



Miami-Dade Board of County Commissioners
Office of the Commission Auditor

**Transportation and Public
Works Committee (TPWC) Meeting**

February 15, 2018
9:30 A.M.
Commission Chambers

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Office of the Commission Auditor (OCA)
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Research Notes

Item No. 3A
File No. 180114

Researcher: SM Reviewer: TD

RESOLUTION GRANTING PETITION TO CLOSE A PORTION OF THE INTERSECTION OF NE 25 AVENUE AND NE 187 STREET (ROAD CLOSING PETITION NO. P-932)

ISSUE/REQUESTED ACTION

Whether the Board should approve this Resolution granting petition to close a portion of the Intersection of NE 25 Avenue and NE 187 Street.

APPLICABLE LEGISLATION/POLICY

Sections 336.09 of the Florida Statutes governs the closing and abandonment of roads and the authority to do so.

<https://www.flsenate.gov/Laws/Statutes/2011/336.09>

Sections 336.12 governs the closing and abandonment of roads; termination of easement; conveyance of fee.

<http://m.flsenate.gov/Statutes/336.12>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Sally A. Heyman, District 4
Requester/Department: Transportation and Public Works

This Item has no procedural history.

FISCAL IMPACT

Miami-Dade County Property appraiser's office has estimated that the value of the right-of-way would be approximately \$17,240, therefore if the right-of-way is closed and vacated, the land will be charged to pay taxes which would bring an estimated amount of \$308 per annum in additional property taxes. The fee for this road closing is \$3,684, as stated in the mayoral memo.

ANALYSIS

This Resolution, if approved by the Board will grant the petition to close a portion of the Intersection of NE 25 Avenue and NE 187 Street. Therefore if this Resolution receives approval, the portion of the right-of-way will be closed and the petitioner will relocate the sidewalk to the new right-of-way line. The current property owners wish to integrate this part of land into their properties.

This petition asks the Board of County Commissioners to vacate, abandon, discontinue and close the existing public street. The reason for this petition comes from the various property owners who reside adjoining the sidewalk, as stated in the mayoral memo, the sidewalk is built with an open space that lies between it and the property lines.

The adjoining property owners are West Aventura Developers, LLC and Florida Conference Association of Seventh-Day Adventists with respective addresses of 18651 NE 24 PL. Miami FL 33180 and 18701 NE 25 Ave, Miami FL 33180. The property owners will not be prevented from access to and from their property if this petition is granted. Per the agreement, the petitioner will relocate the sidewalk to the new right of way line in order to have the current sidewalk closed and vacated so it can be added to their adjoining properties.

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The improvement agreement states that the Miami-Dade County Department of Transportation and Public Works (TPWC) cannot recommend the closing of this road unless the current sidewalk is relocated in accordance with all applicable law and standards. The petitioner will be responsible all costs and expenses related to the relocation of the current sidewalk in addition to make sure that it complies with the County standards and all applicable laws. Within 60 days of approval the current sidewalk must be removed and the construction of the new one must occur.

Per the agreement, the County has the right to complete the construction of the new sidewalk if the petitioner fails or chooses not to make the improvements within the 60 days, or if they cannot make the proper arrangements to do so i.e. unable to pay etc. The County will have the right to recover all the costs from the improvements and place a lien on the petitioner's properties. As previously stated the removal of the existing sidewalk and the construction of the new sidewalk must occur within 60 days of written request to do so from TPWC, or prior to obtaining the certificate of occupancy of the new building, this will be subject to any and all applicable permitting requirements, as stated per the agreement.

OCA asked the DTPW department representative the following questions:

1. How was it concluded that the impact on traffic flow would not be adverse?
2. Is the County responsible for doing Quality Control of the new location of the road or is this a fee the owners will be responsible for?

Below are the responses from DTPW:

1. There is no impact to traffic flow because the road itself is not being affected, the only improvement being relocated is the Sidewalk.
2. The new sidewalk will be built under a permit and it will have to pass an inspection for approval.

ADDITIONAL INFORMATION

West Aventura Developers, LLC have an active status on Sunbiz.org and has a filing date of 05/15/2017 with a principal address of 19370 Collins Ave, CU 1 Sunny Isles Beach, FL 33160.

