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OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(14)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: December 2, 2014

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

SUBJECT: Resolution amending Implementing Order 4-56 to reinstate eligibility for residents of Sunset Harbour neighborhood to purchase annual $90.00 commuter plan for the Venetian Causeway
Resolution No. R-1079-14

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

R. A. Cuevas, Jr.
County Attorney

RAC/lmp

MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: December 2, 2014

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

SUBJECT: Agenda Item No. 11(A)(14)

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)(14)
12-2-14

RESOLUTION NO. R-1079-14

RESOLUTION AMENDING IMPLEMENTING ORDER 4-56 TO REINSTATE ELIGIBILITY FOR RESIDENTS OF SUNSET HARBOUR NEIGHBORHOOD TO PURCHASE ANNUAL $90.00 COMMUTER PLAN FOR THE VENETIAN CAUSEWAY

WHEREAS, pursuant to Article I, Section 1.01(A)(1) of the Miami-Dade County Home Rule Charter this Board is empowered to "[p]rovide and regulate arterial, toll, and other roads, bridges, tunnels, and related facilities;" and

WHEREAS, consistent with such powers, this Board has established a schedule of tolls and fees for the Venetian Causeway as set forth in Implementing Order 4-56; and

WHEREAS, the Sunset Harbour neighborhood in the City of Miami Beach is located near the Venetian Causeway and situated between the waterway immediately north of 20th Street to the North, Alton Road and Sunset Drive to the East, Venetian Way and Dade Boulevard to the South, and Biscayne Bay to the West; and

WHEREAS, many residents of the Sunset Harbour neighborhood ("Sunset Harbour Residents") frequently use the Venetian Causeway; and

WHEREAS, pursuant to a previous version of Implementing Order 4-56, which set the Venetian Causeway's schedule of fees and tolls, Sunset Harbour Residents were eligible to purchase a $90.00 discounted annual commuter plan for travel across the Venetian Causeway ("Venetian Annual Commuter Plan"); and

WHEREAS, on November 19, 2013, this Board adopted Resolution No. R-950-13, which amended Implementing Order 4-56; as a result, Sunset Harbour Residents were no longer eligible to purchase the Venetian Annual Commuter Plan; and

WHEREAS, Sunset Harbour Residents have requested that this Board restore their eligibility for the Venetian Annual Commuter Plan; and

WHEREAS, on September 10, 2014, the Mayor and City Commission of the City of Miami Beach adopted Resolution No. 2014-28751, urging this Board to reinstate the Venetian Annual Commuter Plan for Sunset Harbour Residents, a copy of which is attached hereto as Exhibit A,

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

Section 1. This Board incorporates and adopts the foregoing recitals as if fully set forth herein.

Section 2. This Board amends Implementing Order 4-56 to reinstate eligibility for Sunset Harbour Residents to purchase the Venetian Annual Commuter Plan.

Section 3. The amendments to Implementing Order 4-56 contained in Exhibit B are hereby adopted and approved, in substantially the form attached hereto.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. It was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Xavier L. Suarez** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of December, 2014. This resolution shall become effective shall be effective ten (10) days after the date of adoption unless vetoed by the County 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: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

EWG

Eduardo W. Gonzalez

Attachment A

RESOLUTION NO. 2014-28751

A RESOLUTION OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, URGING THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA TO REINSTATE A DISCOUNTED ANNUAL COMMUTER RATE FOR THE RESIDENTS AND BUSINESSES WITHIN THE SUNSET HARBOUR NEIGHBORHOOD IN THE CITY OF MIAMI BEACH, WHICH NEIGHBORHOOD IS BOUNDED BETWEEN 20TH STREET, ALTON ROAD, BISCAYNE BAY, AND VENETIAN WAY.

