

## MEMORANDUM

Agenda Item No. 11(A)(3)

**TO:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

**DATE:** January 24, 2017

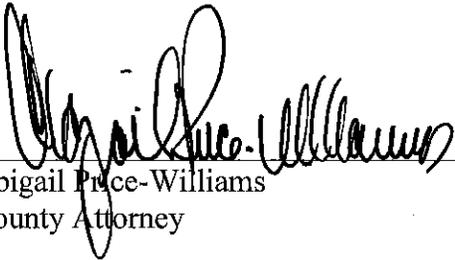
**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution directing the County Mayor to develop a plan to provide a reasonable public notice prior to removal of traffic control devices from County roads; and directing the County Mayor to provide a report and place the report on an agenda of this Board within 90 days of the effective date of this resolution

Resolution No. R-57-17

**This item was amended at the 12-14-16 Transit & Mobility Services Committee to change the time period for notice to 14 business days, and more detail was provided in the "Whereas" clauses regarding the Manual on Uniform Traffic Control Devices and authority under such manual.**

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava.

  
Abigail Price-Williams  
County Attorney

APW/smm



# MEMORANDUM

(Revised)

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**SUBJECT:** Agenda Item No. 11(A)(3)

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 \_\_\_\_, 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)(3)  
1-24-17

RESOLUTION NO. R-57-17

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO DEVELOP A PLAN TO PROVIDE A REASONABLE PUBLIC NOTICE PRIOR TO REMOVAL OF TRAFFIC CONTROL DEVICES FROM COUNTY ROADS; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE A REPORT AND PLACE THE REPORT ON AN AGENDA OF THIS BOARD WITHIN 90 DAYS OF THE EFFECTIVE DATE OF THIS RESOLUTION

**WHEREAS**, Miami-Dade County has planning-level responsibility for countywide traffic engineering which includes traffic control devices; and

>>WHEREAS, the Manual on Uniform Traffic Control Devices (MUTCD) is approved by the Federal Highway Administrator as the National Standard in accordance with Title 23 U.S. Code, Sections 109(d), 114(a), 217, 315, and 402(a), 23 CFR 655, and 49 CFR 1.48(b)(8), 1.48(b)(33), and 1.48(c)(2); and

WHEREAS, pursuant to Florida Statutes Section 316.0745, the Florida Department of Transportation has adopted the MUTCD as the uniform system of traffic control devices for use on the streets and highways of the State; and

WHEREAS, all official traffic control signals or official traffic control devices purchased and installed in this State by any public body or official shall conform with the manual and specifications published by FDOT; and<<<sup>1</sup>

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

**WHEREAS**, on County roads, in addition to the oversight role, the County also has installation, removal and maintenance responsibilities for traffic control devices including pedestrian crossing lanes, signs and signals; and

**WHEREAS**, there are times when, as a result of an analysis pursuant to MUTCD ~~[[and/or associated federal and state regulations]]~~, a traffic control device should be added or removed from a roadway; and

**WHEREAS**, many times, even in those cases where the removal of an existing traffic control device is warranted, drivers and pedestrians in the area have become accustomed to the existence of such a traffic control device; and

**WHEREAS**, providing reasonable public notice prior to a planned removal of such a traffic control device would allow the public, especially pedestrians impacted by the removal of a traffic control device, to plan alternate routes if necessary; and

**WHEREAS**, the type and amount of public notice need not be the same for every potential removal, but should be reasonable and sufficient to provide notice to the impacted parties, and should be no less than a minimum of 14 >>business<< days prior to the removal of any traffic control device unless a shorter period is necessitated by virtue of immediate public safety concerns; and

**WHEREAS**, the Department of Transportation and Public Works is positioned to analyze such removals, and to recommend the type and amount of public notice reasonably required in each circumstance,

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

**Section 1.** The foregoing recitals are adopted and incorporated herein.

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**Section 2.** This Board directs the County Mayor or County Mayor's designee to develop a plan to provide a reasonable public notice period prior to removal of traffic control devices from County roads, which period should be no less than a minimum of 14 >>business<< days prior to the removal of any traffic control device unless a shorter period is necessitated by virtue of immediate public safety concerns.

**Section 3.** This Board directs the County Mayor or County Mayor's designee to provide a report regarding this plan to the Board within 90 days of the effective date of this resolution and place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Daniella Levine Cava. It was offered by Commissioner **Daniella Levine Cava**, who moved its adoption. The motion was seconded by Commissioner **Barbara J. Jordan** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 24<sup>th</sup> day of January, 2017. 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.

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

Debra Herman  
Alex S. Bokor