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=WESTAVENTURADEVELOPERS%20L170000662310&aggregateId=flal-117000066231-0adb2553-83b0-4fcd-b6a3-48fe2720fff9&searchTerm=west%20aventura%20developers%20llc&listNameOrder=WESTAVENTURADEVELOPERS%20L170000662310>

Florida Conference Association Of Seventh-Day Adventists has an active status on Sunbiz.org and has a filing date of 04/23/1962 with a principal address of 351 South State Road 434 Altamonte Springs, FL 32714.

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=FLORIDACONFERENCEASSOCIATIONSE%207009231&aggregateId=domnp-700923-eb54d8c9-c6f9-4950-960d-b5a46b532468&searchTerm=Florida%20Conference%20Association%20of%20Seventh&listNameOrder=FLORIDACONFERENCEASSOCIATIONSE%207009230>

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Item No. 3B
File No. 180150

Researcher: SM Reviewer: TD

RESOLUTION DESIGNATING A PORTION OF MIAMI-DADE COUNTY-OWNED PROPERTY AS PUBLIC ROAD RIGHT-OF-WAY FOR SW 76 STREET IN SECTION 31, TOWNSHIP 54 SOUTH, RANGE 40 EAST AND DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE SAME

ISSUE/REQUESTED ACTION

Whether the Board should approve this Resolution designating a portion of Miami-Dade County owned property as public road right-of-way for SW 76 street in section 31, Township 54 South, and Range 40 East.

APPLICABLE LEGISLATION/POLICY

Sections 336.09 of the Florida Statutes governs the closing and abandonment of roads and the authority to do so.

<https://www.flsenate.gov/Laws/Statutes/2011/336.09>

Sections 336.12 governs the closing and abandonment of roads; termination of easement; conveyance of fee.

<http://m.flsenate.gov/Statutes/336.12>

Section 33.134 of the Miami-Dade Code governs the right-of-way plan as it relates to the minimum width of streets and ways.

https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH33ZO_ARTVIIIIRI-WPLMIWI_S33-134PEVAWISTSE

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Javier D. Souto, District 10

Requester/Department: Transportation and Public Works

This Item has no procedural history.

FISCAL IMPACT

The fee for maintenance is \$240.43 per year. The Department of Transportation and Public Works (DTPW) is maintaining an existing road in the subject parcel, therefore there is no additional impact to the DTPW, as stated per the mayoral memo.

ANALYSIS

If this Item receives Board approval, the portion of Miami-Dade County owned property will be designated as public road right-of-way for SW 76 street in section 31, Township 54 South, and Range 40 East. The Department of Regulatory and Economic Resources' Land Development Division received a waiver of plat (plot of land) from Miami-Dade Police Department (MDPD). The parent tract for this designation is located east of SW 117 Avenue and south of SW 76 Street. The mentioned property is under the jurisdiction of MDPD. The requested designation is a condition for the waiver of plat approval, as stated by the mayoral memo.

The mayoral memo has an attachment exhibit A, which describes the strip of land. Robayna and Associates Inc., Engineers-Planners-Surveyors are the surveyors, they are a local firm located at 5723 NW 158 Street, Miami Lakes, FL 33014.

The square footage of the County-owned property is 30,929.28 square feet approximately 0.7 acres more or less.

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A right-of-way is a type of easement granted or reserved over the land for transportation purposes, this can be for a highway, public footpath, rail transport, canal, as well as electrical transmission lines, oil and gas pipelines.

OCA asked the DTPW department representative the following questions and is awaiting response:

3. Is there any construction associated with this Item such as road improvements etc.?
4. Will this affect traffic in the mentioned area (SW76 Street, in Section 31, Township 54 South, Range 40 East)?
5. Will the community be adversely affected?

The DTPW department representative responded the following:

There is no construction associated with this item, also there is no impact to traffic since the existing road is not affected by this dedication, see below the portion outlined in red. The estimated annual maintenance cost will be approximately about \$240. There is no impact to the community since this is only a change in use, from County Property to Right of Way. This action came about as a requirement from Land Development since Miami Dade County Police Department submitted a waiver of plat to that division of RER for their property located in this area see green shaded area below.