WHEREAS, pursuant to a previously implemented annual C-Pass commuter plan, Miami Beach residents and business owners in the Sunset Harbour neighborhood were permitted to traverse the Venetian Causeway at the same discounted rate provided to Venetian Causeway residents and employees; and

WHEREAS, in March of 2014, C-Pass holders in the Sunset Harbour neighborhood were notified by Miami-Dade County that they would no longer be eligible for a discounted annual commuter pass as of May 1, 2014; and

WHEREAS, the Sunset Harbour neighborhood is situated between 20th Street to the North, Alton Road to the East, Venetian Way to the South, and Biscayne Bay to the West; and

WHEREAS, instead of utilizing the adjacent Venetian Causeway, Sunset Harbour residents, business owners, and employees desiring to commute to the mainland will be required to travel to the Julia Tuttle Causeway to the North or to the MacArthur Causeway to the South and will incur significantly increased inconvenience, or the expense of a non-discounted commuter pass; and

WHEREAS, in addition, in order to foster efficient traffic management, the Venetian Causeway should be utilized by those residents and businesses that are closely situated to it.

NOW, THEREFORE, IT IS DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Board of County Commissioners for Miami-Dade County is hereby urged to reinstate the discounted annual commuter rate for residents, business owners, and employees within the Sunset Harbour neighborhood in the City of Miami Beach.

PASSED AND ADOPTED this 10TH **day of** SEPTEMBER, **2014.**

ATTEST:

Rafael E. Granado, City Clerk

MIAMI BEACH INCORPORATED MARCH 26TH 1915

Philip Levine, Mayor

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

City Attorney

9/12/14
Date

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Attachment B

I.O. No.: 4-56
Ordered:
Effective:

MIAMI-DADE COUNTY
IMPLEMENTING ORDER

SCHEDULE OF FEES AND TOLLS FOR THE VENETIAN CAUSEWAY

AUTHORITY:
Section 1.01 of the Miami-Dade County Home Rule Amendment and Charter, and Section 125.01(1) (m) of the Florida Statutes

SUPERSEDES:
This Implementing Order supersedes ~~Administrative~~ Implementing Order 4-56 ordered on ~~September~~ November 19, 2013 via R-950-13, and effective ~~October 1~~ November 29, 2013.

POLICY:
This Implementing Order establishes the schedule of fees for Per Trip SunPass charges, Commuter Plan, Venetian Property Owner Administrative Fees, Toll-By-Plate per Trip Fees, and Toll-By-Plate Monthly Invoice Fees.

PROCEDURE:
The administration of this Implementing Order is designated to the Director, Miami-Dade County Public Works and Waste Management Department, who shall be responsible for the collection of tolls and fees, and the maintenance and operation of the Causeway. The Director shall periodically review all fees in terms of the Causeway's maintenance and operational costs, other financial obligations, and capital improvement needs, as well as recommend changes to the County Mayor through this Implementing Order procedure.

FEE SCHEDULE:
The fee schedules adopted by this Implementing Order are attached hereto and made a part hereof, and are on file with the Clerk of the Board of County Commissioners. Fees charged by the Public Works and Waste Management Department shall be the same as those listed in the official fee schedule on file with the Clerk of the Board of County Commissioners.

This Implementing Order is hereby submitted to the Board of County Commissioners of Miami Dade County, Florida.

Approved by the County Attorney as
to form and legal sufficiency _____

VENETIAN CAUSEWAY

SCHEDULE OF FEES PER TRIP TOLL FEES SUNPASS / AND TOLL-BY- PLATE

Vehicle	Sunpass	Toll-by-Plate
2 axle	$1.75	$2.25
3 axle	$2.65	$3.40
4 axle	$3.50	$4.50
5 axle	$4.40	$5.65
	+$0.75/additional	

Toll By-Plate Monthly Invoice Fee $2.50

Causeway Plans valid from May 1 – April 30 of the following year

Property Owner Administrative Fee $24.00/year
(Available only to Venetian Island Property Owners, Spouse and Minor Children)

Commuter Plan Fee $90.00/year
(Available only to those employed or renting property on one of the six (6) Venetian Islands or residents of the Sunset Harbour neighborhood in the City of Miami Beach which is situated between the waterway immediately north of 20th Street to the North, Alton Road and Sunset Drive to the East, Venetian Way and Dade Boulevard to the South and Biscayne Bay to the West)