to be submitted to the Board for its approval, for the application of the toll revenue to such construction, maintenance, and improvements, both now and on an annual basis in the future,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the County Mayor or his designee is hereby directed to conduct an analysis of the expenditure of toll revenue generated at the Rickenbacker Causeway and, within 90 days, to report a work plan to the Board for its approval, which allocates 25 cents of every toll collected at the Rickenbacker Causeway Toll Plaza to projects promoting pedestrian and bicyclist safety along the Rickenbacker Causeway. The Board further directs that the Mayor or his designee shall annually provide a work plan to the Board for its approval setting forth the specific expenditures to be made in accordance with this Resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Carlos A. Gimenez, and the Co-Sponsors are Vice-Chairman Jose "Pepe" Diaz, Commissioner Sally A. Heyman, Commissioner Rebeca Sosa and Senator Javier D. Souto. 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	absent	Audrey M. Edmonson	aye
Carlos A. Gimenez	absent	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairman thereupon declared the resolution duly passed and adopted this 2nd day of March, 2010. 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.

Debra Herman

5