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Research Notes

Item No. 3C
File No. 180200

Researcher: JFP Reviewer: PGE

RESOLUTION DECLARING SURPLUS CERTAIN COUNTY-OWNED PROPERTY LOCATED ALONG THE WESTERLY BOUNDARY OF STATE ROAD 5 / US-1; WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; AUTHORIZING THE CONVEYANCE OF THE PROPERTY TO THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR TRANSPORTATION RELATED IMPROVEMENTS TO STATE ROAD 5 / US 1 IN ACCORDANCE WITH FLORIDA STATUTE SECTION 125.38, FOR NO MONETARY CONSIDERATION, SUBJECT TO A REVERTER AND ENTRY INTO AN AGREEMENT FOR THE RECONSTRUCTION OF ANY AFFECTED COUNTY ASSETS; APPROVING THE COUNTY DEED NECESSARY TO EFFECT THE CONVEYANCE AND AUTHORIZING THE CHAIRPERSON OR VICE CHAIRPERSON OF THE BOARD TO EXECUTE SAME ON BEHALF OF THE COUNTY; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE CONVEYANCE OF SAID PROPERTY; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO RECORD THE INSTRUMENT(S) OF CONVEYANCE AND THE CLERK OF THE BOARD TO STORE SAME; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ENTER INTO AN AGREEMENT AT NO COST TO THE COUNTY WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF ANY COUNTY ASSETS AFFECTED BY THE RECONSTRUCTION OF STATE ROAD 5 / US 1

ISSUE/REQUESTED ACTION

Whether the Board should declare certain County-owned property located along the westerly boundary of State Road 5/US-1 surplus and convey the property, at no-cost, to the Florida Department of Transportation (FDOT) for transportation related improvements along State Road 5/US-1.

APPLICABLE LEGISLATION/POLICY

Section 125.38, Florida Statutes governs the sale of County property to United States, or state.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=125.38&URL=0100-0199/0125/Sections/0125.38.html

Resolution No. R-974-09, adopted by the Board on July 21, 2009, prescribes that all resolutions creating a County interest in real property shall require recording of those instruments in the public records of Miami-Dade County, and directs the Clerk of the Board to attach and permanently store a recorded copy of the instrument together with the resolution.

<http://intra/gia/matter.asp?matter=091900&file=true&yearFolder=Y2009>

Administrative Order No. 8-4 ordered May 5, 1981, requires review by the Planning Advisory Board of any sale or lease of County real property. The proposed resolution requests waiver of this requirement.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO8-4.pdf>

PROCEDURAL HISTORY

Prime Sponsor: Xavier L. Suarez, District 7

Department/Requester: Transportation and Public Works

This item has no procedural history.

FISCAL IMPACT

The fiscal impact of the conveyance of parcel 100 (a portion of land between US1 and the Douglas Road Metrorail Station) to FDOT is a one-time payment of \$10 from FDOT as consideration to the County. In addition, this land is appraised at \$118,110.00.

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FDOT's project cost for items to be constructed within the conveyed parcel, including the modification to the Douglas Road pedestrian bridge, is \$897,021.21.

As part of the agreement, FDOT is to provide for the reconstruction of any affected County assets located on the conveyed property at no cost to the County.

ANALYSIS

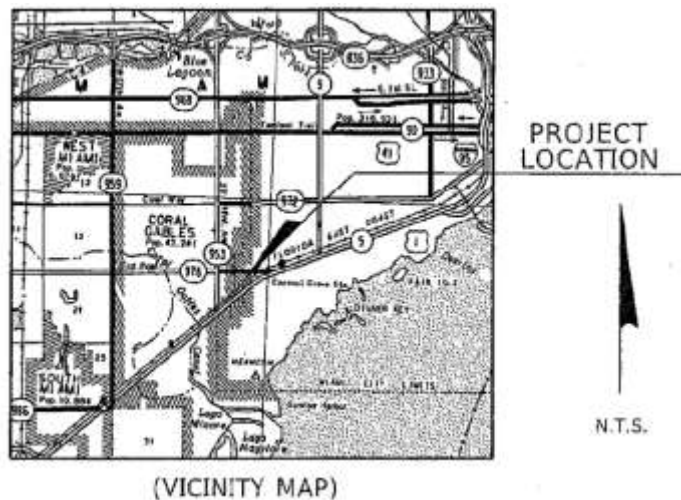
This resolution proposes to convey a County parcel located between US-1 and the Douglas Road Metrorail Station to FDOT for transportation related improvements to South Dixie Highway within the project limits of SE 37th Avenue/Douglas Road to Ponce de Leon Boulevard. This donation of County-owned property is necessary for FDOT to proceed with its project of realigning and straightening South Dixie Highway north and south of Douglas Road with the goal of addressing the crashes and fatalities at that intersection. Should FDOT neglect to utilize the parcel for transportation related improvements, the parcel will revert to County ownership.

