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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(37)

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

DATE: October 6, 2015

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

SUBJECT: Resolution directing the Mayor to prepare a plan for the use of golf carts on County roads between State Road 836 to the north, West Flagler Street to the south, SW 87th Avenue to the east and SW 107th Avenue to the west

Resolution No. R-908-15

This item was amended at the 8-26-15 Transit & Mobility Services Committee to require a report from the County Mayor within 180 days, expanding the prior deadline of 120 days.

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

R. A. Cuevas, Jr.
County Attorney

RAC/smm

MEMORANDUM

(Revised)

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

DATE: October 6, 2015

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

SUBJECT: Agenda Item No. 11(A)(37)

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 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. 11(A)(37)
10-6-15

RESOLUTION NO. R-908-15

RESOLUTION DIRECTING THE MAYOR OR DESIGNEE TO PREPARE A PLAN FOR THE USE OF GOLF CARTS ON COUNTY ROADS BETWEEN STATE ROAD 836 TO THE NORTH, WEST FLAGLER STREET TO THE SOUTH, SW 87TH AVENUE TO THE EAST AND SW 107TH AVENUE TO THE WEST, AND DIRECTING THE MAYOR OR DESIGNEE TO REPORT TO THE BOARD

WHEREAS, there is a growing public interest in using golf carts and other similar four-wheeled vehicles to make short trips for shopping, social, and recreational purposes; and

WHEREAS, according to the National Highway Traffic Safety Administration, these passenger-carrying vehicles, although low-speed, offer a variety of advantages, including comparatively low cost, quieter transportation, and energy efficiency; and

WHEREAS, in addition to meeting the transportation needs of local communities, these vehicles also help these communities meet some of their environmental goals, because many of these vehicles are battery-powered, and thus emission free; and

WHEREAS, to the extent emission-free vehicles replace conventional vehicles powered by internal combustion engines, they help state and local officials in meeting ambient air quality standards under the Clean Air Act; and

WHEREAS, section 316.212 of the Florida Statutes authorizes Florida counties and municipalities to designate certain roads for use by golf carts; and

WHEREAS, in Miami-Dade County, several municipalities have adopted ordinances authorizing the use of golf carts on municipal roads; and

WHEREAS, pursuant to section 316.212 of the Florida Statutes, the County has jurisdiction to authorize the use of golf carts on County roads; and

WHEREAS, County residents residing within the area located between State Road 836 to the north, West Flagler Street to the south, SW 87th Avenue to the east and SW 107th Avenue to the west ("Fontainebleau Study Area") have requested that the County allow the use of golf carts on County roads within the Fontainebleau Study Area; and

WHEREAS, this Board would like to support and promote the safe use of low-cost, energy-efficient mobility on County roads,

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

Section 1. Directs the Mayor or designee to prepare a plan for allowing golf carts on County roads within the Fontainebleau Study Area. In devising this plan, the Mayor or designee shall consider the criteria in section 316.212 of the Florida Statutes, and shall consult with the Florida Department of Transportation.

Section 2. Directs the Mayor or designee to provide a report containing the plan identified in Section 1 to this Board within [[~~120~~]][1] >>180<< days and place the completed report on an agenda of the Board pursuant to Ordinance 14-65. This report and plan shall, at a minimum, list the County roads within the Fontainebleau Study Area which the Mayor or designee recommend be designated for golf cart use, and any other restrictions or conditions which the Mayor or designee recommend be placed upon such golf cart use on such County roads.

[1] Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed]] are deleted, words underscored and/or >>double arrowed<< are added.

The Prime Sponsor of the foregoing resolution is Senator Javier D. Souto. It was offered by Commissioner **Dennis C. Moss**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	**aye**		
Esteban L. Bovo, Jr., Vice Chairman	**aye**		
Bruno A. Barreiro	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**absent**	Barbara J. Jordan	**aye**
Dennis C. Moss	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**aye**
Juan C. Zapata	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of October, 2015. 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: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Jorge Martinez-Esteve