FDOT's improvements to South Dixie Highway will impact the Douglas Road pedestrian bridge, requiring modification of the existing northwest support structure and a new elevator machine room. Per the terms of the agreement, FDOT and the County shall cooperate in the design review process of the pedestrian bridge transit improvements. FDOT will oversee and have final decision authority related to the pedestrian bridge transit improvements as well as provide maintenance during construction. Upon completion of the project, however, the County will own, inspect and maintain the pedestrian bridge in perpetuity.

The proposed resolution would also waive Administration Order No. 8-4 as it relates to review by the Planning Advisory Board before action is taken on any proposed sale or lease of County-owned real property. The inclusion of this provision renounces the requirement of obtaining a recommendation from the Planning Advisory Board to indicate whether such proposal is in the public interest.

The link below indicates the location of the Douglas Road Metrorail Station:

<https://www.google.com/maps/place/Douglas+Road+Station/@25.7313522,-80.2597802,16z/data=!4m5!3m4!1s0x88d9b7ea0f5a70f5:0xbf750b6471fb79a2!8m2!3d25.7328071!4d-80.2548212>



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DTPW INPUT

Questions posed to the Department of Transportation & Public Works and corresponding responses from the department:

1. What's the status of the FDOT project referenced in the mayoral memo and what are the specific planned improvements for the surplus property to enhance safety;

FDOT is awaiting BCC approval in order to move forward with the Certification of the Right of Way in order so the agency can let the project for construction. It is critical at the moment if this item does not make it to the last February BCC agenda. FDOT will lose the funding for the project if it suffers any further delay.

FDOT will construct a sidewalk to curtail pedestrian traffic within the surplus area which is a safety feature. Presently, sidewalk is missing.

2. Given that the mayoral memorandum indicates that the donation of County property to FDOT is for the purpose of road improvements to US1 at the Douglas Road intersection in order to lessen crashes in the area, how many automobile crashes have occurred at the intersection of Douglas Road and US1 over the last three years and how many fatalities have resulted from those crashes;

Based on the crash data, the volume of crashes are very high. Based on the crash analysis prepared by P & A as part of the Safety Technical Memorandum completed in April 2012, a review of three years (2008-2010), indicates 270 crashes along SR 5/US 1 in that area. 113 and 110 happened in the north bound and south bound lane, respectively. The remaining 47 happened at Douglas Road intersection.

A total of four (4) fatalities reported in 2009 and 2011.

We can assume more crashes took place up to present time since the last report but that will have to be confirmed via the police department.

3. What's the anticipated completion date for this project, including the bridge modifications; and

The FDOT fact sheet reflects spring 2018. Therefore, they are extremely behind. In other word they may have to push the construction start date out but FDOT cannot until it has all the documents sent to the Tallahassee office including the Certification of the Right of Way. Note: The Plans set is 100% complete.

4. What notice has been provided to the surrounding community of the planned improvements and how will the improvements impact traffic mobility, including pedestrian mobility across the bridge?

FDOT held several Public Notice Meetings with the general public prior to the plans becoming 100% completion. The project will be done in phases. A Maintenance of Traffic (MOT), which is crafted to control traffic crossing US 1 and intersections within the project limits, was approved. Whenever the pedestrian bridge undergoes construction, pedestrian will be directed to use the signalized intersection crosswalks at the intersection of Douglas Road.

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**Item No. 3D
File No. 180152**

Researcher: AIP Reviewer: PGE

RESOLUTION APPROVING A RIGHTS-OF-WAY AND POLE ATTACHMENT AGREEMENT BETWEEN MIAMI-DADE COUNTY AND MOBILITIE, LLC IN THE AMOUNT OF \$1,500.00 PER SITE FOR EACH COUNTY POLE FOR WHICH MOBILITIE HAS SUBMITTED AN APPLICATION TO THE COUNTY PRIOR TO SEPTEMBER 1, 2017, AND AN ANNUAL FEE IN THE AMOUNT OF \$150.00 FOR EACH COUNTY POLE TO WHICH MOBILITIE ATTACHES SMALL WIRELESS FACILITIES THEREAFTER, FOR THE INSTALLATION OF COMMUNICATIONS INFRASTRUCTURE WITHIN THE PUBLIC RIGHTS-OF-WAY, AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ALL PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve a Rights-of-Way and Pole Attachment Agreement between the County and Mobilitie, LLC for the installation of communications infrastructure within the public rights-of-way.

APPLICABLE LEGISLATION/POLICY

Section 337.401 of the Florida Statutes (*Use of right-of-way for utilities subject to regulation; permit; fees*) authorizes local governmental entities having jurisdiction and control of public roads or publicly owned rail corridors to prescribe and enforce reasonable rules or regulations with reference to the placing and maintaining across, on, or within the right-of-way limits of any road or publicly owned rail corridors under their respective jurisdictions any electric transmission, voice, telegraph, data or other communications services lines or wireless facilities; pole lines; poles; railways; ditches; sewers; water, heat, or gas mains; pipelines; fences; gasoline tanks and pumps.

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0300-0399/0337/Sections/0337.401.html

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Transportation and Public Works

This item has no procedural history.

FISCAL IMPACT

This item creates a positive fiscal impact as Mobilitie, LLC will pay the County \$150 annually for each County Pole it attaches Small Wireless Facilities to. For each County Pole Mobilitie submitted an application for prior to September 1, 2017, Mobilitie shall pay for the first calendar year only an alternate fee of \$1,500 per site in lieu of the annual fee that otherwise would be applicable to such small wireless facility. County Poles to which Mobilitie attaches small wireless facilities will be subject to a standard annual fee thereafter. The agenda item is unclear as to how many total County Poles the agreement includes, and what the total payment to the County would be.

ANALYSIS

This item seeks to approve an agreement between Miami-Dade County and Mobilitie, LLC through which Mobilitie would access certain portions of the public rights-of-way within the County's boundaries to provide communications services. More specifically, Mobilitie may use the rights-of-way to install, maintain, operate, repair, modify, replace and/or remove small wireless facilities from time to time. The term of the agreement is for 10 years and it shall automatically renew for four additional five year periods thereafter, unless Mobilitie notifies the County in writing of its intent to not renew at least 90 days prior to the end of the then current term. Under the agreement, Mobilitie shall pay the County \$1,500 per site for each County pole for which Mobilitie has submitted an application to the County prior to September 1, 2017 and an annual fee in the amount of \$150 for each County pole to which Mobilitie attaches small wireless facilities thereafter for the installation of communications

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infrastructure within the public rights-of-way. Under the agreement, Mobilitie is responsible for maintaining the infrastructure at each pole, including upgrading all the lighting fixtures to LED lighting.

Florida State Statutes 337.401 (10), defines “Small wireless facility” as a wireless facility that meets the following qualifications:

a. Each antenna associated with the facility is located inside an enclosure of no more than 6 cubic feet in volume or, in the case of antennas that have exposed elements, each antenna and all of its exposed elements could fit within an enclosure of no more than 6 cubic feet in volume; and

b. All other wireless equipment associated with the facility is cumulatively no more than 28 cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, ground-based enclosures, grounding equipment, power transfer switches, cutoff switches, vertical cable runs for the connection of power and other services, and utility poles or other support structures.

Florida State Statutes 337.401 (12), defines “Wireless Facility” as equipment at a fixed location which enables wireless communications between user equipment and a communications network, including radio transceivers, antennas, wires, coaxial or fiber-optic cable or other cables, regular and backup power supplies, and comparable equipment, regardless of technological configuration, and equipment associated with wireless communications.

ADDITIONAL INFORMATION

According to the Florida Department of State website, Sunbiz, Mobilitie, LLC is a Foreign Limited Liability Company (foreign meaning, out of state, not from another country), with a principal address located in the state of California. It filed on November, 17, 2015 and is currently an active business entity.

Mobilitie, LLC offers complete wireless infrastructure solutions to include funding, designing, building, operating and maintaining neutral host outdoor and indoor DAS networks, Small Cells, Wi-Fi networks and communication towers. Its current headquarters is in Newport Beach, CA and it has international offices in Panama City, Panama; Tokyo, Japan; and London, UK.

Sunbiz Mobilitie, LLC Link (URL shortened): <https://goo.gl/TuCpQ2>

Mobilitie, LLC Website: <http://www.mobilitie.com/>

On January 23, 2018, the Board adopted a resolution authorizing approval of a utility structure permitting agreement between Mobilitie, LLC and the County for the purpose of providing a dedicated plans review staffer in the amount of \$70,000 in the first year to primarily process Mobilitie permits.

<http://intra/gia/matter.asp?matter=172741&file=true&yearFolder=Y2017>

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**Item No. 3F
File No. 180252**

Researcher: JFP Reviewer: PGE

RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE TOWN OF MIAMI LAKES AND MIAMI-DADE COUNTY, PURSUANT TO SECTION 2-10 OF THE CODE OF MIAMI-DADE COUNTY, FOR TRAFFIC SIGNAL MODERNIZATION ALONG NW 154 STREET FROM NW 77 AVENUE TO NW 87 AVENUE; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE SAME, SUBJECT TO THE SATISFACTION OF CERTAIN CONDITIONS; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO RECORD THE INTERLOCAL AGREEMENT AND PROVIDE A COPY OR SUCH RECORDED DOCUMENT TO THE CLERK OF THE BOARD WITHIN 30 DAYS OF EXECUTION

ISSUE/REQUESTED ACTION

Whether the Board should approve the Interlocal Agreement between the Town of Miami Lakes and the County for traffic signal modernization along NW 154th Street from NW 77th Avenue to NW 87th Avenue.

APPLICABLE LEGISLATION/POLICY

Section 2-10 of the Code of Miami-Dade County governs County contracts with municipalities. Such contracts shall be entered into subject to ratification by the County Commission and no such contract shall extend for a period longer than one year without the express authorization of the Commission.

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-10SAATBODUFI

Resolution No. R-658-17, adopted by the Board on July 6, 2017, grants a contract to upgrade traffic signals with new technologies at 300 intersections. The proposed resolution seeks to allow the Town of Miami Lakes to implement the same technology along NW 154th Street from NW 77th Avenue to NW 87th Avenue.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2017/R-658-17.pdf>

Town of Miami Lakes Resolution No. 17-1434, adopted by the Town Council on March 7, 2017, awards the contract for closed circuit television and adaptive signal control technology to Econolite/Aegis and Express Supply, Inc. while waiving the Town's competitive procurement process.

http://www.miamilakes-fl.gov/index.php?option=com_docman&view=download&alias=1350-ordinance-12-142&category_slug=2012-1&Itemid=287

Section 768.28 Florida Statutes addresses the waiver of governmental sovereign immunity in tort actions. In the agreement between the County and the Town of Miami Lakes, the Town agrees to indemnify the County to the extent of all the limitations included in the below statute from all claims and liabilities arising out of, because of or due to the breach of the agreement by the Town, its agents or employees.

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0700-0799/0768/Sections/0768.28.html

Chapter 164, Florida Statutes governs governmental disputes. The parties to the agreement are to resolve any disputes, controversies or claims between them arising out of the agreement in accordance with the below statute.

http://leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0164/0164ContentsIndex.html

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Transportation & Public Works

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This item has no procedural history.

FISCAL IMPACT

This item has no fiscal impact to the County. Per the agreement, the County has no financial obligation to fund the Town's procurement of the required equipment, materials, and services to implement the project. Any costs associated with installation assistance and future maintenance of the adaptive traffic signals fall within the Traffic Signals and Signs Division's purview and are a part of the Division's operating budget.

ANALYSIS

This resolution comes before the Board for approval of an Interlocal Agreement between the Town of Miami Lakes and the County to implement adaptive signal control technology at six traffic signals on Miami Lakes Drive, from NW 77th Avenue to NW 87th Avenue.

The Town of Miami Lakes cites traffic congestion as the most common concern of both Miami Lakes residents and businesses. The adaptive signal control technology utilizes sensors to adjust the timing of light changes to accommodate shifting traffic patterns, thus easing traffic congestion. After testing the technology for approximately one year and seeing congestion improvements along NW 36th Street, the County began installing 300 adaptive traffic signals along 10 corridors countywide in August 2017. As a result of the demonstrated success of adaptive signal control technology, the Town of Miami Lakes has decided to move forward with independent installation to expedite the implementation of adaptive signal technology in the municipality.

This project would come at no cost to the County, as the Town is to procure all equipment, materials, and services required for the project per the Interlocal Agreement. The County is to assist the Town in the oversight of the project, with right to review and comment with respect to the design of the project and inspect construction, ensuring the Town's compliance with County standards and regulations. However, the County is released of responsibility in connection with the County's assistance to the Town under the agreement, including but not limited to any oversight or advice provided by the County related to project design or installation.

The Town of Miami Lakes is situated in the North West area of Miami-Dade County and it serves approximately 30,000 residents and 1,500 businesses. The map below highlights the impacted project area in red:

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